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TOWARD PERMANENT PEACE AND STABILITY IN ARTSAKH

by George S. Yacoubian, Jr.

The Nagorno-Karabakh war is an ethnic, religious, and territorial conflict between Armenia and Azerbaijan over the disputed region of Artsakh, an Armenian enclave within Azerbaijan. The modern conflict began in 1988 when Armenians demanded that Artsakh be transferred from Soviet Azerbaijan to Soviet Armenia. The dispute escalated into a full-scale war in the early 1990s. A ceasefire signed in 1994 provided for two decades of relative stability, but escalations in April 2016, and most recently in October 2020, have renewed the antagonism.

More than 30 years have passed with no resolution, costing thousands of lives, millions of dollars, and unfathomable anguish. All interested parties have failed, including the competing nations, the international community, and the Armenian diaspora. In the current essay, I propose multiple potential solutions to the Artsakh conflict, with a permanent recommendation grounded in pragmatism and traditional peacekeeping principles. Armenia's withdrawal from the remaining areas of Artsakh, in exchange for renumeration from Azerbaijan, financial and military assistance from the European Union, and financial and logistical assistance from Azerbaijan, the European Union, and the United States with relocation of Artsakh Armenians to Armenia proper, would signal an end to unnecessary human suffering. As an Armenian living in the diaspora whose grandparents survived the 1915 Armenian Genocide, the inclination to cede territory that is inhabited almost exclusively by ethnic Armenians is anathema to me. That said, my personal

contempt for aggression against Armenia and fellow Armenians must be tempered by the international legal reality and the cumulative and overwhelming humanitarian crisis in the region.

“What you leave behind is not what is engraved in stone monuments, but what is woven into the lives of others.” ~ Pericles

I. HISTORICAL BACKGROUND

Armenia is a small, landlocked nation bordered by Turkey to the west, Georgia to the north, Iran to the south, and Azerbaijan to the east. The area stands at the crossroads of Europe, Asia, and Africa. While Armenia emerged as a democracy with the dissolution of the Soviet Union in September 1991, its modern history includes significant victimization by the Ottoman Empire,¹ which is critical to understanding the current conflict with Azerbaijan. By the 1800s, the once powerful Ottoman Empire began to decline. For centuries, Turkey spurned technological and economic progress while the nations of Europe had embraced innovation and become industrial giants.² While the Greeks, Serbs, and Romanians achieved independence, Armenians remained mired in the backward empire under the autocratic rule of Sultan Abdul Hamid.³

By the 1890s, young Armenians pressed for political reforms, calling for a constitutional government,

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¹ RICHARD G. HOVANISSIAN, ARMENIAN GENOCIDE IN PERSPECTIVE 19-38 (1st ed. 1986).

² VAHAKN DADRIAN, WARRANT FOR GENOCIDE 39-45 (1999).

³ *Id.*

the right to vote, and an end to discriminatory practices.⁴ The Sultan responded to their pleas with brutal persecutions. Between 1894 and 1896, more than 100,000 inhabitants of Armenian villages were massacred.⁵ However, the end of the century brought significant deterioration to the Ottoman Empire and the Young Turkish revolution overthrew the old regime in 1908.⁶ That year, the Young Turks forced the Sultan to allow a constitutional government and guarantee basic rights.

While Armenians in Turkey were delighted with prospects for a brighter future, their hopes were dashed after three Young Turks seized full control of the government in 1913.⁷ This triumvirate — Mehmed Talaat, Ismail Enver and Ahmed Djemal — wielded dictatorial powers and concocted ambitious plans for the future of Turkey. The Young Turks adopted “a credo based on pan-Turanism, which alleged a prehistoric mythic unity among Turanian peoples based on racial origin to be implemented by ‘Turkification.’”⁸ Armenia’s historical homeland posed a challenge to the Young Turks’ goal to unite Turkic peoples, and it laid in the path of their eastward expansion plans.⁹

A dramatic rise in Islamic fundamentalist agitation throughout Turkey coincided with a newfound “Turanism, the nationalist ideology of the political party in power at that time — the Committee of Union and Progress (CUP), popularly known as the Young Turks.”¹⁰ The CUP aimed to unify people of Turkish origin, while those with cultural, political, and religious differences, like the Armenians, were targeted for extermination. Armenians had always been one of the best-educated communities within the old Turkish Empire, while the majority of Turks

were illiterate peasant farmers and small shopkeepers.¹¹ These uneducated subjects had no inclination toward political reform. While the Armenian community thrived under Ottoman rule, their Turkish neighbors began to resent their success. This resentment was compounded by suspicions that the Christian Armenians would be more loyal to Christian governments (that of the Russians, for example) than they were to the Ottoman caliphate.¹² The Young Turks exploited the religious, cultural, economic, and political differences between Turks and Armenians so that the average Turk came to regard Armenians as strangers among them.¹³ Taken collectively, the ethnic, economic, and religious differences between the Turks and Armenians facilitated the killings that began during, and were shielded by, the First World War.

When the First World War broke out in 1914, leaders of the Young Turk regime sided with Germany and Austria-Hungary. The outbreak of war provided the perfect opportunity to solve the “Armenian question.” By the end of April 1915, the stage had been set for the final solution to the Armenian Question. The decision to annihilate the entire Armenian population came directly from the ruling triumvirate of the Young Turks.¹⁴ Men, women, and children were escorted by Turkish soldiers to secluded areas and murdered outright.¹⁵ Those that were not killed immediately found death by deportation. Alleging acts of treason, “the Ottoman authorities ordered . . . the wholesale deportation of the Armenian population of the empire’s eastern and southeastern provinces.”¹⁶ By the time the killings had been completed, more than 1.5 million Armenians had been slaughtered, and the Armenian Question had been resolved in the eyes of the Ottoman leadership.

⁴ *Id.*

⁵ DADRAN, *supra* note 2, at 75-82.

⁶ JOSEF GUTTMANN, *THE BEGINNINGS OF GENOCIDE 5* (1965).

⁷ HOVANISSIAN, *supra* note 1; BERNARD LEWIS, *THE EMERGENCE OF MODERN TURKEY* 210-38 (1961).

⁸ LEWIS, *supra* note 7.

⁹ DADRAN, *supra* note 2, at 93-101.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ HOVANISSIAN, *supra* note 1, at 19-38.

¹⁴ *Id.* at 55.

¹⁵ *Id.*

¹⁶ VAHAKN DADRAN, *THE HISTORY OF THE ARMENIAN GENOCIDE* 15 (1995).

Shortly before the First World War ended in November 1918, the Young Turk triumvirate fled to Germany. To this day, the Turkish government disavows the attempts at racial extermination that have haunted Armenian survivors for more than nine decades.¹⁷ In May 1918, Armenia declared independence,¹⁸ but this freedom was short-lived due to territorial conflicts, war, and an influx of refugees from Ottoman Armenia. Armenia was annexed by Bolshevik Russia in March 1922,¹⁹ and remained a Soviet Republic until September 1991.

A. Region of Artsakh

Artsakh is located in Azerbaijan, about 170 miles west of the Azeri capital of Baku. Of the approximately 145,000 denizens, 95 percent are Armenians, and none are Azeri Muslims.²⁰ Following the First World War and the establishment of the Soviet Union, three states in the South Caucasus region were formed: Armenia, Azerbaijan, and Georgia.²¹ While Azerbaijan claimed sovereignty over Artsakh, the Allies decided that the ultimate status of Artsakh should be determined at the Paris Peace Conference.²² In March 1921, however, a treaty between Turkey and the Soviet Union established that Artsakh would be under the authority of the Azerbaijani Soviet Socialist Republic (SSR).²³ An intentional strategy implemented by Joseph Stalin

¹⁷ George S. Yacoubian, Jr., *Financial, Territorial, and Moral Reparations for the 1915 Armenian Massacres*, 4 WAR CRIMES, GENOCIDE, AND CRIMES AGAINST HUMANITY: AN INT'L J. 61 (2010).

¹⁸ *Id.*

¹⁹ Ronald Grigor Suny, *Soviet Armenia, in THE ARMENIAN PEOPLE FROM ANCIENT TO MODERN TIMES, VOLUME II: FOREIGN DOMINION TO STATEHOOD: THE FIFTEENTH CENTURY TO THE TWENTIETH CENTURY* 350 (Richard G. Hovannisian ed., 1997).

²⁰ Amit Chhabra, *How to Mediate an Enduring Peace for Nagorno-Karabakh*, 40 FLETCHER F. WORLD AFF. 91 (2016); William R. Slomanson, *Nagorno Karabakh: An Alternative Legal Approach to Its Quest for Legitimacy*, 35 T. JEFFERSON L. REV. 29, 30 (2012).

²¹ Argam Der Hartunian, *Negotiation and Settlement in Nagorno-Karabakh: Maintaining Territorial Integrity or Promoting Self-Determination?* 7 PEPP. DISP. RESOL. L.J. 295, 297 (2007).

²² *Id.*

²³ *Id.*

granted Artsakh autonomous status in 1924. This strategy sought to prevent any one ethnic group from gaining enough power and autonomy to secede from the Soviet Union.

On February 20, 1988, the Soviet government passed a resolution requesting transfer of Artsakh from Azerbaijan SSR to Armenia SSR.²⁴ Azerbaijan rejected the request, and ethnic violence against Armenians, in Artsakh and throughout Azerbaijan, began shortly thereafter, continuing through 1990.²⁵ Following the Soviet Union's collapse in 1991, the region descended into chaos, and the next year the autonomous region of Artsakh declared complete independence.²⁶ By mid-1992, Armenians largely controlled the region of Artsakh, many of the Azeris had left, and the Lachin corridor, a land bridge from Artsakh to Armenia, was established.²⁷ By 1993, there were thousands of casualties and refugees on both sides.²⁸ In 1994, Azerbaijan and Armenia reached a cease-fire agreement whereby Artsakh was left in control of the Artsakh region and seven adjacent districts of Azerbaijan.²⁹

For three decades, multiple violations of the ceasefire have occurred.³⁰ Long-standing international mediation attempts to create a peace process were initiated by the OSCE Minsk Group in 1994, with the interrupted Madrid Principles being the most recent iteration.³¹ The latest escalation of the unresolved

²⁴ Slomanson, *supra* note 20, at 30.

²⁵ *Id.*

²⁶ *Id.*

²⁷ Der Hartunian, *supra* note 21, at 298.

²⁸ *Id.*

²⁹ *Id.*

³⁰ See *Nagorno-Karabakh Conflict*, COUNCIL ON FOREIGN REL.: GLOB. CONFLICT TRACKER (November 9, 2020), <https://www.cfr.org/global-conflict-tracker/conflict/nagorno-karabakh-conflict>.

³¹ Press Release, Org. for Sec. and Coop. in Eur. (OSCE) Minsk Grp., Statement by the Co-Chairs of the OSCE Minsk Group (Sept. 27, 2020).

conflict began on September 27, 2020, with an Azerbaijani offensive.³² In response to the clashes, Armenia and Artsakh introduced martial law and total mobilization,³³ while Azerbaijan introduced martial law and a curfew, later declaring partial mobilization on September 28, 2020.³⁴ The war has been marked by the use of chemical agents, deployment of drones, sensors, long-range heavy artillery and missile strikes,³⁵ state propaganda, the use of official social media to wage information warfare,³⁶ and the attacking of civilian populations, schools, and hospitals. Total casualties are estimated into the thousands.³⁷ Numerous countries and the United Nations (UN) called on both sides to deescalate tensions and resume meaningful negotiations.³⁸ A humanitarian ceasefire brokered by Russia, facilitated by the International Committee of the Red Cross, and agreed upon by both Armenia and Azerbaijan, came into effect on October 10, 2020. But this cease fire, and two subsequent

³² See Joshua Kucera, *As Fighting Rages, What is Azerbaijan's Goal?*, EURASIANET (Sept. 29, 2020), <https://eurasianet.org/as-fighting-rages-what-is-azerbajians-goal>.

³³ See *Nagorno-Karabakh Announces Martial Law and Total Mobilization*, REUTERS (Sept. 27, 2020), <https://www.reuters.com/article/us-armenia-azerbaijan-martial-law/nagorno-karabakh-announces-martial-law-and-total-mobilization-idUSKB-N26I08I>.

³⁴ See *Azerbaijan's Parliament Approves Martial Law, Curfews: President's Aide*, REUTERS (Sept. 27, 2020), <https://www.reuters.com/article/us-armenia-azerbaijan-curfew/azerbajians-parliament-approves-martial-law-curfews-presidents-aide-idUSKB-N26I00O>.

³⁵ See Alex Gatopoulos, *The Nagorno-Karabakh Conflict is Ushering in a New Age of Warfare*, AL JAZEERA (Oct. 11, 2020), <https://www.aljazeera.com/features/2020/10/11/nagorno-karabakh-conflict-ushering-in-new-age-of-warfare>.

³⁶ See Mansur Mirovalev, *Armenia, Azerbaijan Battle an Online War Over Nagorno-Karabakh*, AL JAZEERA (Oct. 15, 2020), <https://www.aljazeera.com/features/2020/10/15/karabakh-in-fowar>.

³⁷ See Bethan McKernan, *Trench Warfare, Drones, and Covering Civilians: On the Ground in Nagorno-Karabakh*, THE GUARDIAN (Oct. 13, 2020 1:00 AM), <https://www.theguardian.com/artanddesign/2020/oct/13/trench-warfare-drones-and-covering-civilians-on-the-ground-in-nagorno-karabakh>.

³⁸ See *UN Security Council Calls for Immediate End to Fighting in Nagorno-Karabakh*, FRANCE 24 (Sept. 30, 2020), <https://www.france24.com/en/20200930-un-security-council-calls-for-immediate-end-to-fighting-in-nagorno-karabakh>.

agreements to halt hostilities, were violated by Azerbaijan with additional killings. On November 9, 2020, Armenia's Prime Minister signed an agreement with the Presidents of Azerbaijan and Russia to end the war in Artsakh.³⁹ Under this agreement, Azerbaijan will retain control of land within Artsakh that it has already captured, and Armenia has agreed to relinquish adjacent land in these now Azeri-occupied areas.⁴⁰

Protecting the rights of the people of Artsakh is a major concern for Armenia. The Armenian population of Azerbaijan has been subject to persecution throughout the twentieth century, arguably rising to the level of genocide as defined by the Genocide Convention.⁴¹ If Artsakh falls back into the hands of Azerbaijan, there is a strong likelihood that the Armenians of the region would again be subjected to attempts at ethnic cleansing. The long history of discrimination against Armenians in Azerbaijan, coupled with the recent conflict and the alliance with Turkey, suggests that Azeri control of Artsakh would facilitate genocidal aggression against Armenians, again.

II. INTERNATIONAL LAW

Under international law, minority groups that qualify as "peoples" are entitled to self-determination, or the ability to freely determine their political fate and form a representative government.⁴² The principle of self-determination is grounded in the assumption that secession is necessary when the seceding people are oppressed or where the mother state's government has consistently failed to represent the people's interests. Article 1 of the

³⁹ See *Armenia, Azerbaijan, Russia Sign Deal to End Nagorno-Karabakh War*, AL JAZEERA (Nov. 9, 2020), <https://www.aljazeera.com/news/2020/11/9/armenia-pm-says-signed-painful-deal-to-end-nagorno-karabakh-war>.

⁴⁰ See *Armenia, Azerbaijan and Russia Sign Nagorno-Karabakh Peace Deal*, BBC NEWS (Nov. 10, 2020), <https://www.bbc.com/news/world-europe-54882564>.

⁴¹ Convention on the Prevention and Punishment of the Crime of Genocide art. 2, Dec. 9, 1948, 78 U.N.T.S. 277.

⁴² Michael P. Scharf, *Earned Sovereignty: Judicial Underpinnings*, 31 DENV. J. INT'L. & POL'Y 373, 374 (2003).

UN Charter, which states that one of the purposes of the United Nations is, “to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples,”⁴³ and two UN declarations — the 1960 Declaration on the Granting of Independence to Colonial Countries⁴⁴ and the 1970 Friendly Relations Declaration⁴⁵ — have addressed self-determination. While UN Declarations are not binding international law, both envisioned self-determination as a matter of last resort.

The international community neither recognizes Artsakh as an independent state nor as part of Armenia.⁴⁶ Indeed, the European Union⁴⁷ and its member states, the UN,⁴⁸ the United States, and the European Court of Human Rights all recognize Artsakh as occupied Azerbaijani territory. This recognition is important because territorial affirmation by the international community would be persuasive if a legal argument were to be constructed in favor of formal annexation of Artsakh to Armenia. Here, however, few non-Armenian entities believe that Artsakh is part of Armenia, which suggests that the Armenian position is likely without moral or legal justification.

There is support that Artsakh is recognized as its own state entity. First, the Montevideo Convention on the Rights and Duties of States⁴⁹ established a standard definition of statehood under international law. Under Article 1 of the Convention, a state *should*

⁴³ U.N. Charter art. 1.

⁴⁴ G.A. Res. 1514, Declaration on the Granting of Independence to Colonial Countries and Peoples (Dec. 14, 1960).

⁴⁵ G.A. Res. 2625, Declaration on Principles of International Law Concerning Friendly Relations and Co-operation Among States in Accordance with the Charter of the United Nations (Oct. 24, 1970).

⁴⁶ Brenda Shaffer & Yael Shaffer, *Is Psagot Drinking Alone? Application of the CJEU Psagot Judgment to Other Territories the EU Considers Under Occupation*, 11 GEO. MASON J. INT’L COM. L. 1, 2 (2020).

⁴⁷ *Id.* at 10.

⁴⁸ See G.A. Res. 62/243, at 5 (Mar. 14, 2008).

⁴⁹ Montevideo Convention on the Rights and Duties of States, Dec. 26, 1933, 165 L.N.T.S. 19.

possess the following characteristics: a permanent population, a defined territory, a government, and the capacity to enter into relations with other states.⁵⁰ Article 3 of the Convention represents the declarative theory of statehood,⁵¹ while “the political existence of the state is independent of recognition by the other states.”⁵² This theory of statehood stands in opposition to the constitutive theory of statehood, which holds that a state exists only when it is recognized by other states.⁵³ It is important to note that while Artsakh does have a permanent [Armenian] population, a defined territory, its own government, and presumably could enter into relations with other states, the Montevideo Convention is persuasive authority at best, given its regional focus and the fact that neither Armenia nor Azerbaijan are signatory parties.

Second, the United States has had an annual foreign aid appropriation earmarked directly for Artsakh for three decades.⁵⁴ Congress has allocated aid for general development and humanitarian purposes, such as infrastructure, agriculture, and medical projects.⁵⁵ Artsakh also receives aid *indirectly* from the United States. The United States is Armenia’s largest bilateral aid donor, with a significant portion of the annual Artsakh budget coming from direct Armenian appropriation.⁵⁶

Several conclusions can be drawn from these inconsistencies. First, more than three decades of recent military conflict indicate that the situation in Artsakh is both unique and complicated.

⁵⁰ *Id.* at art. 1.

⁵¹ HERSCH LAUTERPACHT, *RECOGNITION IN INTERNATIONAL LAW* 64 (2012).

⁵² Montevideo Convention on the Rights and Duties of States, *supra* note 49, at art. 3.

⁵³ TIM HILLIER, *SOURCEBOOK ON PUBLIC INTERNATIONAL LAW* 201 (1998).

⁵⁴ JIM NICHOL, CONG. RSCH. SERV., RL33453, *ARMENIA, AZERBAIJAN, AND GEORGIA: POLITICAL DEVELOPMENTS AND IMPLICATIONS FOR U.S. INTERESTS* 65 (2014).

⁵⁵ *Id.* at 42.

⁵⁶ See *U.S. Foreign Assistance Aid & Trade*, ARM. NAT’L COMM. OF AM., <https://anca.org/issue/u-s-foreign-assistance-aid-trade/> (last visited Mar. 12, 2021).

Additionally, the Artsakh territory is significant geopolitically as an example of democracy and self-determination within a state whose reputation is one of discord and violence. Finally, it is clear Artsakh is a political pawn to the United States, Russia, and Turkey. There is no dispute that an Artsakh conflict benefits Russia because favoring either Armenia or Azerbaijan would necessarily empower one to the dismay and disenfranchisement of the other. The United States, in turn, recognizes the need to empower democracy, with financial support being the most readily available mechanism. Moreover, it is not coincidental that the current Artsakh conflict was initiated by Azerbaijan, with the support of Turkey, to coincide with presidential elections in the United States and the intensification of the COVID-19 pandemic because the international community was distracted by these two globally critical events. Turkey's assistance to Azerbaijan now — two countries with shared geopolitical, ethnic, and religious histories — is no different than the Armenian Genocide committed under the guise of the First World War. The goal in 1915 was to expel Armenians from their ancestral homeland and create an Islamic state. Today, Armenia and Armenian-populated Artsakh are all that stand in the way of history repeating itself a century later.

III. DISCUSSION

Efforts at peacekeeping in Artsakh have been minimal. The first attempts by the Presidents of Russia and Kazakhstan in 1991 failed.⁵⁷ The Minsk Process, a protocol spearheaded by France, the Russian Federation, and the United States to find a peaceful solution to the Nagorno-Karabakh conflict, failed.⁵⁸ The Key West Talks established the parameters of an agreement in early 2001, but the settlement plan, which included the annexation of Artsakh by Armenia in exchange for a dedicated corridor linking Azerbaijan to Turkey,

⁵⁷ MICHAEL BOTHE, NATALINO RONZITTI, & ALLAN ROSAS, *THE OSCE IN THE MAINTENANCE OF PEACE AND SECURITY: CONFLICT PREVENTION, CRISIS MANAGEMENT AND PEACEFUL SETTLEMENT OF DISPUTES* (1997).

⁵⁸ Der Hartunian, *supra* note 21, at 311.

was wholeheartedly rejected by the governments of Armenia and Azerbaijan.⁵⁹ In 2006 and 2007, multiple meetings between the Presidents of Armenia and Azerbaijan failed, primarily because neither was willing to retreat from their requirement for annexation of the disputed territory.⁶⁰

The purposes of the United Nations are, “to maintain international peace and security, . . . to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.”⁶¹ In addition, the United Nations is empowered “to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace.”⁶² It has failed in its duty with respect to Artsakh. That three decades of conflict persist with no peace, no solution and, more importantly, no progress, overwhelmingly suggest that the governments of Armenia and Azerbaijan have equally failed their populaces. Moreover, support from the Armenian diaspora, unwavering and necessary in a humanitarian crisis, has been jingoistically reactionary rather than pragmatic.

There are multiple potential approaches to the Artsakh conflict. First, the international community can continue to do nothing, allowing military skirmishes to arise every few years, at the expense of humanity and an international mandate for peace. That more than thirty years have passed since the dissolution of the Soviet Union without any resolution suggests that the parties and

⁵⁹ *Id.*

⁶⁰ See Emil Danielyan, *Armenia, Azerbaijan Again Fail To Break Karabakh Deadlock*, EURASIANET (June 8, 2006), <https://www.refworld.org/docid/46f2586523.html>.

⁶¹ U.N. Charter art. 1.

⁶² *Id.* at art. 1(2).

the international community are content with complacency.

Second, Azerbaijan can relinquish the remaining Armenian-occupied portions of Artsakh and the Lachin corridor to Armenia, in exchange for financial remuneration. Given the recently signed peace agreement, and the likelihood, if not the certainty, of future invasions of post-conflict Artsakh by Azerbaijan, it is clear Azerbaijan has little incentive to permanently cede territory.

Third, Artsakh can petition the international community to become an independent state. A territory becomes a sovereign state when its independence is recognized by the United Nations. As the largest multilateral organization, its sanctioning of sovereign statehood is required for recognition. Clearly, however, for one territory, such as Artsakh, to become a new state, another already existing sovereign state, such as Azerbaijan, must lose some of its territory. Recognition of a new state essentially means legally recognizing the transfer of sovereignty over a territory from one authority to another. No international body, including the UN, can take away territory without the permission of the “host” state. To do so would violate the rules of the system of states.

Fourth, Armenia can withdraw from the remaining areas of Artsakh, including the capital of Stepanagert, in exchange for remuneration from Azerbaijan, financial and military assistance from the European Union, and financial and logistical assistance from Azerbaijan, the European Union, and the United States with relocation of Artsakh Armenians to Armenia proper. This arrangement would end the conflict permanently without future military intervention and additional human casualties, assist in the repopulation of Armenia proper, which

has seen significant migration during the past two decades,⁶³ and allow Armenia to focus its military and economic efforts solely on Armenia proper. Additionally, this exchange would reinforce to the international community that Armenia is committed to peace and stability in the region and secure Armenia’s borders with assistance from the European Union and the United States.

However, there are multiple disadvantages to ceding the remaining areas of Artsakh to Azerbaijan. Ethnic Armenians living in Artsakh would lose their homeland. For a population that has been victimized for more than a century, this would signify a substantial defeat. Further, the geographic buffer between Azerbaijan and Armenia would shrink, making Armenia more vulnerable to future Azeri and Turkish aggression. Turkey being involved in the current “peacekeeping process”⁶⁴ is laughable and only serves to demonstrate their intent to remain embroiled in this territorial dispute. Finally, there is no requirement or guarantee that Artsakh Armenians would relocate to Armenia proper. They could elect to relocate into the diaspora, which would contravene the goal of repopulating Armenia.

“Peacebuilding” is intended to prevent the escalation of violence when a conflict is just emerging or is in progress.⁶⁵ As such, peacebuilding includes actions to prevent conflicts and establish sustainable peace. As an Armenian living in the diaspora whose grandparents survived the 1915 Armenian Genocide, the inclination to cede territory that is

⁶³ See Aleksandr Gevorkyan, Arkady Gevorkyan, & Karine Mashuryan, *Little Job Growth Makes Labor Migration and Remittances the Norm in Post-Soviet Armenia*, MIGRATION POLY INST. (Mar. 17, 2008), <https://www.migrationpolicy.org/article/little-job-growth-makes-labor-migration-and-remittances-norm-post-soviet-armenia>.

⁶⁴ See *Turkey May Send Peacekeeping Forces to Nagorno-Karabakh, Talks Continue*, DAILY SABAH (Nov. 10, 2020), <https://www.dailysabah.com/politics/diplomacy/turkey-may-send-peacekeeping-forces-to-nagorno-karabakh-talks-continue>.

⁶⁵ Organisation for Economic Co-Operation and Development [OECD], *Guide Pour L'évaluation Des Activités De Prévention Des Conflits Et De Construction De La Paix [Guidance On Evaluation Conflict Prevention And Peacebuilding Activities]*, OECD Development Assistance Committee] (2008) (Fr.).

inhabited almost exclusively by ethnic Armenians is anathema to me. But my personal contempt for aggression against Armenia and Armenian soldiers must be tempered by the international legal reality and the cumulative and overwhelming humanitarian crisis. It is challenging for any nation to surrender territory that they believe is rightfully theirs. Land reflects a country's identity. Few, if any, Armenians *want* to surrender Artsakh. But practical, short-term secessions must sometimes be made when they have long-term advantages. Armenia needs closure, peace, and security. Ceding Artsakh in exchange for financial and military security from Western Allies may not be the ideal solution, but the alternatives, including continued military conflict tempered by sporadic ceasefire agreements, the displacement of Artsakh citizens, the institutionalization of children, and an unabating fear of aggression — fail pragmatism at a time when stability and accord should prevail.