Discussion Paper

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Negotiating access and security: Scenarios for corridors and movement in Lachin and beyond

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A reflection of a street sign in the vicinity of Barda. © Conciliation Resources

Introduction

Geography, and questions of access to territory, are key concerns driving conflict between Armenians and Azerbaijanis. Armenians and Azerbaijanis have for many years had no access to each other's societies or territories controlled by the other side. All Armenian-Azerbaijani borders are closed and fortified, and many of them are subject to regular strafing and sniper fire of varying intensity. Yet a peace agreement would envisage the opening of borders, and requires the careful management of movement in a highly sensitive political context.

This paper incorporates a number of perspectives through which the access issue is understood today. While identifying areas of clear disagreement, it also explores points of convergence, asking whether the access issue can be reframed as a solution to a common problem. It looks at a number of areas of policy relevance, including the potential for access to be a confidence-building measure, options for sequencing or phasing access and ways of conceptualising joint security. Finally, it offers possible entry points for further Armenian-Azerbaijani dialogue on access. It argues that access is one policy area that can be decoupled from intractable political frameworks and that could in fact be deployed to transform understanding of those frameworks.

The paper is based on discussions at a meeting supported by Conciliation Resources of the Karabakh Contact Group (KCG), a platform for collaborative thinking on issues facing the Armenian-Azerbaijani peace process. Over three days in Tbilisi in late 2014, the KCG brought together Armenian and Azerbaijani civil society analysts and international experts on access, movement regimes (rules administering the movement of people), and the Nagorny Karabakh (NK) conflict.

Framing access

The territorial isolation of NK from Armenia (what Armenians see as 'enclavisation') has been a consistent Armenian concern since the early twentieth century. Armenians argue that a permanent, legally ratified access corridor is a guarantee against NK again becoming an island surrounded by Azerbaijani territory in the future.

Even if Azerbaijanis accept, in theory, the need for access between NK and Armenia, it is seen as a temporary measure to be enacted simultaneously with the return of displaced Azerbaijanis to the territory between NK and Armenia, as well as the return of this territory to Azerbaijani jurisdiction. Yet the return of displaced Azerbaijanis to NK would also raise issues of these returnees' access to – and communications with – central Azerbaijan.

The issue of access has never been intensively discussed in public. It appears at the negotiating table in the official talks between the Presidents of Armenia and Azerbaijan, mediated by the OSCE Minsk Group, in the form of the 'Lachin corridor', the shortest overland corridor connecting Armenia and NK via Lachin (*see map below*). The fact that access arrangements are contingent on other more politically-charged issues, such as status determination and displaced community return, may explain the low public profile of the access issue. KCG participants reflected on the difficulties of isolating access scenarios from other issues, while acknowledging that this is the situation confronting negotiators.

This map is for illustrative purposes only. Conciliation Resources takes no position on the political validity of this map or its contents. © Conciliation Resources

Lachin forms part of the mountainous plateau that covers parts of eastern Anatolia, Armenia, and the south-western parts of Azerbaijan (*see map above*).

Early Soviet territorial delimitations resulted in Lachin becoming an area lying between the Nagorno-Karabakh Autonomous Oblast' (NKAO) and Soviet Armenia. By 1989 it was home to 47,400 Azeris and Muslim Kurds. In the 1990s, as Armenian-Azerbaijani conflict escalated, the Lachin road connecting the NKAO with Armenia was closed, rendering the NKAO dependent on airlifts for basic and military supplies. Recovering the overland connection was an Armenian priority in the war and Armenian forces took control over Lachin on 18 May 1992; it became the first of what would eventually become seven districts of Azerbaijan surrounding the NKAO falling wholly or partially under Armenian military control (Lachin, Kelbajar, Qubatly, Zangilan, Cebrayil, Fizuli and Agdam). Lachin's entire Azeri and Kurd populations were displaced to other parts of Azerbaijan, where they live to this day. In the 1990s the *de facto* Nagorno-Karabakh Republic enacted a revision of its internal boundaries, by which Lachin was amalgamated with the two regions to the south, Qubatly and Zangilan, to form a new *de facto* province, Kashatagh. The town of Lachin was renamed Berdzor. Despite official support and incentives, Armenian settlement of the area remains limited. Official figures for 2013 put the population of Kashatagh province (larger than Lachin) at 8,700, and of the town of Lachin/Berdzor at 1,800.

A cafe run by people displaced from Lachin. © Conciliation Resources

1. Key points of disagreement

Armenians and Azerbaijanis have come to interpret access through the respective prisms of issues they consider more urgent. In the words of one KCG participant, "Azerbaijan wants to return territory, Armenia wants to strengthen security." This gives rise to the following key points of disagreement.

A. The meaning of access

Armenians understand the issue of access through the prism of security. Access is envisaged as a permanent structure solidifying the connection between NK and Armenia. This approach first and foremost concerns those living in NK today for whom the current borders of the *de facto* Nagorno-Karabakh Republic (NKR) – which establish territorial contiguity with Armenia – have become natural. From the perspective of Karabakh Armenians any territorial withdrawals are unacceptable: their general position has hardened over time. Even when territorial withdrawals from the seven regions under Armenian control are considered, Lachin and Kelbajar are separated from the other five. The resulting '5+2' formula might see withdrawals from the other five as acceptable

pending the fulfilment of other conditions. But these two regions are still seen as requiring longer or indefinite Armenian control, on account of their geographical position between Armenia and NK, as well as their importance as a source of water for both.

> **"***When Armenians talk about the corridor, they mean all the territory between Armenia and NK; when Azerbaijanis talk about it, they see only a road.***"**

Azerbaijanis interpret the issue of access primarily through the prisms of the return of displaced communities to territory, and the return of territory to Azerbaijani jurisdiction. Access corridors are therefore read as giving up parts of Azerbaijani territory temporarily for Armenian use, thereby tolerating a number of compromises for Azerbaijani sovereignty for a period of time. Access is therefore understood as a concession

that needs to be limited in space (that is, any access corridor should not include Kelbajar), and time. In this perspective, there should be a clear time frame for the Lachin corridor's eventual return to Azerbaijani jurisdiction.

B. The duration of access

Armenian and Azerbaijani positions here reflect their respective interpretations of access. The former seek prolonged or indefinite control over a corridor crossing Lachin. The latter seek to tie such control to fixed timelines and defined modalities.

Azerbaijani thinking is furthermore influenced by the impact of the passage of time on its displaced communities. As Azerbaijanis born to displaced parents are also given displaced status, natural growth is expanding the community of potential returnees. This generates a perceived demographic advantage that is progressively increasing, and that favours Azerbaijanis displaced from Lachin (who official figures suggest now number over 60,000), and other areas, over the Armenian population living in *de facto* NKR-controlled territory. Many displaced Azerbaijanis acknowledge that return becomes more problematic with each passing year, creating a sense of urgency, yet the prospective return of a majority Azerbaijani population is cited by Armenians as a reason why any return should be prevented. For some this would also allow Armenian settler communities to become progressively more numerous and entrenched, although in reality the extent of settlement is exaggerated on all sides.

C. The breadth of access

Armenian security concerns, as well as the wider trend towards securitisation, encourage the expansion of access to its maximum possible territorial extent. This approach transforms an access corridor into a wider space encompassing all of the territory between Armenia and NK. The influence of militarised imagery is evident in a now outmoded stereotype, popular in the 1990s, that the Lachin corridor should be 62 kilometres wide – twice the range of a GRAD missile. Alternative visions of narrower access, cutting into territory now held by Armenian forces, would involve a lengthening of the Line of Contact (LOC) with Azerbaijani forces. For Armenians it is more popular to accept the current territorial delimitation and the *de facto* NKR's borders as permanent, indefinitely postponing any discussion of territorial withdrawals. This links the issue of access to the politically charged issue of the legitimacy of the NKR and manifests itself physically in the submerging of Lachin within the province of Kashatagh (*see box on p.4*).

Azerbaijani understanding of access as a temporary derogation of Azerbaijani territorial integrity encourages a minimalist understanding of the Lachin corridor. This applies in both space – it should be narrow and sharply defined vis-à-vis the rest of Lachin that would return to Azerbaijani jurisdiction – and time. As one KCG participant observed, "the wider the corridor, the more salient the issue of demography will be." Reported distinctions between 'corridor Lachin' and 'non-corridor Lachin' in the OSCE Minsk Group negotiations reflect this logic, and allegedly derailed the June 2011 presidential meeting in Kazan.

D. The power to control access

Issues of access put disagreement regarding the structure of the conflict into the spotlight by emphasising issues of control on the ground. Armenian positions point to the *de facto* NKR as the primary Armenian party to the conflict. Furthermore, since it is the *de facto* NKR that is in control on the ground, access issues cannot be decided without it. Azerbaijani interpretations of the conflict focus on Armenia with no independent role for Karabakh Armenians. The formal structure of the peace process reflects this view, in which Armenia and Azerbaijan are the parties mandated to negotiate. This structure might encounter problems when it comes to negotiating change on the ground with actors that have local control and legitimacy, but are internationally perceived as illegitimate.

When envisaging the realities of control on the ground on 'agreement day + 1', it is evident that Karabakh Armenian security forces will be in control of the relevant territory. It is therefore important to consider how these forces would be incorporated into access arrangements in such a way that they would share responsibility and accountability for the post-agreement movement regime. This is one example of a missing conversation between Baku and Stepanakert (known as Khankendi to Azerbaijanis) where the facts of control on the ground suggest the necessity of engaging in dialogue – without prejudicing eventual status.

Street sign indicating the Armenian name for Lachin town, Berdzor. © Conciliation Resources

2. Points of convergence

Despite these differences, there are several points where Armenian and Azerbaijani perspectives converge.

A. Access corridors as a solution to a common problem

Access is usually framed as a core Armenian demand, reflecting and satisfying Armenian needs. However, it is assumed displaced community return would follow a comprehensive agreement, entailing the return of Azerbaijanis to areas within the former NKAO. These communities would face a comparable problem of becoming ethnic Azeri enclaves surrounded by Armenian-populated territory. For example, Shusha (known as Shushi to Armenians), previously the major Azeri settlement in the region, is located not only in the heart of NK but also on strategically vital heights above the capital Stepanakert. Returnees in this situation could reasonably be expected to need comparable security guarantees on a route passing via Askeran and Agdam to central Azerbaijan. Beyond the immediate context in NK, Azerbaijan also seeks an overland route to its exclave in Nakhchevan, currently divided from the mainland by Armenia. Negotiations on movement also need to address this issue.

> **"***If we open some routes but not all, we preserve a model of confrontation.***"**

Reframing access corridors as a solution to the shared problem of secure access for 'stranded communities' may facilitate a cooperative framework for resolving this problem. This is not to suggest that an identical model should be replicated for different corridors. Human and physical geographies differ and infrastructure and its management should reflect this variety. Yet the potential for access corridors to solve a common problem may create common interests in making them work.

B. Access corridors or total access?

The KCG discussions emphasised the contradictions in current Armenian and Azerbaijani thinking about movement. By their nature, access corridors assume continued confrontation, through which 'safe passage' is needed. This thinking obscures an alternative vision of open communications or what might be called 'total access' which envisages the eventual disappearance of all restricted movement regimes. Compared with total access, which involves an ambitious re-imagining of the entire region, access corridors offer a narrower and more militarised concept of movement. While there is convergence on this point, it is stronger on the Azerbaijani side. If according to one Azerbaijani participant, "the access corridor is a remnant of militarist thinking", this is a view much less likely to be accepted in NK, where security is seen as primary. Yet if 'enclavisation' is the problem that an access corridor is intended to solve, access corridors

lose relevance when the context that gives rise to that 'enclavisation' is removed.

> **"*The access corridor is a remnant of militarist thinking.*"**

Total access could only become realistic pending fundamental changes in the direction of normalisation of the regional political, economic and security situation. Yet in the short term, the idea of total access may be useful in challenging current, more transactional approaches to access, rooted in deals exchanging access for territory. This transactional approach embeds a zero-sum logic and assumes exclusive, rather than interdependent gains, by pitting 'widest possible security' against 'widest possible territorial returns'. Total access recasts the access corridor as an interim measure that temporarily retains a restricted movement regime to benefit particular groups on specific routes. In this scenario, access corridors would however become redundant over time, giving way to the mutual gains of total access.

C. External security providers

The deployment of an international peacekeeping operation in a post-framework agreement scenario (responsible amongst other things for securing access corridors) constitutes another core principle in the peace proposal on the table today. Yet, with a few exceptions, there is perhaps a surprising degree of Armenian-Azerbaijani convergence in questioning and rejecting long-term roles for external security providers in post-framework agreement scenarios. The identity, mandate, location and timeframe for any peacekeeping operation are highly contentious for all sides. These questions are also vulnerable to ongoing shifts in the geopolitics surrounding the Karabakh conflict. Armenians and Azerbaijanis voice distinct reservations, including an underlying lack of trust in the security guarantees external security providers would offer; lack of trust in the independence of any such forces from the geopolitical agendas of the states providing them; fears that once installed such forces would be impossible to remove; and fears that peacekeeping forces might become part of embedded shadow economies in their areas of deployment.

However, despite convergence on doubts regarding a long-term international presence, a follow-on conclusion that it is local security providers and joint security mechanisms that would need to take their place remains implicit, undeveloped, and confronts a severe lack of trust.

D. Securitising access embeds the territorial status quo

KCG participants agreed strongly that the current rhetorical climate, public expressions of interethnic antagonism and military displays all preclude meaningful discussion of access.

On the Armenian side, this climate drives the perception that 'no contact is good contact', and strengthens hard-line positions hostile to change and supportive of the ethnic 'reclamation' of territory through settlement.

> **"*For as long as we hear this militant rhetoric and threats of war, the only thing we consider is our security.*"**

On the Azerbaijani side, Armenian rhetoric labelling territories as 'liberated', including territory presumed to form a future Lachin corridor, provokes frustration and drives reciprocal emphases on the return of occupied territory. These underscore a territorially narrow and temporary framing of access, in turn confirming and stoking Karabakh Armenian fears of renewed vulnerabilities as an enclave.

E. Postponed access is different access

Even if implicitly, all sides agree that the passage of time is changing the context, fundamental parameters and relevant actors for any discussion of access. These changes involve multiple complicating factors. They include the growth of settler and displaced communities, new infrastructure on the ground, and the naturalisation of competing cartographies of the same areas. In the words of one KCG participant, "We are on the verge of the point where the situation has so changed, so evolved, that the language and categories we are using are outmoded and no longer adequate to describe the realities we face."

The attaching on the Armenian side(s) of the same security and access imperative to the Kelbajar region as to Lachin is evidence of this kind of shift, or 'content creep', whereby modalities attaching to specific and limited items widen and attach to previously unrelated items. As Armenian KCG participants highlighted, no such attachments towards Kelbajar were evident in the Armenian negotiating strategies of the 1990s. It is nonetheless the reality that NK is not densely populated and space is not an issue. The problems of cohabitation between settler and returnee communities lie more in the political realm.

3. Areas of policy relevance

A. Access as a confidence-building measure

Access features in the Karabakh conflict as both an abstract principle to be included in a future agreement, and as a reality in the present-day interactions between Armenians and Azerbaijanis. In this second aspect, access has significant potential as both a short and medium-term confidence-building measure. There are many examples where movement policy has shaped and influenced political change. 'Access breakthroughs', such as Cyprus in 2003 and Berlin in 1989 have shown how closed movement regimes can quickly break down in a de-securitised context.

Wary of embedding a situation in which Azerbaijani territory is occupied, Azerbaijani policymakers reject confidence-building measures as solidifying the status quo. Yet in recent years it has been blockades, isolation and unstable frontlines rather than confidence-building measures that have hardened Armenian demands for exclusive, permanent and militarised access in the form of a territorially-maximalist sovereignty for the *de facto* NKR. Although 'peace pipelines' or 'peace roads' have in the past been mentioned in policy statements, these ideas have never been developed or seen as alternatives to strategies of closure and isolation. Future access arrangements would have greater legitimacy if they built on already functional movement across the conflict. Today's closed movement regime precludes the kind of autonomous social and commercial networking seen among Armenians and Azeris in Georgia, Russia and elsewhere. Closed movement regimes have become a tactic for embedding conflict, as opposed to deploying access as a part of a peace strategy.

There are numerous ways in which access can be included in the spectrum of confidence-building measures:

○ Reversing the securitisation of Armenian-Azerbaijani contacts by endorsing cross-border contact and exchange;

○ Institutionalising cross-border access for policymaker and analytical communities on specific policy areas such as agriculture, the environment and hazard management;

○ Presenting infrastructure projects for public debate that emphasise access as a solution to shared problems; and

○ Facilitating displaced community visits to support 'informed return' whereby those considering their options can choose return on the basis of personal experience and knowledge of their former places of residence as they exist today.

B. Phasing and sequencing

Armenians and Azerbaijanis have for many years had no access to each other's societies or territories controlled by the other side. All borders between Armenians and Azerbaijanis are sealed, militarised and subject to regular sniper fire. There has been no displaced community return, and there are no mixed communities left. Discussions of opening up access therefore challenge 20 years of mutual isolation and alienation between Armenian and Azerbaijani societies. Managing insecurities and perceptions of being outnumbered need to be handled through public awareness, gradual steps and incremental change.

Armenian fears regarding the ceding of exclusive control over a Lachin corridor and Azerbaijani fears that sovereignty over the corridor would never be returned motivate aggressive bargaining strategies on access. These fears could be allayed by public debate and education on the sequencing of different types of access. In an initial phase, only Armenian and international traffic might have access to the Lachin corridor. Over a series of agreed interim phases, different categories of Azerbaijani access could be gradually introduced, for example beginning with transit only, then goods, to civilian access for citizens over a certain age and eventually to universal access. A corresponding schema could operate for Armenian access to a corridor connecting Azerbaijanis in Karabakh to central Azerbaijan. Each stage implies a different security vision that is contained and where the change envisioned is incremental.

C. Conceptualising joint security

The eventual opening of access corridors to traffic from all concerned societies, displaced community return, local ambivalence about international security, and likely risks of ethnic segregation, require thinking on eventual joint management of access corridor security. Numerous angles were explored in the KCG discussions with regard to jointly securing access in the future, including:

○ Joint Armenian-Azerbaijani monitoring teams (modelled on bi-ethnic/bi-racial police teams in other contexts), which ensure that citizens of either nationality have 'their' person in any unit they might encounter;

○ The recruitment of returnee Azerbaijanis with appropriate legal records into the Karabakh police force;

○ Planning for specific risks such as vandalism, property and ownership disputes, revenge actions and settling scores, possession and sales of small and light weapons, contraband and trafficking; and

○ Investigation of how chip and other technologies facilitating security checks of vehicles and travellers may be relevant to Armenian-Azerbaijani contexts.

It is evident that successful joint security would also require fundamental shifts in the attitudes of ordinary citizens to police and security forces (and *vice versa*), regardless of their ethnicity. KCG participants noted the necessity of assuming that there will inevitably be violations and breaches of new movement regimes, potentially violent ones. In the words of one participant, "you have to create a mechanism that works in such a way that a breach doesn't start a war. You need a security force that knows how to react to such breaches, not to over escalate."

D. Avoiding corruption

KCG participants agreed that under current governance conditions in Armenia and Azerbaijan, control over the movement of people through access corridors would be likely to generate corruption and rent-seeking. Risks include the proliferation of regulation and bureaucratic controls (for example through the issue of travel permits), and the transformation of access corridors into shadow micro-economies inhibiting rather than enhancing access. In the words of one participant, this likelihood highlights the "fundamental tension between creating a security corridor and planning for its eventual dismantlement." These points underscore the importance of incorporating flexibility into the design of the management, infrastructure and monitoring of access corridors.

"*There is a fundamental tension between creating a security corridor and planning for its eventual dismantlement.***"**

Possible entry points for further dialogue

A. Reconceptualising access corridors

Military imagery tends to dominate visions of future access corridors connecting mutually isolated Armenian and Azerbaijani societies. Access corridors need to be reconceptualised as ordinary highways, indistinguishable from any other, except for additional security guarantees for those travelling on them. While they may be required for a lengthy period, they are ultimately an interim measure. They become redundant at the point when the confrontation requiring their existence ceases and a broader vision of total access takes their place.

B. Access for all

Specific groups have specific access and security needs. These need to be addressed through tailored movement regimes. However, if movement regimes are not to embed ethnic segregation they need to be designed with sufficient flexibility built in, to allow for their incremental modification and ultimately their dismantling. Access infrastructure, and the restricted movement regimes that this implies, should aim, eventually, to disappear.

C. The cost of securitisation for access

Current rhetorics of securitisation, militarism and ethnic segregation drive visions of wide, permanent and militarised access corridors. Securitising contact between Armenians and Azerbaijanis makes planning for future access scenarios unreal and unpopular. For the Azerbaijani side, de-securitising access may be one of the few routes to undercutting maximalist visions of territorial control on the Armenian side. For the Armenian side(s), de-securitising access could establish a cross-conflict stake in reduced frontline tensions.

D. Closed borders, closed markets

The frontlines, blockades and closed communications that demarcate the Armenian-Azerbaijani space have resulted in closed markets, shortages, monopolies and distorted economies. The political leverage assumed by strategies of economic isolation remains unproven. Yet the cost to societies in the form of lost development opportunities and socio-economic inequality is evident. Per capita, South Caucasian GDPs lag far behind many other post-Soviet states.

E. Time works against viable access arrangements

Considering access arrangements offers a clear prism into the effects of the passage of time. This discussion paper provides evidence of how the passage of time is altering mental, human and physical geographies in ways that impose limited shelf life on any given range of solutions. Ideas that might have worked in 1997 and 2001 are unviable today, suggesting that ideas currently being discussed may look similarly obsolete in the future. However, access is one policy area that can be decoupled from intractable political frameworks. Indeed, deployed as a confidence-building measure, access could be used to transform understandings of those frameworks.

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