

Averting All-Out War in Nagorno-Karabakh: The Role of the U.S. and OSCE



OCTOBER 18, 2017

**Briefing of the
Commission on Security and Cooperation in Europe**

Washington: 2018

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ABOUT THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE

The Helsinki process, formally titled the Conference on Security and Cooperation in Europe, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. As of January 1, 1995, the Helsinki process was renamed the Organization for Security and Cooperation in Europe [OSCE]. The membership of the OSCE has expanded to 56 participating States, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia.

The OSCE Secretariat is in Vienna, Austria, where weekly meetings of the participating States' permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations. Periodic consultations are held among Senior Officials, Ministers and Heads of State or Government.

Although the OSCE continues to engage in standard setting in the fields of military security, economic and environmental cooperation, and human rights and humanitarian concerns, the Organization is primarily focused on initiatives designed to prevent, manage and resolve conflict within and among the participating States. The Organization deploys numerous missions and field activities located in Southeastern and Eastern Europe, the Caucasus, and Central Asia. The website of the OSCE is: <www.osce.org>.

ABOUT THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The Commission on Security and Cooperation in Europe, also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance by the participating States with their OSCE commitments, with a particular emphasis on human rights.

The Commission consists of nine members from the United States Senate, nine members from the House of Representatives, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair rotate between the Senate and House every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

In fulfilling its mandate, the Commission gathers and disseminates relevant information to the U.S. Congress and the public by convening hearings, issuing reports that reflect the views of Members of the Commission and/or its staff, and providing details about the activities of the Helsinki process and developments in OSCE participating States.

The Commission also contributes to the formulation and execution of U.S. policy regarding the OSCE, including through Member and staff participation on U.S. Delegations to OSCE meetings. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from participating States. The website of the Commission is: <www.csce.gov>.

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**Commission on Security and Cooperation in Europe
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The briefing was held at 2:02 p.m. in Room 188, Russell Senate Office Building, Washington, DC, Alex Tiersky, Policy Advisor, Commission for Security and Cooperation in Europe, presiding.

Panelists present: Alex Tiersky, Policy Advisor, Commission for Security and Cooperation in Europe; Magdalena Grono, Europe & Central Asia Program Director, International Crisis Group; Ambassador Carey Cavanaugh, Professor of Diplomacy and Conflict Resolution, University of Kentucky; Former U.S. Co-Chair of the OSCE Minsk Group (1999–2001); and Ambassador James Warlick, Partner and Senior Policy Advisor, Egorov Puginsky Afanasiev & Partners; Former U.S. Co-Chair of the OSCE Minsk Group (2013–2016).

Mr. TIERSKY. Good afternoon, everybody. My name is Alex Tiersky. On behalf of the U.S. Helsinki's Commission's Chairman, Senator Roger Wicker, and our Co-Chairman, Congressman Chris Smith, I'd like to welcome everybody to today's briefing, which has been titled, "Averting All-Out War in Nagorno-Karabakh: The Role of the United States and the OSCE."

Last year the conflict surrounding Nagorno-Karabakh saw its worst outbreak of violence in more than two decades. The so-called Four Day War in April 2016 claimed approximately 200 lives and demonstrated that this conflict, which has persisted in a state of no war and no peace since the 1994 ceasefire, is not "frozen" at all. Instead, the line of contact separating the parties sees numerous ceasefire violations annually. Each one risks igniting a larger-scale conflict that could draw in major regional players, such as Russia, Turkey, and Iran.

Many of you know that since 1997 the United States, France, and Russia have co-chaired the Minsk Group of the Organization for Security and Cooperation in Europe, the OSCE. This is the principal international mechanism aimed at reaching a negotiated solution to the conflict. The fragility of the Nagorno-Karabakh ceasefire underscores the importance of United States engagement in this Minsk Group process.

Under its mandate to monitor compliance with the articles of the Helsinki Final Act of 1975, the U.S. Helsinki Commission has demonstrated a long-term interest in monitoring this conflict, and exploring strategies for its sustainable resolution. For example, most recently the Commission published in June of 2017 a background report, which you can find at our website at www.CSCE.gov. I'm very pleased that today we can bring together two former United States co-chairs of Minsk Group process, as well as a renowned independent expert on the conflict, to assess the current state of this issue, of the Minsk Group format, and prospects for achieving a lasting peace. Above all, this discussion is intended to focus on the past, present, and future of relevant U.S. policy.

Let me briefly introduce each of our speakers today. You should know that their extremely impressive biographies are available in full in the packets that you've gotten. We will first hear from Magdalena Grono, to my right. She'll be providing us with a review of the conflict itself and the stakes involved. Magdalena directs the Europe and Central Asia Program at the International Crisis Group. Besides having lived in the Caucasus for nearly a decade, she has lent her expertise on the region to an impressively broad range of governmental and nongovernmental organizations seeking to make a positive difference in the region. And I just want to say, personally, how much all of us who work on issues of conflict and peace rely on the Crisis Group's reporting and the quality of that reporting, which I commend to all of you. We're very grateful Magdalena could join us today from Brussels.

Our second speaker will be Ambassador Carey Cavanaugh to my left, whose brilliant article in the journal *Security and Human Rights* on the OSCE and the Nagorno-Karabakh peace process was in many ways the origin of this briefing. He'll provide us with something of a historical overview of the international engagement to address this conflict, of course discussing the Minsk Group co-chair process that was the focus of his recent paper. Ambassador Cavanaugh is truly the embodiment of a scholar practitioner, as he currently serves as a professor of diplomacy and conflict resolution at the University of Kentucky. In his earlier career as a Foreign Service Officer at the Department of State he held a great number of extremely impressive posts but, of course, none of greater interest to us today than his service as the U.S. OSCE Minsk Group co-chair from 1999 to 2001, when he managed the Key West peace talks between the three co-chairs and the presidents of Armenia and Azerbaijan.

Our third speaker will be Ambassador James Warlick. He will describe his views on recent developments and diplomatic initiatives and on prospects for any negotiated settlement going forward. Ambassador Warlick is currently a partner and senior policy advisor at the leading Russian law firm of Egorov, Puginsky, Afanasiev & Partners. But of course, for our purposes, more importantly, he is, of course, the most recent full-term U.S. co-chair of the OSCE Minsk Group, serving from 2013 to 2016. I couldn't begin to summarize Ambassador Warlick's extremely impressive diplomatic career in the Foreign Service, so let me only here thank him publicly for the opportunity to have worked with him as I began my own career in foreign affairs many years ago.

Ladies and gentlemen, I very much look forward to our discussion on what is, like so many other topics that the Commission tackles, a subject on which views can differ quite strongly. We will have an opportunity for input from the members of our distinguished audience. And I'll look forward to offering the floor to the audience after I've had a chance to ask a few of my own questions as the moderator. I will remind everyone, lastly, that this event is streaming live on the Helsinki Commission's Facebook page. If

you are tweeting about this event, please feel free to use our handle @HelsinkiComm. And the video and unofficial transcript of this event will be available on our website, probably within the next few days.

So let me first turn the floor over to Magdalena Grono. Thank you very much.

Ms. GRONO. Thank you very much, Alex. Thank you very much for the kind introduction. Thank you also for the invitation. It's an honor to be here, and to also be on such a distinguished panel.

I've been asked to set the stage and say a little about the background of the conflict and the current state of play. I would probably start by saying that other than the conflict in eastern Ukraine and the PKK conflict in Turkey, I think that Nagorno-Karabakh is, indeed, the deadliest conflict currently in Europe. It is also among the most intractable and risky. An escalatory trend has been evident in the region since the past five years or so, possibly even longer. Concentrations of weapons in the region are among the highest in Europe. And the line of contact is among the most militarized in the world.

And of course, the ceasefire is basically self-regulated, with six unarmed OSCE monitors conducting pre-agreed visits. The settlement process has been stalled, though this Monday's summit between Presidents Aliyev and Sargsyan is a long-awaited opening for the first time since over a year. The April 2016 escalation that Alex has already mentioned has shown in no uncertain terms that the conflict has a serious potential to flare up, with possible significant humanitarian consequences. That escalation galvanized, for a short while, the settlement process, but also highlighted the entrenched zero-sum positions the parties espouse.

I would say that the Nagorno-Karabakh conflict is also quite so dangerous because of its possible regional implications. It has the potential to draw regional powers—Russia and Turkey—into a direct confrontation, given their respective military alliances with Armenia and Azerbaijan. If an escalation were to occur, though, it could also have broader regional implications. Here, I'm thinking mainly of Iran. After all, the 2016 escalation saw shells land on Iranian territory. But also Georgia, whose Armenian and Azerbaijani ethnic minorities, of course, found themselves in 2016 drawn in two different directions—although this did not necessarily have a broad resonance in the region. Lastly, of course, an escalation that could occur in the region would be very close to the EU's borders. And living in Brussels, I must say that the EU takes that very seriously.

I have been asked to set the stage. And I thought I would say a couple of words on the background and the basic parameters of the conflict, and then a few words on the state of play today including, indeed, the risks that had fueled the 2016 escalation and that, on many counts, are still in place today and, in some ways, possibly have even exacerbated since last year. I hope we can then address policy recommendations and options in the discussion. I think that that probably would be the best way to go.

Firstly, on the background and the basic parameters of the conflict. Of course, the conflict's roots go back decades, arguably centuries. But the parameters of the current dispute were formed as the USSR began to fray in the late 1980s. Nationalist sentiments swelled and led to violence. By 1991–92, moves by the majority Armenian population of the then-Nagorno-Karabakh autonomous region of Azerbaijan to break away from Baku's control had taken on the character of a full-scale war between Armenia and Azerbaijani sides. By 1992, the CSCE, later the OSCE, sought to convene a conference in Minsk to seek a peaceful solution. This is what then, of course, developed, by 1994–1995, into the

OSCE Minsk Group that in 1997 started to be co-chaired by, indeed, the three co-chairs: the United States, Russia, and France.

In 1994, when the ceasefire was reached, Azerbaijan lost control of Nagorno-Karabakh, as well as all or part of seven districts surrounding Nagorno-Karabakh. Thanks to the topography, of course, positions in these areas have given Armenian forces an important security advantage. The conflict claimed 20,000 casualties and over 1 million people were displaced. Over 700,000 of those were Azerbaijanis who were displaced from Karabakh and the surrounding districts, mainly two districts. Communities have been torn apart and people-to-people contacts were, indeed, severed. The conflict also resulted in closures of Armenian and Azerbaijani and Armenian and Turkish borders, leaving Armenia connected to the outside world only by Georgia and Iran. Nagorno-Karabakh unilaterally declared independence, a move that has not been recognized by any state, not even Armenia, though there are, of course, deep links between the two.

Now, in terms of basic positions, I of course realize that it's very difficult to sum up the basic positions, but let me give it a try. In many ways, of course, the conflict is a classical clash between the principles of territorial integrity and self-determination. And this is where it squarely falls in the mandate of the Helsinki Commission. Azerbaijan, therefore, insists on territorial integrity, claiming Armenian forces occupy up to 20 percent of its territory, although independent experts assess this at about 14 percent. For Baku, it's essential to return under its control the districts surrounding Nagorno-Karabakh, and to reintegrate Karabakh itself.

Often Baku refers to possible autonomy arrangements. To support its case, Baku also recalls four U.N. Security Council resolutions of 1993, which were adopted at the height of the fighting, calling for Armenian withdrawals, but that have not been implemented. Especially since Russia's annexation of Crimea in 2014, I would say that Baku has intensified its calls on the U.S. and the EU to treat the Karabakh conflict like they treat conflicts in Ukraine, Georgia and Moldova, whose territorial integrity they support unequivocally, including in the context of future conflict settlement options. The right of displaced persons to return to their homes is another key consideration for Azerbaijan.

Now, if we move towards the Armenian side, of course, the Armenian side insists on self-determination. And we should stress here, indeed, the self-determination of peoples, as per the Helsinki Final Act—so not self-determination of communities as others suggest, arguing that Karabakh needs to have the possibilities to seek self-determination outside of Azerbaijan. Another important consideration for the Armenian side is, of course, security. The lands around Karabakh have, in fact, served as a certain security buffer. This position and the need for security have, I would say, strengthened with the deteriorating conflict dynamic of the past years.

President Sargsyan has previously said that Agdam and the territories surrounding Nagorno-Karabakh was not Armenia's, but there are barely any constituencies in Armenia and Karabakh today that would support this claim. We will get back to that when we discuss the state of play today. The territories adjacent to Nagorno-Karabakh have also traditionally been an important negotiating chip. It's also worth mentioning, in terms of looking at the different positions, that an essential consideration for the Armenian side is ensuring a land corridor between Armenia and Karabakh.

Now, the settlement process, led by the OSCE Minsk Group co-chairs from the U.S., Russia and France, is predicated on the three principles of the Helsinki Final Act: the non-use of force; territorial integrity; and self-determination of peoples. The so-called basic

principles for the settlement of the conflict—and we will hear later from Ambassadors Cavanaugh and Warlick about this—that co-chairs have developed, I think that as seen from the outside, are a balanced formula for political settlement.

In their 2007 iteration, the Madrid Principles call for—and we all know them, but I will reiterate—the return of territories adjacent to Nagorno-Karabakh to Azerbaijani control; interim status for the region providing guarantees for security and self-governance; a corridor linking Armenia and Karabakh; future determination of the final legal status of the region through a legally binding expression of popular will; the right of return of all displaced persons; and international security arrangements, including a peacekeeping operation. I see these principles as providing a possible workable roadmap for a sustainable political settlement. And I would say this is something that we see in short supply in many of the other conflicts in the post-Soviet space.

But of course, while the parties in principle agree to these principles as a basis for negotiations, in practice the principles are very far away from the reality that currently shapes the society and from discussions in these societies. We see a big disconnect there. So, indeed, efforts to get to an agreement have consistently failed. And post 2016, the parties have taken a dramatic departure from any compromise-based solution. The relationship between Baku and Yerevan is firmly anchored in a zero-sum logic. And maximalist positions have, indeed, gained currency after 2016.

Here, I would like to shift a few years down the line to the state of play today and after 2016. And I think it's important today to really think through the escalation of 2016 and its lessons. The dynamic today is very directly shaped by that. And many factors that had contributed to that so-called Four Day War are still valid today. In fact they have even been exacerbated. I will mainly focus on two of those factors—sort of big-ticket factors, confidence or the lack thereof, and militarization of the region.

Confidence is in short supply. There is no confidence between the sides, but there's also very little confidence in the mediation process itself and in its ability to deliver progress. I would even say that there is little confidence in the international system that frames the settlement effort. This has become especially evident also after 2014. Azerbaijan in particular fears the process is cementing the status quo on the ground, which Baku, of course, finds unacceptable. And in the absence of confidence in the settlement mechanism, the use of force—at least tactically—to perhaps shake up the status quo, has become a part of calculations, which is something that many in Baku are fairly open about.

On the Armenian side, on the other hand, there is quite little confidence in the international system's ability to provide any meaningful security guarantees, for Yerevan to be then able to engage in substantive talks.

The second big factor has been the arms race in the region. I think that we all have followed the increase of that. Of course, it has not stopped since 2016. So, if we roll back prior to 2016, we just look at the sort of increase that has been on the rise for the last decade or more.

Let me start with Azerbaijan. It has pursued a massive increase in military expenditure over the past decade. Three billion U.S. dollars were invested in defense in 2015 alone, which was a 165 percent increase over 2006. And of course, Azerbaijan has also sought to diversify its weapons acquisitions. We've seen a lot of cooperation not only with the Russian Federation, but also Turkey, Pakistan, and Israel.

The Armenian side has worked hard to catch up, although in the year that I cited, 2015, the country's overall annual budget was smaller than Azerbaijani defense spending alone. Having said that, Yerevan is benefitting in many ways from the alliances and the close cooperation that it has with the Russian Federation, both bilaterally and in the CSTO. Many argue that, indeed, preferential tariffs for weapons purchases have probably helped close the gap.

The upshot is that the military balance has probably not been decisively tipped. There are many different factors that play into this, but the dangers are no less small. After all, both sides have access to midrange missiles that could reach civilian areas and infrastructure deep into each other's territory—something that raises the stakes. The region also saw a progressive deterioration of security already since 2012. I won't bore you with the trajectory of that deterioration, but in 2016 it reached a qualitatively new level through that year's escalation.

I will say a couple of words on the escalation and on the main logic of the deadlock and obstacles now. So 2016 came as a surprise—a surprise it probably shouldn't have been—with over 200 casualties and acquisitions, importantly, by Baku of two strategic heights, which was the first time that land changed hands since 1994. And this has very important implications. It gave Azerbaijan a morale boost. It also in a sense burst the myth of Armenian forces' invincibility. It fueled a desire for a more significant departure from the status quo, which had become unacceptable.

On the Armenian side, it initially caused shock. But of course, it caused also a very strong upsurge of popular support for Nagorno-Karabakh and the cause. And Armenians from all walks of life and many different places started traveling to Karabakh to provide support. It led to an important revision of Karabakh's security, with new trench and fortifications systems built, new command and control put in place, and a strong restructure of Armenia's armed forces. Armenia also experienced a backlash against Russia following April and, indeed, a querying of Russia's role as, on the one hand, a co-chair, but on the other hand, Armenia's main ally, who simultaneously happens to be a provider of weapons to Azerbaijan as well.

The escalation seriously polarized the nations. On both sides maximalist positions got deeper and more entrenched. And on both sides, we hear calls for the "final settlement" of the conflict, which do not preclude the use of force. On the contrary, many call for the use of force and have given backing to a possible military option. Our research on this in all these locations has been very instructive. There seems to be no appetite on the Armenian side to countenance the notion of the return of territories adjacent to Karabakh. I think that's been, for me, a really important point, that this distinction between the Karabakh and the territories seems to have been erased from the public discourse.

And on the Azerbaijani side, on the other hand, there is an insistence that the only settlement option that would be acceptable would be to reintegrate Karabakh into the territorial integrity framework of Azerbaijan.

We have already said that the escalation galvanized the settlement process briefly, with the two meetings of the presidents last May and June. But basically, the process ground to a halt by the autumn of 2016, and there have since then been serious security incidents, which have claimed dozens of casualties during the course of this year alone.

Last couple of words on the renewed deadlock and the obstacles today—the main obstacles can probably best be summarized as a tension between security and substantive

progress in the talks. Armenia, of course, insists on more security. We've seen the calls for the investigative mechanism, for increased capacities of Mr. Kasprzyk's office, and, indeed, confidence and security building measures [CSBMs] before substantive talks can start. An official in Yerevan told me, "No one in Armenia is ready to engage in negotiations if we're under fire." I think this captured the logic very well.

But Baku, of course, feels that these various CSBMs will make it more comfortable for Yerevan to just continue with the status quo that is there, and that is so deeply unsatisfactory for Baku. And again, basic confidence is lacking.

The last three months have been much calmer on the line of contact, very interestingly, after a serious deterioration of security earlier this year. I think that this in a way allowed also for the meeting of the two presidents to take place earlier this week.

I would say it's absolutely essential that negotiations continue to dispel risks of escalation. And in fact, a lack of contact between the sides is very dangerous. Both the absence of political contacts, but also the continued lack of contact between militaries on both sides. In contrast with other post-Soviet conflicts, there's barely any contact between the sides at all in this conflict—both in terms of the political negotiations but also in terms even of track two efforts. I know that some are underway, but they've been fairly limited.

Of course, it's excellent that the meeting took place. And hopefully it will manage the conflict better. But it will be interesting, whether it manages to bring a change in the party's calculations. I would say there's also a risk that if the renewed process does not manage to tackle both substance on the one hand and, indeed, the concerns about security on the other hand, we are possibly entering a phase where there will be a renewed risk of escalation.

Very last word: If there is a renewed risk of escalation, and indeed if that escalation were to occur, I think it's important to think also about the humanitarian consequences it could have. I don't think that a huge escalation is in the interest of any of the parties. But if an escalation were to spiral out of control, it probably would lead to significant humanitarian consequences. We can discuss that during the debate. It's been interesting to see that humanitarian actors on the ground are very concerned about this. They're making contingency planning. And I think that—again, our research showed that this is something that is very important because the humanitarian contingency capacities on the ground are exceedingly limited.

I would probably stop right here. Thank you very much.

Mr. TIERSKY. Magdalena, thank you. You've put a tremendous amount of information on the table for us to chew over.

I'll now turn to Ambassador Carey Cavanaugh for some thoughts on the engagement of the international diplomatic process as regards this conflict.

Amb. CAVANAUGH. Thank you. First, I want to thank the Commission for bringing us together here today to talk about Nagorno-Karabakh. I think this is an important conflict that does not get the attention that it needs. And I think there's a consensus, at least among those of us presenting today, that this past year has really driven this point home. The title of today's presentation, "Averting All-Out War," I think is a legitimate one. And we've talked about the dangers of this dispute getting out of hand in research that Magdalena has put out and that I have put out. We will touch on that as well today.

I want to blend some of my comments with what she said to build a base for where we are with the negotiation process and the conflict itself. I couldn't agree more with Magdalena's comments. This is not a frozen conflict. People who use that expression are wrong. This conflict has thawed, and I think, at this point, has become very dangerous. There really have been three marked changes in recent time that make it more problematic.

First and foremost, as she eloquently described, positions have hardened on all sides. I think it's fair to say, from every perspective the parties are farther apart from an agreement today than they were in the past.

The armaments that Magdalena detailed have also changed the dynamic in the region. There has been a problem with fighting in this region for decades, at this point. But the amount of arms that have been brought into the region on all sides have made this a much more delicate situation. The clash that occurred in April 2016 was a significant one and it happened quickly. When I think about averting all-out war, there's a concern not only of a deliberate move toward military action but also a concern about an accidental one. It would be very easy to envision things happening along the line of contact that very quickly get out of hand, given the intensification of armaments and the qualitative changes in the type of armaments that are arrayed both along the line of contact and along the Armenian and Azerbaijani border.

The third piece that's important to keep in mind is that the South Caucasus itself has not been static. There has been tremendous development and change in this region. Anyone in this room who has been recently to Yerevan or to Baku sees these are not the Yerevan and Baku of the former Soviet Union. If you have been to Tbilisi, this Georgia does not look like the Georgia of before. There are dramatic changes in the economic integration of the region. There's dramatic changes in the growth and political change in the countries of the region. And that has put a greater premium on ensuring that peace is maintained in this region.

So, with that as a backdrop, let me give you a sense of how the OSCE Minsk Group itself came about and go back into some of that history. As Alex said earlier, I wrote a piece for Security and Human Rights that was published this month that gives a history of this ["OSCE and the Nagorno-Karabakh Peace Process," 27 (2016) pp. 422-441]. In a shortened form, the dispute over Nagorno-Karabakh is the embryonic peace effort of OSCE. The conflict broke out in the Soviet Union. It was an internal conflict originally. Then the Soviet Union fell apart, making it an international conflict. It became dealt with immediately by CSCE, so in fact it pre-dates OSCE. And at the time it arose, the issue from the international perspective was, how do you deal with this?

The U.N. had already found it was being swamped around the world with other conflicts. And the U.N. approach was that regional organizations should increasingly deal with regional problems. And CSCE/OSCE was a new organization. This was an appropriate new effort for it to undertake. And it embraced it readily. And the U.N. immediately supported that embracement. Briefly, the U.N. maintained an envoy for Nagorno-Karabakh too. Not a mediator, but a special envoy, Cyrus Vance [the former U.S. Secretary of State], was sent out to the region to look at what was going on for the Secretary General. The U.N. agreed with the approach that was being taken by CSCE [later OSCE] and from that point on, it has been the focus for mediation and negotiation efforts. It hasn't, however, been static. Just as this conflict has changed its dynamic over time, so too has the mediation process.

Initially the thought at CSCE was, this will be really quick. We're going to have a meeting. We're going to bring together people. We'll just cut a deal. Belarus was the newest member of the OSCE at that point and they volunteered to host the peace conference. That's why it's called the Minsk Group. It was nothing more than that. Italian diplomat Mario Raffaelli was in charge of the initial effort. And he gathered other interested parties in Rome and started kicking around how CSCE might do this. In fact, at that point there was no Minsk Group. There was to be a Minsk conference. That conference would be the officials meeting in Belarus with the parties to the conflict—undefined. They would quickly sort out the problem and it would be done. We never would have had this meeting today or the past 20 some-odd years of conflict.

As we all know, that didn't work out. In Rome they created a subgroup, a Minsk Group, that evolved into the current negotiating mechanism. Initially that mechanism was led by a single European country—Italy, then Sweden, then Finland—with a separate negotiation effort going on at the same time by Russia. And it turned out, that did not help this process. What we saw happen in 1996 and 1997 is a dramatic change in that there becomes a fused negotiation process, where there will be a neutral European country and Russia and, very quickly, the United States. So a troika—triple co-chairmanship emerged in 1997 to focus on this conflict and really to give it, I think, the type of attention it deserves.

The third party is France. So France, Russia, and the United States become the lead mediating parties in this dispute, all three veto-wielding members of the United Nations, all three significant global powers. And countries with the ability to provide the military, political, and economic support to back a solution if a solution could be found.

Now, Magdalena said, quite properly, there is a question about confidence in the negotiation mechanism. And I think that question arises because there's a misunderstanding, in part, of how that negotiation mechanism works. OSCE is an amazing institution. It is a consensus institution. It can do anything that all its members agree to do. And any action that one member that doesn't support—and we saw this recently with the closure of OSCE's offices in Armenia—they cannot do.

The intent was not to create a mediation format that would force the parties into an agreement that had been brokered by outsiders. The intent was to create a mediation format that would help the parties to the conflict find a solution that was acceptable to all of them, and that those mediators would have, behind them, the political, economic and military power to ensure that the parties could be confident, if you found an agreement, that agreement would be supported. And what we have seen from 1997 on is repeated iterations—some with me as a co-chair, some with Ambassador Warlick as a co-chair—where almost every imaginable solution has been brought to the table.

There is a frustration there that this mechanism has not yet yielded success. But I would add, repeatedly the parties have come fairly close to some agreements. There was significant progress in Key West in 2001. There was significant process in Kazan. There have been times the conflicting parties indeed have approached compromise in a much more thorough fashion than they are today. So I do not believe you can fault the mechanism. The mechanism, in fact, has functioned the way it is supposed to.

And I would add, OSCE had delivered in a way that would be, for many, the envy to have a negotiating process like that. Three U.N. veto-wielding members of your negotiating team is already pretty cool. The power that Russia, the United States, and France possess is significant in all those dimensions that I mentioned. The attention that this

conflict gets is substantial. You will not have an American President since 1987 that doesn't know about Nagorno-Karabakh. Many American Presidents don't know about conflicts of this scope in other corners of the world. They know about this one. Secretaries of state, foreign ministers of almost all European countries know about Nagorno-Karabakh. OSCE has delivered an enormous amount of political attention that I think is part of the reason why we also haven't seen even more violence and loss of life in this region.

So there is a benefit that has come out of this mechanism that is useful. The structures to support a peace settlement have also evolved. Today, we see there's an OSCE Chairman in Office. It's rotated, so every year we get a new European government in charge of OSCE, a new series of visits by presidents and foreign ministers to the region, a new learning curve where all the European countries—and I include in that the United States and Canada, the OSCE/CSCE countries—are all acquainted with this conflict and this problem, and all focused on it. The Chairman in Office [CIO] also has a personal representative in the region who helps deal with problems along the line of contact and reports back and provides the permanent presence in the region. The Minsk Group co-chairs do travel to the region, but they can't be there all the time. In fact, the OSCE has a full-time presence there all the time. Also, in Vienna, there is a High-Level Planning Group to deal with peacekeepers or monitors, if you ever get close enough to a solution. And finally there is the Minsk Group itself, three co-chairs and a group of supporting nations, all of whom track more intensely this conflict. So we see what's developed at Vienna, at OSCE, is really a fairly complex and flexible institution to help support peace efforts in this region.

Lack of success—if you're a diplomat, part of your job is taking blame for lack of success. The Minsk Group is very good at that. We keep trying. All the Minsk Group co-chairs will say that. The current co-chairs will say that. We are always trying. But the intent is to find a solution the parties themselves can embrace. I mentioned that the negotiation mechanism did not work well before 1996–1997. There was a real change then in the dynamic between the United States and Russia and the other European players. And I will attest, and I suspect Ambassador Warlick will as well, that there has been a level of cooperation within the co-chairs on addressing this conflict that has surprised most people.

Despite problems between the United States and Russia periodically, we find very solid cooperation on dealing with the problem of Nagorno-Karabakh. The French tend to be consistent all the time. We've seen this solid level of cooperation. That's made a difference too. I think it's provided the tools—OSCE is offering the tools that are needed to deal with this kind of problem. And it should give us some hope on the ability to move forward more toward a solution. The challenge is—back to where I started—that today Nagorno-Karabakh is not a frozen conflict. The positions have hardened. The parties have moved further away from being comfortable with making fundamental compromise. And I think there's an understanding, this can only get solved if there is fundamental compromise.

Magdalena started with three principles enshrined both in the Helsinki Final Act, but also the U.N. Charter. The question about territorial integrity and sovereignty—it's a fundamental international principle. The question about ethnic self-determination, also a fundamental international principle. And very much embraced in the modern era, thank God, non-use of force. And when you take these three principles together, it does not offer

an easy solution to this problem. This problem is not unique to the South Caucasus. We've seen votes in the past weeks, in Catalonia about ethnic determination. We've seen votes in the Kurdish regions of northern Iraq. These problems exist in many different places. So I don't think it's an easy problem to solve. But this is a problem that's getting attention of the international community in a way that it needs to.

There is concern about averting all-out war, and some question why does Nagorno-Karabakh—with the size of the population it has, with the size of Armenia and Azerbaijan's population—why does it get all the attention that it does? In part it is the region in which it's located. A conflict here runs the risk of spilling over into Iran, as Magdalena said, bringing in Turkey, bringing in Russia, potentially bringing in NATO. It's an area where no one feels comfortable that you could have the potential for a significant clash. So it guarantees attention at high levels to deal with that problem. I think that attention will continue. What's sad, and what we've not seen lately, is more ability or willingness to move forward toward these political compromises.

I had commented before the meeting on Monday in Geneva between President Aliyev and President Sargsyan that there were three easy things they could do there. Two of them were to agree once again to what they had agreed to twice last year: expand monitors for Ambassador Kasprzyk's team. I would note, that's an expansion of only about seven or eight people. That would make their monitors roughly the size of this side of the room for the entire region. Agree to an incident investigations mechanism, because we have constant claims back and forth who started something, and no ability to say. And again, this was raised in Vienna and raised in St. Petersburg with President Vladimir Putin. The parties agreed to those. You know, three easy things would have been those two and to agree on the date of the next meeting. What we have seen coming out of the meeting so far, and maybe there's more, is agreement to meet again ... sometime.

Two other things I'd hoped to see, that would have been much harder but I think are important—first, military confidence and security building measures. This ties back to the point Magdalena made, and I did too, about the intensification of armaments. The region's gotten too dangerous. It would be useful to have more ability, if things happen accidentally, for one side to communicate with the other. We know that can exist. It's existed before. You can have a hotline, in effect, between Baku and Yerevan, that if something starts getting out of control, you know if you pick up that phone and dial the number somebody will answer it at the other end. For a while they even had that, but nobody would answer at the other end. If we could have that kind of agreement today, that would help.

If the parties aren't able to do that, we probably should look at having some military confidence and security-building measures between others: between Turkey and Russia, to make sure if things do get out of hand, their forces don't conflict or collide. Perhaps between the United States and Russia sharing intelligence information on what we see happening in the region, and where problems could arise. Last week, an official of the CSTO, the Collective Security Treaty Organization, said the most important question here, in his mind, is balance, because Russia's providing armaments to both sides. Maybe we should have some CSBMs talking about whether there is a real balance? Because as you introduce new systems—and we saw this past year several new armaments were introduced in both Armenia and Azerbaijan—you may inadvertently tip the balance and cause a problem that had not been anticipated. So that's one thing I think that's harder,

could be done hopefully with the parties doing it. But some of that could be done from outside.

A second harder piece is to begin laying this groundwork for civil cooperation among the countries. Presidents of both countries say repeatedly they want a political solution. They don't want to use military force. That's there's an understanding that there would be a solution. If there will be a solution, several things call for greater cooperation. How do you manage water? How do you build a logical electrical grid? Why build something one way this year if you're saying you support a solution, and next year it's in the wrong place? Those kind of questions can be dealt with quite easily and quite readily and, I think, don't raise the specter of intensifying the status quo or making it harder to move ahead.

I remember when I was co-chair visiting the HALO Trust and looking at the great work they were doing with demining in this region. If Azerbaijan's hope is all the land comes back to Azerbaijan, why would you want landmines in it? The day you get it back, you want no mines in it. The day whatever solution is brokered between the parties with the support of OSCE, you want no landmines in it. So why not cooperate on those civil steps to remove those?

And then the last item I would raise I think is the hardest—greater signals from the presidents of both countries on being prepared to accept a political compromise. It's very easy to say if things don't go well we're prepared to fight. It's really hard to say we're prepared to find a way to solve this problem. And it isn't 100 percent of what I want versus nothing of what the other side wants. It's something in the middle. And I think that signal has not been conveyed effectively for the last 15 years.

So let me stop.

Mr. TIERSKY. Ambassador, thank you for what was not only an extremely instructive overview of the historical engagement by outside parties in this process, but also an extremely, I think, practical set of potential next steps in the conflict.

I'll now pass it to Ambassador James Warlick.

Thank you.

Amb. WARLICK. Good afternoon, everybody. Many thanks to the Helsinki Commission for organizing a public briefing on the Nagorno-Karabakh conflict. I believe the Commission staff has made available a speech I delivered at the Carnegie Endowment for International Peace three years ago. In my comments today, I will draw from that speech, which is as relevant today as it was then.

When I started as U.S. co-chair of the OSCE Minsk Group in 2013, the situation along the line of contact was unstable and dangerous. The threat that needed to be addressed was the presence of snipers, which would regularly fire across the line of contact, resulting in deaths and injuries, despite the existence of a ceasefire. My predecessors in the Minsk Group, including my colleague Ambassador Cavanaugh, sought ways to reinforce the ceasefire and prevent the actions of these snipers.

Today, the threat is vastly greater. The sides have positioned heavy weapons along the line of contact, including mortars, grenade launchers and artillery. Use of these weapons has brought an increase in the death toll, including among innocent civilians. The risk of miscalculation and escalation are higher than ever. We need to redouble our efforts towards a lasting peace. And peace is within reach.

The sides have come to a point where their positions on the way forward are not that far apart, despite what you may see in the media. They've almost reached agreement on several occasions, as my colleagues have just said, most recently in 2011. And when they inevitably return to the negotiating table after each failed round, the building blocks of the next big idea were similar to the last time. There is a body of principles, understandings and documents already on the table that lay out a deal. And no one has suggested that we abandon them.

The challenge is to find a way to help the sides take the last bold step forward to bridge their remaining differences and deliver the peace and stability that their populations deserve. For two decades, however, peace has been elusive. All parties distrust each other and a generation of young people has grown up in Armenia and Azerbaijan with no first-hand experience of each other. As many have noted, older generations remember a time when Armenians and Azerbaijanis lived side-by-side and differences did not need to be resolved through the barrel of a gun.

Of course, the benefits of peace far outweigh the costs of continued stalemate and avoid the catastrophic consequences of renewed hostilities. Armenia would immediately benefit from open borders, greater security, and new opportunities to trade, travel and engage with all its neighbors. Azerbaijan would eliminate a key impediment to its growth as a player on the world stage, regional trade hub, and strong security partner, while giving hundreds of thousands of refugees and internally displaced persons a prospect or reconciliation and return. The thousands of people living in Nagorno-Karabakh would be freed from the prison of isolation and dependence.

The presidents met again last Monday in Geneva. While we do not know the details of that conversation, it appears that there is simply not the political will to move forward with a settlement at this time. While we should welcome such face-to-face meetings, without progress on substance they risk frustrating the sides and continuing the stalemate on the ground. Following the escalation of hostilities in April 2014, a set of proposals was developed that could form the basis for progress. We, as co-chairs, worked hard to advance ideas for a way forward, but the process stalled.

While the work of the co-chairs is held in confidence, I am personally familiar with these proposals and believe they could be a starting point for the sides to seek a settlement. I would urge the presidents to engage with each other, if not on these proposals, then on the principles they know will be the basis for peace. Perpetual negotiations, periodic outbreaks of violence, the isolation of Armenia and the people living in Nagorno-Karabakh, frustration in Azerbaijan and anger among its populations of internally displaced persons [IDPs]—this is not a recipe for peace or stability, and is certainly not the path to prosperity. The people of the region deserve better.

Let me walk you through the key elements of that well-established settlement—all of which have been in the public domain since appearing in joint statements by the presidents of Russia, France, and the United States on numerous occasions. At the heart of the deal are the U.N. Charter and relevant documents, and the core principles of the Helsinki Final Act. In particular, we focus on those principles and commitments that pertain to the non-use or threat of force, territorial integrity, and equal rights and self-determination of peoples.

Building on that foundation, there are six elements that will have to be a part of any peace agreement if it is to endure. While the sequencing and details of these elements remain the subject of negotiations, they must be seen as an integrated whole. Any

attempt to select some elements over others will make it impossible to achieve a balanced solution. In no particular order, these elements are: First, in light of Nagorno-Karabakh's complex history, the sides should commit to determining its final legal status through a mutually agreed and legally binding expression of will in the future. This is not optional. Interim status will be temporary.

Second, the area within the boundaries of the former Nagorno-Karabakh autonomous republic that is not controlled by Baku should be granted an interim status that, at a minimum, provides guarantees for security and self-governance.

Third, the occupied territories surrounding Nagorno-Karabakh should be returned to Azerbaijani control. There can be no settlement without respect for Azerbaijan's sovereignty, and the recognition that its sovereignty over these territories must be restored.

Fourth, there should be a corridor linking Armenia to Nagorno-Karabakh. It must be wide enough to provide secure passage, but it cannot encompass the whole of Lachin district.

Fifth, an enduring settlement will have to recognize the right of all IDPs and refugees to return to their former places of residence.

Sixth, and finally, a settlement must include international security guarantees that would include a peacekeeping operation. There is no scenario in which peace can be assured without a well-designed peacekeeping operation that enjoys the confidence of all sides.

The time has come for the sides to commit themselves to peace negotiations, building on the foundation of work done so far. It is up to the governments of Armenia and Azerbaijan to take the first step. They should consider measures, even unilateral ones, that will demonstrate their stated commitment to making progress, reducing tensions, and improving the atmosphere for negotiations. They should reduce the hostile rhetoric and prepare their populations for peace, not war. Let's work together towards a lasting peace.

Thank you.

Mr. TIERSKY. Ambassador Warlick, thank you very much for what I think was a tremendously powerful call to action. I would now like to take the moderator's prerogative to ask you all about elements of what you've been discussing. And really, given that our briefing is focusing on U.S. policy, I want to stick to U.S. policy and the policy of its negotiating partners, essentially, as opposed to the parties directly involved in the conflict. And let me direct one question principally to each of you, but have you each comment.

So Magdalena in passing reminded us that this conflict is on the EU's doorstep. And yet, the EU has not been featured prominently in the panelists' discussion of the main players in a potential eventual solution to this conflict. I'd like Magdalena to talk a little bit about what she sees as the EU's role today and going forward.

For Ambassador Cavanaugh, you informed us about the evolution of the co-chair process, partially as a result of a moment of negotiations in which Russia was leading its own negotiations in the region. I'd like you to comment a bit on what Russian interests are in the Nagorno-Karabakh issue. And in particular, you mentioned there is excellent cooperation in the context—or productive cooperation in the context of the co-chairs process. To what extent does Russia still—and on what occasions—does Russian bilateral engagement also occur, and to what end? How should we see the Russian role in this negotiation process?

To Ambassador Warlick, given your call to action and given that you are the most recent full-term U.S. co-chair, I wonder if you could speak a bit to the role of the United States today. In particular, there have been public reports of what the status of the U.S. co-chair will be going forward, given the State Department reorganization process. Can you give us a sense of—and really, I suppose this is a question for all of the panelists—are you calling for additional attention by the U.S. executive branch today? And what would that look like?

So, please, if we could start with Magdalena. If anyone else would like to jump on this question of Europe, and then we'll move to Russia and then the United States. And then—ladies and gentlemen, then I'll ask for some questions from the audience.

Ms. GRONO. Thank you very much, Alex.

It's a tricky question about the EU's role. In its 2015 revision of the European Neighborhood Policy that targets in the east both Armenia and Azerbaijan, in addition to Georgia, Ukraine, Moldova, and Belarus, the EU has emphasized security and stability as one of the key elements.

I would also say that 2016 came as a very unexpected and dangerous wakeup call. For the four days of that short war, many in Brussels were scratching their heads trying to understand what exactly was happening in that neighborhood, which is in fact quite so close. So, I think for the EU de-escalation is an essential consideration.

The EU of course is not formally a player in the conflict settlement process. And though there have been different sorts of opinions about that and some experts have called for a greater EU role, I agree with what Ambassador Cavanaugh said, that the OSCE is a consensus-based organization—and there is very little appetite for changing the format. I think that there is no sense of need, or indeed wish in the current setup of that format, to bring in the EU in a formal way. But I think that the EU still has a very important contextual role to play.

Now what can a contextual role like that look like? The EU has a lot of currency at the moment in its bilateral relations with the region, and in particular, indeed, we've seen a lot of dynamism in the bilateral EU-Armenia and EU-Azerbaijan relations over the past couple of years with progress on the so-called new agreements that are being negotiated and will hopefully soon be finalized. The one with Armenia, in fact, has been finalized.

There is interest on the part of the EU's partners to see these relationships blossom, and I think that it's important therefore for the EU also to emphasize in the context of these bilateral relations the necessity for certain steps to be taken towards a de-escalation of tensions. Of course, that may not have a direct implication for the settlement process, but there is the case to be made for developing constituencies for peace, for insisting that we have de-escalatory rhetoric coming from the leadership, et cetera—some of these issues that have been very difficult to address for the past 15, 20 years, but they really need a lot of attention.

Secondly, the EU pursues a lot of people-to-people contact and indeed supports the so-called track two initiatives. There have been three iterations of a program called the European Partnership for Nagorno-Karabakh, EPNK; such initiatives are aimed at supporting or developing confidence-building measures across the conflict divide. It has been very, very difficult to see such initiatives get off the ground over the past two years. I would say that there has been in fact a trend whereby many actors in the region haven't

been so keen on seeing this progress. But it's very important that these types of initiatives help build constituencies that can in fact advocate for the benefits of peace. And this is what the EU has been doing, but I think that it can bring more political weight to this.

And lastly, of course, France, as one of the co-chair countries, is an important EU Member State. And I think there the EU can—and as it does—give a lot of its own backing to France. Last year, it was quite interesting in the first summit of the presidents in Vienna, in May, High Representative Mogherini did meet also with Azerbaijani and Armenian leaderships prior to their own meetings and prior to the meetings with co-chairs. This was an important political signal. There are many high-level political dialogue opportunities in the EU context—for instance, with the Armenian and Azerbaijani presidents each traveling to Brussels for meetings with President Tusk this February. These are all fora in which a lot of political messaging can and should be delivered.

Last comment on what Ambassador Cavanaugh said earlier. I could underwrite what he said; with Ambassador's unparalleled experience with that process it's difficult to disagree on certain elements. But I would say there is one element on which I disagree. I think Ambassador alluded to a sense that there is a lot of political focus on the process, but I wonder: Is there really a substantive political push at a sufficiently high level? I sometimes feel with many of the protracted conflicts, not just Karabakh, we can fall into a trap of almost a bureaucratic inertia whereby administrations know that this is an issue that is going to be difficult to resolve, there is not a great likelihood that we will have progress, so we have known positions that are being reiterated. And I think this is a great risk, and that after the April 2016 escalation, we really need to walk away from bureaucratic inertias. That's why the initiative to discuss the conflict today is very timely.

Thank you.

Mr. TIERSKY. Thank you.

I'd like to give either of our ambassadors a chance to comment on the question on Europe, or shall we move directly to Russia? Would you like to comment on Europe?

Amb. CAVANAUGH. I'll do Europe, please. Let me comment a little on Europe and then move into Russia.

Mr. TIERSKY. Great.

Amb. CAVANAUGH. One, Armenia's expected to sign a partnership agreement with the EU next month. It's clear there's an interaction, a relationship here. It's valued and important. Another item worth noting is the European Union also has a special envoy for this dispute—not a mediator, but someone keeping an eye on it, what's happening, what could be done, how might Brussels help this process? So it has been engaged, I think, in a very positive way.

And I want to strengthen what Magdalena said. The efforts the EU has made on civil society, to use NGOs, to bring people together, it has been essential. What Ambassador Warlick said is very true. I saw this firsthand visiting refugee camps in Azerbaijan. There is not contact in this next generation of populations in the region with one another. Those minimal contacts can make an enormous difference. And again, if we're looking toward a future with a solution—a political solution where this region becomes integrated again as one—you shouldn't have magic day 2020, the first meetings between Armenian and Azerbaijani journalists and engineers and air traffic controllers and highway engineers and hydro experts. These things should be being developed, being worked out, now. Youth

groups should have contact, now. Sports groups should have contact, now. The EU has played a role there others couldn't.

And that leads into responding to your question about Russia. I think Russia saw in 1994 it wasn't going to be able to solve this itself. It put its best effort in it. It had a very solid negotiating team. It had very high-level political attention. It did all it could. There was not sufficient confidence that that would be a solution that was a solution that was best for the region. And there wasn't sufficient confidence that Russia was going to be prepared to back that economically to the degree that it would be necessary.

And I think what we've seen that has evolved is very much a sharing of responsibilities. The EU is doing things it can do best. Russia is doing things it can do best. When the April skirmish broke out, Russia was a central player on bringing about a ceasefire. I suspect Russia would always be the central player on bringing about the ceasefire. It has a history of contacts with the militaries of both countries, right down to supplying arms to both of them, so those contacts continue. And it's there. The European Union, France are farther away. The United States, even farther away. So there's a division of authority and responsibilities here that I think has been very helpful.

Russian involvement in this region, I think, is complex. And many people question—you hear this in Armenia and Azerbaijan—if Russia has ulterior motives. They were always our ally, now you can't trust them. Both sides say that. It becomes a difficult position to deal with.

But I think what Russia has seen is, one, it couldn't solve this problem on its own; and two, other areas with similar problems haven't gone all that well. Georgia is not a good solution, where Georgia stands today. Crimea is not a good solution. Eastern Ukraine is not a good solution. It is not in Russia's interest to have yet another problem like that emerge in the South Caucasus. If there's a way to cooperate with France and the United States in the OSCE negotiating format to find a solution, that Armenians and Azerbaijanis can embrace and are comfortable with, that's a good solution for Russia. And I think Russia sees that.

It has now growing—and this is not helpful—a vested interest in selling arms to both Armenia and Azerbaijan. I think it recognizes the danger in that. I cited a Russian officer's comment on that, the importance of trying to keep a balance in that. But I think Russia would see the value of a solution would outweigh the value of the arms sales. So I don't think that would be an impediment to Russia helping move a solution forward if the groundwork is there for a solution to be made.

I think it's a sincere effort. And I think that really has led, as I said earlier, to a degree of cooperation among us—between France, the United States, and Russia—that surprises people, because it's an area where it is in no one's interest for a loss of life in the South Caucasus, no one's interests for greater instability here, and certainly no one's interest in all-out war.

Mr. TIERSKY. Ambassador, thank you. I realize others may want to comment on Russia, but I'm also conscious that unfortunately we are running out of time, and I certainly would like to give members of the distinguished audience a chance to have their brief say. Let's move to perhaps one of the really key elements that I wanted to talk about, which is, what is the panel's view on U.S. engagement today and tomorrow?

Ambassador Warlick, would you like to start on that?

Amb. WARLICK. Sure. Just one word on Russia. Despite the strained relations between the U.S. and Russia, the Nagorno-Karabakh conflict was and is one of the areas where we have worked together with Moscow closely and collaboratively. My counterpart Ambassador Popov is a true professional. I consider him not only a colleague but a friend. Foreign Minister Lavrov invited the co-chairs to come to Moscow, and met with us in New York. President Putin included us in his summit meeting in St. Petersburg with the two presidents. So I would say that this is one issue where we have truly cooperated. And I sincerely believe that the Russians are committed to a peaceful settlement and are working towards that.

The U.S.—of course, I don't have any inside view of this administration, but I'll just say in the last administration, there was no question that Secretary Kerry was personally involved and deeply committed to a settlement. He brought the presidents together on the margins of the NATO Summit in Wales for a very productive discussion. He also met with them in co-chair format, together with Foreign Minister Lavrov and the French then-state secretary on the margins in Vienna. What struck me was that Secretary Kerry, despite all that was going on in the world, was very knowledgeable about the conflict and deeply committed to finding a solution.

For this administration, I believe all of you know that here is a new U.S. co-chair of the Minsk Group. He has the same status that I had and that Carey had. I hope that is a signal to the region that this administration will continue to work towards a negotiated settlement. I do believe that the senior leadership in this administration needs to be directly involved in addressing the conflict. As I said in my statement, the risks of renewed conflict and instability in the region should be a concern to all countries. The potential loss of life and the risk of a much more serious conflict—and we saw in April 2016—should be of great concern to the administration. And I hope as time goes on we will see leaders in this administration engage actively together with Andrew Schofer as co-chair.

Mr. TIERSKY. Would anyone else like to add to that particular point, U.S. engagement? No? OK.

Here's what I propose, ladies and gentlemen, for the audience questions. We unfortunately are going to have to vacate the room in not very long, so I propose to take those who would like to intervene, at least two or three at a time. There is a microphone in the back of the room. If I could ask who in the audience might want to ask a question or make a statement, please make it brief and direct it to the panelists. I see someone in the back of the room. Let's start with those three together, please. And please be brief so that we can get in a second round immediately after yours.

QUESTIONER. Hello. My name is Hayk [ph]. I am a journalist from Armenia, working for Armenian television.

I'll try two brief questions. First question is, is Nagorno-Karabakh conflict the only and the last conflict, international issue in which the United States and Moscow cooperate in a friendly manner, as allies? Because we have conflicts in Georgia, and we know that the parties pursue different perspectives here or, same refers to Crimea. But is Karabakh conflict unique in that manner when we can track almost alliance-type of cooperation between Moscow and Washington, D.C.?

And my second question is about the deterioration of civil liberties and democracy in Azerbaijan, which we have been witnessing recently. The scandal with Azerbaijani

Laundromat that poked out recently in Europe is known. And do you think that this problem of the deterioration of democracy and civil liberties in Azerbaijan should be considered as a factor for renegotiation? Because those international lobbyists or politicians who called for return of Nagorno-Karabakh under Azerbaijani control technically called for less democracy for Karabakh, because Karabakh is seen as relatively freer vis-à-vis Azerbaijan.

Mr. TIERSKY. Thank you very much.

Next question, please.

QUESTIONER. Hi, my name is Alex Raufoglu. I'm an Azeri-origin journalist. I have two questions.

One is, Ambassador Warlick mentioned the importance of engagement between the presidents. Please remind me, if I am mistaken, just two days before 2016 April war, we had two presidents in the White House, and one of them, I think it's safe to say, pressed that button. If having this highest-level summit in Washington between the presidents doesn't help them refrain from fighting back at home, then what else does?

And number two question is about you mentioned, Ambassador Warlick, that the U.S. side was always present during the meetings in Russia. I'm remembering a meeting in Sochi which was supposed to be an ice-breaking moment—I think Russian president was hosting that meeting, and you were not invited. Can you just remind us of the details or any insight about that meeting? Why wasn't the U.S. part of that meeting?

Thank you very much.

Mr. TIERSKY. Thank you very much, and thank you for your brevity.

QUESTIONER. Hello. I am Vugar Gurbanov from the Embassy of Azerbaijan.

I would like to thank distinguished panel for their presentations. And indeed, it's so true. And I would gladly be a student of Professor Cavanaugh, and I'm sure in Kentucky we would have extensive discussions, and that will be probably interesting to all other students.

Actually, while listening to you, to your thought-provoking and deep analysis of the situation, and looking into the previous background of the situation, I got an impression that rather than to treat the disease, most attention is to try to treat symptoms. While the disease itself is known—and I'm very thankful to Madam Grono for highlighting it—fact of occupation, hundreds of thousands civilians displaced—all of these issues. And hundreds of thousands of people are still suffering. And of course, you mentioned about—and in your writings you put much focus, Ambassador Cavanaugh, on meeting of the presidents, which in itself was a very, very nice development. But 20 minutes after that meeting, President Sargsyan made a statement which actually killed every hope it has created—I mean, the meeting has created—about saying that, no, Karabakh should be out of Azerbaijan and that's our only solution.

And, Ambassador Warlick—and thank you very much for highlighting the components of the peaceful settlement, and which is a result of decade-long efforts of all involved. And now this shows—and this was not surprising to Azerbaijan side—that Armenian side is not sincere in the negotiation. They can come back and then walk away. And actually, what they are trying to do is, first of all, try to cement the status quo and then try to also promote the unilateral narrative to legitimize the results of occupation.

I'm coming to my questions. But my main point is that while you clearly underlined co-chairs' role, I think it's utmost important to put pressure on two sides, not to walk

away from the negotiations. They're a peaceful plan and there are three principles: territorial integrity, non-use of force, and self-determination. And this should be treated as an integral—[inaudible]. No one can say that Karabakh should be out of Azerbaijan.

And here is a fundamental question I would like your comment, is, I mean, abstracting from the position of Azerbaijan and Armenia, can a country go and grab a country's territory, and then say, let's negotiate and my only position will be—it's going away? And I am thankful to the Helsinki Commission report, which clearly shows that Armenia's intention is to incorporate Nagorno-Karabakh within its boundaries. That's actually all the questions that I had.

Thank you.

Mr. TIERSKY. Thank you very much. Thank you.

I will ask the panelists to take those questions that they would like to address, and I think I'll start with Ambassador Cavanaugh. And then if we could try to be brief from the panelist side, then I'll be able to get in a second round of questions, which I would dearly like to do in the interest of the audience, and we will press our luck by keeping the room for a few minutes extra.

Please, Ambassador Cavanaugh.

Amb. CAVANAUGH. Sure, OK. Is Nagorno-Karabakh unique in U.S.-Russian cooperation? No. There are a number of areas that the United States needs to cooperate with Russia on, a number of areas. In recent years, we've been quite successful in cooperating with Russia on North Korea, Iran, some of the steps that have been taken in Syria. So, no, we have the ability to cooperate on a wide variety of issues. I think that's important.

The question of civil liberties, I think this is a legitimate question. More democracy, in the view of the United States of America, is always better—better spread of information, better spread of knowledge, greater confidence in the democratic structures of governance. So the more of that you see, that helps. So I think, no, anywhere where civil liberties are restricted becomes a negative influence on moving things ahead.

And I think treating symptoms, not disease, goes back to the question on the limits of what OSCE can do. There's not an intent here to force a solution. If somehow the people of Armenia and Azerbaijan came and said to Washington or Moscow or Paris, just tell us what to do and we'll do it, we could give them something tomorrow. Actually, I know where something at State Department that exists that both sides came close to being comfortable with, we could pull that out. You [Ambassador Warlick] probably know where another one is. We could pull that out. But that's not how the OSCE works. So, indeed, we'll treat the symptoms, because the symptoms make it worse. Greater loss of life makes it harder to get a peaceful solution. If you were to have significant fighting today, with the ramifications that would cause for society across the South Caucasus—not simply Armenia and Azerbaijan, but Georgia as well—I think this would not make it easier to reach a solution. And so, of course we treat the symptoms. We push on the disease itself. But we don't have the key to resolving the disease.

Amb. WARLICK. I'll just address the two questions that were directed to me. The first one on the high-level meeting that, at least as the questioner said took place at the White House in April 2016—there was no effort to host a bilateral summit meeting by the White House. I would say that the two presidents of Azerbaijan and Armenia often do attend international events, and sometimes they do converse on the margins of that, but there was no U.S.-hosted summit in Washington during my tenure.

The Sochi meeting hosted by President Putin was not intended to be a full-fledged summit meeting. In fact, it was an invitation for both of the presidents to come together informally with President Putin, and that is what occurred. And we were pleased that the two presidents actually did talk under President Putin's auspices, on the substance of Nagorno-Karabakh conflict. My view is that whenever we can bring the presidents together, formally or informally, it's healthy for them to meet face-to-face and one-on-one where they can have an honest conversation, as we say, under four eyes. I am disappointed that so long went between meetings of the two presidents, and I was glad to see on Monday in Geneva that the two presidents were once again able to meet again.

Ms. GRONO. I just have a couple of quick points, but I thought it was more appropriate for the two ambassadors to start since they have much more direct views on the U.S. engagement. But I wanted to say on the question of civil liberties, I think that the way the question was posed was quite interesting, because of course it linked the civil liberties to the possible options in the settlement talks. I don't see it necessarily as a useful way of phrasing the question. What I would have thought, though, is that of course the trend of retreating civil liberties in the region is important, but I see it as more directly important especially in terms of the possibilities of building constituencies for peace. And I think this is really important. We've been talking about the fact that it's very hard to get an honest debate in the countries about what compromise-based solutions will look like. It's very hard for people to engage with those ideas, and it's very hard to really see civil society efforts reach across the conflict divide and build on those ideas. And it is in that context I see the possibly insufficient pluralism as a great risk.

Now, in terms of the disease versus the symptoms, I actually feel that the principles on which a future compromise-based solution should be based go straight to the core of the disease. I really think that is what that set of principles is about. And the fact that it has been impossible to really work towards a compromise then creates a set of symptoms that, indeed, the international community is fire-fighting to address. But I think that the great disagreement is precisely around the disease. And so, if we manage to address the symptoms in the interim, that's very good. But again, coming back to what the two ambassadors have highlighted—the principles are the basis for the settlement. Also, Armenia and Azerbaijan are very important members of the OSCE community, and this is where I feel that indeed the ownership of those principles is in part theirs, and they will indeed have to play a strong role in pushing towards the compromise-based solution. And that compromise, unlike very often iterated in the press, will not be one-sided. Compromise indeed, by definition, will have to come from both sides and will be mutual.

Mr. TIERSKY. Thank you. We are a little bit over time. I would like everyone's indulgence in order to get as many perspectives on the table as possible. I will take—I see one in the back, two, and all the way in the back, three. Please be as brief as possible.

Please, start, yes.

QUESTIONER. Yes, my name's Efgan Niftiyev. I'm with the Caspian Policy Center.

I would like to thank all the panelists for very insightful views on the conflict, and it was very well summary of what happened, and the perspectives as well.

First, I will disagree on one thing with Ambassador Cavanaugh on that. Yes, it is—there are efforts by the OSCE and others to resolve the conflict, but it's not only up to Azerbaijan and Armenia to resolve the conflict. There is enough reason to be, let's say, involved in a higher degree in the resolution of the conflict. There are much bigger

implications for the region and the globe as well. That's why we have, like, big powers as mediators on the table. I know we have talked a lot about compromises and the political will, lack of political will. I just wanted to pose these questions to the panel saying that what, let's say, if you were to name one step from each side, what is it that Armenia or Azerbaijan has to make politically, as a show of political will to resolve the conflict? What is one step that they have to take on that?

Mr. TIERSKY. Thanks very much.

And, next.

QUESTIONER. Thank you very much. My name is Aykhan Hajizada. I am from the Embassy of Azerbaijan. I express my gratitude to the panelists for their thought-provoking statements and speeches.

Ambassador Cavanaugh referred to basic mechanisms and other proposals, co-chair countries in order to achieve a confidence between the two parties, Armenia and Azerbaijan, on the ground. I would like to refer to the Budapest Summit document, which actually gave an impetus to the renewed negotiation policies and directed co-chairs to achieve a negotiated settlement to the conflict would—which would eliminate the consequences of the conflict. And at the same time, there was an agreement to intensify and to strengthen the ceasefire, which currently is the same approach which are provided during the negotiations. How do you think how we can make an impetus on those two lines which should not be singled out, like confidence building measures [CBMs] and intensified negotiations—[inaudible]—political solution to the conflict?

Mr. TIERSKY. Great. Thank you for your question.

Let's try to, again, be brief so that we can have the panelists give a response. Thank you.

QUESTIONER. Thank you. My name is Rasha Tashan [ph]. I'm from the Embassy of Armenia. And thank you very much for the panel, for your presentations.

I have short question. I would rather like to comment on the presentation made by Madam Magdalena Grono and question raised by my Azerbaijani colleague about the roots and the origins of the conflict. It's really very important to define and to clearly understand the roots of the conflict. As you mentioned in your presentation, the region of Nagorno-Karabakh broke out from Azerbaijan in 1992. But let me disagree with you—sorry—Nagorno-Karabakh declared its independence in 1991, still when the Soviet Union existed, and declared its independence in the same way as Azerbaijan self-determined and declared its independence from the Soviet Union, in full compliance with that time legislation and laws. So the conflict itself is about the right of the people of Nagorno-Karabakh to self-determination.

The second point in this regard is that, look, three principles of international law lays at the foundation of the negotiation and the settlement of the conflict. And one of them is the self-determination. It means that the international community recognizes the right of Nagorno-Karabakh to self-determination, and provides for the opportunity to express its will through, as Ambassador Warlick mentioned, legally binding referendum or plebiscite as the final stage of the settlement.

And another point—my colleague from Armenian Public Television mentioned about the civil societies and the difference between Armenia and Azerbaijani societies that we are now witnessing. I mean, all panelists mentioned in their presentation the importance of dialogue between two societies, the importance of context. In this regard, just according

to my friend, I would like to ask you—I mean, in Armenia we have flourishing, very active civil society. You can see lively discussion, lively public discourse in our society, both in the parliament and among the NGOs. But what is—and it varies in our counterpart in this regard, in Azerbaijan.

Mr. TIERSKY. Thank you.

So I'd now like to ask the panelists to pick and choose what they would like to respond to—some of these were questions, some of these were not so much questions as remarks and comments—and any final thoughts you would have to leave us with. Perhaps I will go in the same order that we presented with to begin with, and ladies first.

Ms. GRONO. Thank you very much. I will first respond to our Armenian embassy colleague. Thank you for your comments. I don't actually think that I did go into the specific history of the conflict. So I don't think that there is—I particularly didn't go into that because, of course, there are a lot of elements that one would have to bring in and narratives differ, et cetera. So I think that in my presentation I tried to sum it up by saying that by 1991, 1992, the conflict took on the character of a full-scale war, and I think that probably is indeed something that you could agree with.

I agree, though, with you that—and this is in reference to a previous round of questions—that it's important to indeed say always all the elements because things that are said are as important as things that are unsaid. So, for instance, this is in reference to an Azerbaijani's colleagues comment about the displaced persons. I did cite that over a million people were displaced. I did say that 700,000—over 700,000 of those were displaced from Karabakh and adjacent districts. But it's important really to underline also that over 400,000 were displaced—of Armenians were displaced from Azerbaijan itself. I don't want to go into great details, but I just wanted to clarify this.

I will answer the question about the one issue that would need to happen today so that we improve chances for peace in the future—I think that was your question—I'll say two things that would be priority. I think that, first, presidents would really need to start talking seriously with their publics about what the benefits of peace would be, but also what kind of steps towards settlement would be necessary and what compromise could entail.

And secondly, I really would second what Ambassador Cavanaugh said earlier. I think it's very important to have a hotline among the militaries, at least in the short term, for the moment, to work towards prevention of large-scale incidents.

Amb. CAVANAUGH. Let me pick up with that, it has always been disheartening in this conflict that presidents from both sides will talk about the willingness to fight, the maximalist positions they would like to achieve, when in fact at the bargaining table they talk about compromise. After Key West, many of you are aware, my biggest complaint was that the presidents had done nothing to prepare their populations for a compromise, that they were getting very close to agreeing to. This has happened repeatedly.

And I think what Magdalena said is true. Probably the foremost step that needs to be taken is to start being more frank with your populations. This is a problem that needs to be solved, and the way to solve it will require giving up "something." You don't even necessarily need to detail what that "something" is. But some days you look at the positions coming out of Baku: "Nagorno-Karabakh can have the highest autonomous status possible within Azerbaijan." It's the same as the Soviet Union. That's that status. You hear in Armenia, "All the conquered territories should remain Armenian. We can find

maps that show that at some point in history they were Armenian.” This isn’t a way to move forward towards a negotiated political settlement. I can believe there’s political salience in making such positions, but it’s not helpful in crafting a solution.

In response to the question about—I raised the incidence investigation mechanism and monitors. In part, I raised those because those were already agreed to by both presidents. There should be nothing simpler than agreeing to something you agreed to a year ago. And other CBMs, a hotline between militaries could be set up in a day. What argument is there that “in extremis, in an emergency I don’t want to be able to talk to the other side and know what’s going on”? I don’t understand that. I think these are simple steps to take.

And I recognize—and I heard this repeatedly in Baku—there’s a concern CBMs make the status quo more palatable, and there’s truth in that. But the status quo being more palatable makes a better environment or atmosphere for a peaceful solution, and there’s value in that. And while the co-chair countries can’t force the settlement on the parties, and OSCE itself can’t force the settlement on the parties, there are CBMs they can do that are independent of the parties. And I raised several, and I think that may be an approach that should be pursued: a military-to-military context between the Turks and the Russians; the potential intelligence sharing about the region between the United States and Russia. You know, that doesn’t need a yes vote from Baku or Yerevan.

And I want to say one other thing about the incidents investigation mechanism, because I’ll be frank. Originally, I was opposed to this. My fear of this was it would lead to more death. Right now, whenever there are skirmishes, each side claims we’ve killed more than the other side. And I was always scared to death that if you could prove how many died, you may create an incentive to kill more people. And maybe we were better off not being able to prove it. But I think both sides are at a point now where—and you see these press releases every day in the Caucasus—158 violations yesterday, 2,760 violations last week. If that’s going to be the news, then we should start figuring out how to be able to tell where they’re coming from, and maybe that will deter the snipers that Ambassador Warlick spoke about. But as I said, even there, I worried about that as a CBM.

Amb. WARLICK. I’ll also address this question of what is the one step that the sides could take that would be meaningful in resolving the conflict. It’s just not sufficient for the two presidents to meet once a year or once every two years. We’re not going to make progress towards a settlement without greater engagement by the presidents and structured negotiations. And if I can recommend, we need that kind of process of sustained diplomacy to make progress towards a negotiated settlement.

Mr. TIERSKY. I think it’s a measure of the extraordinary quality of the panelists we had today that all of you remain here despite the fact that we’ve now long run out of time. Please join me in thanking the panel in a traditional manner. I would also like to thank my colleagues who helped me organize this, and in particular my colleague Everett Price who could not be here with us today, but hopefully he’s watching on Facebook.

Ladies and gentlemen, this concludes our briefing. Thank you all for your participation.

[Whereupon, at 3:47 p.m., the briefing ended.]



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