



# POLICY BRIEF

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## To Return or Not to Return: Perspectives for Returning to Nagorno-Karabakh

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### Executive Summary

The military operations of September 19-20, 2023, have enabled Azerbaijan to establish complete control over Nagorno-Karabakh and restore its territorial integrity. Yet, within a brief timeframe, a mass exodus of the majority of the Armenian population in the region, totaling over 100,000 people, has taken place. Displaced Armenians are encountering significant challenges as they try to adapt to their new lives in Armenia, and are also contemplating the prospect of returning. At this critical juncture, this policy paper delves into the perspectives for a return to Nagorno-Karabakh and addresses the associated challenges. By doing so, it aims to contribute to fostering a constructive and reconciliatory public discourse between Armenians and Azerbaijanis.

**Key words:** Armenia, Azerbaijan, Nagorno-Karabakh, ethno-territorial conflict, displacement, return

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## Introduction

Azerbaijan regained full control over Nagorno-Karabakh after a 24-hour military operation on September 19, forcing the secessionist authorities to surrender unconditionally. Nagorno-Karabakh is set to cease its existence as a secessionist entity by the year's end. However, “The One Day War” led to a mass exodus of almost the entire Armenian population of Nagorno-Karabakh.

The most recent escalation marks another violent chapter in the 35-year-old Nagorno-Karabakh conflict between Armenia and Azerbaijan. The First Karabakh War (1991-1994) resulted in Armenia emerging as the decisive military victor, occupying nearly 15% of Azerbaijani territories. However, in the Second Karabakh War (2020), the results were largely reversed with Azerbaijan reclaiming control over the territories, encompassing 2/3 of Nagorno-Karabakh.

The conflict landscape has been altered significantly, bringing peace negotiations between Armenia and Azerbaijan to a standstill. Meeting the needs of displaced Armenians and facilitating their integration into Armenia are posing substantial challenges. This despite the fact that on November 18, 2023 the International Court of Justice mandated the voluntary and secure return of Armenians to Nagorno-Karabakh.

This policy paper delves into the prospects of the return of Nagorno-Karabakh Armenians and outlines the dynamics and challenges around this process. It also offers practical policy recommendations to various stakeholders.

## What happened?

On September 19, the conflict began to escalate as Azerbaijan targeted military installations in Nagorno-Karabakh and seized control of strategically vital communication lines. The nine-month blockade of the Lachin Corridor, which preceded the operation, had already undermined the resistance capabilities of the secessionist authorities.

The battle, lasting 24 hours, concluded when a Russian peacekeeping contingent facilitated a ceasefire agreement. The secessionist authorities committed to fully disarming the local armed forces, surrendering heavy military equipment, and engaging in substantive negotiations with Baku for the region's (re)integration into Azerbaijan.

The negotiations between Azerbaijani and Nagorno-Karabakh representatives primarily addressed technical matters (e.g., fuel provision, humanitarian aid delivery, etc.). The leadership of the secessionist regime decided to end the existence of this unrecognized republic from the beginning of 2024.

Merely four days after the military escalation, the Lachin Corridor was reopened, prompting the mass exodus of the Armenian population. By October 3, within just 10 days, approximately 101,000 people (Human Rights Watch, 2023) had left the region, settling in Armenia.

The Azerbaijani authorities notified the remaining population in the region of plans to (re)integrate the territory into Azerbaijan's political system. Nevertheless, it is estimated that no more than 1,000 people remain (UN News, 2023) in Nagorno-Karabakh, with the majority believed to reside in the largest city, Khankendi/Stepanakert.

At the moment displaced Armenians are encountering diverse challenges in Armenia. On the one hand, there is a significant issue in meeting the social needs (housing, employment, material requirements, etc.) of over 100,000 people. On the other hand, the validity of Armenian passports used by Nagorno-Karabakh Armenians solely for travel purposes has obligated them to undergo the process of reapplying for Armenian citizenship (Civilnet, 2023).

## Return - Is It Possible? If Yes, Then How?

The Azerbaijani government has officially expressed readiness to welcome individuals who are willing to become citizens of Azerbaijan (Azvision, 2023). The United States (Azatutyun, 2023), the European Union (EEAS, 2023), and Russia (Armenpress, 2023) have also urged Armenians from Nagorno-Karabakh to consider a voluntary and secure return. Moreover, the interim measures put forth by the International Court of Justice on November 18, 2023 in the Armenia vs. Azerbaijan case emphasize the need to facilitate the voluntary return of individuals to Nagorno-Karabakh (ICJ-CIJ, 2023).

Nagorno-Karabakh is entirely under the control of Azerbaijan. Therefore, returning to Nagorno-Karabakh implies returning to Azerbaijan and residing there. In terms of the possibility of returning to Nagorno-Karabakh, this can be categorized in two forms: 1) temporary visits and 2) permanent return and (re)integration.

## **Temporary Visits**

The sudden upheaval of a political realm that had persisted for over 30 years, coupled with the fear of abrupt closure once again of the Lachin corridor, triggered an immediate exodus not just of those who had directly lost their homes but the entire Armenian population.

The sense of urgency made many leave their homes without being able to take much of their belongings. This was especially true for communities residing in the northern part of Nagorno-Karabakh, who were directly impacted during the military escalation.

Observing the mass exodus from Nagorno-Karabakh reveals that individuals commonly chose to prioritize their simplest belongings to facilitate a quick and straightforward arrival at the Armenian border. The transportation of livestock to Armenia was observed only on rare occasions.

Additionally, these displaced people have faced the challenging task of relocating the graves of their loved ones from Nagorno-Karabakh. On November 13, a group of people gathered in front of the International Committee of the Red Cross office in Yerevan, demanding the relocation of their relatives' graves to Armenia.

Considering the socio-economic difficulties experienced by these displaced individuals, and anticipating a cumulative increase in their challenges, it becomes imperative to explore ways to allow displaced people from Nagorno-Karabakh to return, even temporarily, in a secure manner to retrieve their documents, and other possessions.

A brief examination of the history of the conflict between Armenia and Azerbaijan serves as a reminder of how such practices were organized three decades ago. From 1988 to 1991, communities displaced as a result of the intercommunal violence agreed to organise temporary visits. This allowed those who temporarily returned to their former homes to sell their apartments and retrieve belongings.

The ability to reach such agreements at community level in a situation where central state structures were paralysed indicates that it is institutionally feasible to organise such practices in a systematic and secure manner today.

## **Permanent Return and (Re)Integration**

At present, ascertaining how many of these displaced individuals wish to return is challenging, due to insufficient data. Firstly, little to none of such large-scale data gathering has taken place. But even if surveys were conducted, the sensitivity of the issue and its status, dealing with matters that are

socially taboo, make it difficult to gauge how many people are ready to return to life under Azerbaijan's control.

Yet, despite these challenges, it is not irrelevant to discuss a permanent return for Nagorno-Karabakh Armenians. Firstly, this is a basic right of anyone displaced from their home, as emphasized in the recent decision of the International Court of Justice. Secondly, while there is a lack of data, this does not imply that no Armenians from Nagorno-Karabakh are contemplating a return. Individual interviews and data suggest that there are those who are weighing the possibility of returning to Nagorno-Karabakh under specific conditions. A man from Khankendi/Stepanakert told Human Rights Watch (2023) that he would consider returning with his family for a longer term “if Azerbaijan allows Armenians to live there as a community – with Armenian schools, Armenian church, administration staff recruited from members of the community.”

As these interview responses demonstrate, the prospect of Armenians returning to Nagorno-Karabakh is implicitly linked to how, as an ethnic minority, they can safeguard their national-cultural rights and security within Azerbaijan’s political system. This is a reminder of the central debates in this conflict: the nature and modus operandi of ethno-politics between independent Azerbaijan and its ethnic Armenian minority.

Following the most recent escalation, Azerbaijan established an online registration portal for the (re)integration of the Armenian population. By early October, around 100 individuals had applied (Musavat, 2023). Azerbaijani sources (Azertag, 2023) also claim that the on-site registration process and documentation of those remaining in Nagorno-Karabakh were conducted by Azerbaijani government bodies.

On October 2, the Azerbaijani government unveiled the initial points of the (re)integration plan for the Armenian population (BBC Azeri, 2023). While the plan outlined general aspects, such as the use of the Armenian language, protection of religious and cultural monuments, tax-free and other economic incentives, among many other things, the lack of detail raises question of how these points are to be materialized.

## International Boots: Who? How?

The sole foreign presence in Nagorno-Karabakh is the Russian peacekeeping contingent, comprising around 2,000 peacekeepers deployed under the November 2020 Tripartite Ceasefire Declaration. The

deadline for the contingent to remain in the region is 2025. But the mass exodus of Armenians has cast doubt on the relevance of the peacekeeping contingent, making their early departure highly likely. The contingent has already begun the dismantling of checkpoints in various locations (Report, 2023).

Besides the Russian peacekeeping contingent, the International Committee of the Red Cross has been active in the region for years, with mutual consent. Following the September 19 escalation, the Red Cross played a crucial role in evacuating the population, addressing the needs of the remaining inhabitants, and searching for missing individuals. Additionally, after the military escalation, the UN monitoring mission, for the first time in the conflict's history, conducted several visits to Nagorno-Karabakh and published a public report on the situation on the ground (UN Azerbaijan, 2023).

Given the impending departure of the Russian peacekeeping contingent, and the imperative to facilitate both temporary visits and permanent returns to Nagorno-Karabakh, there is a necessity to consider the establishing of a new form of international presence. In this regard, drawing inspiration from the two established practices — the Red Cross and UN monitoring missions — a promising starting point could be the expansion of their operational capabilities and the re-defining of mandates and mission objectives. If it is possible for the Red Cross to organise temporary visits and oversee the relocation of belongings and graves, then the UN mission could perhaps monitor permanently the returns and post-return ethno-political situation.

## Challenges

Any talks on the return to Nagorno-Karabakh lack credibility unless the accompanying challenges are identified and analysed. It is the identification of these challenges that would facilitate a transition from concept to political reality. The biggest challenge is the drastic shift that took place in the dynamics of the conflict which could hinder a large-scale return.

The conflict between Armenia and Azerbaijan began in the late 1980s when Nagorno-Karabakh, an ethno-territorial autonomy within the Azerbaijan SSR, sought to unify with Armenia. The war of 1991-1994 elevated Nagorno-Karabakh to the status of a de facto unrecognized republic. By 2020, Nagorno-Karabakh and Armenia were essentially united within a single political, economic, and military space.

Even after the defeat in 2020, self-rule persisted in a significant part of Nagorno-Karabakh, including the political center Khankendi/Stepanakert. Unrestricted movement with Armenia was ensured through the Lachin corridor from November 2020 to April 2023.

The military escalation on September 19-20 not only dismantled the political status-quo that had existed for over 30 years, but also transformed Nagorno-Karabakh Armenians from a community with nearly a century of ethno-territorial self-rule into a non-territorial community whose national-cultural rights needed protection at a basic level. This abrupt volte face contrasts starkly with the national concepts and narratives established over the last three decades, making any return of the community en masse challenging.

At this point any mass return to Nagorno-Karabakh becomes contingent on, at the very least, the restoration of ethno-territorial autonomy in Nagorno-Karabakh. Yet this is directly contradicting the position Azerbaijan has taken in the negotiation process. Baku has consistently asserted that ethno-territorial autonomy has become irrelevant after November 2020, and Nagorno-Karabakh Armenians can only be (re)integrated into Azerbaijan in a non-territorial form. In a way this is similar to that of other ethnic minorities living in Azerbaijan.

Nevertheless, theoretically speaking, a space for trade-offs still exists. Especially after the 2020 war it became apparent that Azerbaijan's emphasis on the return of Azerbaijani refugees from Armenia was primarily done to mirror the Armenian position on Nagorno-Karabakh in the negotiation process. If such mirroring incorporates the principle of reciprocity, it can then be assumed that a certain form of mutual return (Armenians to Azerbaijan, Azerbaijanis to Armenia) could be negotiated. However, whether the parties are interested in reaching such an agreement, thereby potentially reversing the outcomes of the population exchange, is another matter.

The shift in conflict dynamics resonates in the perception of the return to Nagorno-Karabakh as largely a zero-sum game, even though a possible win-win formula between Baku and Yerevan does exist that could allow people to return, at least partially, to their homes. There is also a lack of community discourse on integrating Nagorno-Karabakh Armenians into the larger community of Armenians from Azerbaijan, with their ethnic counterparts from Nakhchivan, Baku, Shirvan, and Ganja. Despite being part of Azerbaijani society, *homo sovieticus azerbaijanicus*, so to speak, for at least seven decades Nagorno-Karabakh Armenians have largely been excluded from this space.

"Armenia is also their [Nagorno-Karabakh Armenians] homeland" said the de facto head of the secessionist organisation in October 2023. This statement is a yet another demonstration of how political projects make even an imaginary connection with the parent country, in this case

Azerbaijan, a thing of past. Therefore, returning to Azerbaijan, even in hypothetical terms, becomes not even an option as it no longer represents anything associated with the concept of homeland. This sets Nagorno-Karabakh Armenians apart from their ethnic peers from Baku, Ganja, Nakhchivan, and Shirvan, who continue to feel a degree of connection with Azerbaijan.

This is where discussion of one of the most chronic problems of this conflict becomes relevant - a stark disparity between the realm of official negotiations and that of public discourse. On one hand, the objective of the peace negotiations was well-known in Baku, Yerevan, and Stepanakert/Khankendi. Yet, the general public was presented with narratives that hindered the attainment of these outcomes, deepening not only the ethnic divide but also the gap between the negotiated settlement models and the public.

On the Armenian side, little to no effort has been made to prepare the population for coexistence with Azerbaijanis in Nagorno-Karabakh under Azerbaijan's sovereignty, even though all four Armenian governments accepted the conflict resolution frameworks that made this scenario the only likely and achievable one. Instead, the national discourse in Armenia around the conflict has hardened ever since 1994, coupled with targeted policies (such as settlement in the occupied territories, economic projects, etc.) to solidify the 1994 victory line.

On the Azerbaijani side, concepts such as 'the highest autonomy' (pre-2020 position) and 'the rights and freedoms' (post-2020 position) remained only as ambiguous ones, with no attempt made to turn them into policy actions. Instead, these concepts became mere rhetorical tools for negotiations. On the other hand, for Baku, its growing military and economic strengths have de-incentivized reaching power-sharing agreements, making illiberal conflict resolution models more appealing.

## Conclusion and Recommendations

In conclusion, the recent military escalation in Nagorno-Karabakh has drastically reshaped the landscape of a conflict that has spanned three decades. As displaced Armenians face challenges in meeting their social needs, the prospect of returning to Nagorno-Karabakh remains contingent on fostering an environment conducive to voluntary and secure returns.

But the drastic shift in the conflict dynamics, transforming Nagorno-Karabakh Armenians from a community with ethno-territorial self-rule to a non-territorial community, poses a significant hurdle.



The conflicting national narratives, discourses and concepts, further complicate the implementation of actions for common betterment.

Nevertheless, it is important that a return to Nagorno-Karabakh is discussed. By doing so, this paper aims to contribute positively to the reconciliation process and discourse and help achieve just and lasting understanding on resolving the conflict between Armenia and Azerbaijan and its legacy. That being said, here are the policy recommendations for the sides involved:

***For Azerbaijan:***

- To facilitate temporary visits to Nagorno-Karabakh in close cooperation with international entities such as the Red Cross and the United Nations, thereby allowing displaced communities to reclaim their possessions and relocate burial sites.
- To develop a comprehensive (re)integration plan in a close cooperation with international organizations and partners (e.g., the United Nations, Council of Europe, OSCE, European Union) which would encompass the necessary ethno-political arrangements for ethnic Armenians wishing to return to Nagorno-Karabakh permanently.
- To engage in open deliberations regarding the modus operandi for potential international engagement in Nagorno-Karabakh. These discussions should revolve around how international involvement could bring optimal expertise to assist the central authorities, the remaining Armenian population, and would-be returnees within new the ethno-political system.

***For Armenia and Nagorno-Karabakh Armenians (their community leaders):***

- To promote open and public discussion on reshaping community discourses, fostering an environment conducive to constructive engagement with Azerbaijan. This also involves exploring ways to transform community structures to facilitate meaningful discussions with Azerbaijan regarding temporary visits, as well as permanent return to Nagorno-Karabakh.
- To prevent the stigmatising of individuals desiring to return to Nagorno-Karabakh under Azerbaijani control, as this poses the risk of exacerbating polarisation and undermining internal stability.
- To collect comprehensive data from displaced communities in order to ascertain their primary needs concerning the return process. This includes determining the percentage of individuals who would opt for a permanent return and those considering temporary visits, along with understanding the reasons behind these preferences.

*For international actors:*

- To assist Azerbaijan in facilitating both temporary visits and permanent returns by offering well-established tools, mechanisms, and expertise that have proven effective in comparable ethno-territorial contexts.
- To support local Armenian community leaders from Nagorno-Karabakh who exhibit both the willingness and capability to engage in talks with Azerbaijan regarding temporary visits, permanent return, and (re)integration.
- To assist Armenia in the comprehensive collection of essential data by offering expertise, financial support, and other resources to ensure that a clear and comprehensive picture emerges, benefiting all parties involved.

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