

THE OSCE MEDIATION OF THE NAGORNO-KARABAKH CONFLICT

A Thesis presented by Irem Güner

to the

**Institute of Economics and Social Sciences
In Partial Fulfillment of the Requirements
for the Degree of International Relations
Bilkent University
Master of Science**

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Irem Güner
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Thesis

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A handwritten signature in black ink, appearing to read 'A. L. Karaosmanoglu', written over a horizontal line.

Ali Lutfu KARAOSMANOGLU

I certify that I have read this thesis and in my opinion it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Science in International Relations.



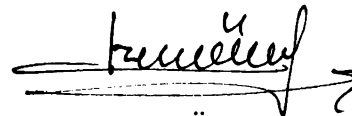
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Dr. Hasan ÜNAL

ABSTRACT

Mediation is one of the widely studied mechanisms of conflict management. The OSCE further pushes the concept of mediation in recent years, especially in the face of a number of conflicts in the region it covers. There is a huge literature on mediation. Most of these studies involve cases analysed with the help of theoretical frameworks. This research is a case study too. The notions put forward by the literature as the determinants of successful mediation are here applied to the case of the Nagorno-Karabakh conflict. More precisely, this study attempts to examine the OSCE mediation efforts in this conflict, aiming to illustrate the effect of the factors outlined by the literature on post-Cold War conflicts.

ÖZET

Arabuluculuk üzerinde en fazla calisilan catisma çözüm mekanizmalarından biridir. Avrupa Güvenlik ve Isbirligi Örgütü de yakin yillarda bölgesinde cikan catismalar nedeniyle arabuluculugu öne cikarmaktadır. Çok genis bir literatüre sahip olan arabuluculuk konusunda yapilan calismaların cogu kuramsal cerceveler icinde tek bir catismanin üzerine egilmektedir. Bu arastirma da buna bir örnektir. Literatürde öne sürülen basarili arabuluculuk sartlarinin Daglik-Karabag sorunununda ne derece saglandigini bulmaya calismaktadır. Bu calisma özellikle Avrupa Güvenlik ve Isbirligi Örgütü'nün Daglik-Karabag catismasindaki arabuluculugunu irdelemekte ve soguk savas sonrasi catismalarda arabuluculuk literatürünün öne sürdüğü faktörlerin etkisini arastirmaktadır.

ACKNOWLEDGMENTS

This research owes its greatest debt to Dr. Nimet Beriker. I am indebted to her for introducing me to conflict resolution. Besides, with her encouragement and guidance the preparation of this thesis became an enjoyable task. I am also grateful to Dr. Imtiaz Bouhari whose help enabled me to complete this thesis. Dr. Serdar Güner's suggestions and directions saved me from many errors during the absence of my advisor.

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CHAPTER I: INTRODUCTION

The post-Cold War era is marked by many intense conflicts and none has been resolved by peaceful means. In other words, mediation attempts by the OSCE and the UN have not been successful yet. The CSCE -which has recently become the OSCE, since its institutionalization is now completed -currently mediates the conflict between Armenia and Azerbaijan over the enclave of the Nagorno-Karabakh. Its analysis is therefore necessary to discover the reasons that make the mediation of post-Cold War conflicts difficult.

Armenian-Azerbaijani conflict is an animosity which was under control during the Soviet rule. However, with the beginning of the Soviet disintegration, national aspirations came forth once again. The issues of territorial sovereignty and right to self-determination have become sources of this conflict. As a result, Armenia and Azerbaijan engaged in a war over the status of Nagorno-Karabakh enclave.

Before the OSCE has undertaken the mediation of this conflict, states in the region, Turkey, Iran, Kazakhstan and Russia also made efforts but were unsuccessful. The OSCE has also been unable to find a political settlement to this conflict which is now six years old. There has been no formula that was acceptable to all sides until now. However, the fights are currently stopped and there is a ceasefire which has been lasting for eight months.

The purpose of this research is to analyze the OSCE efforts of mediation in the conflict of Nagorno-Karabakh. It attempts to understand the factors that have an impact on the effectiveness of mediation in post-Cold War conflicts. There exists a large body of works precisely focusing on the conditions for successful mediation. The mediation literature points out that: (a) the nature of the parties, (b) the nature of the dispute and, (c) the nature of the mediator are the factors which affect the mediation process and its outcome.

As the OSCE has envisaged the role of a mediator in such conflicts, many questions arise: To what degree do these factors affect its success as a mediator in the Nagorno-Karabakh conflict? Does the role it performs reflect the interaction between the factors that are important for its effectiveness? To answer these questions the notions put forward in the literature of mediation will be applied to the case of Nagorno-Karabakh in this research.

In fact, more factors can be included in these categories like the motivations of the mediator and different explanations for the role of the mediator. However, their inclusion would require the building of more complicated hypotheses that is beyond the scope of this study. Thus one limitation of this study is that it does not thoroughly cover the theories of mediation in other fields but instead it focuses on mediation studies in international relations that are most common. Its principal shortcoming is that it only takes the Nagorno-Karabakh issue to illustrate how mediation studies can help us to discover important aspects of this conflict to recommend ways to resolve it. It should be preferable to apply these theories to other cases in order to

generalize the results. Nevertheless, the insight gained by this application is already rich enough to affirm that it contributes to our understanding of post-Cold War conflicts and their future resolution.

The contribution of this study is at both theoretical and empirical levels. The results suggest that the factors proposed by the literature are helpful in the analysis of post-Cold war conflicts. At the empirical level, they help to discover effective mechanisms for the resolution of these conflicts. The general conclusion is that the likelihood of a successful OSCE mediation is low in the short term. The pessimistic result is due to the nature of the parties and the dispute.

Based on this background the second chapter presents the theoretical bases of the study pointing out the principal sources of mediation analysis. The third chapter describes the OSCE mechanism for the prevention of conflicts and the peaceful settlement of the disputes. The fourth chapter summarizes the history of the conflict and the mediation efforts by the OSCE. The fifth chapter constructs the analysis on the basis of these data and concepts. The last chapter contains the conclusions.

CHAPTER II: MEDIATION IN THEORY

Mediation is one of the widely studied conflict management mechanisms. There exist different however limited definitions of mediation. In the present study mediation is defined as "a process of conflict management where disputants seek the assistance of, or accept an offer of help from an individual, group, state or organization to settle their conflict or resolve their differences without resorting to physical force or invoking the authority of the law."¹

2.1 Factors Affecting Mediation

2.1.1 The Nature of The Parties:

Types of conflicting parties. Looking at the types of parties in conflict and their relationship and the success or failure of a mediation effort, Frei reports that conflicts between insurgent groups are the most difficult ones to solve.² Pure interstate conflicts seem to be relatively amenable to mediation. These results suggest that the more clearly defined the conflicting parties are, the clearer the addresses of a mediative action will be. Similarly, Bercovitch posits that "conflict management by third parties can occur only between adversaries with well-defined identities. Mediation has a better chance of success when the adversaries are recognized as the legitimate spokesmen for their parties."³

Power disparity. Another condition influencing the effectiveness of international mediation is the degree of power disparity between adversaries. Ott suggests that the smaller the power difference between the adversaries, the greater the effectiveness of international mediation.⁴ Butterworth's study suggests that

mediation is effective in disputes involving adversaries with equal power.⁵ Similarly, Bercovitch argues that "in cases of clear power disparity, the stronger adversary would not be prepared to countenance any concessions or compromise proposals."⁶ On the contrary, Frei argues that in those cases where the capabilities of the parties concerned match each other, the parties will not accept mediation because either party may still hope for better times.⁷ Similarly, Deutsch claims that the resolution of conflicts will be easier, if there is a mutual recognition of differential power.⁸ Thus, we have two contradictory hypotheses about how the power disparity affects the effectiveness of a mediation effort.

Previous relationship. Two factors are involved here: the history of cooperation and conflict between the parties and their interdependence. Deutsch posits that the previous relationship between the parties is one of the fundamental determinants of conflict outcomes.⁹ He suggests that parties with a history of friendship or cooperation will also approach a present conflict more cooperatively. In a recent study, Bercovitch et al. also found that "it is easier to mediate between friends." ¹⁰

According to many theorists, close interdependence, and in particular, economic interdependence between the parties concerned will increase the chances of peaceful conflict resolution, and hence the probability of a successful mediation outcome. Frei's findings, though he looks at a small number of cases in this context, confirm this hypothesis.¹¹

Personality conflict. In addition to the points above on the relationship between parties, "absence of an intense personality conflict among the leaders of the conflicting groups has also been viewed as a factor contributing to the success of a mediation effort"¹², but it is further argued that its negative effect can be decreased by a skillful mediator.

Regime type. This can also be a determinant of the effectiveness of mediation. A traditional hypothesis in the study of international relations posits that those states that are more democratic or pluralistic are less prone to initiate violent interactions than their non democratic counter-parts. However, a study by Maoz and Abdolali suggests that although democracies rarely go to war with one another they are no less prone to conflict than other political regimes.¹³ Indeed, "democratic states engage in wars as often as other types of states [but], democracies virtually never fight against one another"¹⁴ because "shared norms fostered by a democratic political culture promote peaceful conflict resolution."¹⁵ Raymond asserts that in conflicts between democratic states, third-party mechanisms with judicial competence will be used. On the contrary, conflicts between non democratic dyads are not referred to such mechanisms because non democratic dyads will prefer to use the mediator as a go-between whose suggestions may be rejected, should they collide with perceived national interest.

Finally, the inner unity of the conflicting parties also affects mediation efforts. Assefa asserts that "even though the inner unity of the conflicting parties does not necessarily bring about the success of a mediation effort, its lack hinders it."¹⁶ According to Frei, the existence and the change of government on one side

may influence mediation effectiveness.¹⁷

2.1.2. The Nature of The Dispute:

Generally, theoreticians and practitioners argue that the nature of the dispute largely determines the success or failure of the mediation. The indicators of the nature of the dispute are argued to be the issues, the intensity of the conflict, and the time factor.

Issues. The importance adversaries attach to the issues in dispute will affect the chances of mediation. When vital interests are affected (for example issues of sovereignty or territorial control), intermediaries will be unlikely to have much impact on the dispute. Ott sees the absence of vital national security interests, particularly questions of territorial control as a necessary precondition for successful mediation.¹⁸ Kressel and Pruitt also argue that "matters of principle", (territory, ideology, security, independence, resources) will defy mediation.¹⁹ According to Lall when territory is at stake, the party in possession tends to resist third-party intervention.²⁰ In addition to these, "honoring obligations engaged by the other side" may influence mediation effectiveness.²¹

Intensity. Here again there are two contradictory views. The first one suggests that when the intensity of the dispute is higher, the parties will be more eager to accept mediation to cut losses and it will be successful. The second one asserts that when the number of losses increases and the conflict gets more intense, the parties' positions will become polarized and will not accept mediation attempts to win at all costs. Accordingly, in low intensity disputes, mediation is

more likely to be accepted and successful. Protracted and intense international disputes are not amenable to mediation.²² A recent study conducted by Bercovitch and Langley in 1993 confirms that intensely hostile disputes with many issues at stake and high fatalities are not particularly amenable to mediation.²³

Time factor. The time factor may affect the mediation efforts as regards the duration of the conflict and the ripeness of the moment at which the third party intervenes. Scholars agree that to be effective mediation must take place at the most propitious moment but they disagree on the realization of this moment and its determinants. Edmead claims that mediation is more likely to succeed if it is attempted at an early stage, well before the adversaries cross a threshold of violence and begin to inflict heavy losses on each other.²⁴ Similarly, Talloires assumes that a last minute mediation intensifies the conflict and is useless.²⁵ In contrast, Northedge and Donelan suggest that mediation can be effective only when a dispute has gone through a few phases and must certainly not be initiated before each side has shown a willingness to moderate its intransigence and revise its expectation.²⁶ Douglas proposes that the mediator should not intervene at a too early stage, and under no circumstances should he intervene before the parties have made clear to each other their extreme bargaining positions and hence realize that a certain compromise will be inevitable.²⁷

Bercovitch et al. testing both hypotheses conclude "the longer the dispute goes on the less amenable it is to mediation, but ... a certain amount of time is necessary before mediation is successful." ²⁸ A certain amount of time must pass,

allowing a test of strength, but not beyond the point where parties' positions become too polarized. In other words, a duration of the conflict is necessary for an effective mediation. Bercovitch et al. also add that if a mediation attempt follows a number of ones that failed, the success of the new attempt will also be affected negatively after the first and the second attempts.²⁹

The concept of ripeness is also emphasized as a determinant of effective mediation.³⁰ Kriesberg claims that mediation should take place at the right time, that is when the situation is ripe. Ripe in this context means the time is right for de-escalation. However, there is no unique right time for de-escalating efforts. Timing refers to recognizing whether the adversaries are ready to move away from escalation or down from stalemate. Thus, a ripe moment depends upon the duration of the conflict: if there is no time passed, there is no ripe moment either.

Kriesberg emphasizes three conditions as the determinants of conflict de-escalation: domestic pressures, the relations between the adversaries, and the international context. Accordingly, what type of settlement is acceptable to which parties must be determined under the given set of conditions, as time is ripe for one kind of settlement or another.³¹ Similarly, Haass argues that ripeness plays a central role in the negotiation of regional disputes, and that for each conflict ripeness may be different. The reason for this is inherent in the nature of the conflict or the parties because they are not ready for an agreement. Thus in such situations mediation efforts will fail to bring about a negotiated agreement. He suggests five essentials of ripeness:

- 1 - there must be a shared perception of the desirability of an agreement,

2 - political leaders must either be sufficiently strong to permit compromise or sufficiently weak so that compromise cannot be avoided,

3 - there must be a formula that involves sufficient compromise on both sides so that leaders can make a case to their colleagues/or publics that the national interest was protected,

4 - there must be a mutually acceptable process,

5 - negotiations prosper most when no major diversions occur.³²

Another time-oriented view goes beyond the notion of incompatibilities of will and solutions. Zartman posits that at any moment policies are chosen from among many desirable goals on the basis of comparative costs and benefits. Since these can be altered by both the external context and the parties' interactions, some moments are better than others for managing and resolving conflict. This view posits the components of a ripe moment. The basic component of a ripe moment is a deadlock that keeps both parties from achieving their goals. But a deadlock is not enough, it must be a particular kind of stalemate that hurts both parties enough to make them feel uncomfortable and unable to break out by an escalation with acceptable costs. Mutually hurting stalemate is also not enough. It has to be riveted to parties' perception. This can be a deadline or a warning that threatens to impose additional and unacceptable costs of higher magnitude. There must also be a formula for solution and the indication that the parties, in principle require such a solution and if it is attractive enough they will respond positively to other's moves.³³

2.1.3. The Nature of The Mediator

The nature of the mediator consists of mediator's identity, characteristics, and the role it performs for the resolution of the conflict. The role of the mediator can also be referred as the " mediator's strategy". This is the final factor after the nature of the parties and of the dispute influencing the effectiveness of any mediation effort.

Identity. In the mediation literature, the classification of the mediator's identity usually refers to the type of actor attempting to mediate. These can be:

- a) individuals
- b) states
- c) institutions and organizations (regional organizations, international organizations, transnational organizations).

Characteristics. In general, the characteristics of a successful mediator are: 1- neutrality, which refers to the condition that the mediator has no direct interest in conflict issues between the disputants,

2 - impartiality, which refers to the condition that the mediator has no preferences favoring a party over the other or biases against one or the other disputant,

3- acceptability to all protagonists,

4- knowledge and skill to deal with the issues,

5-possession of required physical resources, e.g. meeting-site, transportation and communication facilities, persons for verification and inspection services,

6- international support for the mediator,

7- leverage, the possibility for the mediator to put pressure on one or both parties to accept proposed settlement. Mediators' resources constitute the basis required for exercising leverage.³⁴ In addition to reward resources and coercive resources, the acceptability and the expertise of the mediator affect the amount of leverage it can exercise.³⁵

Whether the mediator is an individual, state or an organization, according to Princen it can be a "neutral" or a "principal" mediator depending on its interests. Princen assumes that mediators have their own interests, that fundamental differences exist among mediators, and that a mediator's bargaining relationship with the disputants is critical for understanding its impact on a dispute. The mediator can have direct interests on the disputed issue or it may have indirect interests, like strategic interests in the region.

If a party has no direct or indirect interests, then the party may be called a "neutral mediator". The neutral mediators' lacking direct or indirect interests in the issues between principal disputants does not mean that they are without interests at all. They have interests in the dispute. They may want to see an agreement reached, peace realized or may want to improve their images as peacemakers. "Neutral mediators have interests, but they lie outside the issues in dispute, and therefore are not subject to bargaining with disputants." When the mediator possesses interests on the issues in the dispute it is a "principal mediator." Princen puts all international organizations in the former category and argues that for complex disputes that evolve over time a combination of principal and neutral mediators carefully sequenced will be most effective.³⁶

Mitchell dwelling on impartiality, neutrality and leverage suggests that, third parties must possess qualities of impartiality and neutrality if they are the low coercive potential type of intermediary so that their efforts are either acceptable or successful. "Without such qualities, it is often argued, only the most powerful third parties [principal mediators' in Princen's terms] will be able to impose their intermediary role and possibly a final settlement. With less powerful third parties, both individuals and their sponsoring organizations must appear neutral and act impartially to be acceptable."³⁷ According to Zartman and Touval leverage is more important than impartiality since the task of mediation is to persuade the parties.³⁸

Role. The role of the mediator has to be analyzed within a dynamic view as the role of the mediator can change during the mediation process. ³⁹ Such a view advocates three principal roles and strategies "in which mediators operate to affect the positions of the parties in conflict, inducing them to agree to concessions necessary for the reduction or the resolution of the conflict and also contributing to the advancement of mediators' self-interested goals." ⁴⁰

In most conflicts there is no communication between the adversaries. They do not contact directly and need a channel of communication to give concessions without appearing weak. Mediators can act as a "communicator" in such cases. The available communication facilitation strategies to the mediators involve, identifying issues and interests, arranging for interactions between the parties, encouraging meaningful communication.

Mediators can also have a more active role. In addition to the lack of communication between the parties, they may also be short of bringing any solutions that meet the needs of both parties. Then the mediator can perform the role of a "formulator". For the termination of the conflict, the issues must be redefined and a formula has to be found to manage and resolve the conflict. Parties often require the help of innovative thinking in finding out parties' real interests and their component ingredients. Formulation strategies involve choosing meeting sites, establishing protocol, suggesting procedures, controlling timing. Mediators performing these roles do not attempt to change the nature of the problem or the circumstances of the conflict. The mediators have no preference among solutions, do not exercise power and have no weight.

When the roles of communicator and formulator are not enough the mediator can perform a more active role as a "manipulator". "This is a structural role, since it directly involves power and relations, and as such is a role of power politics... the triangular structure provides the mediator with bargaining power vis-à-vis the parties because of the constant possibility that it will join in a coalition with one against the other."⁴¹ "The most active strategy, that of manipulation involves the mediator directly in changing the parties' decision-making process, through rewards, exerting pressure, ...offering substantive proposals."⁴²

The strategies and behavior of international mediators change due to "differences in the nature and context of a dispute and the characteristics of the

parties involved. Mediation strategy must, if it is to be effective, match and reflect these factors,"⁴³ including the determining of the necessary amount of leverage.

In summary, there are differences in explanation of the categories of effective mediation. There is however a consensus in the literature about the basic determinants of the effectiveness of mediation. These are the nature of the parties, the nature of the dispute, and the nature of the mediator. The next chapter will outline the OSCE framework in dealing with conflicts and the background of the Nagorno-Karabakh conflict.

CHAPTER III: THE OSCE MECHANISM

CSCE, was a forum for dialogue, negotiation and cooperation. It was formally launched by the signing of the Helsinki Final Act on 1 August 1975 by thirty-five states. The end of the cold war urged CSCE to adopt changes as conflicts were the primary consequences of the disintegration of Yugoslavia and the Soviet Union. Especially the disintegration of these two countries has led to the emergence of new armed conflicts and the use of force for territorial expansion in Europe.

Accommodation for change started with the Paris Summit of 1990 which decided to develop mechanisms for the prevention and resolution of conflicts. Paris Charter accepted at the end of the summit created the five institutions of the CSCE:

1. Council
2. Committee of Senior Officials (CSO)
3. CSCE Secretariat
4. Conflict Prevention Centre (CPC)
5. Office of Free Elections (OFE)

With the Charter the CSCE became institutionalized and by 1994 the number of its members increased to fifty-three. During the last Budapest summit the CSCE changed its name into OSCE (Organization for Security and Cooperation in Europe), a development which indicates that the

institutionalization process is now completed.¹ OSCE's emerging conflict prevention and settlement role is explained by two of OSCE's three "baskets" of issues: the human dimension and security.

3.1. The Human Dimension:

OSCE has decided that human rights and minority rights are a legitimate subject of concern to all OSCE members, and are not only a matter of national sovereignty. This principle was agreed at the Moscow Conference on the Human Dimension in October 1991.

According to OSCE the rights of minorities include "respect for the 'rights of persons belonging to national minorities', their full equality with other citizens, their right to linguistic ethnic, cultural, religious identity and to participate in national affairs."² On the basis of these principles OSCE can be involved in internal and interstate conflicts including ethnic and minority disputes. The Human Dimension Experts/Rapporteurs Mechanism (Moscow Mechanism) of the Moscow Document is part of the general Human Dimension. However, the Moscow Mechanism provides OSCE member states a right to send fact finding missions to observe human rights abuses in other states. These missions are divided according to their tasks.

The expert mission. It has limited tasks because it is less intrusive in the internal affairs of the state, in comparison to the rapporteur mission. It aims to facilitate particular resolution of a particular question or problem relating to the human dimension of the . It may gather the information necessary for carrying

out its task and use its good offices and mediation services to promote dialogue and cooperation among interested parties.

The rapporteur mission. It establishes the facts, reports on them and may give advice on possible solutions to the question raised. Its report contains observation of facts, proposals or advice.³

3.2 The Conflict Prevention Centre and the Dispute Settlement Mechanism:

The task of the Conflict Prevention Centre is to assist the OSCE Council of Ministers in reducing the risk of conflict. "Its original mandate was to implement agreements on Confidence and Security Building Measures. It was to house a data bank for the exchange of military information and to be a centre for 'hot lines' between member states."⁴

The Valetta meeting on peaceful settlement of disputes held in Malta in February 1991 created a "OSCE procedure for Peaceful Settlement of Disputes" which is also known as the "Valetta Mechanism". The mechanism consists of a panel of conciliators called "dispute counselors" whom member states can call upon. The mechanism is aimed at assisting 'the parties in identifying suitable procedures for the settlement of the dispute' which may relate to the inception or resumption of a process of negotiation among the parties or to the adoption of any other dispute settlement procedure or a combination thereof '. Any party (states) to a dispute may request the mechanism to provide general or specific comment or advice on the substance of the dispute.⁵ The comments do not have any binding force but are accepted to be considered in good faith. The responsibility

for operating the Mechanism is placed with the Conflict Prevention Centre and enlarged the scope of its duties. However the Valetta Mechanism has several exclusions.

First, no internal disputes are subject to the mechanism. Secondly, even of the international disputes, those concerning 'territorial integrity, national defence, title to land territory or competing claims with regard to the jurisdiction over other areas are excluded, as are disputes which have already been dealt with or are being addressed under other procedures. These provisions exclude the vital current conflicts in Europe.⁶

3.3. The Emergency Mechanism:

The OSCE meeting in Berlin in July 1991 adopted an "Emergency Mechanism" to address urgent conflict situations. According to also called "Berlin Mechanism" any OSCE member state may notify the OSCE of a dispute and call for the mechanism to be invoked. Then inquiries are made within forty-eight hours.

If thirteen or more states agree, the OSCE calls a meeting of senior officials of all states to discuss the crisis. The introduction of this provision mitigates the principle of consensus which would previously have allowed any state to block a meeting of the Committee of Senior Officials. However, consensus is still required for actions by the Committee.⁷

The OSCE states have addressed the conflicts in former Yugoslavia and Nagorno-Karabakh under this mechanism.

The fourth OSCE follow up meeting in Helsinki held in March-July 1992, discussed further means of strengthening the OSCE's conflict prevention and crisis management abilities. On 10 July the OSCE adopted a seventy-six page document outlining the decisions reached at the Helsinki Conference. The OSCE

Helsinki Document 1992, the challenges of change declared that the "OSCE is a regional arrangement in the sense of Chapter 8 of the Charter of the United Nations."⁸ The document outlines a new framework for the prevention of the disputes.

3.4. The High Commissioner on National Minorities:

The High Commissioner on National Minorities will provide early warning, and as appropriate early action at the earliest possible stage in regard to tensions involving national minority issues which have not yet developed beyond an early warning stage but in the judgment of the High commissioner, have the potential to develop into a conflict within the OSCE area, affecting peace, stability or relations between participating states.⁹

3.5. The Committee of Senior Officials:

The OSCE decided to enhance its capability to 'identify the root causes of tension' and to 'provide for more flexible and active dialogue and better early warning and dispute settlement' by giving new responsibilities to the Committee of Senior Officials. The CSO is to obtain early warning through a dispute being brought to its attention by: any state directly involved in a dispute, a group of eleven states not directly involved, the High Commissioner on National Minorities, the Conflict Prevention Centre, the activation of the Human Dimension Mechanism, the activation of the Valetta Dispute Settlement Mechanism. The Conference empowered the CSO to decide what to do to manage situations at an early stage. The Committee could set up rapporteur and expert missions, promote good offices, mediation and conciliation and if

appropriate send peacekeeping forces.

3.6. Peacekeeping:

The decision to take on a peacekeeping role is a new step for the OSCE. It was decided that the OSCE could undertake peacekeeping operations, managed by the CSO, with the assistance of the CPC, the troika of Chairs in Office and an ad hoc group of member states. The OSCE could ask troops and resources from Western European Union, the Commonwealth of Independent States, and NATO. The dispatching of peacekeeping forces is possible only if a consensus existed among member states, if the states in the conflict approved in writing, and if a durable and effective ceasefire was in place. Finally, the member states have donated the Chairman in Office of the OSCE Council a role in conflict prevention supported by past and following chairs and by an ad hoc group of member states.

Above are the basic principles of the OSCE regarding conflict prevention and management. Since the OSCE has pushed the concept of mediation within its framework, it launched an eleven nation conference in 1992 to mediate the armed conflict between Armenia and Azerbaijan over the status of Nagorno-Karabakh. The next chapter presents the historical background of the conflict in part one and outlines the chronology of the OSCE attempts in part two.

CHAPTER IV: THE CONFLICT and THE MEDIATION PROCESS

4.1. History of the Conflict Over Nagorno-Karabakh

The claims over the mountainous region of Nagorno-Karabakh have been a matter of controversy for Armenians and Azerbaijanis for hundreds of years. "When Soviet power was established in Armenia and Azerbaijan in 1920, the status of the region was strongly disputed."¹ Although the enclave was demographically dominated by Armenians with a sizable Azerbaijani minority, it was granted the status of an autonomous oblast within the Azerbaijani Soviet Socialist Republic in 1923. "In so doing [Stalin] ensured that between the Armenians, who have never ceased demanding the return of the [Nagorno-Karabakh Autonomous Oblast] (NKAO) and the [Azerbaijanis] who guard their constitutional claims, there would be a structural and self-perpetuating source of discord."² Even though the tension was not explicit under Soviet rule, when the ethnic and nationalist impulses were suppressed, Armenians demanded the return of Nagorno-Karabakh to Armenia several times. Moscow rejected these demands and the oblast remained within Azerbaijan. However with the policies of perestroika the debate over Nagorno- Karabakh reemerged.

The "latest conflict over the Nagorno-Karabakh began in the summer of 1987, with a petition drive by Armenians who wished to annex the NKAO to Armenia."³ It was the Armenian argument that Nagorno-Karabakh was transferred to Azerbaijan by Stalin during sovietization and that the government in Baku conducted repressive policies against Armenian culture as well as

prevented the socioeconomic development of the region. In February 1988 demonstrations took place in both Erevan and Nagorno-Karabakh and "the oblast soviet applied to the Supreme Soviets of Armenia, Soviet Union and Azerbaijan for the oblast's transfer to Armenia."⁴ Gorbachev met with Armenian leaders of the Karabakh Committee and "within a month the USSR Soviet of Ministers passed a resolution calling for faster socioeconomic development of the NKAO as part of Azerbaijan."⁵ Yet these attempts did not deter the drive for annexation.

In the following months demonstrations continued; there was increasing unrest in NKAO and in the Aghdam region of Azerbaijan. During this time many Armenians living in Azerbaijan fled to Armenia and also Azerbaijanis living in Armenia fled to Azerbaijan. In July 1988 the NKAO Soviet in which Armenians were predominant, unilaterally declared its secession from the Azerbaijan SSR. The Azerbaijanis declared the act illegal. Then the USSR Supreme Soviet took up the issue, and the result was a decision to establish a "special commission" from Moscow to observe conditions and ostensibly strengthen and develop the autonomy of the NKAO. In November the Presidium of the USSR Supreme Soviet issued its decision to retain the NKAO in Azerbaijan. This was followed by demonstrations and clashes that led to state of emergency yet the tension was not reduced. As a result at the beginning of 1989 a "special form of administration" in the NKAO was established by the USSR Supreme Soviet. Hence the enclave would be directly ruled from Moscow. This decision also failed to lessen tensions, during this time daily clashes were being reported despite the presence of Soviet army and MVD troops.

In November 1989, "Gorbachev issued a decree on the 'normalization' of administration in the NKAO, including the restoration of the old Armenian-dominated soviet and the continued presence of MVD forces under Moscow's orders. Azerbaijan objected the two provisions. Within a few days, Armenia declared unilateral annexation of the NKAO."⁶ From that moment the conflict intensified. In January 1990 soviet troops entered Baku when communal conflicts broke out between Armenians and Azerbaijanis.

In mid-1991 the state of emergency was lifted but fighting continued in Karabakh and along the Armenian border. In September 1991, following Azerbaijan's declaration of independence, the parliament of Nagorno-Karabakh proclaimed the region independent of Azerbaijan. This complicated relations between Nagorno-Karabakh and the Armenian government. Armenia abjured all territorial claims on Karabakh but continued to insist that the oblast's Armenian population had the right to autonomy.⁷

As the conflict further intensified with the breakup of the Soviet Union and the withdrawal of CIS troops, the two sides could test their respective military strength. Heavily armed units on both sides battered the towns and villages in and around the Karabakh. "At the outset, the Armenian forces were clearly ascendant and won a number of critical military victories including the opening of a corridor at Lachin through Azeri territory to the disputed enclave...." In the summer of 1992 the balance shifted.... Azerbaijanis recaptured part of territory that had been lost."⁸ In 1993 and until mid 1994 Armenians and Azerbaijanis had respective gains on each other. The two sides fought a war of attrition in both Karabakh and

Azerbaijani mainland until the last ceasefire that is still in effect.

Against this background, the conflict in Nagorno-Karabakh has been subject to many peace initiatives that failed. To date, the most intensive negotiations aimed at resolving this conflict have been held by the OSCE.

4.2. OSCE Efforts at Resolving the Nagorno-Karabakh Crisis: A Chronology

When the conflict between the Armenians and the Azerbaijanis in the enclave of Nagorno-Karabakh intensified at the end of 1991, international mediation efforts began. Numerous diplomatic initiatives aimed at bringing about a negotiated settlement yielded minimal results. In September 1991 both Russia and Kazakhstan attempted but failed to mediate a ceasefire. In the first months of 1992 Turkey and Iran also sought to mediate a ceasefire. The United States, the United Nations and Russia supported these mediation efforts but no ceasefire agreement could take effect. Finally, a ceasefire reached through Russian mediation in late spring of 1994 is still in force.

Armenia and Azerbaijan became members to the OSCE during the OSCE Council meeting in Prague on 30-31 January. As all the new participants these two republics were admitted on the condition that they accepted a rapporteur mission. It would report participating states on the progress and toward full implementation of OSCE commitments and providing assistance toward that objective. The missions to Armenia and Azerbaijan also visited the troubled area of Nagorno- Karabakh and had a broader mandate to offer suggestions for a

political solution to the crisis.⁹ On February 15, a ten member observer team from the OSCE visited Armenia, Azerbaijan as well as Nagorno-Karabakh. "The OSCE urged an immediate ceasefire, the creation of a commission on refugees and an embargo on arms sales to both sides of the conflict."¹⁰

Nagorno-Karabakh dispute was on the OSCE agenda at the meeting of Committee of Senior Officials in Prague on 28 February, 1992. During the meeting the OSCE accepted a ceasefire plan and its attempt for the resolution of the Nagorno-Karabakh conflict began. The plan intended to provide for a ceasefire, humanitarian aid and also encouraged regional and international mediation efforts. OSCE welcomed such efforts by Russia and Kazakhstan and asked them to continue their efforts. This plan also recognized that "Nagorno-Karabakh belonged to Azerbaijan but proposed it should be allowed 'self-determination.'" ¹¹

The OSCE Committee of Senior Officials meeting on 13-14 March 1992 at Helsinki discussed further details of the resolution of the Nagorno-Karabakh crisis. The participants agreed to set up a peace conference under the auspices of the OSCE to provide an ongoing forum for negotiations towards a peaceful settlement of the dispute. The OSCE Council meeting of March 26 decided to have the conference at Minsk, comprising ten states: Armenia, Azerbaijan, France, Germany, Italy, Russia, Sweden, Turkey, Czechoslovakia and the United States with the participation of a delegation from Nagorno-Karabakh. The chairman of the conference, after consultations with the participant states, would invite the elected and other representatives of Nagorno-Karabakh.

OSCE envisaged a two stage plan. The first one aimed a meeting of representatives of Armenia, Azerbaijan and a representative of Nagorno-Karabakh attending as a related party for a ceasefire. The second stage would provide for the holding of a ten nation peace conference in Minsk. The OSCE president Czechoslovak foreign minister Jiri Dienstbier arrived in Baku on March 31 at the head of a OSCE delegation in order to clarify the situation. However, the first stage of the OSCE plan did not work as arranged since Azerbaijan refused to accept Nagorno-Karabakh Armenians as a negotiating partner. As a result, five rounds of preparatory talks held in Rome between June and September 1992 were unproductive due to discussions over the official status of representatives of Nagorno-Karabakh Armenians.

Meanwhile the fighting intensified. Although both Russia and Kazakhstan worked for a ceasefire, those that took effect were short-lived. Since the talks in Rome preparatory to the conference in Minsk collapsed there was no OSCE meeting regarding the Nagorno-Karabakh dispute until February 1993. OSCE sponsored talks were resumed in Rome on 26 February and the chairman Mario Rafaelli told that there were three draft documents outlining conditions for a ceasefire.¹² On March 2, the deputy chairman of the OSCE sponsored peace talks in Rome stated that the two sides reached a tentative agreement during the final round of talks on a document which called all sides in the conflict to refrain from further hostilities. The plan would be ratified by the OSCE Council of Senior Officials that would meet in Prague in April, then international observers would enforce a ceasefire and supervise the return of refugees.

Following this, 'foreign troops' would withdraw and the armed bandits would be disarmed. Negotiations continued during the six days of informal discussions in Geneva. Russia, Turkey the United States attended this meeting alongside Armenia and Azerbaijan. The meeting ended on 26 March with an agreement to continue negotiations in April. However the fighting intensified and Armenian forces advanced taking Kelbecher region of Azerbaijan. As a result, Azerbaijan stated that the OSCE sponsored talks which would resume on April 2 in Geneva could not continue until Armenian forces had withdrawn from Kelbecher. United Nations also reacted to Armenian occupation of Kelbecher. "On 6 April the United Nations Security Council expressed 'serious concern' at the invasion of Kelbecher by 'local Armenian forces' and called for an immediate ceasefire."¹³

A group of OSCE officials visited the conflict area to inspect Karabakh and Kelbecher after a ceasefire took effect on 19 April. During this time Azerbaijani president Abulfaz Elchibey and Armenian president Levon Ter Petrosyan met in Ankara at Turkish president Turgut Özal's funeral. Elchibey agreed to resume negotiations on Karabakh within the OSCE framework without the precondition of Armenian withdrawal from Kelbecher. But on 28 April the OSCE meeting in Vienna drew up a statement condemning the seizure of Azerbaijan's Kelbecher region by occupying forces and calling for their withdrawal as a precondition for resuming peace negotiations."¹⁴ Accordingly, Nagorno-Karabakh forces had begun a partial withdrawal from Kelbecher region.

On 29-30 April, Turkey, Russia and the United States drew up a new peace plan for Nagorno-Karabakh with an intention to resume the stalled OSCE sponsored negotiations. The plan called for an immediate ceasefire followed the withdrawal between 9-14 May of Armenian forces from Kelbecher and a two month moratorium of all military activity beginning on 12 May. Peace talks would be held in Geneva on 17-22 May to be followed by a resumption of the OSCE sponsored negotiations in Rome on 24-25 May. Details of this plan were submitted to authorities in Baku, Erevan and Stepanakert on 3 May.

On May 6, Azerbaijan stated that it accepted the terms of the tripartite plan while Erevan's reaction to the plan was also positive. Nevertheless, Erevan added that it could not approve the plan unconditionally since the self-declared Nagorno- Karabakh Republic asked for clarifications on several points. Consequently, an amended version of this plan was submitted to Armenian government and the Nagorno-Karabakh representatives in Erevan on 18 May.

The new version of the plan proposed a withdrawal of Armenian forces from Kelbecher under international supervision between 29 May and 3 June and a two month ceasefire beginning 1 June. Separate rounds of peace talks in Geneva and Rome would follow in June. On May 26 Armenia and Azerbaijan formally approved the tripartite peace plan sponsored by the OSCE. However the Defence Committee that functions as the government of the self-declared Nagorno-Karabakh Republic rejected the plan because it did not provide guarantee for the safety of the population of Nagorno-Karabakh or stipulate an end to the Azerbaijani economic blockade.

The OSCE Minsk Group met in Rome in order to draw up a new peace plan which was based on the United Nations Security Council Resolution. The plan was submitted to the leaders of Armenia, Azerbaijan and Nagorno-Karabakh on 7 June. The new plan provided for the withdrawal of Armenian forces from Kelbecher, a ceasefire, lifting of blockades and a return to normal communication and international monitoring of the truce. Armenia and Azerbaijan approved the plan. The Supreme Soviet of Presidium of the self-declared Nagorno-Karabakh Republic voted to accept the plan. However at the time the domestic situation in Azerbaijan complicated the development.

On June 13 a rebellion was launched by Suret Huseinov, former commander of the Azerbaijani forces in the Karabakh front-line, who had been dismissed by Elchibey in February. He moved from Genja towards Baku with a few hundred troops and demanded Elchibey's resignation. Hence, due to the internal strife in Azerbaijan, Nagorno-Karabakh asked for a one month postponement of the plan's implementation.

In Azerbaijan, Elchibey left Baku and Haydar Aliyev, the president of the Autonomous Republic of Nakhichevan became the acting president of Azerbaijan. The political turmoil in Azerbaijan enabled Armenian forces to take new offensives. As a result, Mario Rafaelli, the OSCE mediator for the Nagorno-Karabakh conflict and the chairman of the OSCE Minsk conference who was to visit the area on 5 July cancelled his visit since the fighting did not stop. Rafaelli was able to visit Baku, Erevan and Stepenakert between 10 and 14 July with a

OSCE delegation. However the OSCE visit failed to produce any concrete results regarding the implementation of the peace plan. Armenian forces continued their advance in Azerbaijani territory and gained Agdam, Fizuli and Cebrail. Meeting in mid July the members of the Minsk Group discussed Armenian capture of Agdam and condemned this act.

Another meeting of the Minsk Group was scheduled to begin on 30 August. Yet, this meeting was postponed due to the referendum in Azerbaijan which would be held on 29 August. Hence the meeting began in Moscow on 9 September in order to discuss the implementation of the peace plan. In late September another session of the OSCE meeting took place to discuss the matter. In early October Armenia accepted the OSCE timetable for the settlement of the Nagorno-Karabakh conflict but Azerbaijan rejected it since the plan excluded the withdrawal of Armenian forces from the Lachin corridor that was occupied in 1992 and the return of Azerbaijani refugees to their homes. Azerbaijan insisted that Armenian withdrawal from all occupied territory was a precondition for the convening of the Minsk Conference. Consequently, "OSCE chief negotiator Mario Rafaelli has written to the United Nations Security Council suggesting the adoption of a new resolution on Nagorno-Karabakh calling for withdrawal from all recently and the newly occupied territories and for a more detailed timetable."¹⁵

The OSCE chairman Margaretha af Ugglas visited the area in October and commented that the parties were not interested in serious negotiations. Nevertheless, another round of OSCE sponsored talks on Karabakh began in

Vienna on 2 November but the parties did not reach an agreement at the end of the meeting. During this time both Armenia and Azerbaijan complained about the inefficiency of the OSCE Minsk Group. Both sides expressed their dissatisfaction following the meeting of OSCE foreign ministers in late November and took new offensives with intense fighting.

During the winter of 1993-1994 the OSCE Minsk Group's mediation efforts were overshadowed by Russian a mediation attempt which was separate from those within the OSCE framework. The Russian mediator for Nagorno-Karabakh, Vladimir Kazimirov and the Russian Defense Minister Pavel Grachev started a new process and contacted officials in Azerbaijan, Armenia and Nagorno-Karabakh for the acceptance of the Russian peace proposal.

In February and March the newly appointed chairman of the Minsk Group Jan Eliasson also travelled to Baku, Erevan, Moscow and Ankara for talks on a possible peace settlement. Eliasson also intended to persuade Russia to coordinate its Karabakh diplomacy with the Minsk Group. Subsequently, a OSCE delegation headed by the Minsk Group deputy chairman Mathias Mosberg travelled to Armenia and Azerbaijan in late April, for talks that focused on working out how to reinforce a ceasefire and on coordinating the OSCE and Russian mediation efforts. A week later Jan Eliasson also visited the conflict area. However, he first went to "Moscow to talk with Russian Foreign Minister Andrei Kozyrev who then told that the existence of two parallel mediation efforts was a mutual contribution."¹⁶ He did not accept that a competition existed between Russia and the OSCE regarding the settlement of the dispute.

The most significant difference between the Russian and the OSCE peace proposals is the composition of the eventual observer and peacekeeping forces. The Russian plan envisaged an international observer force whether within the CIS framework, or the CIS in cooperation with the OSCE, in conjunction with a Russian peacekeeping force. The OSCE, on the other hand intends to arrange an international peacekeeping force. Consequently, by June 1994 no agreement was reached on any peace proposal. However, the Russian brokered ceasefire in late spring this year continued without any major violations, and, in the Budapest summit of the OSCE, at the beginning of December 1994 it was decided that an international peace-keeping force should be sent. Yet, further details and arrangements are still to be made.

As the chronological background to the Nagorno-Karabakh case is completed, the next chapter will analyse the OSCE mediation efforts in this case. The analysis is based on the theoretical framework outlined in the second chapter.

CHAPTER V: ANALYSIS OF THE NAGORNO-KARABAKH CASE

5.1. The Nature of the Parties:

Types of conflicting parties. The case of Nagorno-Karabakh lacks parties with well-defined identities. Although Armenia and Azerbaijan are internationally recognized states, the involvement of Nagorno-Karabakh Armenians with their self-declared republic to the dispute complicates the matter. The problem is apparent in attempts by the OSCE in bringing the nonstate party into the negotiation process.

The problem first occurred after the decision of a peace conference at Minsk. It was then decided to invite the representatives from Nagorno-Karabakh as a related party to the dispute after the chairman's consultations with other participant countries. Another part of the decision had envisaged direct negotiations for a ceasefire between Armenia, Azerbaijan and a delegation from Nagorno-Karabakh. Thus a tri-partite negotiation was supposed to result in a permanent ceasefire and would be parallel to the OSCE peace conference. However, Azerbaijan refused to negotiate with Armenians and officials from Nagorno-Karabakh in a tri-partite negotiation on the grounds that it would be against Azerbaijan's territorial integrity. The Azerbaijani Foreign Ministry announced that Azerbaijan preferred the resolution of the conflict through bilateral negotiations with Armenia.¹

The representation problem prevented the OSCE from getting any positive results in the first meetings because these were dominated by the issue of the

official representation of Nagorno-Karabakh. For example, when the Rome commission on Karabakh (set up under the March 1992 decision of the OSCE) met in June 1992, "Nagorno-Karabakh leaders boycotted the meeting of the Rome commission having been invited to attend as observers."² Although they later reversed this decision and attended the next sessions, the meetings did not produce a positive outcome and talks collapsed in mid-September.

While no OSCE meeting was taking place, Armenian parliamentarians sent a message to Azerbaijani leadership to start direct negotiations for the resolution of the Nagorno-Karabakh conflict. At first sight, this was an improvement as Armenia accepted to negotiate for the resolution of the conflict without Nagorno-Karabakh presence. But it turned out that, this was not the case because Azerbaijan's rejection of Nagorno-Karabakh as a negotiating partner provided the Armenian side with a tool to reject the proposed peace proposals. Armenia continued to argue on every occasion that Karabakh Armenians should be at the negotiation table and speak for themselves. They insist that they are not a direct party to the dispute, they only represent Nagorno-Karabakh. Several peace proposals approved by both Armenia and Azerbaijan could not be implemented because the self-declared Republic of Nagorno-Karabakh did not approve them. Furthermore, Armenia refused to put pressure on Nagorno-Karabakh Armenians to accept the proposals.

As the leadership in Azerbaijan changed, Haydar Aliyev accepted to negotiate directly with Nagorno-Karabakh Armenians and argued this would not be against the interests and territorial integrity of Azerbaijan. However, this

change in Azerbaijan's attitude can not be attributed to the OSCE efforts. OSCE was unable to convince the former president of Azerbaijan, Elchibey, to negotiate with Armenians of Nagorno-Karabakh. He had only accepted the possibility of Nagorno-Karabakh officials in the meetings with the signing of a "Courtesy Agreement"³ but had to leave office before the decision could be implemented. Consequently, rather a change in the Azerbaijani leadership than OSCE efforts was a cause of the new Azerbaijani position.

OSCE was also ineffective due to insistence of Nagorno-Karabakh Armenians on their demand for international recognition. This demand is in direct contradiction with the OSCE principle that member states recognize the inviolability of each other's frontiers. Hence, OSCE could neither urge Azerbaijan to negotiate Nagorno-Karabakh nor could it persuade Armenians to soften their position. Regarding Aliyev's attitude, it was due to convincing efforts of Russia's special mediator Vladimir Kazimirov who had initiated attempts at resolving the conflict independent of the OSCE, and, it helped to more clearly define the conflicting parties. In conclusion, the type of the parties has affected the OSCE mediation efforts and played a partial role in its failure resolving the Nagorno- Karabakh conflict.

Previous Relationship. The history of relations between Armenia and Azerbaijan is a troubled one. Tensions between the two predate the dispute on Nagorno-Karabakh. They started following Armenian migration to Transcaucasia after Russia's wars with Turkey and Persia. The first major Armenian Azerbaijani conflict occurred on 6 February 1905 when a muslim was

killed by Dashnaks; a powerful nationalist group in Armenia, in the ethnically mixed city of Baku. The fights lasted for three days spreading to other cities as well. "Here cultural, religious differences were exacerbated by the animosity of local Azerbaijanis, who were largely of peasant background, toward the more affluent, urbanized Armenians."⁴ Moreover, the attempts of the Russian tsarist administration to exploit Armenian Azerbaijani hostility played a role since the Christian Armenians were favored over the Muslim Azerbaijanis by the Christian tsarist regime of the nineteenth century.

During the First World War, Armenia and Azerbaijan briefly achieved independence. However, the complex demography of Transcaucasia made it impossible to create ethnically homogeneous states. The focus of the Armenian Azerbaijani conflict then shifted from Baku to Nagorno-Karabakh where at the time Armenians formed the 90% of the population. Many of them had come to the area in the nineteenth century as immigrants from Turkey and Iran.⁵

The Bolshevik takeover of Azerbaijan in 1919-1920 led to a renewal of violence. "The decision of the Bolshevik regional bureau in Transcaucasus in 1923 to allocate the (majority Armenian) Karabakh, with its status of autonomous region to Azerbaijan, was the starting point for today's territorial dispute between the two countries."⁶ Armenian attempts to change the status of Nagorno-Karabakh started in 1930s. Various petitions and appeals demanding the transfer of this area were made in 1960s and 1970s but were refused by Moscow.⁷

There are also other reasons for the Azerbaijani Armenian animosity.

Soviet authorities, like the tsarist regime, continued to manipulate the Azerbaijani Armenian hostility. "The Azerbaijanis have long considered the Armenians in their midst to be 'collaborators' with Moscow and a group which enjoyed a disproportionate measure of influence in Azerbaijan."⁸ Likewise, Armenians also have antipathy toward Azerbaijanis due to the "Armenian genocide" by the Ottoman Turks in 1915 which is an Armenian claim.

The short review of the previous relationship between the conflicting sides indicate that their history is dominated by conflict rather than cooperation. The effect of their previous relationship on the mediation attempts by the OSCE can be observed from their approach to the current dispute on Nagorno-Karabakh. Their attitude is not based on mutual understanding and benefit. Concludingly, the history of their relationship has negatively affected the OSCE mediation.

Next, one has to look at the degree of economic interdependence between the two countries as well as the Nagorno-Karabakh region. One can argue that Azerbaijan and Armenia were economically interdependent within the Soviet economic structure and now they require economic cooperation in their transition to the market economy. However, contrary to the arguments in the literature, this does not lead them to act more cooperatively in their conflict over Nagorno-Karabakh.

The geographic location of these two countries make their economies interdependent to a certain degree. Especially Armenia's dependence is more apparent as it is a landlocked country. The effect of economic interdependence is

such that the embargo imposed on Armenia by Azerbaijan severely damaged the Armenian economy, the country having electricity and food shortages.

As a result, the economic interdependence does not lead to a more cooperative approach to the conflict. On the contrary, both countries' economies are indexed on war and the conflict has intensified although they are members of the CIS. As a result, economic interdependence does not lead to the success of the mediation attempt because the parties do not consider it a reason for a more cooperative attitude.

Personality Conflict Looking at all sides' statements in the press is an indicator of the presence of a personality conflict. For example, when the conflict has started, Ayaz Muttalibov was the Azerbaijani president and the Armenian president was Levon Ter Petrosyan. Neither has made a statement indicating a personality conflict between them. After Muttalibov's powers were transferred to Yakup Memedov who became the acting president in Azerbaijan, he met Petrosyan in Tehran for talks on a ceasefire agreement. Both talked constructively and one can observe that there was no personal dislike between the two that would, for example, prevent them from meeting.

Abulfaz Elchibey was elected president of Azerbaijan on 16 June 1992. Again there was no personal dislike between him and Levon Ter Petrosyan which would hinder negotiations. In fact, at a time when no OSCE meeting took place because of Armenian offensives in April 1993, two presidents met in Ankara at Turkish president Turgut Özal's funeral. After the ceremony at Kocatepe

Mosque, Petrosyan invited Elchibey to visit him at his hotel which resulted in a twenty-five minute tête-à-tête.⁹ Following the meeting, Elchibey said that informal peace negotiations would resume under the auspices of the OSCE.

This meeting has contributed to mediation efforts since Azerbaijan had previously withdrawn from OSCE sponsored talks due to the Armenian offensive on April 6.¹⁰ The leaders also intended to establish a direct telephone link between them. After a short time the leadership in Azerbaijan changed once again. Owing to a rebellion initiated by Suret Huseinov, Elchibey left Baku and Haydar Aliyev took over his powers. After coming to power, Aliyev stated that this personal relations with Petrosyan could contribute to the resolution of the conflict between his country and Armenia.¹¹ Petrosyan had also made a similar statement.¹²

The relations between the Azerbaijani and Nagorno-Karabakh leaders were not influenced by a particular personal dislike either. The fact that Azerbaijani leaders refused to negotiate directly with Nagorno-Karabakh Armenians did not stem from a personality conflict. Azerbaijani leaders argued that they would not recognize Nagorno-Karabakh as an independent state and that direct talks with the Nagorno-Karabakh would be against Azerbaijan's territorial integrity. Haydar Aliyev on the other hand decided to initiate direct talks and did not view this as against Azerbaijan's interests. The observation indicated no personality conflict between confronting sides that might influence mediation attempts negatively. Its lack did not cause mediation success either.

Regime Type. Armenia and Azerbaijan are newly independent states. They were part of the Russian empire since the early nineteenth century and then they were republics of the USSR. Their transition to democracy is not yet completed. They are inexperienced in democratic institutions and procedures. The lack of democracy affects their attitude in the conflict over Nagorno-Karabakh, and consequently, the mediation process.

First of all, the political culture of local leaderships influences their perception of the conflict. They are convinced that "historical evidence rather than international law is the ultimate argument in determining which nations' claims to a given territory are valid."¹³ They also fail "to comprehend that there are various intermediate stages between total subservience and total independence (such as degrees of autonomy, federal, confederal agreements). This in turn engenders an 'all or nothing' approach to negotiations."¹⁴

With the absence of well-structured democratic institutions and an understanding of democracy, both sides are politically immature. Their understanding of each other hinders a solution through mutual agreement. They prefer to treat mediation as a tool for gaining time. On the one hand, by accepting mediation, they seem to be parties eager to resolve their conflict by peaceful means. Yet, on the other hand, they reject suggestions and proposals when they perceive it as a threat to their national interests and continue fighting to "secure" them. Owing to their zero-sum mentality mediation attempts fail to bring about a negotiated settlement.

As to the relationship between inner unity and mediation success, we observe that in Azerbaijan and Armenia there are powerful opposition groups which resist the idea of resolving the conflict with territorial concessions, they instead advocate fighting to oppose occupation. This is especially apparent in changes of Azerbaijani leadership; Abulfaz Elchibey's replacement of Ayaz Muttalibov and Elchibey's replacement by Haydar Aliyev have mainly originated from military defeats suffered against Armenians. This represents a strong preference for an armed solution in the political environment surrounding Azerbaijani leaders. The same can also be asserted for Levon Ter Petrosyan who also has to convince opposition groups not very sympathetic towards peace attempts that would require a return to the old status quo.

To further clarify the effect of inner unity, we have to provide a more detailed analysis. After its declaration of independence, the Azerbaijani parliament abolished Nagorno-Karabakh's autonomous status. The reason for this was that the Armenians shot down a helicopter. But after the meeting in Moscow between Levon Ter Petrosyan and Ayaz Muttalibov, the Azerbaijani president at that time, the autonomous status of Nagorno-Karabakh was reestablished. During this time Muttalibov was under pressure from the opposition as he was perceived as an old communist by the democratic groups in Baku. The opposition groups were pressing for the establishment of Azerbaijan's national army and wanted a mobilization in the country. They also protested the restitution of Nagorno-Karabakh's status.

Levon Ter Petrosyan too was under pressure emanating especially from

the Dashnaksütyun party in Erevan which advocated Nagorno-Karabakh's independence. As contrasted to Petrosyan and Muttalibov's declaration that "the meeting was a good basis on which to start negotiations," the Russian television's comment on the Moscow meeting was: "the real force behind the continued violence was powerful nationalist movements in both countries." It stated that the meeting between the leaders would hardly have any political consequences although Muttalibov and Petrosyan might be ready for compromise.¹⁵

The nationalist groups in both countries, the Azerbaijani Popular Front and the Dashnaks in Armenia used the Nagorno-Karabakh issue to oppose governments. The events in Nagorno-Karabakh were seen as a honoring obligation, people were attached emotionally to the issue and its loss would mean a failure for the whole country. Such a domestic environment did not enable the leaders to approach the conflict in a compromising way. In fact, the military defeats in Nagorno-Karabakh led twice to a change in government in Baku.

Power Disparity. In order to analyze power disparity we will look at the military powers of the parties including Karabakh for a comparison and the willingness of the parties to fight. The assets of the Russian Trans-Caucasus military have been redistributed but considerable amounts of Russian military equipment and servicemen remain in the area. In April 1993, the Russian Defence Ministry announced that the seventh army was dissolved and that this army was not located in Armenia. It is impossible to assert whether large portions of this military equipment and even men are converted into Armenian fighting power.

However, it is well known that the conflict in Nagorno-Karabakh led to the creation of informal military units in Armenia. The most influential one was the Armenian National Army. By 1990, the Soviets had banned these groups and claimed that it had 140.000 men. In February 1992, the Armenian government requested that Armenian officers serving in the Soviet army should return to Armenia and command the national forces. In October 1992, the president decreed the call-up of first category reserve officers. But there was a problem: these were not well trained. Thus this initiative was unsatisfactory.

Although the Armenian army is poorer than the Azerbaijani army (Azerbaijan has greater manpower in its armed forces and reserves of ammunition and armaments), the "defense forces" in Karabakh are excellent. Volunteers from Armenia and mercenaries who are former Soviet army officers are very well equipped with Kalashnikovs, artillery, tanks, armored vehicles, missiles including GRAD missile launchers. This strengthens Armenian military power. Therefore, we can argue that Armenia was more powerful at the beginning of the conflict. The Armenian Diaspora helped Armenians (and of course they still do so), and, as a result, they were able to take over one fifth of the Azerbaijani territory. Azerbaijan has later managed to stand against Armenia with some support of Afghan mujahiddins and military training by Turkish officers.

Because the parties' power match each other they were able to fight for so long. Furthermore, their willingness to fight affected their positions. Their positions became polarized as they fought for sometime now and issued

statements regarding their determination to fight and readiness all along the military clashes. Now they have reached a point of exhaustion as their economies are badly hurt by the war and the internal stability became very shaky. This explains why the last ceasefire has been respected by both sides for seven months.

To develop this point further we have to recall that we have two competing hypotheses about the effect of power disparity over the success of mediation efforts by a third party: one stipulates an equality and the other an inequality of power to have a greater chance of mediation success. The empirical evidence suggests that now both Azerbaijan and Nagorno-Karabakh Armenians, Armenia being their ally, are at roughly an equal footing that suggests the mediation success is actually more likely.

Deutsch and Frei's hypothesis is not valid for the Nagorno-Karabakh case due to the Azerbaijani willingness to fight when they were losing their territory and their military weakness did not result in any concessions. We could observe even when their powers were not equal their positions were polarized and they were eager to fight to win at all costs. In the later period of the conflict the two sides became roughly equal; fighting was still intense. Then, it could be observed, together with the rising cost of the conflict that the two sides were close to a stalemate.

No side could win on its own, and, despite outside help they received the cost of the conflict became unbearable. This explains why the latest ceasefire is respected for almost eight months. The chance of a political settlement is higher

now, when the power of the parties match each other and when they fought enough feeling the cost of the conflict which has also deteriorated their willingness to fight.

5.2. The Nature of the Dispute:

Issues. Theoreticians agree that territorial disputes, sovereignty, and independence issues are less amenable to mediation. The case under study is a territorial conflict over the status of Nagorno-Karabakh including the region's independence. By the issues at stake, this conflict is in the category where mediation attempts have little chance.

The Nagorno-Karabakh conflict is a national obligation for Armenians and Azerbaijanis. "Both ... have the full weight of ethnic emotion invested in the issue."¹⁶ As they are independent, their national aspirations are no more stifled and both Armenians and Azerbaijanis put more value in the issue. As Paul Goble notes, "for the Armenians involved, Karabakh represents the last significant territory, aside from Soviet-defined Armenia, to which they have historic ties. For them Karabakh is a location invested with the meaning of an ethnic last stand."¹⁷ Karabakh has also strong cultural significance to the Azerbaijanis. For them, the loss of the territory of Nagorno-Karabakh would be an affront to their sovereignty and a capitulation to the Armenians who once were a minority in Baku.¹⁸ Accordingly, Azerbaijanis claim that their territorial sovereignty should be respected. They refuse a transfer of territory to Armenians and offer a degree of autonomy to Nagorno-Karabakh. On the contrary, claiming that they have

formed the majority of Nagorno-Karabakh's population, and have been neglected by the Azerbaijani leaderships that caused the economic backwardness of the area, Armenians demand independence and recognition because they have a right for self-determination.

Statements made by government officials also indicate the importance attached to the issues. For example, Vafa Gulizade, an adviser to Haydar Aliyev had told that Azerbaijan's position was clear: "We must liberate our territories, and we are not going to agree to any Russian proposal that freezes the current frontline."¹⁹ Looking at a statement by the former Defense Minister of Azerbaijan during Ayaz Muttalibov's presidency one can not see any change in Azerbaijan's handling of the issues. He has also told that Azerbaijan would not leave a piece of territory and would establish its own army to liberate Nagorno-Karabakh.²⁰ The issues keep their significance for Armenians as well. Armenia declares that it does not have any territorial claims on Azerbaijani territory yet it continues its claim on the rights of self-determination of Nagorno-Karabakh Armenians. The parties' perception of issues is a key factor for mediation success, and, in the case of Nagorno-Karabakh, the nature of the issues played a role in the failure of OSCE mediation. Owing to the issues the parties act with a zero-sum mentality and this makes the mediation of the conflict difficult.

Intensity. It was in February 1988 when the conflict claimed its first deaths. Two Azerbaijanis were shot by armed Armenian forces in Nagorno-Karabakh during a protest march by Azerbaijanis from Agdam to the enclave. The withdrawal of the Soviet troops from the depopulated villages of Nagorno-Karabakh after the failed August Coup in Moscow in 1991, increased the clashes

between the two hostile groups. During this time, Kazakhstan and Russia attempted to broker a ceasefire but it failed to take effect. The death toll since February 1988 was estimated to have risen to 1,300 by the end of January 1991, meaning the dispute had become an intense one. By 1992 the conflict had claimed 2,000 lives.

The disintegration of the Soviet Union at the end of 1991 made the military situation worse as the conflict grew from a series of skirmishes between rival villages into a sophisticated modern war, involving tanks, artillery, heat-seeking missiles, and aircraft. The OSCE mediation attempt just followed these events at the beginning of 1992. The OSCE following Armenia and Azerbaijan's independence had sent a observer team to these countries which visited Nagorno-Karabakh as well. The OSCE reports "urged an immediate ceasefire, the creation of a commission on refugees and an embargo on arms sales to both sides of the conflict."²¹ In the meantime the fightings continued to escalate and the Armenian forces captured the Azeri stronghold of Khojali on February 25-26 and massacred people. According to Western sources, 300-450 people were killed.

The OSCE took up the issue during the Prague meeting of Committee of Senior Officials on February 28. The decision taken at the end of this meeting encouraged mediation efforts by Russia and Kazakhstan. However, the OSCE mediation efforts to hold an international conference following a ceasefire agreement was decided at the Helsinki follow-up meeting on 13-14 March 1992. Thus, the OSCE mediation was initiated when the conflict had already become an intense one. The OSCE failed to broker a ceasefire agreement as parties'

positions were already too polarized. OSCE mediation was ill-timed since the conflict had passed the point at which its intensity would make mediation more productive and also the fatalities were beyond the number that parties could stop fighting to cut their losses. Their positions were so hardened that they were determined to fight.

It would be appropriate if OSCE could intervene at the end of 1991 just before the conflict intensified and became a conventional war. However, at that time Armenia and Azerbaijan had not yet become members to the OSCE. Therefore, the ill-timing should not be attributed to the OSCE but to the natural flow of events. The intensity factor is also important for the analysis of the time factor.

Time factor. We can analyze the timing of the OSCE involvement in the mediation process according to the duration of the conflict and the ripeness of the moment. The latest conflict had started in 1988 when Armenia and Azerbaijan were still part of the Soviet Union and also when the OSCE had not yet taken up its new role in conflict management. Following both states' independence and their joining the OSCE, the OSCE took up the Nagorno-Karabakh conflict on its agenda. By that time the conflict was three years old and it turned to a conventional war.

From the point of the duration of the conflict this can be considered as a late involvement, more than thirty-six months had passed before the beginning of OSCE mediation. However, one must also mention that several attempts took

place prior to the OSCE mediation efforts. These were ill-timed too, since they had started after the conflict began to escalate and parties' positions hardened. They rather preferred to fight than to give concessions. As in the factor of intensity, the reason for OSCE's late intervention was not controllable by itself because the conflict started much before the OSCE's reorientation.

Ripeness The analysis made above indicates that the duration and the intensity of the conflict are not so helpful in finding out which moment was appropriate for OSCE's involvement. However they can be combined with the concept of ripeness to provide a better guide for the right timing of involvement. In order to do this we first have to look at the international context to analyse the factor of ripeness.

The resumption and the intensification of the Nagorno-Karabakh conflict followed the end of the cold war and the breakup of the Soviet Union that opened a period dominated by conflict. The bipolar system is replaced by another one where territorial borders are increasingly being questioned as many of them do not match with the ethnic composition of countries. Consequently, nationalism and irredentism have reemerged and the principle of self-determination plays a central role in international politics.

Now we have to ask the following question: based on these systemic developments was the time ripe for the OSCE intervention in the conflict? According to Kriesberg, the ripe moment is the time when the conflictive parties are ready to move from escalation to de-escalation. However, when the OSCE

mediation has started, the parties were escalating the conflict, the domestic pressures were in that direction, and national sentiments were strongly attached to the issue all this being underlined by the global political transformation. Furthermore this is an age-old conflict between Armenians and Azerbaijanis and the international context did not provide well-established mechanisms to resolve these disputes. In addition, Russian, Turkish, and Iranian interests in the region complicated the conflict. Thus, given these conditions and Kriesberg's definition of a ripe moment, the parties were not ready to move away from escalation to de-escalation. In other words, the time was not ripe for the success of the OSCE mediation.

If we analyse the situation according to Haass' point, again we conclude that the situation was not ripe for a third-party intervention. Firstly, there was not a shared perception of the desirability of an agreement even if the leaders declared that they wanted to start negotiations at once. The sides were rigid in their positions and wanted an agreement strictly based on their interests. Nagorno-Karabakh Armenians have made this clear by declaring themselves independent of Azerbaijan and they did not want anything less. Azerbaijan on the other hand did not allow the Nagorno-Karabakh Armenians to secede. The common ground for negotiations was not established as each party perceived it as a way to come up with its own solution. Secondly, political leaders were not strong enough to permit compromises as the issue was seen as a honoring obligation, and the leaders' success was measured according to their gains in the dispute. The opposition groups were rigid as well. The leaders' weakness could not lead to a compromise as this would mean a change in the government and leadership.

Moreover the ceasefire proposals, except the last one realized by the Russian initiative, were rejected by one party or the other on the basis that their interests were not secured. No one can give a guarantee for the last ceasefire either. However, one can argue that a mutually acceptable process exists as it is agreed that a peace conference should follow a permanent ceasefire.

Zartman on the other hand argued that a deadlock is the prior condition for ripeness. Yet no deadlock was reached at the time of OSCE's intervention. As the conflict escalated and fighting continued, the parties could obtain marginal victories but no side has the military capability to win on their own. Some outside help such as the Afghan mujahiddins and Russian mercenaries can make either side to be able to obtain these marginal victories. A strict deadlock would leave both sides with no marginal gains at all. However, since a ceasefire is in effect for nearly eight months, we can argue that neither side has an interest in restarting the fighting. We can further assume that the parties are now in a hurting stalemate. If we take into consideration the initiation of the OSCE mediation in 1992, we can conclude that the time was not ripe. To return to the current situation there is no deadline imposing pressure on both parties. The current oil pipeline discussions are not attractive enough to facilitate negotiations.²² Finally there are no terms of settlement they consider worth giving any concessions. Therefore, the ripeness condition is partially satisfied.

5.3. The Nature of the Mediator

The identity of the OSCE itself was a major discussion from 1988

onwards. At the beginning, it was a forum for dialogue, negotiation, and cooperation but it gradually became institutionalized since 1990. In Helsinki, in July 1992, the OSCE was announced to be a regional organization acting under Chapter VIII of the UN Charter. Thus an international organization, namely the OSCE is the mediator in Nagorno-Karabakh conflict whose efforts are examined in this study. The last Budapest summit indicated that the OSCE finally reached the end of its institutionalization process becoming OSCE.

Characteristics According to the theoretical framework outlined in the second chapter, one of the characteristics of a mediator is its neutrality. Since the OSCE has no direct interest in the conflict, it is called a neutral mediator. The crucial feature of the OSCE is that it is an international organization formed by independent states that have their own interests. It is difficult to talk about the interests of an international organization per se with respect to an issue excluding the major members from it. A policy emanating from the organization will be a product of some internal bargaining process comprising many member states. Hence, the neutrality of this organization must further be qualified given that it is not an individual or a single state mediator.

Once the mediation efforts of the OSCE had begun, both Armenia and Azerbaijan made several statements regarding OSCE's neutrality. At first, both perceived OSCE as neutral; as no agreement was reached by the end of 1993, both questioned OSCE's neutrality. At the meeting of OSCE Foreign Ministers in Rome in November 1993, Azerbaijani Foreign Minister Hasan Hasanov criticized the involvement of the Minsk Group. He accused the participants of siding with

Armenia and of putting pressure on Azerbaijan to make "unacceptable" concessions.²³ Armenia also complained that the OSCE was ineffective. The Azerbaijani and Armenian perceptions hence play an important role in the assessment of OSCE's neutrality. In general, one can argue that the OSCE is neutral by looking at decisions taken by the OSCE but the presence of Turkey and Russia in the Minsk Group make its neutrality questionable filtered through the disputants' perceptions.

Impartiality means that the mediator has no direct bias against the views of a party or preferences favoring one over the other disputant, in other words, impartiality refers to the condition of even-handedness. The impartiality is to some extent influenced by the history of relations between the mediator and the disputants. Therefore, one has to explain the history of relations among OSCE, Armenia, and Azerbaijan. The relations between OSCE, Azerbaijan, and Armenia started at the beginning of 1992 with the two countries' membership but this is a very short period to evaluate the impartiality of the OSCE.

The knowledge and the skill of the OSCE to deal with conflicts like the one over Nagorno-Karabakh is insufficient. Indeed, it is the first case which the OSCE decided to mediate. Besides, it does not have the technical skill and the experience in dealing with conflicts like this one. Although the OSCE has physical resources, and it is internationally supported, it lacks leverage because it lacks the endorsement mechanism to exert pressure on the parties.

Although Princen argues that a neutral mediator can become more like a

principal as it gets more information, this in return endangers the mediator's acceptability. In the Nagorno-Karabakh case, Russia's, Turkey's, and Iran's mediation attempts were unsuccessful and they were regarded as impartial by one party or the other. Hence, the expectation that the OSCE would be impartial and neutral has attracted the parties for its mediation.

Princen has also argued that a combination of neutral and principal mediators would be most effective. In the Nagorno-Karabakh case, Russia continued its mediation efforts outside the OSCE framework as well. It is a country capable of putting pressure on the disputants. At a time when OSCE initiatives were stalled, Russian Foreign Minister persuaded Azerbaijani President to talk directly with Nagorno-Karabakh Armenians. Despite this development, Azerbaijan refuses mediation attempts made only by Russia and wants the negotiations to be continued within the OSCE framework. Armenia has also recently announced a similar view. Both countries want to avoid pressure, a forced settlement. Russia's individual involvement outside the OSCE overshadows mediation attempts in general. Therefore, the recent decision taken at the Budapest summit envisaging a mediation only through the OSCE will clarify the bases for a mutually acceptable formula thus increasing the chance of successful mediation.

Zartman and Touval argue that leverage is more important in mediation than impartiality. This may be true when a settlement can be imposed through carrot and stick tactics of a mediator. However this is not the case in Nagorno-Karabakh. The parties prefer impartial mediators as they can protect their

interests.

Role The Mediator's communication strategies include to make contact with the parties, to arrange for their interactions, to supply missing information, and to allow that parties' interests are discussed with no exception. OSCE by its purpose is a forum for negotiation thus it arranged for the interactions. The OSCE Minsk Group was mainly formed for this purpose: it contacted the parties to bring them together and arranged for meetings.

The Minsk Group also worked for the presence of Nagorno-Karabakh Armenians in the meetings as a related party to allow all parties to speak for their interests. However, as Azerbaijan denied any recognition and direct negotiation with the Nagorno-Karabakh, they could participate in the meetings only with some representatives as a related party. Similarly, there is also the question of the representation of Nagorno-Karabakh Azerbaijanis in the process. As they have been absent in the meetings until now, the OSCE had partial success in establishing a link between the conflicting sides.

In another communicator role, the OSCE gathered information on perceptions, and opinions of all sides. OSCE has also sent fact-finding missions, and successive OSCE Minsk Group chairmen visited the area to obtain the missing information and to contact conflicting sides. We can therefore conclude that the OSCE performed its principal role as a communicator.

The more active strategy of formulation requires a mediator to choose

meeting sites, control pace, end formality of the meetings, establish protocol, suggest procedures, control timing, deal with simple issues first, and keep the parties at the table. The OSCE decided who the participants would be, chose meeting sites and controlled the formality of the meetings. For example, it decided that there would be informal sessions of the OSCE Minsk Group before the final meeting. Although the OSCE was unable to find a political settlement acceptable to all sides, the parties agreed that an international peace-keeping force should be located. However there is a disagreement on the details of this arrangement too. So we cannot argue that the OSCE was successful in its role of formulator.

In general, a reason for why the OSCE had only partially performed its role of manipulator is that it lacks leverage. It can not exert pressure on parties as it is equipped with no mechanism of endorsement. The OSCE can not side with one party to form a coalition as it will endanger its neutrality and impartiality. This can in return endanger the mediation efforts in general.

CHAPTER VI: CONCLUSION

In general, our analysis implies that a successful mediation of the Nagorno-Karabakh conflict largely depends on factors which are beyond the control of the OSCE. The OSCE cannot urge Azerbaijan to negotiate directly with the Armenians of Nagorno-Karabakh. The Azerbaijani acceptance of the Nagorno-Karabakh as a negotiator is a result of the change in the Azerbaijani leadership; it cannot be attributed to the efforts by the organization.

Even more important than this, an acceptance of the Nagorno-Karabakh as a member would transgress the organization's principle of the inviolability of members' frontiers. Hence, the OSCE has no influence on a factor argued to decrease the likelihood of a successful mediation: a principal party to the conflict lacks a well-defined identity.

The same consideration holds also for the factors of previous relationship, the personality conflict, regime type, power disparity, and the nature of the issue. Only the factor of intensity might be argued to be open to a positive influence by the OSCE as its involvement could take place prior to the polarization of fighting parties. However, the OSCE could do nothing because Azerbaijan and Armenia became members well after their positions hardened.

Of course the factors outlined in the identity and the role of the mediators would provide the OSCE some opportunities but it is not easy to arrive at

optimistic assessments. It is for the first time involved in the mediation of a conflict, hence it does not possess sufficient knowledge and skill in such an enterprise. Moreover it lacks the mechanisms of endorsement to manipulate the issue. Thus it cannot fulfill its role of a manipulator successfully. Another negative factor is that its neutrality is subject to influences from both Russia and Turkey members of the Minsk Group. The bargaining between such members whose interests are directly at stake in the conflict will largely determine the attitude of the organization.

Nevertheless the OSCE is successful as a communicator. The channels are open and probably all parties' interests will be spoken out. The OSCE is partially successful as a formulator. It is only beginning in search of an acceptable formula. A draft is actually prepared by the Russian and the Swedish co-presidents. It is a detailed political solution that will serve to assess disputants' initial reactions. Thus the OSCE started only very recently its role of formulation. We also conclude that the OSCE is incapable as a manipulator. In specific terms, the factors put forward in the literature help construct analyses of the Nagorno-Karabakh conflict. They set out the central forces and relations that must be searched out in any mediation issue facilitating the elimination of unnecessary details.

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