



# **The Organization for Security and Cooperation in Europe (OSCE) and the Nagorno Karabagh Conflict: A Compilation of Analyses**

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## The Organization for Security and Cooperation in Europe (OSCE): Background and Analysis

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### **Origins of the OSCE**

The origins of the Conference on Security and Cooperation in Europe (CSCE), later to become known as the Organization for Security and Cooperation in Europe (OSCE), lies in an initiative originally proposed by the Soviet Union in 1954. This original Soviet plan proposed the creation of a regional European security conference and, despite initial Western suspicion, continued to be advocated by successive Soviet leaders through the 1960s. The Soviet proposal rested on the inherent international diplomatic recognition that such a pan-European security conference would infer on the post-war European boundaries and political status quo. The Soviet goal of such recognition rested on its need for the Western acceptance of, and even legitimization of, the division of Europe and the Soviet dominance of their bloc, as reflected by the Soviet-dominated “Warsaw Pact” military alliance. The Soviet proposal also sought to foster a gradual reduction of Western influence in Europe, as the Soviets believed that such a European security conference would encourage greater European resentment of U.S. and NATO military dominance in the region.

By the early 1970s, the improvement in East-West relations during the period of “détente” led the United States to reconsider the suggested European security conference, but only if the Soviets accepted a set of preconditions. In turn, the Soviets agreed to the preconditions calling on them to sign treaties normalizing relations between the Warsaw Pact and the rest of Western Europe and to accept the Western demands that the proposed security conference adopt provisions recognizing the independence, territorial integrity, and the right to national self-determination of every participating nation. The agenda for the conference was then expanded to include human rights, trade and overall East-West cooperation in other areas. For the United States, the conference was seen as offering an effective tool for monitoring and improving the human rights situation within the Soviet bloc and in the Soviet Union itself. For the other Western European nations and neutral states, the conference was also seen as an effective tool for easing East-West tensions, or encouraging a deepening of “détente,” promoting regional trade and eventually eliminating the East-West division of Europe.

### **The Founding Conference: 1972-1975**

The original Conference for Security and Cooperation in Europe (OSCE) founding conference lasted for three years, culminating in the 35-nation Helsinki Summit of August 1975. The CSCE Final Act formally established the CSCE as an international security grouping empowered to monitor and coordinate issues under three headings, called “*baskets*.” *Basket I* dealt with a wide range of European security issues, human rights, the inviolability of frontiers, and self-determination. *Basket II* consisted of provisions regarding economic, scientific and environmental cooperation between East and West. And *Basket III* comprised humanitarian, cultural and educational cooperation.

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## **A Comprehensive View of Security**

Since the beginning of the Helsinki process in the early 1970s, the CSCE, and its modern successor, the OSCE, has reflected a broad and comprehensive view of security. The protection and promotion of human rights and fundamental freedoms, along with economic and environmental co-operation, are considered to be just as important for the maintenance of peace and stability as the politico-military issues, and as such are an integral component of OSCE activities. Furthermore, the various aspects of security are seen as interconnected and interdependent – with security being regarded as indivisible. A continuous effort is being made by the OSCE participating States to enhance the complementarity of the various dimensions of security (politico-military, economic, and human). Another example of the comprehensive nature of security in the OSCE context is to be seen in the fact that the Organization is active in all phases of the conflict cycle, from early warning and conflict prevention to conflict management and post-conflict rehabilitation.

## **A Cooperative Approach**

The OSCE's comprehensive nature of security is closely related to the Organization's co-operative approach to solving problems. Starting from the premise that security is indivisible, the OSCE holds that participating States have a common stake in the security of Europe and should therefore co-operate to prevent crises from happening and/or to reduce the risk of a worsening of existing crises. The underlying assumption is that cooperation can bring benefits to all participating States, while insecurity and conflict in one State or region can adversely affect the well being and security of all OSCE member states. The OSCE context stresses a policy geared toward achieving security with other states, not against other states.

“We are determined to learn from the tragedies of the past and to translate our vision of a co-operative future into reality by creating a common security space free of dividing lines in which all States are equal partners. We face serious challenges, but we face them together.”<sup>1</sup>

This sentiment is particularly evident in OSCE commitments regarding political and military security. Similar to the guidelines for a Document-Charter on European Security, the OSCE's Code of Conduct on politico-military aspects of security and documents referring to confidence- and security-building measures (like the Vienna Document) confirm that mutual security relations should be based on a co-operative approach and that no State should strengthen its security at the expense of other participating States. The OSCE's perspective of cooperative security presupposes non-hegemonic behavior on the part of participating States, requiring a true partnership based on mutual accountability, transparency and confidence at both the domestic and the foreign policy level. This principle of cooperative security is reflected by the fact that OSCE Member States hold equal status, with decisions reached on the basis of consensus.

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<sup>1</sup> *Lisbon Declaration on a Common and Comprehensive Security Model for Europe for the 21<sup>st</sup> Century* (December 1996).

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## **The OSCE and Security**

The founding Helsinki Act formally granted the parameters and powers of the new Conference for Security and Cooperation in Europe (CSCE), and gave birth to a new security organization whose 55 participating States spanned the geographical area from Vancouver to Vladivostok. Evolving from the CSCE into the more consolidated and modernized structure of the Organization for Security and Cooperation in Europe (OSCE), the organization has been empowered to serve as the primary instrument for early warning, conflict prevention, crisis management and post-conflict rehabilitation.

The OSCE's approach to security is both comprehensive and cooperative. It deals with a wide range of security issues, including arms control, preventive diplomacy, confidence- and security-building measures, human rights, election monitoring and economic and environmental security.

Western interest and participation in the OSCE reflects a desire to utilize the expanded organization as an instrument of crisis management, particularly in the changed landscape of Europe in the early 1990s. Many Western leaders initially advocated the use of the OSCE as a vehicle for ensuring a continued U.S. and Western presence in Europe in response to fears that the military strategic alliance in place (NATO) would lose its significance in the wake of the new geopolitical dimensions of Europe. Some saw the OSCE as an effective replacement for the military alliances of NATO and the Warsaw Pact, reflecting their need for security and for a balancing of power in the new Europe. As we have seen, however, the importance of NATO has far exceeded such expectations, reinforcing the NATO alliance as the West's pivotal military arsenal and weapon for regional and theater combat and tactical military leverage, as seen in the campaigns in both Serbia and Kosovo.

## **A Unique Status**

The OSCE holds a unique status- on the one hand, it has no legal status under international law and all its decisions are politically, rather than legally, binding. Nevertheless, it possesses most of the normal attributes of an international organization: standing decision-making bodies, permanent institutions and staff, regular financial resources and field offices. Most of its instruments, decisions and commitments are framed in legal language and their interpretation require an understanding of the principles of international law and of the standard techniques of the law of treaties. Furthermore, the fact that OSCE commitments are not legally binding in no way detracts from their efficacy. Having been signed at the highest political level, they have an authority that is arguably as strong as any legal statute under international law.

Moreover, the OSCE is the only security institution or organization in Europe that is considered a regional arrangement in the sense of Chapter VIII of the United Nations Charter, and is, therefore, the primary instrument for early warning, conflict prevention, crisis management and post-conflict rehabilitation in its region. The OSCE has also adopted a set of new responsibilities reflective of the needs and crises of the post-Cold War landscape. These include a set of daunting tasks combining democracy-building and the strengthening of civic society with peacekeeping and refugee assistance.

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## OSCE Summits

Summits are periodic meetings of Heads of State or Governments of OSCE States that establish organizational priorities and provide orientation at the highest political level. The Heads of State or Governments assess the situation in the OSCE areas of engagement and provide guidelines for the functioning of the Organization. The process of decision-making within the OSCE is based on consensus, a structure which has often proven challenging given the diverse composition of the organization. Between 1975 and 1996 there have been six CSCE/OSCE summits:

- ***The Helsinki Summit*** (30 July - 1 August 1975), at which the participating States adopted the *Helsinki Final Act*. The document was divided into three main parts, or “baskets,” concerning:  
Questions relating to security in Europe;  
Cooperation in the fields of economics, science and technology, and the environment;  
Cooperation in the humanitarian and other fields.

The Helsinki Final Act laid out the fundamental principles that guide the relations between participating States (the “Decalogue”), introduced military confidence-building measures, stated the resolve of the participating States to pursue the examination and elaboration of a generally acceptable method for the peaceful settlement of disputes, and provided the basis for co-operation in the fields of economics, science and technology, environment, and humanitarian issues.

- ***The Paris Summit*** (19-21 November 1990) with its *Charter of Paris for a New Europe* marked the formal end of the Cold War, and began the institutionalization of the CSCE. At the summit the participating States also welcomed the signature of the Treaty on Conventional Armed Forces in Europe (CFE) by 22 participating States and established the Office for Free Elections in Warsaw (which later became the Office for Democratic Institutions and Human Rights).
- ***The Helsinki Summit*** (9-10 July 1992) ended with the *CSCE Helsinki Document 1992*, entitled *The Challenges of Change*. During the summit the Heads of State and Government declared the CSCE to be a regional arrangement in the sense of Chapter VIII of the United Nations Charter, created the institution of the High Commissioner on National Minorities, and established the Forum for Security Co-operation and the Economic Forum. A statement on the withdrawal of foreign troops from the Baltic States was issued, and - in response to the Yugoslav crisis - the participating States confirmed the suspension of the Federal Republic of Yugoslavia as a participating State. This summit was also the first summit to include the formal representatives of the ten new member states of the former Soviet Union, including Armenia and Azerbaijan, which was granted membership in January 1992.
- ***The Budapest Summit*** (5-6 December 1994) adopted the *CSCE Budapest Document 1994*, entitled *Towards a Genuine Partnership in a New Era*. It changed the name of the CSCE to the OSCE, reflecting the fact the CSCE was no longer simply a Conference. The discussion on a “Common and Comprehensive Security Model” for Europe for the 21<sup>st</sup> century was launched, the Code of Conduct on politico-military aspects of security was formally adopted.

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- **The Lisbon Summit** (2-3 December 1996) adopted a general political Declaration and endorsed the *Lisbon Declaration on a Common and Comprehensive Security Model for Europe for the 21<sup>st</sup> Century*, which outlined the security challenges facing the participating States and the possibilities for co-operative approaches in meeting them; approved a *Framework for Arms Control* and the *Development of the Agenda of the Forum for Security Cooperation*; called on the Permanent Council to elaborate a mandate for the appointment of an OSCE representative on freedom of the media; and included statements on the Nagorno-Karabagh conflict (see attachment A).
  - **The Istanbul Summit** (November 1999) The Istanbul summit, comprising delegations from all 54 Member States, formally concluded the Charter for European Security. The Charter was in response to Russian concerns over the eastward expansion of NATO and, with its appended Platform for Cooperative Security, sought to grant new arrangements for the OSCE to work closely with other international institutions. This Platform enables the OSCE to turn to the NATO alliance when necessary and to utilize NATO as an essential element in the OSCE's operational capabilities in conflict resolution, crisis management and post-conflict rehabilitation.

#### **The Vienna Conference (1986-1989)**

Additionally there have been significant CSCE/OSCE meetings and conferences that, although on a lower level than full summits, have often played an important role in policy formulation and decision making. For example, the Vienna Conference (1986-1989) set the framework of the organization's arms control mechanism as reflected by the Conventional Forces in Europe (CFE) Treaty which set fixed numerical limitations on the deployment of troops and armaments in the respective regions.

#### **The Nagorno Karabagh Conflict and the "Minsk Group"**

The OSCE became officially involved in the Nagorno-Karabagh conflict on 24 March 1992. On that date, the Ministerial Council (at an "Additional Meeting" in Helsinki) adopted a formal decision to convene, as soon as deemed feasible, a conference under the auspices of the CSCE to provide an ongoing forum for the negotiation of a peaceful settlement of the armed conflict that had been raging between Armenia and Azerbaijan since 1988 over the contested region of Nagorno-Karabagh. Scheduled to take place in Minsk, the conference was empowered to comprise eleven participating countries: the direct parties (Armenia and Azerbaijan), the CSCE Troika of the time (the Czech and Slovak Republic, Germany, Sweden), the host country (Belarus) and a limited number of interested States (France, Italy, Russian Federation, Turkey and the United States).

The Minsk Conference has never been held, however, owing to lack of agreement among the parties to the conflict. However, its designated participants have been meeting as the "Minsk Group" (but without Armenia and Azerbaijan) in an ongoing attempt to hammer out a political solution on the basis of United Nations Security Council resolutions 822, 853, 874 and 884 (1993). A fundamental obstacle to the viability of this Minsk Group mechanism lies in its failure to include the representatives of Nagorno Karabagh. It would seem obvious that the inclusion of a Nagorno Karabagh delegation would be essential to any settlement, and could be structured in such a way to overcome Azerbaijani protest. The status of Karabagh as a full party to the conflict outweighs its

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limits of non-recognition and unresolved political status. Most ironic is the sharp contrast in democracy between the parties. Nagorno Karabagh holds the strongest democratic credentials, having embarked on its course toward independence only after the endorsement of a national referendum, and holding several separate elections (municipal, parliamentary, and presidential) marked by their free and fair conduct, openness and transparency, and notable for pluralistic, multi-party contests. Azerbaijan, on the other hand, offers a significant contrast as every election has been seriously undemocratic and flawed by various voting irregularities and violations. Even Armenia, which has a more impressive democratic record than the autocratic Azerbaijan, can not meet Karabagh's democratic gains and accomplishments.

In 1993, following intensive efforts, the Minsk Group proposed an "Adjusted Timetable" based on an incremental, step-by-step approach consisting of a series of measures including the withdrawal of troops from occupied territories, restoration of all communications and transport, exchange of hostages and prisoners of war, unimpeded access for international humanitarian relief efforts to the region, establishment of a permanent and comprehensive ceasefire to be monitored by the OSCE, and the formal convening of the Minsk Conference. Those arrangements were not accepted. However, the parties to the conflict agreed in May 1994 to observe and enforce an informal ceasefire brokered by Russian mediators.

In September 1994, encouraged by the end of armed hostilities, participating States began to explore the possibility of organizing a peacekeeping force within the framework of Chapter III of the Helsinki Document (1992), a document which provides a general mandate and overall framework for CSCE/OSCE peacekeeping operations. No consensus was reached on the question of "third party" peacekeeping, but the December 1994 Budapest Summit Meeting intensified the CSCE's efforts in relation to the conflict. The Russian Federation became one of the two Co-Chairmen of the Minsk Group,<sup>2</sup> mediation efforts were stepped up, and the participating States declared their political will to provide - on the basis of an appropriate resolution from the United Nations Security Council - a multinational CSCE peacekeeping force following agreement among the parties on a cessation of the armed conflict. A high-level planning group (HLPG) was established in Vienna to make recommendations concerning the modalities of such a force, although the organization's lack of a clear military peacekeeping mechanism remains a fundamental obstacle to its effectiveness and credibility in conflict-resolution.

Theoretically, there is a serious contradiction within the OSCE accords over the issue of territorial change. Both sides in any territorial dispute can lay claim to support from the OSCE accords. The OSCE accords bar any force from undermining the unity or territorial integrity of any OSCE member state, yet the accords also allow for the peaceful change of borders and territorial alterations based on self-determination and mutual consent.

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<sup>2</sup> The Minsk Group's leadership was later expanded to three nations, with each serving as equal co-chairs: France, Russia and the United States.

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Specifically the OCSE Final Act recognize the following principles:

- The inviolability of borders and the inadmissibility of demanding or using force to seize all or part of any signatory state;
- The territorial integrity and unity of all states;
- The right to change borders in accordance with international law, by peaceful means and by agreement;
- The right to self-determination;
- The concept of non-intervention in internal affairs.

The OSCE's High-Level Planning Group (HLPG) was established in December 1994 and comprises military experts from various OSCE participating States. The HLPG holds a mandate to:

- make recommendations for the Chairman-in-Office on developing a plan for the establishment, force structure requirements and operations of a multinational OSCE peacekeeping force for deployment in the Nagorno Karabagh region;
- make recommendations on, *inter alia*, the size and characteristics of the force, command and control, logistics, allocations of units and resources, rules of engagement and arrangements with contributing States.

The HLPG replaced an earlier Initial Operations Planning Group (IOPG), which was established in May 1993. After conducting fact-finding visits to the region, the HLPG launched its formulation of the “Concept for an OSCE Multinational Peacekeeping Mission for the Nagorno Karabagh Conflict,” presented to the Chairman-in-Office in July 1995. It included four options, three of which were combinations of armed peacekeeping troops and unarmed military observers, their strength varying from 1,500 to 4,500 personnel, and the fourth option proposed an unarmed military observer mission. Deploying the peacekeeping force was found to rely on the successful implementation of the political settlement process and must rest on a consensus among the OSCE participating States. At present, the HLPG continues to adapt its peacekeeping concept to the changing demands and details of the current stage of negotiations and consistently updates the four options through fact-finding missions.

### **The Issue of Peacekeepers**

According to the OSCE operational doctrine regarding the post-conflict stage, there is to be a military force deployed in the region to serve as “peacekeepers,” ensuring the continued cessation of hostilities, the repatriation of refugees and other displaced persons, and the maintenance of civil stability. Under the auspices of the OSCE “High Level Planning Group,” a peacekeeping force is to be dispatched to the post-conflict region by the OSCE on a case-by-case basis. The decision to deploy military peacekeepers must be based on an OSCE request and requires a political agreement between the parties to the conflict first, a stable ceasefire framework, and only with the consent, or request, of the parties to the conflict. The actual peacekeeping force may come from OSCE member

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states or, at the request of the OSCE, from other international organizations, such as the Western European Union (WEU) or NATO. This concept developed within the OSCE from the summer of 1992 until December 1994 and encompassed a varying level of OSCE military observers and ceasefire verification teams in the region. The “third-party peacekeeping” concept also developed into a newly articulated “double operation” with the OSCE dispatch of military observers backed by Russian (or CIS) troops providing a supporting role as a “security force.”

### **The OSCE as Battleground**

The OSCE has recently emerged as a new arena for a diplomatic struggle between Russia and the United States. In many ways, Moscow sees the OSCE as both an opportunity and a threat to its pursuit of its national interests. The Russian position regarding the OSCE rests on the premise that the OSCE offers Moscow a positive tool as an effective counterweight to the expansion of NATO. But the OSCE also threatens the Russian strategic interest of reasserting its position along its southern periphery and throughout the states of Central Asia, the so-called “near abroad.” Specifically, Russia utilizes the OSCE venue and exploits its consensus-based decision-making process in an attempt to steer the OSCE into favorable directions supportive of Russian policy. Looking at the peacekeeping issue, for example, Russia continues to wage diplomatic battle against the United States. The U.S. seeks to maintain the NATO alliance as the predominant international tool of peacekeeping, thereby guaranteeing a policy aligned with the U.S. national interest. The United States contends that the OSCE, by virtue of its lack of a standing military component capable of conducting peacekeeping operations, should adopt a purely civilian role in support of the military role of NATO in all conflict areas that the OSCE is empowered to adjudicate, mediate or police (such as Kosovo). In contrast, Russia seeks to utilize the OSCE as an effective peacekeeping mechanism provided that such a move is based on prior United Nations resolutions.

The OSCE Istanbul summit endorsed the U.S. position, however, and by establishing the REACT (Rapid Expert Assistance and Cooperation Teams) concept, affirmed the OSCE reliance on NATO as the primary peacekeeper. The summit supported the U.S. “division of labor” policy whereby the OSCE would hold a civilian role in conflict-management and conflict-resolution, matched by NATO’s military role.<sup>3</sup> In this light, the REACT concept offers a clear division for the OSCE to deploy the “civilian components” of a peacekeeping force when necessary. REACT is to become operational by August 2000 and is to formally adopt a new civilian-based specialization for the OSCE in the post-conflict stage.

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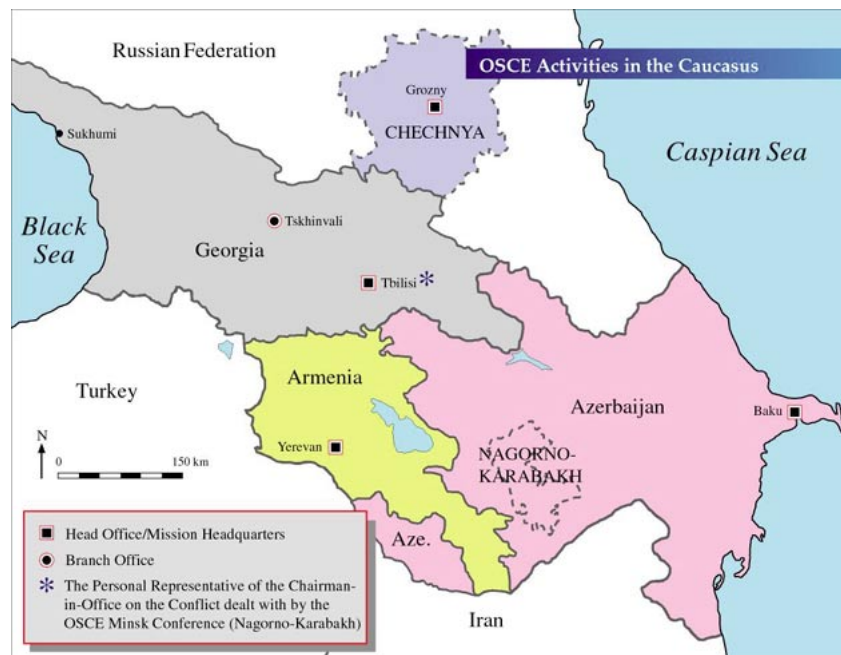
<sup>3</sup> For more on this aspect of the 1999 OSCE Istanbul Summit, see Victor-Yves Ghebali, *The OSCE’s Istanbul Charter for European Security*. NATO Review, Vol. 48 No. 1, Spring- Summer 2000, Pp. 23-26.



## The Organization for Security and Cooperation in Europe (OSCE): Involvement in Nagorno Karabagh

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The Organization for Security and Cooperation in Europe (OSCE) is the main international organization engaged in an ongoing mediation effort seeking to resolve the Nagorno Karabagh conflict through a series of tripartite negotiations involving Armenia, Azerbaijan and Nagorno Karabagh. Comprising 55 member states from North America, Europe and Central Asia, the OSCE is the only international security organization bridging the old “east-west” divide and bringing together the former Soviet states and the Western and European nations in a common structure to foster greater stability and cooperation. The OSCE has established a special 11-nation group, known as the "Minsk Group," co-chaired by France, Russia and the United States to oversee and implement these negotiations. The diplomatic core of the negotiations centers around the clash between two firm OSCE principles: the principle of territorial integrity (Principle III) versus the right of self-determination (Principle VIII). The OSCE has been engaged in mediating the Nagorno Karabagh conflict since 1992 and its efforts have been supported by much of the international community.



Map Source: OSCE

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### **The Lisbon Principles**

The OSCE Lisbon summit in December 1996 issued a formal “Chairman’s Statement,” adopted by all OSCE member states except Armenia, in which the OSCE endorsed the territorial integrity of Azerbaijan, suggested legal status for Nagorno Karabagh limited to “the highest degree of self-government within Azerbaijan,” and proposed vague and undefined “security guarantees for the population of Nagorno Karabagh.” The Armenian delegation, following earlier complaints that the Lisbon summit excluded the participation of a Karabagh delegation, protested the statement’s reference to Azerbaijani territorial integrity, which, presupposes and predetermines the outcome of the negotiations, and questioned the credibility of the Azerbaijani position that it alone would provide the security guarantee for the Karabagh population. Therefore, the Lisbon summit encouraged Karabagh leaders to question the impartiality and effectiveness of the OSCE mediation effort. The essential lack of providing an adequate and reasonable security guarantee immediately negated any Azerbaijani offer of “autonomy” for Nagorno Karabagh.

### **The Three Minsk Group Co-Chairs**

In February 1997, France and the United States joined Russia as joint co-chairs of the Minsk Group. The Minsk Group then issued a new set of proposals in May 1997 offering the following terms:

- Nagorno Karabagh must cede all territory outside of traditional Nagorno Karabagh borders and the city of Shushi to Azerbaijan, to be followed by the deployment of OSCE peacekeepers in these areas;
- OSCE peacekeepers would be responsible for the security of returning Azerbaijani refugees to these areas and would provide the security guarantee for the Karabagh population;
- in return, Azerbaijan would allow Karabagh, initially, to retain a limited defense force, or national militia, whose military weapons and arms would fall under the control and supervision of the OSCE peacekeepers;
- Nagorno Karabagh would retain its constitution (with no provisions for independence).
- the Lachin humanitarian corridor, connecting Armenia to Karabagh, would be transferred to OSCE control to be followed by final stage peace talks between Karabagh and Azerbaijan to finalize Karabagh’s political status within Azerbaijan, with Karabagh then demobilizing and transforming its military forces into a regular civilian police force;
- Karabagh would enjoy the special status of a “free economic zone,” with special trade and tariff treatment.

The Karabagh leadership, articulating its protest to the OSCE through the Armenian delegation, dismissed the plan for being unrealistic and stressed its failure to demand the lifting of the Azerbaijani blockade of railway, energy links and transport routes in the region. Although personally endorsed by then Armenian president, Levon Ter Petrosian, and accepted as “a basis for settlement” by Azerbaijan, Nagorno Karabagh rejected the plan outright, adding that if Karabagh forces withdraw from territory unilaterally, as the plan demands, Azerbaijan would then have no incentive for negotiating the status of Karabagh. The Karabagh position, expressed by President Arkady Gukasyan called for a new plan with the “outlines of status reflecting a horizontal or confederative relationship” between Karabagh and Azerbaijan.

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The Karabagh position continues to center on the need for a comprehensive, “package” format to resolve the conflict. The essential factor in the Karabagh position is the recognition that, first, the Azerbaijani offer of “broadest possible autonomy” (within Azerbaijan proper) has already been demonstrated to be an unrealistic concept during the Soviet era, extending a minimal degree of rights while maximizing Karabagh’s vulnerability and insecurity. Second, the realization that a lack of any international, or even regional, security mechanism for the Karabagh population during the “staged” or incremental process would be tantamount to ceding its bargaining position with no tangible immediate gains in return. The Azerbaijani promise of autonomy, or even Baku’s credibility in meeting its obligations is, at most, doubtful in such a staged process. The rejection of the staged incremental process and the preference for a comprehensive “package” process defines the core of the Karabagh position. The Karabagh position sees any neglect of this fact, or any abandonment of its policy would translate into a serious vulnerability for Karabagh, with no real security guarantees.

### **Kocharian Proposals**

Following the resignation of Armenian President Levon Ter Petrosian and subsequent March election, new Armenian President Robert Kocharian offered a set of new proposals to the OSCE. With the added political credibility of having once served as Nagorno Karabagh president, in April 1998 Kocharian outlined a new set of guidelines for the OSCE stipulating:

- the right of self-determination for Nagorno Karabagh,
- sound security guarantees for the Karabagh population,
- a permanent and durable geographic link between Karabagh and Armenia, such as the Lachin corridor.

These guidelines were supplemented by a new Karabagh approach calling for the OSCE to discard the Lisbon principles in favor of pursuing talks with no preconditions. Karabagh called for a new “package” or comprehensive approach, whereby all essential issues and points of negotiation would be simultaneous. This would place any withdrawal of Karabagh forces in the same time frame as any negotiations with Azerbaijan over the political status of Nagorno Karabagh. This position was diplomatically strengthened by the new combined Armenian and Karabagh compromise position dropping all claims to outright unification with Armenia and by virtue of Karabagh’s willingness to halt its drive for full independence in return for a negotiated solution seen as equitable and enforceable.

### **New OSCE “Common State” Plan**

In November 1998, after careful consideration of the Kocharian guidelines, the OSCE Minsk Group presented a new draft peace plan during a tour of the region. The plan offered a new “common state” concept, whereby the OSCE would incorporate the “package” approach favored by Karabagh with a premise defined as a new “common state” or unitary entity comprising Azerbaijan proper and Nagorno Karabagh under a new, undefined, “horizontal” confederate relationship to be based on comprehensive negotiations, with no preconditions such as territorial integrity. This common state plan was formally accepted as a starting point for negotiations by Armenia and Nagorno Karabagh but was rejected by Azerbaijan in late November 1998.

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One of the main obstacles to the course of the OSCE mediation effort centers on this debate over a starting point (incremental versus all encompassing) for the peace process. Further complicating this process is the vague status of the democratically elected government of Nagorno Karabagh and the failure to assign Karabagh its proper place at the negotiating table. A further constraint can be seen in the often conflicting agendas of the three Minsk Group co-chairing nations, each with their own unique set of national and regional interests, which has demonstrated the challenges of garnering the political will necessary to forge a truly lasting and equitable resolution to the Karabagh conflict.

### **Attachment A: Armenian-Azerbaijani Presidential Meetings**

Armenian President Robert Kocharian and Azerbaijani President Geidar Aliyev have conducted a series of direct personal meetings to discuss the Karabagh conflict:

- January 1999            Moscow, during the CIS Summit;
  - April 1999            Washington, during the NATO Summit;
  - July 1999             Geneva;
  - August 1999         Geneva;
  - September 1999     Yalta- the two foreign ministers also meet at the UN
  - January 2000        Moscow, during CIS Summit;
  - January 2000        Davos, Switzerland, during World Economic Forum;
- Kocharian rejects Aliyev's "peace pipeline" proposal, stating that Armenia will not "exchange land for pipelines." U.S. Secretary of State Albright offers the leaders U.S. economic post-conflict aid.

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For more information on the OSCE, or its mediation efforts in the Caucasus, contact this report's author, Richard Giragosian at: [giragosi@email.msn.com](mailto:giragosi@email.msn.com)



THE OSCE KARABAGH MEDIATION EFFORT:  
CHRONOLOGY OF KEY MILITARY AND DIPLOMATIC EVENTS<sup>4</sup>  
January 1992- May 2000

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**JANUARY 1992**

Armenia and Azerbaijan formally join the Conference for Security and Cooperation in Europe (CSCE), later to be renamed the *Organization* for Security and Cooperation In Europe (OSCE).

**MARCH 1992**

The CSCE, following a previous month of initial talks with all parties to the conflict, endorses a new 11-nation special working group on the Karabagh conflict at its Helsinki Foreign Ministers' summit. The new group, established by formal mandate, consists of the United States, France, Russia, Germany, the Czech Republic, Germany, Sweden, Italy, Belarus, Turkey, as well as Armenia and Azerbaijan. This new group would be subjected to rotating chairs among the nine nations (excluding Armenia and Azerbaijan). The Helsinki mandate also affords Karabagh to be represented by a delegation as "an interested party" endowed with the status of "the elected and other representatives of Nagorno Karabagh." This limits Karabagh representation to formal presence only through the Armenian and the Azerbaijani delegations.

**MAY 1992**

An offensive by the Karabagh armed forces secures control throughout much of Nagorno Karabagh, liberating all Azerbaijani-held areas of Karabagh including Khojaly, secures the Lachin corridor connecting Armenia and Karabagh, and retakes Shushi; fear of Turkish, Iranian and/or Russian intervention spurs pressure on CSCE to take action, CSCE steps in with initial UN Security Council backing. The United Nations unofficially decides not to become directly involved and to endorse the CSCE efforts instead. The issue of the UN deferring to the CSCE is reportedly due to the U.S. desire to exclude Iran, a member of the UN but not the CSCE, and to better control Russia, which by virtue of its Security Council membership's veto power, holds a more dominant position within the UN than the CSCE.

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<sup>4</sup> The chronological summary information is taken from various issues of the monthly publication, "*TransCaucasus: A Chronology*," written by Richard Giragosian and published by the Armenian National Committee of America (ANCA) office in Washington, DC.

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## **JUNE 1992**

The CSCE first becomes involved in mediating the Nagorno Karabagh conflict, Azeri offensive retakes much of Mardakert by early July and in early August, attacks Artsvashen and attacks Shushi and Lachin areas, sovereign Armenian territory within Azerbaijan proper, Karabagh counteroffensive holds Azeri line of attack. The incidents force the CSCE to cancel original plans for convening a peace conference in Minsk, the capital of Belarus, to settle the Nagorno Karabagh conflict. Hence, the special CSCE 11-nation working group on the conflict becomes known as the “Minsk Group.”

## **JULY 1992**

Karabagh representatives succeed in having the CSCE alter their formal status in the mediation talks with a formal and separate inclusion in the Rome session of CSCE talks. Much of the next year's mediation effort is plagued by Azerbaijan's adamant refusal to recognize Karabagh in the talks as an equal party.

## **FEBRUARY-MARCH 1993**

Clashes escalate with Karabagh forces securing northern Karabagh Shahumian district and seizing strategic territory as far as Kelbajar in the west and attacking Fizuli in the south, establishing strategic "buffer zone," in March-April, CSCE proposes "urgent measures" with UN Security Council endorsement.

## **JUNE-OCTOBER 1993**

Karabagh forces launch new offensive retaking Mardakert district and seize Agdam in July, new attacks seize Fizuli area in August, Karabagh attacks move south toward Azerbaijani-Iranian border and center on Azeri positions in Jebrail, Azeri retreat leaves Jebrail and Kubatli, attacks move on to Zangelan and Goradiz, Iran and Turkey moves military units to their borders and place military on heightened state of alert. By October, Karabagh forces reach the Arax River and take 40-kilometer area along the border between Azerbaijan and Iran. Attacks and seizure of Azerbaijani territory leads to massive refugee flight.

## **EARLY 1994**

Following the failure of a new trilateral (US-Turkey-Russia) diplomatic initiative, Azerbaijani President Aliyev launches offensive threatening Karabagh strategic positions in mountains overlooking Agdam and Mardakert, Azeris regain Goradiz and some areas along Azerbaijani-Iranian border north of Kelbajar but suffer heavy losses.

## **MAY-DECEMBER 1994**

Russia brokers a ceasefire agreement, the “Bishkek Protocol,” which is still in place. A dispute with CSCE leads to December 1994 53-nation OSCE Budapest Summit to include Russia as a permanent co-chair of the OSCE's “Minsk Group” acting in conjunction with the Minsk Group's rotating chair.

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The Budapest summit also agrees to deploy a detachment of 3000 OSCE peacekeeping troops under United Nations aegis if a political settlement can be achieved. Significantly diminishing the Russian role, the resolution adds a stipulation prohibiting any one nation from contributing more than 30 percent of the troops comprising the peacekeeping force. The CSCE formally changes its name to the Organization for Security and Cooperation in Europe (OSCE).

### **DECEMBER 1996**

Azerbaijan issues a last minute call for the adoption of a resolution endorsing Azerbaijan's territorial integrity to the summit's final declaration. Armenia reacts by threatening to veto the resolution. The summit reaches a compromise: the Lisbon Principles, reflected in the OSCE Chairman's statement that declares territorial integrity of Azerbaijan as the basis for settlement. Armenian rejection and its threat of veto pressures the summit to avoid including the issue on its final formal communiqué, instead issuing a downgraded "chairman's statement."

### **FEBRUARY 1997**

OSCE resolves to form a new troika to lead the Minsk Group with the United States, France and Russia each serving as equal co-chairs, replacing the previous joint Russian-rotating Minsk Group chair leadership.

### **MAY 1997**

OSCE offers significantly new proposals: Karabagh return all Azerbaijani territory outside of Karabagh, including Shushi, to be followed by the deployment of OSCE peacekeepers to ensure refugee return and to safeguard the Lachin corridor, Karabagh would retain its armed forces and constitution, later to be demilitarized into police force after final talks. Plan is accepted by Ter Petrosian but rejected by Karabagh. Karabagh President Gukasyan stresses the danger of a Karabagh withdrawal prior to any settlement, and calls for a new "horizontal" or confederative relationship with Azerbaijan.

### **FEBRUARY-MARCH 1998**

Armenian President Levon Ter Petrosian resigns and former Karabagh President Robert Kocharian is elected Armenian president on March 30th.

### **NOVEMBER 1998- DECEMBER 1998**

OSCE offers revised plan, includes "package" or comprehensive approach, Armenia and Karabagh accepts plan, Azerbaijan rejects it. The OSCE plan calls for a "common state" entity and refrains from mentioning either autonomy or territorial integrity. OSCE Foreign Ministers meet in Oslo and affirm the OSCE peace plan for Karabagh which calls for the creation of a "common state" comprising Nagorno Karabagh and Azerbaijan proper in a vague, new unitary sovereign entity to be defined in later negotiations. Azerbaijan rejects this plan, criticizing it for contradicting Azerbaijan's territorial integrity and sovereignty.

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## **MARCH 1999**

The European Parliament adopts a resolution supporting the OSCE “common state” peace plan and urges Azerbaijan to rejoin the talks. In London, Armenian Foreign Minister Vardan Oskanian suggests a new creative proposal- modeling the Nagorno Karabagh issue on New Zealand’s special relationship with its offshore Niue Islands that are neither independent nor autonomous, and exist with New Zealand in a “common state.”

## **APRIL 1999**

During NATO summit US Secretary of State Albright convenes meeting of Presidents Aliyev, Kocharian and Shevardnadze with foreign ministers from France, Britain, Turkey, and Germany (as European Union President), and Norway (as OSCE rotating chair). US urges direct negotiations, respect of territorial integrity, willingness to grant maximum autonomy, international security guarantees and the right of refugee return.

## **JUNE 1999**

Border clashes erupt along Karabagh’s eastern border with Azerbaijan. The OSCE dispatches military observers who report that the Azerbaijani forces have advanced some 400-500 meters into Karabagh’s Mardakert district.

## **AUGUST 1999- SEPTEMBER 1999**

The United States appoint Carey Cavanaugh as its new Special Negotiator for the Karabagh conflict and representative to the OSCE Minsk Group. Cavanaugh replaces Donald Keyser. U.S. Secretary of State Madeline Albright calls on Azerbaijan to submit a new draft “declaration of principles” to serve as a new starting point for the OSCE negotiations. Albright states that Karabagh representatives should be included in the OSCE peace talks as full participants.

## **NOVEMBER 1999**

The OSCE Istanbul summit praises the recent presidential meetings between Kocharian and Aliyev and reaffirms the OSCE common state peace plan.

## **APRIL 2000**

The Minsk Group convenes a meeting in Vienna and announces that it is considering revising the common state peace plan to draft a new set of proposals to restart the OSCE peace talks.

## **MAY 2000**

The OSCE resolves to dispatch a fact-finding team to the region to review the socio-economic needs of the area for planning the post-conflict rehabilitation stage. The OSCE coordinates the assessments of experts from the World Bank, the Red Cross and the United Nations Development Program (UNDP) to devise a thorough reconstruction plan for the region.

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**Attachment B:  
The Lisbon Summit: Statement on Nagorno-Karabagh**

OSCE LISBON DOCUMENT 1996

STATEMENT OF THE OSCE CHAIRMAN-IN-OFFICE

You all know that no progress has been achieved in the last two years to resolve the Nagorno-Karabagh conflict and the issue of the territorial integrity of the Republic of Azerbaijan. I regret that the efforts of the Co-Chairmen of the Minsk Conference to reconcile the views of the parties on the principles for a settlement have been unsuccessful. The Co-Chairmen of the Minsk Group recommended three principles, which should form part of the settlement of the Nagorno-Karabagh conflict. All Member States of the Minsk Group support these principles. They are:

- *territorial integrity of the Republic of Armenia and the Azerbaijan Republic;- legal status of Nagorno Karabagh defined in an agreement based on self-determination which confers on Nagorno Karabagh the highest degree of self-rule within Azerbaijan;*
- *guaranteed security for Nagorno Karabagh and its whole population, including mutual obligations to ensure compliance by all the Parties with the provisions of the settlement.*

**ATTACHMENT C: Statement of the Republic of Armenia**

With regard to the statement by the Chairman-in-Office of the OSCE, the Delegation of Armenia wishes to express its concern over the following issues:

1. The statement does not reflect either the spirit or the letter of the Minsk Group's mandate as established by the Budapest Summit 1994, which proposed negotiations with a view to reaching a political agreement. The problem of status has been a subject of discussion in direct negotiations that have yet to be concluded.
2. The statement predetermines the status of Nagorno-Karabagh, contradicting the decision of the OSCE Ministerial Council of 1992, which referred this issue to the competence of the OSCE Minsk Conference, to be convened after the conclusion of a political agreement.
3. The Armenian side is convinced that a solution of the problem can be found on the basis of international law and the principles laid down in the Helsinki Final Act, above all on the basis of the principle of self-determination.
4. In the interests of reaching a compromise solution, the Armenian side is prepared to continue with the most intensive negotiations, both within the Minsk Group and on the basis of direct contacts coordinated by the Co-Chairmen of that Group.