

**ARMENIA AND THE REGION:
LESSONS, EVALUATIONS, PERSPECTIVES
COLLECTION OF REPORTS OF THE INTERNATIONAL CONFERENCE
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AGREEMENTS (1921)**

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The collection summarizes the materials of the international conference “Armenia and the region: lessons, evaluations, perspectives” dedicated to the 100th anniversary of the Moscow and Kars agreements organized in Yerevan on October 19-21, 2021.

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GEOPOLITICAL FINDINGS ON THE RUSSIAN STRATEGIC APPROACH IN THE RECENT WAR IN ARTSAKH³⁷³

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Moscow managed to "diplomatically" contain the Baku-Yerevan-Stepanakert explosion since Russia re-emerged in a dominant and decisive way as a peacekeeping military and economic actor in the Armenia-Azerbaijan dipole. In fact, Russia stopped more bloodshed, might drive it away from its "regular" ally, Turkey, and cut all ties with Azerbaijan handing it over to

³⁷³ This text is part of my published original study, modified for the needs of the Conference, entitled "The Russian "Checkmate" in the Caucasus (The 2020 War in Artsach)", <http://scholar.uoa.gr/yianmazis/publications/russian-checkmate-caucasus-2020-war-artsach>

the West. Therefore, this explains Moscow's initiative to propose solutions to the Pashinyan government inclusive of a peaceful return of Azeri refugees from areas of Sushi, before its eventual handover to the Azeris, under the guarantee of Russia's own military presence in order to "ensure cohabitation between Armenian residents and Azeri repatriates". However, these proposals, which would have meant Artsakh's "losing" of a single province (Sushi), were not accepted by Pashinyan, precisely because of his effort to avoid all Russian presence in the region. After all, his Government's members also pushed in this direction. His mistake, however, proved to be huge and the price was paid by the unfortunate Armenians of Artsakh.

Armenia, too, like the Pashinyan government, as mentioned above, had never recognized the self-proclaimed "Republic of Artsakh." Let us therefore not forget that:

i) Azerbaijan is an independent state and does not belong to any regional Organization or Security Pact (e.g., CSTO / OTSC), which, on the contrary, Armenia is a member of.

ii) We must also consider the fact that the Artsakh enclave is part of Azeri territories, regardless of its factual Armenian population that characterizes it in terms of national identity and of its "self-declaration" as the

"Republic of Artsakh" (see Map 1). At this point, it must be noted that Armenia, in particular, has not officially recognized so far -and therefore *de jure*- the independent status of its compatriot Armenians of Nagorno-Karabakh / Artsakh; so, the region, although *de facto* autonomous, is considered even by the Armenian state itself as belonging – formally at least – to the territory of Azerbaijan.

As the starting point of our analysis, we mark the landmark date of December 12, 1994, when Azerbaijan concluded the "*contract of the century*" with a consortium of multinational oil companies for the exploration and exploitation of three underwater deposits. This Consortium (Azerbaijan International Operating Company / AIOC) is under the operatorship of British Petroleum and its portfolio is composed as follows:

BP (30,37%), SOCAR (25,0%)

Chevron (9,57 %),

INPEX (9,31%),

Equinor (7,27%),

ExxonMobil (6,79%),

TPAO (5,73%),

ITOCHU (3,65%),

ONGC Videsh Limited (OVL) (2,31%).

This happened immediately after local Armenians took effective control of the Artsakh territories, and the displacement of most Azeris living in enclaves of the area

(approximately 20-25% of the total population of Artsakh), turning them into internal refugees in Azerbaijan.

However, no later than 1993, the issue was included in the agenda and considered by the UN Security Council (hereinafter: SA), resulting in four relevant Resolutions being issued as follows: i) UN SC Resolutions 822/30 April 1993,³⁷⁴ ii) 853/29 July 1993,³⁷⁵ iii) 874/14 October 1993³⁷⁶ and iv) 884/12 November 1993.³⁷⁷

It is important to emphasize that the wording of all four of these SA Resolutions includes the Organization's critical legal evaluation, i.e., "*this situation endangers peace and security in the region*", but not internationally. This is important, but not exactly what would be required to trigger the procedure provided for in Chapter VII of the UN Charter (hereinafter: UNC), especially in Article 39 thereof, as a *sine qua non* criterion for coercive measures, which may even include the use of force against a state whose conduct is considered to be "*a threat to international (and not regional) peace and security*". This means that the wording of SA Resolutions

374 See: UN Security Council, Resolution 822, 1993. Accessed at:
<http://unscr.com/files/1993/00822.pdf>

375 See: UN Security Council, Resolution 853, 1993. Accessed at:
<http://unscr.com/files/1993/00853.pdf>

376 See: UN Security Council, Resolution 884, 1993. Accessed at:
<http://unscr.com/files/1993/00884.pdf>

377 See: UN Security Council, Resolution 874, 1993. Accessed at:
<http://unscr.com/files/1993/00874.pdf>

provides a margin–politically imperceptible, yet legally clear– for the Organization to distance itself from all immediate, indivisible and massive condemnation of the state (let alone a substantially enforced pressure to "discipline" it) that is considered responsible for the crisis, as in this specific case of the Republic of Armenia.

A careful examination of these SA Resolutions wording enlightens things as to the UN Security Council's identification of the warring parties in this armed conflict. Thus, in the first Resolution 822/1993, the text refers to an "invasion", not by Armenian military forces, but by local armed Armenians of the region, ("*...the latest invasion of the Kelbadjar district of the Republic of Azerbaijan by local Armenian forces,*"). It calls for immediate withdrawal of all forces exercising effective control over areas of Azerbaijan, but without specifying them in particular ("*1. Demands... immediate withdrawal of all occupying forces from the Kelbadjar district and other recently occupied areas of Azerbaijan;*"). The above understanding is maintained in all SA Resolutions that followed.

Moreover, the second Resolution 853 (1993) also emphasizes the issue of the principle of "respect for the territorial integrity of Azerbaijan", but also of other states in the region, as well as inviolability of their borders (see

the principle "uti possidetis juris").³⁷⁸ Also importantly, it does not target the Armenian state as responsible for "anti-international behavior", but instead urges it to continue to exert its influence on the Armenians in Karabakh, which it considers to be part of the territory of Azerbaijan, in order to attain compliance with the provisions of previous Decision 822 (1993) (*"Urges the Government of the Republic of Armenia to continue to exert its influence to achieve compliance by the Armenians of the Nagorno-Karabakh region of the Azerbaijani Republic..."*). Correspondingly, clear and urging reference is made to Armenia to exert influence on the local Armenians of Karabakh to comply with previous Decisions, which explicitly states that the region was part of the Azerbaijani territory, as mentioned also in both SA Resolutions 874 and 884/1993 that followed.

On the contrary, in respective Decision/Resolution adopted by the UN General Assembly (UN GA Res 62/243 / 25 Apr. 2008),³⁷⁹ the wording in relation to legal

378 The principle "uti possidetis juris" comes from the Latin phrase of Roman law "uti possidetis, ita possideatis" and means: "possess what you have already possessed".

379 See: Article 39. "**The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.**" And also: Article 41. "The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air,

characterization of the situation, presents marginal yet substantial differences from the previously examined SA resolutions. This observation should also be assessed in the light of the major difference in the binding nature of the Resolutions of these two UN Bodies, since the General Assembly one is not binding *per se* for the UN Member States, at least in so far as the UN SA Resolutions. Having said that, it is noted that the General Assembly in its Decision 243 (25 Apr. 2008) considered, by majority, as useful to rule the situation of this armed conflict as a "*threat to international peace and security*" ("*Seriously concerned that the armed conflict in and around the Nagorno Karabakh region of the Republic of Azerbaijan continues to endanger international peace and security*"), thus including it fully and unreservedly in the context of UNC Article 39.

It is, however, stressed that this is the sole responsibility of the SA and not the UN General Assembly. Especially should the SA have intervened and properly addressed the whole issue, deciding otherwise. Also, the GA expressed its strong demand for Armenian forces to

postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations. Article 42 "Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. "Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations".

withdraw from all occupied territories of Azerbaijan. Of course, this wording does not address the definitive legal characterization of "occupying forces" to the Armenian Armed Forces in the Karabakh region, but it clearly constitutes a step towards attributing a political characterization of co-responsibility for their involvement in the exercise of effective (aka “occupying”) control over the disputed area.

However, this distance, from the point of view of International Law at least, should be considered anything but negligible. This was also judicially pointed out by the Hague Tribunal in the famous case "*Nicaragua v. USA*" (1986), which set a particularly strict criterion of necessary involvement of third state forces (in this case of the US, in favor of the Contras and against the Sandinistas) in support of local forces, being the “involved party” of an ongoing ‘non-international armed conflict’, in order for the Tribunal to consider their involvement so decisive as to make them an essential part of the ‘control process’ over an area (under Contras control in that case), and therefore inductively “Part of the conflict”, but also by the Powers exercising Occupation on said area.

This view, of course, legally delimits any involvement of Armenia in the conflict, distinguishing it from that easily considered -but also lacking legitimacy- characterization of a "genuine Occupying Power" on the

territory of Karabakh, but with no disregard to its direct and indirect contribution to domestic Armenian Armed Forces in Nagorno-Karabakh. This fact raises the question of the principle (which is also described in UNC Article 2.7) of non-intervention in the internal affairs of States. At the same time, however, we must emphasize that all UN SA and General Assembly Resolutions underline the unacceptable state of occupation of Nagorno-Karabakh, urging states in the international community to refrain from recognizing this *de facto* regime which affects the sovereignty of Azerbaijan, which Artsakh is a part of.

From all the above, the explanation, mainly in terms of international law, arises from the explanation of Armenia's choice not to proceed so far with officially recognizing the self-proclaimed Republic of Artsakh. Such a move, after all, during the narrow or even wider conflict (even as a frozen conflict) in the region, would expose Armenia internationally, as alleged to be directly involved in the internal affairs of a neighboring state (Azerbaijan) and officially inciting any separatist tendencies against it. This, in turn, would bring closer the possibility of an investigation to activate Article 39 and accompanying Articles 41and 42, in the context of the UN General Assembly. Although the prospect of a positive vote is realistically unlikely, this would nevertheless place a heavy burden on Russia, which, as one of the five permanent UN

SA members, would have to inevitably spend some diplomatic capital to prevent that by its veto.

Reasonably, and in accordance with the above Resolutions and Decisions, not even Moscow, which participated in the "Minsk Group", could have done otherwise, that is, to proceed with a recognition on its part. Thus, Moscow did not have the legal basis to support a war caused by the non rational Armenian attack on Tovuz, while from an operational point of view it would be possible to do so using both its powerful bases in the Armenian territories: 1) Base "102", 2) the 426th Abovian air base near Yerevan where Mig-29 and Sukhoi fighter jets, alongside Mi-24 and Mi-8 helicopters, are stationed.

Currently, however, Moscow is legally entitled to claim that Vladimir Putin was not given –not even ostensibly– the right to intervene using the provisions of the CSTO Pact, headed by Moscow. Of course, the government was not willing to do that since the "velvet occidental³⁸⁰ line" was in no way to strengthen Moscow by having its troops stationed in Azerbaijani territories and then more strategic sub-systems deployed in the South Caucasus, as it was the case in the Central, greater Caspian Asia Sub-system.

380 Velvet Soros line.

To corroborate this, we recall that, in a recent interview, the Russian President underlined that Armenia has never recognized the self-proclaimed "Republic of Artsakh", implying that Russia much less could not intervene, in the sense that there was no legal obligation to do so under the provisions of the CSTO Agreement.

Of course, it would be naive not to note that from the point of view of "power management policy" this argument was entirely pretentious, because Moscow did not feel the need for any legal basis, e.g., in the case of the annexation of Crimea, or the recognition of the self-proclaimed Republics of South Ossetia and Abkhazia in Georgia. They annexed Crimea and recognized the two self-proclaimed Republics because, according to the Thucydides-based view, Russia had i) the military strength; ii) the will to do so; and iii) the ability to support them. It is evidenced, therefore, following a legal analysis of the Artsakh situation, that the Kremlin had only one issue in mind: to preserve its tactical alliance with Ankara and restore its influence over the Caucasus-Azerbaijan subsystem.

After all, in the face of growing escalation since July 2020, Moscow had already settled on how to deal with this challenge in the Caucasus and the kind of "appeasement-based" diplomatic containment should the Pashinyan government agreed. It is therefore estimated that this

tactics-driven criterion prevailed when Russia decided their ultimate stance in the Artsakh case. This interpretation is reinforced by the fact that Mr. Pashinyan's Yerevan has forced Moscow to deviate from its declared geostrategic principles regarding its stance on Baku. These were relatively recent for Artsakh's security choices in the context of the Russian geostrategic conception towards a potentially "activist" behavior of Azerbaijan. Choices that provided notable insights³⁸¹.

It is therefore reasonable that Moscow, dissatisfied with the rise to power of Mr. Pashinyan, funded by the organizations of Mr. George Soros, through the well-known method of "velvet revolutions", should have already made its geostrategic choices. It was also reasonable for Mr. Putin to be deeply concerned about the possibility of new "Ukrainian-style" fronts being formed in its "soft underbelly". It is also clear that had Moscow decided to intervene, even militarily, to quell the crisis, it would have risked a severe diplomatic confrontation with Turkey and losing its influence - currently also military - in Azerbaijan; this would have been of use for the US and NATO, which would have seen in this conflict the long-awaited end of the tactical alliance between Turkey and Russia and Ankara's towing in the "embrace" of the North Atlantic

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Treaty Organization. The Kremlin wanted nothing of this sort at all costs.

Absolute need for a "strategic re-adjustment" of Russian's "Syrian type" tactics in the South Caucasus

I believe that the "fullness of time" has come for the Russian strategists now to reflect on the adjustment of Moscow's slack attitude towards the Turkish-Azerbaijani Dipole's offensive dynamics, as well as the extremely fragile balance in the geopolitical complex of Transcaucasia. Current Russian strategic planning suggest that it was made clear to Armenia that it should stick to its role as Russia's "advanced outpost" in the South Caucasus region. If, however, Moscow continues to "teach lessons of good behavior" to Armenia and the Armenians through the "Turkish educator", this will not ultimately serve the Russian influence in the "near abroad". The only side that will make profits in the long run—maintaining the current Russian strategic conception—will be the Islamic-fascist neo-Ottoman Ankara and its Turkish Pan-turanian cause.

It is obvious that, should the current Russian approach to Turkish revisionism in the region remains, it will hopelessly be to the detriment of the Russian Federation and will even enable it to "pierce through its soft underbelly", creating thus conditions for US involvement —through Turkey— in the region and therefore trigger a chain of hotbeds in the Central Asian geopolitical

complex. Said explosions may even set out a global conflict. Because it is certain that Turkey, after consolidating its power and influence in the Russian "near abroad", will not miss the opportunity to get rid of its permanent and historical threat, i.e., the Russian Federation; if it "disappears" as a competitive pole of power in Central Asia, this will allow Ankara / Istanbul to grow into an Islamic-Turkish Pan-turanian Empire.

May they not fool themselves –which, in the end, is not the case, I believe– in the Kremlin: The Pan-turanian views of at least 70% of Ankara's political and military elites have never ceased to consider Azerbaijan–like the rest of Central Asia– as objects of Turkish Islamic-panturanian nationalist policy. In this case of Artsakh, Ankara's diplomatic activities have created the conditions to upgrade into a policy of fast and effective exports and supply of high-tech equipment to Baku.

The purpose of this policy has been and still is for Turkey to gain control, through the Azeri territories, of the Transcaucasian energy and trade routes to the Caspian Sea³⁸² but also through the Meghri Corridor that, unobstructed, will now connect Nakhichevan with Azerbaijan and therefore the Turkish projection of power towards the Central Asian Turkish-speaking complex of

382 e.g., the Ordubad [Nakhits.] -Horadiz [Az.] - Imishli [Az.] - Ali Bairamli [Az.] - Alat [Az.] - Caspian Sea] railway line.

Kazakhstan, Uzbekistan, Tajikistan, Turkmenistan. It has to be understood that Turkey –after it consolidates influence on the "Great Turan", due to Moscow's miscalculations– will not continue this balancing game with Russia, but will turn its recently acquired influence on Russian "near abroad" of Muslim background to the detriment of Russian national security at the behest of the new US Biden administration.

Ex ungue leonem: For the sake of example and to prove this Turkish and, more widely, Central Asian strategy, we must point out that Turkey hastened, since last March 2020, to conclude a production and supply agreement for Turkish offensive drones Bayraktar TB2 with Ukraine.³⁸³ Currently, Kiev is ready to acquire and produce 48 (!) tactical Turkish Bayraktar TB2 drones, while it had already put into operation, since March 2019, this specific Turkish weapon always targeting the Russian-speaking area of Dobas, with Ankara's undivided aid... Thus, Mr Brzezinski's agenda of the 1990s now appears to be feasible in the near future to the detriment of the Russian Federation and international peace and security.

383 See: Lagneau L., L' Ukraine envisage d' acquérir et de produire 48 drones tactiques turcs Bayraktar TB2, Zone Militaire, 2020. Accessed at: <https://bit.ly/35McoNa>