

Rethinking-and-Changing: A Lose-Lose Perspective for the Future of Nagorno-Karabakh and Armenia-Azerbaijan Relations

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The ‘Second Karabakh War’ has arguably ended the oldest conflict of the post-Soviet region. Nevertheless, the aftermath of the latest military confrontation between the Artsakh Armenian forces and Azerbaijan has made very little room for peacebuilding. Six months after, Armenia and Azerbaijan’s civil societies continue to take antagonistic approaches to the post-2020 ‘Nagorno-Karabakh issue’, which remains far from being solved and properly settled down. At present, both conflictual positions show two connected yet different processes of negotiations and reconciliation¹. While on the one hand the two Caucasian nations are struggling to maximise their opportunities that stemmed from the post-2020 status quo, on the other hand suspicious ideas and radical plots have been circulating and casting dark shadows on the future of the Nagorno-Karabakh region and the South Caucasus. The recent crisis over the Syunik and Gegharkunik borderlands between Armenia and Azerbaijan, is here instructive for assessing the highly volatile scenario.

As the title states, this essay attempts to provide a different perspective over the Nagorno-Karabakh rivalry through the lens of the ‘rethinking-and-changing’ approach rather than the old-fashioned paradigm of ‘forgiving-and-forgetting’. It is not here question the transition from warfare to peace scenario for overcoming the new status quo and avoiding new escalations. Conversely, this essay raises the following question: whom the current peacebuilding process is designed for? Hence, the choice to knowingly overlook the historical as well as latest military events in Nagorno-Karabakh has the scope of focusing on a future-oriented perspective of reconciliation. Therefore, opinions and critical insights given by international lecturers at the Caucasus Institute, will be taken into account in order to point out a wide range of controversies and conflictual positions emanated by the Second Karabakh War.

¹ Alexander Iskandaryan, “The Nagorno-Karabakh Conflict: A New Paradigm”, in: *PROSPECTS FOR PEACE IN NAGORNO-KARABAKH: INTERNATIONAL AND DOMESTIC PERSPECTIVES*. (Ed.) Alexander Iskandaryan, Yerevan: Caucasus Institute (2018):7.

Armenia: What about now?

There is little doubt that the 'Second Karabakh War' has paved the way to Armenia's deepest institutional crisis in its post-Soviet process of democratisation. As post-Soviet Armenia has historically represented the patron State of the de facto Nagorno-Karabakh Republic (Republic of Artsakh for Armenians), the post-2020 November scenario has largely delegitimised the political élites and leaderships in the country. Political figures and members of the so-called 'Karabakh Clan', such as Serj Sargsyan and Robert Kocharian, have been accused of postponing a final settlement of the conflict in favour of their vested interests. Likewise, Nikol Pashinyan began to lose people's trust after the Velvet Revolution in 2018. Unlike the "Karabakh Clan", which was also composed of leading figures of the formerly 'Artsakh Defence Army', Nikol Pashinyan is currently facing unprecedented opposition from the Armenian military's leading figures. Yet, it goes without saying that the legacy of the 'Karabakh Clan members' had given an elusive peace to Pashinyan, especially after the 2016 '4-Day War'.

At large, the current state of affairs is also impinging on the post-Soviet Armenia's state-building, within which Artsakh (e.g. Nagorno-Karabakh) was a separated yet crucial pillar of the whole Armenian-ness along with the diaspora. At a high-politics level, the pre-2020 September status quo lied in a 'conflict resolution strategy' replaced with a 'conflict management approach'. At the grassroots level, that elusive peace had likewise given to the post-Soviet generations of Armenians the groundless impression that Karabakhi-Armenians and the whole Armenian community could be always capable of handling and resisting "the enemy" – whatever the latter will be militarily composed of, and economically supported by.

The paradox of post-Soviet Armenia's 'national unity', which was constantly fuelled with nationalist and chauvinist stances², did not allow Armenians to reflect on a long-standing war. Under the false umbrella term of "frozen conflict", a 'no war no peace' scenario was misleadingly understood as a manageable situation, indeed. Interestingly, it should be here pointed out that the de facto Republic of Nagorno-Karabakh was the best advanced de facto entity that appeared from the dissolution of the Soviet space³. After all, among the (geo)political choreography of the post-Soviet republics and breakaway entities, the same de facto Nagorno-Karabakh Republic did not exclusively result from a history of military mobilization and guerrilla. On the contrary, the birth and rise of the "Karabakh Movement", a mass-scale and spontaneous grassroots movement of Karabakhi-Armenians speaking in praise of self-determination in the late 1980s, played a centrally paramount role for the

² Anna Zhamakochyan, "Armenia in the Trap of 'National Unity'", *OpenDemocracy*, 7 February 2017. <https://www.opendemocracy.net/en/odr/armenia-in-trap-of-national-unity/>.

³ Laurence Broers, "The De Facto State Phenomenon, with Particular Emphasis on Nagorno-Karabakh", *Getting to Know Nagorno-Karabakh* (Caucasus Institute Online Course, 15 April 2021).

Armenian desire of self-determination on the verge of the Soviet collapse. Nowadays, the legacy of the Karabakh Movement risks of being forgotten, or malignantly used, under the parapet of the war rhetoric and hostile vocabulary composed of messages enmity and intolerance in the region.

Nevertheless, the history of Armenians of Karabakh seems to drive and orient Armenian diplomats and high officials' strategies for achieving recognition in spite of the Second Karabakh War. As Ker-Lindsay argued, although Azerbaijan has already argued that it had the "sovereign right" to conduct a mass-scale military operation for taking control of Nagorno-Karabakh for the first time in its post-Soviet history, the same military operation in the formerly Nagorno-Karabakh Autonomous Oblast (NKAO) and its surrounding regions, could have not been carried out by the use of force as many UNSC resolutions have stated⁴.

Many Armenians have proposed the instance of 'remedial secession' by which Karabakhi-Armenians would largely justify their claims and demands seeking the return of at least the "occupied areas" of the formerly Soviet NKAO. Others have instead argued that the international law has been so far highly contradictory to recognition of the de facto Nagorno-Karabakh Republic. After 1989, while the two case of the unification of the two Germany and the separation of Czechoslovakia⁵ contradict each other, the case of Kosovo has been defined as a 'unique scenario'. In this regard, both international and regional issues of self-determination and recognition of 'woke up state entities' have been exacerbated by a high level of normative ambiguity given by not-yet-recognised Kosovo's statehood⁶.

Last but not least, the large investments and international public campaigns that Azerbaijan has been developing in Shushi-Shusha and Hadrut in cooperation with international companies from Italy, Turkey and the UK, make almost no room for Armenian diplomacy to have these territories back.

Azerbaijan: A Victory for Whom?

While Armenians are attempting to come-to-terms with the new status quo, expectations for the achievement of a full-fledged peace are much higher on the Azerbaijani side.

The President of Azerbaijan, Ilham Aliyev, has addressed the unfinished business and dispute around the Nagorno-Karabakh as a "solved problem". When touching upon a series of sensitive issues to be yet properly solved, such as the status of those areas currently populated by ethnic Armenians and/or the development of regional corridors and

⁴ See more: James Ker-Lindsay, "Can Azerbaijan Retake Nagorno-Karabakh by Force?" YouTube Video, 13:08, 16 October 2020. https://www.youtube.com/watch?v=FxYxLq_jO5E

⁵ Gor Petrosyan, "What the Nagorno-Karabakh conflict is about?", Getting to Know Nagorno-Karabakh (Caucasus Institute Online Course, 8 April 2021).

⁶ This designation is without prejudice to the status of Kosovo declaration of independence and in line with the UNSCR 1244 and the ICJ Opinion.

infrastructures linking Azerbaijan proper with Nakchivan through Armenia, Aliyev has vaguely mentioned the trilateral agreement as a main point of reference. However, the 9 November agreement has raised as questions as doubts, thereby casting dark shadows on the reconciliation process – be it on high-politics level or in the realm of everyday life for ordinary Armenians and Azerbaijanis. From this viewpoint, six months later the Second Karabakh War, Aliyev's statements have less and less convinced international experts as well as Azerbaijani scholars. While the "Armenian capitulation" has brought Aliyev to reach the highest peak of consensus within the country and beyond, a vast array of dissonances are slowly but surely sparking debates and critiques.

After having euphorically welcomed a historical victory over "Armenian terror" in Nagorno-Karabakh, many Azerbaijanis have realised that yet another foreign actor has begun to operate within the country – namely, the Russian peacekeepers. Others, who were found hopeful about a new phase of democratisation and liberalisation after the resolution of the conflict, are becoming more and more disappointed. In the first case, the presence of the Russian forces hits the nerve of the majority of Azerbaijanis. In the second case, many began to question the reason for which Aliyev had not decided to push the military operations toward Stepanakert after having seized and taken control of Shushi-Shusha. In fact, the internationally broadcasted 'Mugham Sound of the East' festival Shushi-Shusha⁷, had followed up the small-seized yet symbolically relevant military parade of the Russian troops marching through the Stepanakert airport for commemorating the "Victory Day" on 9th May. Unlike what Azerbaijani outlets and Aliyev's rhetoric recall, both celebrations came to highlight that the 'Nagorno-Karabakh issue' is not only an unfinished business far from being properly settled. Considering that the return of Azeri IDPs is being slowed down by the extremely difficult conditions on the ground, political dissatisfaction seems to be on the rise.

Relatedly, the 2020 Azerbaijani victory is paradoxically lacking war heroes, expect those martyrs who are systematically commemorated. While the post-First Karabakh War made room for Armenian political figures and military leaders from Karabakh to gain easily consensus among Armenians, the post-Second Karabakh War has not counted any particular war heroes or military figures on the Azeri side, expect President Aliyev. All of these give credits to those who claim that power hierarchies have been further ossified in Azerbaijan following the result of the 2020 war⁸.

Aliyev's statements regarding the 5+5-year commitment of the Russian peacekeepers in the contested region, do not clear up the lacunae and potential malignant interpretations over the 2020 November trilateral agreement. Hence, the Kremlin is more likely to play yet

⁷ Laman Ismayilova, "Wonderful Music Fills up Shusha City", *AZERNEWS*, May 18, 2021. <https://www.azernews.az/culture/178966.html>

⁸ Thomas Rowley, "Prepare to Be Marginalised": Interview with Azerbaijani Anti-War Activist", *OpenDemocracy*, 8 October 2020. <https://bit.ly/3vbgIVn>

again a pivotal role after three decades of the dissolution of the Soviet Union⁹, forcing Azerbaijan to deal with a foreign military actor whose actorness and status is still unclear in the long run. Despite the fact that Azerbaijani authorities may immediately decide to invite by law the Russian peacekeepers to leave the contested region, this same potential decision would not resolve the “Armenian question” by default. On the contrary, it could trigger a point of no return for both Armenia and Azerbaijan. Although much attention has been drawn on the reconfiguration of the urban and rural areas of the so-called “liberated territories” of Nagorno-Karabakh for the return of Azeri IDPs, Aliyev has discarded the option of granting any particular status to the de facto Armenian authorities without even addressing the issue of Armenian IDPs from Shushi-Shusha and Hadrut.

In addition, the ongoing crisis across the Armenian-Azerbaijani borderlands is dangerously going hand in hand with the much-debated demarcation of newly-established national borders. The current plans for (re)opening interregional corridors through Armenia has raised rumours about a military takeover by Azerbaijani forces. This scenario, which has seen Aliyev sharing his suspicious takes¹⁰, continues to cast dark shadow on the future Armenian-Azerbaijani relations.

Russia and Turkey: The ‘Colonisers’ Strike Back?

There is little doubt that Moscow and Ankara are the new entries and pivotal actors in the South Caucasus. Their ‘situational partnership’ has been officialised after signing memorandum on creating, and later opening, a joint centre for monitoring the respect of the ceasefire from the Agdam region.

Throughout the Second Karabakh War, Russia and Turkey have played a different role in order to maximise their future positions in the region. Russia has all at once constrained its historical stance on the side of Armenia by brokering the agreement between Pashinyan and Aliyev only after the capture of Shushi-Shusha. Prior to that, Russia’s support of the Armenian forces was nothing more than null and void, ironically maintaining a somehow coherent wait-and-see position. In 2010, for instance, Vladimir Putin stated that [Russia] could not take neither a pro-Armenian nor a pro-Azeri position over the territorial rivalry¹¹. Recently, the debate on the ‘Iskander-M missiles’, which were used against Azerbaijan, found space for sparking debates in Armenia and supposedly opening a Russian security services’ investigation for a potential illegal delivery¹². Nevertheless, Putin’s statement

⁹ Thomas de Waal, “Unfinished Business in the Armenia-Azerbaijan Conflict”, *Carnegie Europe*, 11 February 2021. <https://carnegieeurope.eu/2021/02/11/unfinished-business-in-armenia-azerbaijan-conflict-pub-83844>.

¹⁰ “Aliyev Threatens to Take Zangezur by Force ‘Whether Armenia Wants it or Not’”, *Asbarez*, 20 April 2021. <https://asbarez.com/201904/aliyev-threatens-to-take-zangezur-by-force-whether-armenia-wants-it-or-not/>

¹¹ Thomas de Waal, “Detachment by Default: The International Framework of the Karabakh Conflict”, in *PROSPECTS FOR PEACE IN NAGORNO-KARABAKH: INTERNATIONAL AND DOMESTIC PERSPECTIVES*. (Ed.) Alexander Iskandaryan, Yerevan: Caucasus Institute (2018):14.

¹² Mahammad Mammadov, “Schrödinger’s Iskanders: a Two-Level Game in Karabakh”, *New Eastern Europe*, 27 April 2021. <https://bit.ly/3zaqBAo>

about the legitimacy of the Azeri military operations within its de jure borders¹³, should have rung a bell. On the contrary, Turkey has had instead a much clearer position in supporting Azerbaijan. Undoubtedly, Ankara has changed the security architecture and power balances in Nagorno-Karabakh and South Caucasus respectively, thereby changing drastically the status quo by providing its state-of-the-art military equipment and high-profile manpower for backing Azerbaijani troops on the ground between September and November 2020.

Granted that both superpowers will not easily slack its influence off Nagorno-Karabakh, their situational partnership may potentially serve more Turkey's vested interests in moving eastward and damage levels of independence and sovereignty of Armenia and Azerbaijan on a national and international ground. In this regard, both two-by-two alliances – namely, Azerbaijan-Turkey and (arguably) Armenia-Russia - may come into contrast due to external factors. The official recognition of the 1915 Armenian Genocide by the US administration would more likely exacerbate the already-tense relations between Ankara and Yerevan. If the Second Karabakh War could have convinced Turkey to reopen its borders with Armenia, which were previously closed in solidarity with Azerbaijan after the Armenian takeover in Kalbajar, President Biden's stance has added a political burden on the poorly-maintained relations with Armenia. Moreover, Russia's willingness to facilitate a full-fledged settlement of the status of the Nagorno-Karabakh could also put its relations with Azerbaijan at stake. In fact, Moscow has never agreed on the so-called "greater Nagorno-Karabakh" – namely, the unification of the formerly Nagorno-Karabakh Autonomous Oblast (NKAO) with the seven surrounding districts with Armenia¹⁴ -, but Russian officials have not refrained themselves from expressing their willingness to discuss the future of Armenians in Nagorno-Karabakh under the protection of a special status.

After the '44-Day War' in 2020, many have highlighted that the Pashinyan-led Velvet Revolution had distanced Armenia from Russia. However, this assumption does not find much justification since Pashinyan has not violated, nor dismantled, nor delegitimised, previously established agreements or cooperation with Russia. Likewise, Armenia has never warned Russia by expressing national interests, or planning future cooperation, with NATO. In other words, Armenia has historically remained an ally in the field of security for Russia and the geopolitical gateway to Iran, while Azerbaijan has always been considered a strategic economic partner¹⁵.

At present, neither the West nor the EU can replace the Russian-Turkish situational partnership, while OSCE is found largely unprepared and without capacity of deploying

¹³ "Putin Says Nagorno-Karabakh is Inseparable Territory of Azerbaijan", *MEMO Middle East Monitor*, 23 November 2020. <https://bit.ly/2T6zNoS>

¹⁴ Sergey Markedonov, "The Nagorno-Karabakh Conflict: The Role of Russia", *Getting to Know Nagorno-Karabakh* (Caucasus Institute Online Course, 29 April 2021).

¹⁵ Ibid.

peacekeepers¹⁶. Under these circumstances, a geopolitical ambiguity is haunting the region, leaving space for a potential (South) Ossetianisation that may unfold in the near future¹⁷.

Economy over Politics, or vice versa?

According to the trilateral agreement that ended the military confrontations on the 9 November 2020, the future of the post-Nagorno-Karabakh conflict should be largely organised around economic plans and interregional infrastructures that will link the Azerbaijan proper with Nakichevan as well as unlock Armenia's regional position in the attempt to activate regional cooperation and build basic trust across the region.

In theory, one can argue that a full-fledged peace will be a precondition for overcoming new military escalations and giving high chances to Armenians and Azerbaijanis to implement basic trust-building measures. In practice, however, economic factors and drivers cannot simply pave the way to long-term peace. In fact, the Nagorno-Karabakh dispute has been nothing more than a political issue ever since the breakup of the Soviet Union. When it comes to assess peacebuilding strategies, economy cannot be understood as a sole instrument for gaining consensus on the ground and achieving a sustainable scenario in the long run¹⁸. For instance, the Caucasus Resource Research Centre (CRRRC) had mapped the Armenian willingness to trade with Azerbaijanis and Turks in 2019. When asked "*do you approve of doing business with Azerbaijanis?*" and "*with Turks?*" 85 %¹⁹ and 72%²⁰ of Armenians have respectively disapproved. In Azerbaijan, in 2013, the figure shows that the 99% of Azerbaijanis were disapproved of doing business with Armenians²¹. Hence, there is little doubt that the overall situation has been exacerbated after the Second Karabakh War in light of the increasing use and role that technology has played in creating a louder echo chamber featuring intolerance and spreading messages of enmity and violence.

This extreme polarisation has been shrinking a space for interethnic reconciliation and interstate restoration. In turn, newly-built infrastructures across the region and economic drivers are less likely to bring the region out the current uncertainty. After all, the disputed region of Artsakh or Karabakh has been the symbol, and it does continue to, of survival and

¹⁶ Thomas De Waal, "International Aspects of the Nagorno-Karabakh Conflict", Getting to Know Nagorno-Karabakh (Caucasus Institute Online Course, 22 April 2021).

¹⁷ Markedonov, "The Nagorno-Karabakh Conflict: The Role of Russia," and Broers, "The De Facto State Phenomenon".

¹⁸ Hrant Mikaelian, "The Karabakh War: Economist Cost and Consequences", Getting to Know Nagorno-Karabakh (Caucasus Institute Online Course, 6 May 2021).

¹⁹ CRRRC, Caucasus Barometer 2019 Armenia. <https://caucasusbarometer.org/en/cb2019am/BUSINAZE/>

²⁰ CRRRC, Caucasus Barometer 2019 Armenia. <https://caucasusbarometer.org/en/cb2019am/BUSINTUR/>

²¹ CRRRC, Caucasus Barometer 2013 Azerbaijan. <https://caucasusbarometer.org/en/cb2013az/BUSINARM/>
CRRRC data on Azerbaijani perspective is accessible up until to the 2013 annual report.

historical revenge in both Armenia and Azerbaijan. The almost thirty-year confrontation has taken an extremely heavy toll on both societies by excavating memories of collective traumas and shaping new narratives of hatred and intolerance among ordinary citizens. Those Azerbaijanis who had suffered from an “illegal occupation”, or those who were expelled during the early 1990s from Nagorno-Karabakh, are now coming to terms with a legacy of loss and injustice. Instead, those Armenians who had kept images and sounds of victory as part of their millennial history, are currently found navigating between sorrow and a newly-formed situation on the ground.

In both societies, emotions continue to ride high. In light of the fact that economic benefits and plans for the region have been so far discussed behind closed doors, many rumour about the spectres of new territorial gains and an inevitable new war.

In War, None Wins: A Lose-Lose Scenario

If it is true that Azerbaijani troops were refrained from moving forward in the direction of Stepanakert as potential accusation of ethnically cleansings could have come to delegitimise Aliyev’s military campaign²², it is also true that almost 100.000 Armenians currently live within the de jure borders of Azerbaijan, patrolled by Russian peacekeepers.

In addition, if the Yugoslavian war, specifically in Kosovo and Bosnia and Herzegovina, has taught us anything, it is that a prospective peace cannot be achieved without full-fledged mechanisms of transitional justice and reconciliation²³, which have not been properly discussed for the future of the Nagorno-Karabakh region.

There is little doubt that the civil societies in Armenia and Azerbaijan have been radicalised, adding a burden on political élites while borders remain close and roadmap for reconciliation is lacking. While transportation plans and logistical restoration are underway, ordinary people are still trapped in vernacularism, ambiguous message of reconciliation and unclear opportunities in the future. From 1994 onward, the process of reconciliation has mainly discarded Karabakhi-Armenians, who have had only a limited role until 1994, and Karabakhi-Azerbaijanis, who have had less of a role²⁴.

As a matter of fact, while Azerbaijan’s ‘sovereignty knot’ is not yet loosed, Armenia’s political vision over the Nagorno-Karabakh and its surrounding districts cannot longer be viewed as realistic and feasible. Although Azerbaijan has changed the pre-existing status quo, other issues are about to stay in the near future. On the one hand, the post/war-economy nexus has brought some scenarios of peace for Armenia and Azerbaijan. On the other hand, however, the life of Karabakhi-Armenians as well as Azerbaijani IDPs and both Armenians and Azerbaijanis seem to be still conditioned and politically compromised.

²² Broers, “The De Facto State Phenomenon”.

²³ Francesco Trupia, “Loosening the ‘Karabakh Knot’: Why Peacekeeping Won’t Be Enough”, *New Eastern Europe*, 19 November 2020. <https://bit.ly/3pwfJYV>

²⁴ de Waal, “Detachment by Default”, 12-13.

At this stage, reconciliation is the word, not peace, which has so far meant nothing more than an unstable status quo that has paid off neither for Armenians nor Azerbaijanis. Beyond any doubt, a roadmap for a full-fledged reconciliation is the *conditio sine qua non* for (re)imagining the future for Nagorno-Karabakh and Armenian-Azerbaijani relations. In light of the current state of affairs, this future peace cannot but be understood as aspirational – namely, a long-term political roadmap whose last station will guarantee Armenians from Karabakh and the Azeri IDPs a full recognition of their rights and demands in Nagorno-Karabakh. More likely, both Armenia and Azerbaijan should together come-to-terms, albeit from different standpoints, with a lose-lose scenario rather than stubbornly seeking out a win-win situation. Armenia's diplomatic strategies aimed at achieving recognition for the de facto Nagorno-Karabakh Republic does not look plausible anymore. Since the international scenario is quite hostile to this option, Armenian diplomats will have almost no room to manoeuvre their strategies through the 'remedial secession' instrument. At the same time, while the new reality on the ground has largely galvanised Azerbaijanis, Aliyev cannot longer ignore the right of self-determination of the Armenians of Nagorno-Karabakh and simply claim that their "demands were a matter only in the past".

A lose-lose scenario, which will literally be inconvenient for both counterparts, is however necessary for rethinking-and-changing the legacy of human rights violations and unforgettable atrocities that cannot easily disappear by simply forgiving-and-forgetting.

Along with it, a full range transitional justice agenda and reconciliation roadmap should be set up with the attempt of activating retributive mechanisms both internationally and domestically. In particular, a restorative justice tool kit would symbolise the Armenia and Azerbaijan's commitment to work closely for truth and reconciliation, thus establishing commissions that would show justice efforts through massive reparation programs, vetting procedures and institutional reforms as defined by the UN Secretary General (UN Doc S/2004/616, 2004). In doing so, while Azerbaijan should begin with properly recognising the quasi-state entity of the Nagorno-Karabakh by giving it recognition, in the same way Armenia should begin with rethinking its national policy plans for fully granting all Azeri IDPs their right to return and related cultural claims and massive compensation for their material loss.

To conclude, against the pitfall of Russia-Turkey's quasi-colonising partnership which is taking a heavy toll on the region and both Armenia and Azerbaijan, the Nagorno-Karabakh knot could be untied through moving from a win-win solution and preparing a lose-lose outcome. The latter shall not largely avoid internationalization of potentially new escalations, but also unmask malignant policies on a national and regional level.

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