

# The reopening of the Stepanakert airport (Nagorno-Karabakh): In the crosshair of Azerbaijan

Short paper by Christian Kolter\*, February 2014

The planned putting into operation of the Stepanakert airport in the de facto Republic of Nagorno-Karabakh (NKR), which exists since 1991 without international recognition, is accompanied by a persistently strong media echo surpassing the borders of the conflict region. This is caused above all by the fact that the Republic of Azerbaijan categorically rejects re-establishing of civil aviation between the NKR and the outside world and threatens to shoot down civil aircrafts landing there.<sup>1</sup>

Baku is pursuing its lobbying activities above all in Brussels, Washington, Berlin, London and Moscow, arguing that by virtue of the Chicago Convention on International Civil Aviation, the operation of the Stepanakert airport by the NKR is illegal, as the territorial integrity of the Republic Azerbaijan would be violated. Therefore, civil aircrafts are to be considered as hostile military aircrafts and to be treated as such.<sup>2</sup> On 18 January 2013 the Azerbaijani government passed corresponding legal measures.<sup>3</sup>

However, the Azerbaijani protest hides essentials: on the one hand the contents of the concept of the territorial integrity of Azerbaijan became determined, changed or at least relativized in the course of the conflict in a way that deviates *objectively* from Baku's interpretation. At least a return to the borders of Soviet Azerbaijan, as continuously claimed by the Azerbaijani government, seems impossible. Despite this, today's Republic of Azerbaijan understands itself as the legal successor of the first Democratic Republic of Azerbaijan<sup>4</sup>, which existed from 1918 to 1920, to which Nagorno-Karabakh belonged neither de facto nor de jure. On the other hand, the Chicago Convention – even if we consider that Azerbaijan's territory encompasses Mountainous Karabakh – does *not* imply the right to use any force against civil aircrafts.<sup>5</sup>

However, the international public does not remain indifferent to Azerbaijani protests. In 2011, while in most cases international media either criticised or at least kept their distance in reaction to emerging threats of shooting down planes by Azerbaijan<sup>6</sup>, there were however voices sympathising with Azerbaijan's "cries for help".

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\* This short paper was written by an independent scholar and PhD candidate Christian Kolter, who has spent one year in Stepanakert (Nagorno-Karabakh) thanks to the EuFoA-funded Karabakh Research Fellowship.

<sup>1</sup> <http://www.regnum.ru/news/1384438.html> (16.3.2011); <http://www.regnum.ru/news/1390118.html> (01.4.2011), "Azerbaijan's statements on physical destruction of Armenian planes, which will fly to Khankendi, remain in force", <http://milaz.info/en/news.php?id=%205907> (6.7.2011), Azerbaijan Again Threatens Karabakh Flights, <http://www.eurasianet.org/node/66370> (8.1.2013)

<sup>2</sup> Azerbaijani experts: Azerbaijan has right to shoot down Armenian planes, <http://ann.az/en/110431/azerbaijani-experts-azerbaijan-has-right-to-shoot-down-armenian-planes> (16.10.2012)

<sup>3</sup> Почему отменяется запуск Сержа Саргсяна в воздух? <http://www.br.az/mnenie/20130123125504369.html> (23.1.2013); Невменяемая позиция армянского руководства, <http://vesti.az/news/153923> (8.4.2013)

<sup>4</sup> s. [http://www.azerbaijan.az/StatePower/LegislativePower/legislativePower\\_e.html](http://www.azerbaijan.az/StatePower/LegislativePower/legislativePower_e.html)

<sup>5</sup> J. Kucera, Karabakh Flights: Getting Legal Counsel, <http://www.eurasianet.org/node/66437> (22.1.2013)

<sup>6</sup> Azerbaijan's statements on shooting down of aircrafts flying to Nagorno-Karabakh are quite unacceptable, U.S. Ambassador to Armenia Marie Yovanovitch told a press conference on March 21, <http://news.am/eng/news/52467.html> (23.3.2011); U.S. Envoy deplores Azeri threats to down Karabakh planes, <http://www.armtown.com/news/en/rfe/20110321/2344924/> (21.3.2011); Shahin

Admittedly, in the last two statements of the Minsk Group, both sides of the conflict assured they would abstain from any threat and violence against civil aircrafts. At the same time, it is pointed out that the operation of the airport could not be used to support any claim of a change in the status of Nagorno-Karabakh. Moreover, international legal standards of the civil aviation are to be kept (of which the sovereignty rights form the basis according to the principle of territorial integrity).<sup>7</sup>

The first indication implies that with the operation of the airport, the Republic of Nagorno-Karabakh does not claim any status that it does not already have. The second instruction, however, is more serious, because this at least encourages Azerbaijan to see its territorial integrity diplomatically confirmed in a manner which corresponds completely to its own views (reintegration of Nagorno-Karabakh into Azerbaijan, no land connection between Armenia and NK). However, Azeri plan is not a compromise, as it does not advance the peaceful solution of the conflict and can only be achieved by war.

While the Armenian side has actually lost its interest in the conflict, regarding it as solved and working mainly on the need of effective outside contacts (thus also in the case of the Stepanakert airport), it is locked in the conflict by Azerbaijani interest in its continuation, with a minimum aim of restoring entirely the subordination of Nagorno-Karabakh.

It is symptomatic that the 2011 statement of the Minsk Group (formulated in Baku) speaks about tensions to which reopening of the airport could lead. However, the choice of words is such that it does not clearly indicate whether the statement means reopening of the airport itself, or the circumstances and reactions surrounding it (such as Azerbaijani threats to shoot down planes). In the next statement (formulated in 2012 in Yerevan), however, this passage is absent, which showcases a certain geographic influence on the wording of the Minsk Group statements – an influence which should rather not be taking place in professional mediation.

Moreover, the European Commission president Barroso<sup>8</sup> and Cornelia Pieper<sup>9</sup> (German Minister of State in the Foreign Office) recently spoke of prospective negative effects of reopening of the Stepanakert airport for the negotiation process, although such statements occur mostly when initiated by Azerbaijan, and are selectively cited in Azerbaijani media.

Azerbaijan achieves its goal of finding international understanding and support in two ways – first, by its “hot” (tactical) lobbying that fits the “cool” (long-term and strategic) interests of both Azerbaijan and its Western partner countries and business partners. Second, it achieves it by exploiting information gaps.

Thus Azerbaijan – with different ulterior motives – tries to present to the international public the Stepanakert airport as the Khojaly airport. The airport’s its official name from 1974 to 1990 was Stepanakert airport, named after the capital of the autonomous area of Mountainous Karabakh (NKAO) as a part of the Azerbaijani SSR (to which Karabakh was incorporated, to put it mildly, in a questionable manner). Only after January 1990 did special units of the Azerbaijani Ministry of the

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Abbasov, Azerbaijan: Baku Scrambling for Diplomatic Ways to Ground Karabakh Flights, <http://www.eurasianet.org/node/63228> (5.4.2011)

<sup>7</sup> Statement of the OSCE Minsk Group Co-Chairs, <http://www.osce.org/mg/76932> (Baku, 14.4.2011); <http://www.osce.org/mg/92189> (Yerevan, 13.7.2012)

<sup>8</sup> President of the European Commission: "The conduct of flights at Khojaly airport would not help the peace process", <http://en.apa.az/print/189120> (7.3.2013)

<sup>9</sup> German Federal Government issues statement on Khojaly airport, <http://en.apa.az/news/189326> (12.3.2013)

Interior take control of the airport and a time of harassing Armenian passengers began. In parallel, the airport was renamed into Khojaly airport by the order of the Soviet-Azerbaijani leadership.<sup>10</sup>

The village Khojaly, up to the World War II still predominantly inhabited by Armenians, became an Azerbaijani outpost during the reescalation of the Karabakh conflict in the military and demographic sense, and received the status of a town (there were not more than 2000 inhabitants in 1987, in 1990 there were already around 6000). Macabrely, in 1989 the leadership of the Azerbaijan SSR decided to settle in Khojaly also several hundred Meskhetian Turks who escaped from ethnopolitical violence in the Fergana valley (Uzbekistan) to Azerbaijan. In order to develop Khojaly, an important part of resources from Gorbachev's famous economic plan for Karabakh (which was actually intended as conflict resolution) was used. However, only Azerbaijani settlements enjoyed the benefits of this plan.<sup>11</sup>

From autumn 1991 till February 1992 Khojaly also served as an artillery base for the bombardment of Stepanakert. In this paper, the question of where the victims connected with Khojaly died and by whom they were slain is not touched upon, as it's another topic that doesn't fit the subject of this paper. Regardless of the above-mentioned question and following the academic definition of genocide used in genocide studies, we see that what happened in Khojaly cannot be defined as such, as it was a military base (and not just civil settlement).

Baku currently tries to connect the airport debate with the victims in or from Khojaly "to legitimise" its own claims to the airport. Besides, the Azeri denomination allows Azerbaijan to claim that the airport is an Azerbaijani infrastructure according to the following idea: "If the airport is ever acceptable and possible – then only under the Azerbaijani aegis, because Khojaly was an Azerbaijani settlement". Moreover, in doing so Azerbaijan shows that it is not even willing to accept Soviet circumstances and rules (quite advantageous for the Azerbaijani side) as an orientation for compromises in the future, in so far as between 1974 and 1990 the airport neither carried the name Khojaly nor was it operated by the Azerbaijani side. Following this perspective, Baku abolished the autonomy status of Nagorno-Karabakh in November 1991. In the present constitution of the Republic of Azerbaijan, regulations on political autonomy can be found only for the region of Nakhichevan, where the population today consists nearly exclusively of Azerbaijani people.<sup>12</sup>

To complete the blockade against Karabakhi Armenians, Azerbaijan closed the Stepanakert airport for civil aviation in the end of 1990. The Karabakh war (1991-94) brought the civil aviation in Karabakh to a complete shut-down; during the post-war years there were more urgent issues. Nevertheless, after election of Bako Sahakyan as the new president of the NKR in 2007, the decision to rebuild and reopen the airport was taken. Today, since autumn 2012, the airport is officially ready for operation.

In Azerbaijan's view, the reopening of the airport is to be evaluated as an objective provocation which justifies shooting down civil aircrafts. Perceiving civil flights as military aggression by Armenia gives Azerbaijan the right to respond with military means (in its view, to defend their land). This parallels Azerbaijan's stance in the first war, where they prolonged the war and postponed the armistice (for

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<sup>10</sup> Степанакертский аэропорт, <http://www.ulvost.ru/rus/airports/298.html> ; Степанакертский аэропорт, <http://korubuh.ru/index.html?go=5362>

<sup>11</sup> Виктор В. Кривоусков, Мятажный Карабах. Из дневника офицера МВД СССР, Издание второе, дополненное, Москва 2007; p.79/80

<sup>12</sup> comp. [http://azerbaijan.az/portal/General/Constitution/doc/constitution\\_e.pdf](http://azerbaijan.az/portal/General/Constitution/doc/constitution_e.pdf) (p.35f.)

which Armenia was ready in 1993 already), hoping to regain positions.<sup>13</sup> Instead, the political leadership of Azerbaijan fosters a communication style of collective narcissism, combining self-victimisation with power and recognition claims which are difficult to be satisfied. Generally, narcissistic groups promote their self-image that is permanently questioned by (certain) out-groups, so that the actions of the latter are often and quickly interpreted as disrespect, injustice and provocation, “legitimising” or even “forcing” retaliation.<sup>14</sup> In the context of the Karabakh conflict, this communication style becomes apparent in several aspects:

- a) ideological and unscientific “Azerbaijanisation” of the history of Karabakh (as well as of South Armenia, Yerevan and the Sevan lake region) according to the view that “Azerbaijani people as the only autochthonous and (too) hospitable people”<sup>15</sup>,
- b) institutionalised self-image of the Republic of Azerbaijan as a victim of Armenian politics (Armenian "occupation" and lobby, "Genocide in Khojaly", Armenian "terrorism" etc.)<sup>16</sup>;
- c) rhetoric and gestures of power: intensive armaments and isolation policy, demonstrative self-confidence fuelled by income from oil and gas business<sup>17</sup>,
- d) above-average yearning for recognition on the international scene: lavish events and projects in Azerbaijan; secured seat in the UN Security Council (not least to pursue the goal of a “more effective” (meaning: “more pro-Azeri”) discussions of the NK conflict), worldwide Azerbaijani lobby work and PR campaigns.<sup>18</sup>

Looking at the persistent threats of shooting down civil planes, and beyond ideologies and group affiliations, it is clear that it is not the airport (which brings no change in the military and status-political conditions) which disturbs the peace process, which anyway is hardly taking place. It is rather

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<sup>13</sup> s.f.e. Владимир Казимиров: Азербайджан и Совбез ООН: повторение пройденного в карабахском конфликте, <http://www.regnum.ru/news/1651225.html> (20.4.2013)

<sup>14</sup> Golec de Zavala, A, Cichocka, A., Eidelson, R., Jayawickreme, N., "Collective narcissism and its social consequences", Journal of Personality and Social Psychology 97.6 (2009), p. 1074-1096 [http://eprints.mdx.ac.uk/4252/1/Golec\\_collectivenarcissism.pdf](http://eprints.mdx.ac.uk/4252/1/Golec_collectivenarcissism.pdf)

<sup>15</sup> s.z.B.: About Azerbaijan/History, <http://www.mfa.gov.az/?options=contentid=544&language=en>; oder: “You... know very well that Nagorno-Karabakh is a primordial and historical Azerbaijani land. Our people lived and created on this land for centuries. Armenians came to this territory as guests. We all know the story of their arrival in Nagorno-Karabakh.”, <http://en.president.az/articles/2717> (5.7.2011), “Azerbaijan does not allow on their lands contrived second Armenian state. Armenian state was founded on the historical Azerbaijani lands. Erivan khanate, Zangezur, Goyche – all our historical lands.”, <http://en.apa.az/news/189873> (20.3.2013), “...Yerevan was granted to the Armenians. It was a great mistake. The khanate of Iravan (Yerevan) was the Azeri territory, the Armenians were guests here.” <http://www.regnum.ru/english/943595.html> (17.1.2008)

<sup>16</sup> Ilham Aliyev: “The information war against Azerbaijan was launched by Armenia and the Armenian lobby in the late 80s of XX century. In the first years of independence we have lost this war, and it may be, of course, because we have not had such international resources.”, <http://www.today.az/print/news/politics/78920.html> (30.12.2010), oder: “The Republic of Armenia has carried out dozens of terrorist attacks against Azerbaijan’s civilian population and infrastructure. As a result, more than 2,000 Azerbaijanis have been killed.” Speech at the UN Security Council Meeting (May 4, 2012), <http://en.president.az/articles/4845>

<sup>17</sup> Ilham Aliyev: “Azerbaijan must have everything advanced and on the highest level. Our people are capable of it and deserve it.” <http://www.news.az/articles/24723> (16.10.2010); “Azerbaijan year by year strengthens but Armenia every year weakens. ... They do not have the capacity or the human resources nor the will nor the power to compete with Azerbaijan.”, <http://en.apa.az/news/189873> (20.3.2013); “Azerbaijan has a reputation in the region and we will continue to use our influence and opportunities to further isolate Armenia. They are already isolated from all international projects and we will continue this policy in the future. We must be even stronger. If we are, the issue will be resolved.” <http://en.president.az/articles/6359> (7.10.2012); “Our military spend alone is 50 per cent higher than Armenia’s total budget. ... We understand and see very well what lies ahead. Azerbaijan will be among the world’s richest countries.”, <http://en.president.az/articles/2717> (5.7.2011)

<sup>18</sup> “Azerbaijan has not made a single mistake in its foreign and domestic policies and in ongoing programs. I think that as a result of that our country is enjoying much more respect in the world today.”, <http://en.president.az/articles/2717> (5.7.2011); “Baku is today - one of the most beautiful cities in the world. As I say this, but the time will come when we will say that Baku is the most beautiful city in the world.”, <http://www.today.az/print/news/politics/78920.html>, 30.12.2010; “An exhibition "Historical look at Azerbaijan’s rich pearls" opened Wednesday in Vatican. The exhibition, initiated and supported by the Heydar Aliyev Foundation, marks the 20th anniversary of the establishment of diplomatic ties between Azerbaijan and Vatican. Azerbaijan is the first Muslim state that demonstrates its cultural values in Vatican.”, <http://en.trend.az/news/society/2088369.html> (15.11.2012)

the threats of violence on the part of the Azerbaijani government that are impeding the peace process. The same Azeri government complains about the lack of progress in the negotiations, but at the same time blocks the confidence-building measures suggested by the Minsk Group (withdrawal of snipers, establishing an observation mission at the contact line etc.).<sup>19</sup> It is further important to notice that the internationally condemned Azerbaijani provocation in the Safarov case has not led to counterprovocations in Armenia, despite of the election campaign period. The Armenian opposition had demanded an immediate reopening of the airport and recognition of the Republic of Nagorno Karabakh as a political countermeasure.

Reopening of the Stepanakert airport pursues civil and humanitarian aims. Nothing will be transported by planes that is not already transported by ground. The difference is that Karabakh would be less isolated and better accessible, reducing transportation time substantially. With that, putting the Stepanakert airport into operation is absolutely compatible with the repeated demand by the Minsk Group that such a step cannot support any claims to rise the status of Nagorno-Karabakh in international law. Why should and how can the fundamental and human right on freedom of movement be in force only on the ground, but not in the air?

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<sup>19</sup> Statement on the Shooting Incident along the Line of Contact, [http://osce.usmission.gov/media/pdfs/2009-statements/st\\_030509\\_nk.pdf](http://osce.usmission.gov/media/pdfs/2009-statements/st_030509_nk.pdf) (9.3.2009); Baku refuses to withdraw snipers from contact line, [http://www.panarmenian.net/eng/world/news/33946/Baku\\_refuses\\_to\\_withdraw\\_snipers\\_from\\_contact\\_line](http://www.panarmenian.net/eng/world/news/33946/Baku_refuses_to_withdraw_snipers_from_contact_line) (8.7.2009); Azerbaijani FM: Incident investigation mechanism in current situation to strengthen status quo, <http://en.trend.az/news/karabakh/2037261.html> (14.6.2012); Владимир Казимиров, Инциденты как политическая линия Баку, <http://defacto.am/22142.html> (19.6.2012)