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# Impunity, Lack of Humanitarian Intervention, and International Apathy: The Blockade of the Lachin Corridor in Historical Perspective

Bedross Der Matossian

University of Nebraska–Lincoln

## Abstract

This article will analyze the existential threat facing by the Armenians of the beleaguered Republic of Artsakh in the context of three phases of mass violence inflicted on Armenians in the modern period: the Hamidian Massacres of 1894–1896, the Adana Massacres of 1909, and the Armenian Genocide (1915–1923). Despite the teleological differences of these phases, there seems to be three key common denominators connecting all of them together: impunity, lack of humanitarian intervention, and international apathy. After dwelling on the history of impunity, the absence of humanitarian intervention, and international apathy, this article will concentrate on the disastrous repercussions of the closing of the Lachin Corridor and the ensuing humanitarian crisis in the fragile Republic of Artsakh. This article will argue that the three important factors that led to disastrous repercussions for the Armenians in the past are present today, thereby raising the red flag for potential ethnic cleansing.

**Keywords:** impunity, Artsakh, humanitarian intervention, ethnic cleansing, Armenian Genocide, apathy, Lachin Corridor

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Beginning on 12 December 2022, Azerbaijani citizens calling themselves “ecoactivists” blocked the only lifeline connecting the beleaguered and unrecognized Republic of Artsakh (Nagorno-Karabagh) to the Republic of Armenia, the only entity that was keeping the republic alive. Besides the massive unfolding humanitarian disaster, Armenians of Artsakh today are facing an existential threat. Whether the situation is going to evolve into a potential ethnic cleansing or genocide by attrition is unknown, but the volatile situation shows a constant possibility of the resumption of hostilities. While the UN Secretary General, France, Canada, Greece, and the Netherlands have condemned the blockade, no actual steps have been taken to alleviate the suffering of the 120,000 Armenians who have literally been taken hostage by Ilham Aliyev’s regime.<sup>1</sup> This is not the first time that Armenians of the region have faced a major existential threat. History is rife with such examples, as Armenians have suffered episodic phases of violence leading to massacres, crimes against humanity, and genocide.

Since the second half of the nineteenth century, the words “Armenians” and “massacres” have become synonymous in the lexicon of international relations. As recognized today, any reference to the Armenian past resonates with a long history of massacres and genocide. Most people around the globe associate Armenians with the second genocide of the early twentieth century, following that of the Herero and the Nama between 1904 and 1907 in South-West Africa. Yet the Armenian Genocide (1915–1923) was the first genocide of the twentieth century of its kind when one considers the fact that, for the first time in modern history, a state initiated a campaign of exterminating its own citizens.<sup>2</sup> The Armenian Genocide was orchestrated by the inner-clique of the Committee Union and Progress (CUP), the authoritarian ruling Young Turk party that came to power by force after the coup of 1913, and led to the annihilation of the Armenians of the Ottoman Empire. More than one million

1. On the UN Secretary General’s Statement see, “Statement attributable to the Spokesperson for the Secretary-General on the Lachin Corridor [Armenia/Azerbaijan]”, December 14, 2022, <https://www.un.org/sg/en/content/sg/statement/2022-12-14/statement-attributable-the-spokesperson-for-the-secretary-general-%E2%80%93-the-lachin-corridor-armeniaazerbaijan%C2%A0> (accessed 17 Apr 2023).

2. See Raymond H. Kévorkian, *The Armenian Genocide: A Complete History* (London: I. B. Tauris, 2011).

Armenians were uprooted from their ancestral homeland and killed in their provinces, along the deportation routes, or in the Syrian desert of Deir al-Zor. The result was catastrophic in terms of its human toll and the destruction of churches, homes, schools, and libraries. In sum, it was the obliteration of a civilization that had existed in the region for three millennia. The ways and methods by which the genocide was carried out depended on the local exigencies of each province. While many local state and non-state actors, military, and paramilitary groups fervently participated in the act, there were also some cases in which governors and individuals refused to carry out the orders of deportation and/or killings.<sup>3</sup> The violence inflicted on Armenians during WWI was not the only one in the course of modern history. Prior to the war, there were at least two major waves of violence inflicted on the Armenians: the Hamidian Massacres (1894–1896) and the Adana Massacres of 1909.<sup>4</sup>

The aim of this article is not to write the history of the three phases of violence in detail but to discuss key denominators that have led to disastrous consequences for the Armenians of the Ottoman Empire. This is a fact that one should consider when discussing the current blockade of the Republic of Artsakh. The ambivalence of the international community to the suffering of Armenians is not a phenomenon pertaining solely to the past. Today, the Armenians of Artsakh are found in a similar situation to those of the Armenians of the Ottoman Empire. With the closing of the Lachin Corridor by so-called echo activists, and with the corridor being the only lifeline connecting the Armenians of Artsakh to the Republic of Armenia, these Armenians are facing an existential threat. I have argued elsewhere that I do not adhere to the continuum approach to the violence inflicted upon the Armenians of the Empire.<sup>5</sup> By this I mean that neither the Hamidian Massacres (1894–96) nor the Adana Massacres of 1909 were dress rehearsals for the Armenian Genocide. Rather, I contended that each phase of violence was separate. Despite the teleological differences of these phases, however, there seem

3. See George N. Shirinian, "Turks Who Saved Armenians: Righteous Muslims during the Armenian Genocide," *Genocide Studies International* 9,2 (2015): 208–27.

4. Bedross Der Matossian, "The Ottoman Massacres of Armenians, 1894–1896 and 1909," in *Cambridge World History of Genocide*, Vol. II, eds. Ned Backhawk, Ben Kiernan, Benjamin Madley, and Rebe Taylor (Cambridge: Cambridge UP, 2023), 609–33. Der Matossian, *The Horrors of Adana: Revolution and Violence in the Twentieth Century* (Stanford: Stanford UP, 2022).

5. Der Matossian, *The Horrors of Adana*, 9–10.



Source: Wikipedia

to be three key common denominators connecting all of them together: impunity, lack of humanitarian intervention, and international apathy. After dwelling on the history of the absence of humanitarian intervention, impunity, and international apathy, this article will concentrate on the disastrous repercussions of the closing of the Lachin Corridor and the ensuing humanitarian crisis in the fragile Republic of Artsakh. This article will argue that the three important factors that led to disastrous repercussions for the Armenians in the past are present today, thereby raising the red flag for potential ethnic cleansing. Before proceeding to discuss the historical background, I deem it necessary to define the three key denominators that connect all the phases of violence inflicted upon the Armenians.

## Impunity, Lack of Humanitarian Intervention, and International Apathy

Generally speaking, impunity refers to an offender who causes harm to another person and escapes justice.<sup>6</sup> When we apply this situation to intergroup conflict, the perpetrator in this case commits crimes against humanity, war crimes, and genocide(s) against another group and escapes punishment. In such cases, the perpetrator capitalizes on their international status and power advantage and is therefore able to achieve impunity and escape justice through a series of tactics that include but are not limited to denial, intimidation, cunning diplomatic maneuvers, and the manipulation of bystanders and/or taking advantage of the inaction of other entities. Thus, the bystander's inaction plays an important role in the process of achieving impunity. Impunity does not only absolve the perpetrator group from any responsibility and accountability for their crimes, but emboldens them to commit future acts of violence against the targeted group. In this atmosphere of a lack of accountability, the cycle of violence continues without any rupture.

The idea of humanitarian intervention to end massacres emerged in the early nineteenth century to protect the lives of a restricted people within a group. This was prior to the creation of the legal definition of intervention.<sup>7</sup> Historians Davide Rodogno, Michelle Tusan, Keith Watenpaugh, and Charlie Lederman have shed light on humanitarianism and humanitarian intervention, or the lack thereof, in the nineteenth and early twentieth-century Ottoman Empire.<sup>8</sup> Rodogno defines humanitarian intervention as:

a coercive diplomatic and/or armed (re)action against massacre undertaken by a state or a group of states inside the

6. Vahakn N. Dadrian, "Impunity," in *Encyclopedia of Genocide and Crimes Against Humanity*, vol. 2, ed. Dinah Shelton (Detroit: Macmillan Reference USA, 2005), 489–91.

7. For the origins of humanitarian intervention see, Garry Johnathan Bass, *Freedom's Battle: The Origins of Humanitarian Intervention* (New York: Alfred A. Knopf, 2008).

8. Davide Rodogno, *Against Massacre: Humanitarian Interventions in the Ottoman Empire, 1815–914* (Princeton, NJ: Princeton UP, 2012); Michelle Elizabeth Tusan, *The British Empire and the Armenian Genocide: Humanitarianism and the Politics of Empire from Gladstone to Churchill* (London: I. B. Tauris, 2016); Keith David Watenpaugh, *Bread from Stones: The Middle East and the Making of Modern Humanitarianism* (Oakland, CA: U of California P, 2016); Charlie Lederman, *Sharing the Burden: The Armenian Question, Humanitarian Intervention, and Anglo-American Visions of Global Order* (Oxford: Oxford UP, 2019).

territory of a target state. Its main motivation is to end massacre, atrocity, and extermination or to prevent the repetition of such events. It is an ex post facto event whose objective is to protect civilian populations mistreated and unprotected by the target-state government, agents, or authorities.<sup>9</sup>

However, humanitarian intervention by European powers to save the lives of their “Christian brothers” was selective. While in some cases, such as Greece, Lebanon, and Crete, Europeans intervened to stop massacres, in the case of Armenians no such efforts have been undertaken. In his extensive research on the topic, Rodogno argues that if such an intervention “threatened to destabilize the international system...the European powers would not intervene to end massacre.” Thus, in the nineteenth century “before undertaking an intervention, European powers had to reach a collective agreement guaranteeing that none of them would unilaterally benefit from the intervention.”<sup>10</sup>

The complex geopolitical position of the Armenians within the turbulent international system in which humanitarianism was a matter of political calculations hampered any potential intervention by the great powers. Armenians were, and are, found between a rock and a hard place, between Russia and the West. Thus, adopting the Armenian cause was supposedly a “risky” maneuver for Western powers. Consequentially, they limited themselves to using and abusing the Armenian Question for their own internal and external political interests and as part of their overarching imperialist ambitions.

During the three phases of violence, the international community demonstrated its apathy for what was happening to the Armenians. This is not to undermine some of the humanitarian efforts that have been undertaken by Western non-state actors. However, their intervention was ex post facto. The international community was aware of the Hamidian Massacres, the Adana Massacres, and the Armenian Genocide, yet no serious effort was taken by their governments to stop them from occurring. Even when the news of the atrocities was being reported on a daily basis on major global news outlets, Western governments did not take any substantial steps. While there was a massive outpouring of empathy towards Armenians by the international press during these three

9. Rodogno, *Against Massacre*, 2.

10. Rodogno, 255.



phases of existential threat, the attitude of Western governments was that of apathy. Similarly, in the current existential crisis faced by the Armenians of Artsakh, apathy is the only stance taken by international governments, the press, and the public sphere. The attitude of Western powers towards the despotic regime of Azerbaijan is mostly favorable due to Azerbaijan's geostrategic position in the region and its much-needed energy resources at a time when Russia is under an oil embargo and the war on Ukraine is ongoing.

### **Three Phases of Violence**

The origins of the hostility towards Armenians in the second half of the nineteenth century cannot be attributed to a single cause. A combination of different factors led to the brutal violence which was unleashed on the Armenians of Anatolia. The waves of massacres that Armenian communities suffered in the late nineteenth and early twentieth centuries are the result of a host of factors that include but are not limited to agrarian changes in the region, an influx of Muslim refugees escaping persecution from the Caucasus and Crimea, demographic engineering by the state, double taxation, depredation by Kurdish tribes, the rise of nationalism, revolutionary activities by some Armenians, and economic envy towards the success of Armenians. Even with the internationalization of the Armenian Question after the Congress of Berlin in 1878, the condition of Armenians in the eastern provinces kept deteriorating.

When diplomatic efforts by the Armenian clerical and lay elite failed to alleviate the suffering of the Armenians of the eastern provinces, some resorted to revolutionary activities in the provinces as the only way to protect their Armenian brothers and bring international attention to their plight. While some aimed at mobilizing non-Armenians and Muslims with the goal of toppling the despotic regime of Sultan Abdulhamid II, others hoped that through means of mass demonstration they could bring European attention to the suffering of the Armenians and trigger a humanitarian intervention. Armenians were aware that humanitarian interventions in the case of Greece, Lebanon, and Crete were successful in halting the further shedding of blood, and they were hoping that such a scenario would unfold in the eastern provinces. However, things did not turn out as they had expected. The Hamidian regime's response



to mass demonstrations in the capital, as well as revolutionary activities in the provinces, resulted in major waves of massacres targeting the innocent Armenians of the provinces. Known as the Hamidian Massacres (1894–96), this phase of violence resulted in the murders of somewhere between 200,000–300,000 Armenians.<sup>11</sup> While the massacres were unfolding, no humanitarian intervention took place. European powers confined themselves to condemning the massacres and pressuring the Sultan for reforms. Furthermore, they proposed a new program of reforms, which came to be known as the May Memorandum.<sup>12</sup> It called for the disarmament of the Hamidiye regiments and their attachment to the regular army units.<sup>13</sup> While negotiations continued, the Sublime Porte tried to sabotage the program, though, eventually, it accepted a less comprehensive version of the May Reform. However, even with its acceptance, the program remained mere ink on paper. On the contrary, the situation in the eastern provinces deteriorated further as violent events broke out. A wave of massacres began from Trabzon and moved all the way through Erzincan, Bitlis, Baiburt, Erzerum, Diyarbakir, Sasun, Malatya, Arabkir, Merzivon, Harput, Kayseri, Marash, and Aintab, leading to the death of thousands of Armenians. It is important to note that these massacres targeted the regions where the reform program was supposedly going to be implemented. The international community was aware of these massacres, as they were extensively reported in the American and the British press.<sup>14</sup> Despite their extensive knowledge, no serious measures were taken by the European powers. Rivalries between the European powers also hampered any serious commitment to finding a solution to the Armenian Question. This was also the phase in which the foundations of impunity were installed, as none of the major perpetrators

11. Der Matossian, "The Ottoman Massacres of Armenians," 609–24.

12. Ministère des Affaires étrangères, *Affaires arméniennes: projets de réformes dans l'empire ottoman 1839–97, Documents Diplomatiques* (Paris: Imprimerie Nationale, 1897), 43–56; and see also Great Britain, Foreign Office, *Blue Book: Turkey. 1896, No. 1 (Correspondence Respecting the Introduction of Reforms in the Armenian Provinces of Asiatic Turkey)* (London: Harrison and Sons, 1896), 74–80.

13. Ministère des Affaires étrangères, *Affaires arméniennes*; 54. On the Hamidiye Regiments see Janet Klein, *The Margins of Empire: Kurdish Militias in the Ottoman Tribal Zone* (Stanford, Calif.: Stanford UP, 2011).

14. Arman J. Kirakossian, *The Armenian Massacres 1894–6: U.S. Media Testimony* (Detroit: Wayne State UP, 2004); Kirakossian, *The Armenian Massacres 1894–1896: British Media Testimony* (Detroit: Wayne State UP, 2004).

of the Hamidian Massacres were brought to justice. No military tribunal or anything close to that transpired. Furthermore, no humanitarian intervention by any European power took place to stop the massacres. What did occur were diplomatic maneuvers to force the Sultan to agree on a reform package.

With the Young Turk Revolution of 1908, Armenians, as well as other persecuted groups, had high hopes for the new regime and its architects, the Committee of Union and Progress (CUP).<sup>15</sup> The Revolution, with its slogan of Freedom, Equality, and Fraternity, ushered in a new beginning in the history of the Empire. However, the high hopes soon faded, as a result of the incongruities of the new political reality and the contradictions of political paths for the different ethno-religious groups. Tensions in the capital between the opposing political forces culminated in a counter-revolution that took place on 13 April 1909. In conjunction with this event, two waves of massacres (April 14–17 and May 25–27) shook the province of Adana in the southeastern section of the Empire, taking the lives of more than 20,000 Armenians. The massacres were not confined only to the city of Adana but spread to the other districts of the province, pouring into the region of Aleppo.

Similar to the Hamidian Massacres, the Adana Massacres of 1909 also demonstrate the limitations of humanitarianism and humanitarian intervention on behalf of the Armenians of the Empire in the late Ottoman period. After the first phase of massacres (April 14–16), Western warships docked near the port of Mersin as a show of deterrence. However, no troops disembarked to Adana to stop the massacres out of fear that such a move might lead to catastrophic results. Thus, Ottoman fear that these warships would deploy their forces to Adana—culminating in the so-called Armenian uprising and the recreation of the Kingdom of Cilicia—did not materialize. The non-intervention by Western powers led to catastrophic results, paving the way for a second wave of massacres that shook the city of Adana (April 25–27). Humanitarian intervention in this case was much desired to prevent the occurrence of a second wave of massacres, but despite the lack of humanitarian intervention by Western powers one sees an extensive network of local, regional, and international humanitarian efforts to alleviate the suffering of the Armenians

15. See Bedross Der Matossian, *Shattered Dreams of Revolution: From Liberty to Violence in the End of the Ottoman Empire* (Stanford: Stanford UP, 2022).

of Adana.<sup>16</sup> While military tribunals were established in Adana to try the culprits of the massacres, the real perpetrators escaped justice. In this case, impunity went hand in hand with nominal justice. Despite the fact that the real perpetrators evaded justice, more than 30 Muslims (some of whom were innocent) and six Armenians (some of whom were innocent) received capital punishment.<sup>17</sup>

The third and the largest phase of violence was the Armenian Genocide that took place under the guise of World War I. The genocide, perpetrated by the inner clique of the CUP during the war, led to the extermination of the Armenians of the eastern provinces.<sup>18</sup> Unlike the massacres of Adana in 1909 discussed above, which were locally organized and implemented by various interest groups, the genocide was centrally planned by the state and its acolytes using multiple mechanisms. The bureaucratic apparatus and the cooperation of local elites, along with that of paramilitary organizations, proved to be crucial in coordinating and executing the genocide throughout the eastern provinces. During the genocide, the CUP was motivated by a grandiose, detrimental ideology of solving once and for all the Armenian Question. The Young Turks were imperial nationalists; their aim was to preserve the territorial integrity of the Ottoman Empire by any measures. According to one historian, the Young Turks were “prepared to take the most desperate and drastic measures to homogenize their state while promoting some peoples over others and annihilating still others.”<sup>19</sup>

The reluctance of Armenians to take part in the war on the side of the Ottomans, the movement of a few hundred Armenians to the Russian side, and the formation of several Armenian battalions, “confirmed in the imagination of already suspicious Young Turks that Armenians as a whole were potential internal enemies of the state.”<sup>20</sup> Similar to the other phases of violence, no humanitarian intervention transpired here either, though the international community was well aware of the horrendous

16. Der Matossian, *The Horrors of Adana*, 153–82.

17. Der Matossian, 183–206.

18. See Kévorkian, *The Armenian Genocide*; Uğur Ümit Üngör, *The Making of Modern Turkey: Nation and State in Eastern Anatolia, 1913–50* (Oxford: Oxford UP, 2012); Ronald Grigor Suny, *“They Can Live in the Desert but Nowhere Else”: A History of the Armenian Genocide* (Princeton, NJ: Princeton UP, 2015); Ümit Kurt, *The Armenians of Aintab: The Economics of Genocide in an Ottoman Province* (Cambridge, MA: Harvard UP, 2021).

19. Suny, “*They Can Live in the Desert but Nowhere Else*”, 358.

20. Suny, 222.

massacres taking place against the Armenians, and cognizant that this was not anything comparable to the Hamidian or the Adana massacres. On 24 May 1915, the Allied powers of Britain, France, and Russia jointly issued a statement condemning the Ottoman government for its actions by saying “crimes against humanity and civilization for which all the members of the Turkish Government will be held responsible together with its agents implicated in the massacres.”<sup>21</sup>

The United States and the Allied powers were closely following the situation on the ground, and their diplomats, as well as their missionaries, were eyewitnesses to the unfolding of the genocide. They reported extensively to their respective governments about the atrocities committed against the Armenians with the hope that they would take decisive action to stop the mass murder. For example, despite the difficulties of wartime communication and despite government censorship of even diplomatic dispatches, American consuls, vice-consuls, and missionaries, as well as individual Armenians, sent detailed accounts of the atrocities to Henry Morgenthau, the American ambassador to the Ottoman Empire (1913–1916). Many of these reports were circulated to governmental and non-governmental entities in the United States, including President Wilson, Secretaries of State William Bryan and Robert Lansing, and Secretary of the American Board of Commissioners of Foreign Missions Rev. James L. Barton. Philanthropic organizations printed these reports in an appeal to the masses for support in fighting the genocide.<sup>22</sup> On 16 July 1915, Morgenthau cabled Secretary of State David Lansing, referring to the atrocities perpetrated against the Armenians as “a campaign of race extermination.”<sup>23</sup> The official reply came two months later: “However much we may deplore the suffering of the Armenians we cannot take any active step to come to their assistance at the present time.”<sup>24</sup>

Even German consuls serving in the eastern provinces, defying their government’s position, protested the genocide that was unfolding in

21. Cited in Egon Schwelb, “Crimes Against Humanity,” *British Year Book of International Law* 23 (1946): 178–226, at 181.

22. For a detailed account of American humanitarian efforts during the Armenian Genocide, see James L. Barton, *Story of the Near East Relief (1915–30): An Interpretation* (New York: Macmillan, 1930).

23. Source: NA/RG59/867.4016/76, Henry Morgenthau to Secretary of State, July 16, 1915, in Sarafian, *United States Official Records on the Armenian Genocide 1915–7*, 55.

24. Henry Morgenthau III, *Mostly Morgenthaus: A Family History*, (Massachusetts: Ticknor and Fields, 1991), 170.

their respective provinces by sending extensive confidential reports to the German embassy.<sup>25</sup> However, the German embassy in Istanbul demonstrated reservations about what was transpiring in the eastern provinces and remained silent. Thus, despite all the evidence coming out of the Ottoman Empire by the consuls of the Allies, the Americans, the missionaries, as well as the German consuls, no humanitarian intervention took place. The Allied powers arrived in the region *ex post facto*. The Armenians of Anatolia were already uprooted. While hundreds of thousands were killed, around 100,000 became refugees under the mercy of Western humanitarian organizations such as the Near East Relief (NER). A recent study demonstrates that Armenians were not passive agents in this process, as they too played a dominant role in alleviating the suffering of their co-religionists.<sup>26</sup> These vestiges, decapitated from their ancestral homelands, formed the basis of the modern Armenian diaspora under the harshest of conditions.

When the Allied powers occupied Constantinople, Armenians had high hopes that the architects of the genocide would not escape justice as their predecessors did. Hence, after the armistice of Mudros of 1918, the defeated Ottoman government of Istanbul, under pressure from the Allies, especially the British, established courts-martial to try members of the CUP, government officials, and military leaders, as well as other functionaries, for committing crimes against the Armenians and undermining the constitution by leading the Ottoman Empire into the War. The courts-martial, which began in 1919 and ended in 1922, demonstrated undeniably the role that the CUP played in the organization and implementation of the Armenian Genocide.<sup>27</sup> The importance of these military tribunals does not only lie in their verdicts and key indictment, but rather in the process that culminated in these decisions. This process involved the gathering and classification of mass documentary evidence about the centrally organized plan to annihilate the Armenians of the Ottoman Empire. During these tribunals, new documents surfaced which were authenticated in the pre-trial investigation by officials

25. Wolfgang Gust, ed., *The Armenian Genocide: Evidence from the German Foreign Office Archives, 1915–6* (New York: Berghahn Books, 2014).

26. Khatchig Mouradian, *The Resistance Network: The Armenian Genocide and Humanitarianism in Ottoman Syria, 1915–8* (East Lansing: Michigan State UP, 2021).

27. For a comprehensive study of the trials see, Vahakn N. Dadrian and Taner Akçam, *Judgment at Istanbul: The Armenian Genocide Trials* (New York: Berghahn Books, 2011).

from the Ministry of Justice and the Interior. The authentication of these documents was carried out by affixing to the bottom of the documents the phrase “it conforms with the original” (*aslina muafikdir*). Additional tribunals took place in Yozgat, Bayburt, Erzincan, and the provinces of Harput and Trabzon. Since there were no international laws in place under which they could be tried, the men who orchestrated the massacres escaped prosecution and fled to Germany, Italy, and Central Asia, and the courts-martial were forced to cease during the resurgence of the Turkish National Movement under Mustafa Kemal. Those who remained serving their sentences were ultimately pardoned under the newly established Kemalist government on 31 March 1923. Even though the main architects escaped justice by fleeing to different countries such as Germany, some of them ended up being assassinated. The Nemesis group, a clandestine cell of the Armenian Revolutionary Federation (ARF), carried out seven killings, including the assassination of Talaat Pasha, the main architect of the Armenian Genocide, by Soghomon Tehlirian in Berlin in March 1921.

### **The Nagorno-Karabagh Conflict**

The roots of today’s violence in the region of the Southern Caucasus go back to the last years before the collapse of the Soviet Union in 1991. In 1988, a national movement for self-determination began in Artsakh, expressing the clear will of its Armenian majority to separate from the Azerbaijan Soviet Socialist Republic (SSR) and unite with the Armenian SSR.

Their demands were met by a state-orchestrated series of pogroms that took place in Sumgait, Kirovabad, and Baku. Consequentially, more than 400,000 Armenians who lived in Azerbaijan fled to Armenia and elsewhere, and more than 175,000 Azeris living in Armenia fled to Azerbaijan. In addition, Communist led-Azerbaijan, backed by the Soviet army, forced more than 150,000 Armenians to leave Artsakh. In February 1988, the regional government of Artsakh held a referendum with a sweeping majority voting to secede from Azerbaijan and join Armenia. However, Azerbaijan’s reluctance to grant the Armenians of Artsakh the right of self-determination resulted in a bloody conflict that became known as the First Karabagh War (1988–94) and led to the death



of more than 30,000 people on both sides. On 12 May 1994, with Russian intervention, both parties signed a cease-fire agreement thereby putting an end to this war. The period between 1994 and the breakout of the Second Karabagh War on 27 September 2020, witnessed efforts by the Organization for Security and Co-operation in Europe (OSCE) Minsk Group to resolve the conflict in a peaceful manner. Multiple phases of negotiations took place between both sides, but failed to produce any permanent resolution to the conflict. While Armenia was adamant that the leadership of Artsakh should have a say in its final status, the Azerbaijani state demanded the immediate removal of Armenians from the seven districts and the return of Karabagh to Azerbaijani control. They also stressed the fact that the independent status of Karabagh was nonnegotiable.

On 27 September 2020, in the midst of the COVID-19 global pandemic, Azerbaijan, aided by Turkey and jihadist militants from northern Syria, attacked the Republic of Artsakh. The war lasted for 44 days, leading to the death of thousands of soldiers on both sides and a number of civilians.<sup>28</sup> More than a hundred Armenians soldiers and 21 civilians are missing, and more than 30 POWs remain in captivity.<sup>29</sup> More than 80% of the Armenians of Artsakh fled to the neighboring Republic of Armenia. Yet, Azerbaijan's invasion was met with deafening silence from the international community. On 9 November 2020, the leaders of Armenia, Azerbaijan, and Russia signed a trilateral ceasefire agreement ending all hostilities in the zone of the Nagorno-Karabakh conflict from 10 November 2020, onward. Additionally, Russia deployed 2,000 peacekeeper troops for a minimum of five years along the line of contact and the Lachin Corridor linking Armenia and the Nagorno-Karabakh region. The peacekeeping forces stationed near the capital, Stepanakert, established observation posts along the contact line in Artsakh and along the Lachin Corridor.

It must be noted that several previously Armenian-controlled regions were handed over to Azerbaijan. It is no secret that the Armenian

28. "Armenian PM says Almost 3,800 Soldiers Killed in War with Azerbaijan," *Radio Free Europe/Radio Liberty*, 24 August 2021, <https://www.rferl.org/a/armenian-deaths-karabakh-war/31425644.html> (accessed 17 Apr 2023).

29. "187 Armenian Soldiers, 21 Civilians Missing since 2020 War; Mirzoyan Says 38 Remain POWs," *Asbarez*, 21 March 2022, <https://asbarez.com/187-armenian-soldiers-21-civilians-missing-since-2020-war-mirzoyan-says-38-remain-pows> (accessed 17 Apr 2023).



side lost the war due to the military superiority of the Azerbaijani army, which was backed by Turkey and equipped with the latest military technology, notably the Bayraktar and Harop UAVs (drones) supplied by Turkey and Israel respectively. In addition to the large human loss and casualties, the war also delivered a major blow to the cultural heritage of Artsakh and to its infrastructure.<sup>30</sup> According to a detailed January 2021 report by the Artsakh Human Rights Defender's office, 161 churches and monasteries have come under Azerbaijani control.<sup>31</sup> There is no doubt that a cultural genocide is taking place in Artsakh where the vandalism or destruction of Armenian monuments has become the norm.

While in the previous historical phases of violence two of the three key denominators were present, in the case of the Artsakh War of 2020 and its aftermath all three denominators are present: a lack of humanitarian intervention, impunity, and the apathy of the international community. While it is out of the question that any humanitarian intervention will take place in the region of Artsakh due to its complicated geostrategic location, international legal constraints, and the Russian factor, the two other denominators appear boldly. From the beginning, the international media has been biased and demonstrated apathy toward the plight of the Armenians of Artsakh, unlike the case of Kosovo for example whose self-determination and unilateral declaration of independence from Serbia on 17 February 2008 was supported by a significant segment of the international community.<sup>32</sup> The press was tainted with bothsidedism and did not even condemn the Azerbaijani aggression. The reluctance of the international community to force Azerbaijan to halt its hostilities against the Armenians of Artsakh and that of the Republic of Armenia has resulted in a climate of impunity for the Azerbaijani aggressors. As mentioned in this article, impunity emboldens perpetrators to commit additional acts of violence and aggression by absolving them of responsibility and accountability. The blockade of the Lachin Corridor is the result of the presence of these three denominators.

30. "Azerbaijan: Attack on Church Possible War Crime: Investigate and Hold Those Responsible to Account," *Human Rights Watch*, 16 December 2020, <https://www.hrw.org/news/2020/12/16/azerbaijan-attack-church-possible-war-crime> (accessed 17 Apr 2023).

31. "Azerbaijan: Attack on Church Possible War Crime: Investigate and Hold Those Responsible to Account," *Human Rights Watch*, 16 December 2020, <https://www.hrw.org/news/2020/12/16/azerbaijan-attack-church-possible-war-crime> (accessed 17 Apr 2023).

32. On 17 February 2008, Kosovo unilaterally declared its independence from Serbia.

## **The Blockade of the Lachin Corridor: Between Ethnic Cleansing and Genocide by Attrition**

On 12 December 2022, so called eco-activists launched a blockade of the Lachin Corridor. The blockade resulted in grave consequences for the beleaguered Armenian population of Artsakh. The transfer of medicine, food, and fuel has been blocked, thus trapping the population of the Artsakh in misery.<sup>33</sup> Currently, the humanitarian crisis in Artsakh is critical, as scarcity of electricity and fuel is widespread.<sup>34</sup> Only vehicles belonging to the International Committee of the Red Cross (ICRC) and Russian peacekeepers have been allowed to pass through the corridor. According to Marie Struthers, Amnesty International's Director for Eastern Europe and Central Asia:

The Azerbaijani authorities have internationally recognized sovereignty over these territories and exercise control over the territory from which the blockade is being carried out. It is Azerbaijan's obligation to undertake to ensure that the population in Nagorno-Karabakh is not denied access to food and other essential goods and medications. For its part, the Russian peacekeeping mission is mandated to ensure the safety of the Lachin corridor. However, both parties are manifestly failing to fulfil their obligations.<sup>35</sup>

Numerous states and international organizations have condemned the blockade, arguing that it is a violation of the trilateral ceasefire agreement of 9 November 2020, which stipulated that Azerbaijan would guarantee the security of movement along the Lachin corridor in both directions. For example, on 19 January 2023, the European Parliament adopted a resolution that condemned the blockade and described it as a humanitarian crisis, calling upon Azerbaijan "to protect the rights of Armenians living in Nagorno-Karabakh and refrain from its inflammatory rhetoric that calls for discrimination against Armenians and urges

33. Sébastien Gray (January 9, 2023). "Artsakh Blockade Nearing 1 Month, Shortages Widespread," *Atlas News*. Retrieved January 10, 2023.

34. Ani Avetisyan, "Nagorno-Karabakh reports gas cut for second time since start of blockade," *OC Media*. Retrieved date?

35. "Azerbaijan: Blockade of Lachin corridor putting thousands of lives in peril must be immediately lifted," Amnesty International, 9 February 2023. (Accessed 9 February 2023).

Armenians to leave Nagorno-Karabakh.” Furthermore, the resolution condemned the inaction of Russian peacekeepers and considered that their “replacement with OSCE international peacekeepers, under a UN mandate, should be negotiated urgently.” Furthermore, the resolution called for “international organizations to be granted unimpeded access to Nagorno-Karabakh to assess the situation and provide the necessary humanitarian assistance.”<sup>36</sup> However, these condemnations and proposals fell on deaf ears.

On 21 March 2023, which marked the 100th day of the blockade of Artsakh, the office of the Ombudsman of Artsakh published an extensive report presenting the severe human rights violations due to the blockade.<sup>37</sup> These human rights violations include:

- The movement of people passing through the Stepanakert-Goris highway (along the Lachin [C]orridor) has decreased by about 178 times (1,376 entries and departures instead of 245,000);
- Almost 43 times less car traffic was recorded on the road compared to what should have been in case of no blockade (2,154 car entries and departures, performed only by the Red Cross and Russian peacekeepers, instead of 92,000);
- Approximately 11 times less vital cargo was imported compared to what should have been in case of no blockade (3,707 tons instead of 40,000 tons);
- A total of about 3,900 people, including 570 children, were unable to return to their homes due to the blockade;
- Due to the suspension of the pre-planned operations, about 900 citizens lost the opportunity to solve their health problems via operations;
- Azerbaijan has completely or partially interrupted the gas supply from Armenia to Artsakh for a total of 34 days;

36. European Parliament, “Joint Motion for a Resolution on the Humanitarian Consequences of the Blockade in Nagorno-Karabakh- RC-B9-0075/2023,” 18 January 2023, [https://www.europarl.europa.eu/doceo/document/RC-9-2023-0075\\_EN.html](https://www.europarl.europa.eu/doceo/document/RC-9-2023-0075_EN.html) (accessed 17 Apr 2023).

37. “A New Report of the Human Rights Defender on Violations of Individual and Collective Human Rights as a Result of the 100-day Blockade of Artsakh by Azerbaijan,” 21 March 2023, <https://artsakhombuds.am/en/document/1004> (accessed 17 Apr 2023).

- The electricity supply from Armenia to Artsakh has been completely cut for 71 days now, which led to the introduction of 6-hour rolling blackouts followed by numerous accidents;
- According to preliminary estimates, about 9,800 people have actually lost their jobs and sources of income (including cases of job retention), which is more than 50% of the total number of private sector employees;
- The disruption of the gas and electricity supplies has led to unplanned deforestation—about 6,200 more trees were cut, which, in its turn, will create additional and long-term problems in terms of ensuring a healthy environment;
- The country's economy suffered loss in the amount of about USD 190 million, which led to the failure to meet the projected annual GDP figure of about 21% (USD 903 million);
- The construction of 32.6 km road, tens of kilometers of water pipeline, irrigation systems for thousands of hectares of land, 3,717 apartments, more than 40 social and industrial infrastructural facilities has been stopped;
- A number of violations of rights are more pronounced in [the] case of vulnerable groups, in particular 30,000 children, 9,000 people with disabilities, 20,000 older people, 60,000 women (women and girls) and 15,000 displaced persons.<sup>38</sup>

The detailed repercussions outlined by the Ombudsman of Artsakh demonstrate a grim picture of the situation on the ground and reveals the gravity of the humanitarian crisis.

### **The International Criminal Justice Ruling: A Glimpse of Hope or Ink on Paper?**

Realizing that Azerbaijan's regime was reluctant to lift the blockade, coupled with the futile efforts of the international community, Armenia filed a lawsuit with the International Court of Justice (ICJ) on 29 December 2022 against Azerbaijan, asking the court to force Azerbaijan

38. "A New Report of the Human Rights Defender."

to remove the blockade of the Lachin Corridor and ensure the uninterrupted and free movement of people, vehicles, and cargo through the area. On 22 February 2023, the court reached a legally binding ruling after a 13–2 vote, thereby satisfying the request from Armenia and ordering Azerbaijan to “take all measures at its disposal to ensure unimpeded movement of persons, vehicles and cargo along the Lachin corridor in both directions.”<sup>39</sup> Until the writing of this article, Azerbaijan is still in defiance of the ICJ ruling as the Lachin Corridor remains closed and the humanitarian crisis in Artsakh keeps deteriorating. On the 100th day of the blockade of the Lachin Corridor, Artur Tovmasyan, the speaker of Artsakh Parliament, said: “Democratic values are on one side of the scale, oil and gas are on the other. If, in fact, democratic values were more important to the big players, the road would have been unblocked long ago.”<sup>40</sup>

Indeed, Tovmasyan’s statement is a testimony as to why the international community is reluctant to take any concrete steps towards pressuring Azerbaijan to remove the blockade of the Lachin Corridor. Given the current international system, the energy crisis due to the Russian war on Ukraine, and the geostrategic position of Azerbaijan, ambivalence seems to be the best strategy for Western powers. Oil and gas are more important than any human rights violations. This brings us to the historical cycle of violence in which Armenians were, and are, found. The lack of humanitarian intervention, in conjunction with impunity and international apathy, resonates again as 120,000 Armenians are taken hostage. The Western powers supporting the claims of the despotic regime of Azerbaijan for the sake of oil is reminiscent of Western powers scapegoating Armenians for their imperial ambitions in the course of history.

Even though the ICJ ruling is legally binding, any judgments by the ICJ cannot be enforced on a country without the approval of the state. However, if Azerbaijan does not comply with the ICJ ruling, it might encourage other countries to apply sanctions. Nonetheless, given the fact that

39. “UN Court Orders Azerbaijan To Unblock Lachin Corridor Amid Armenian Accusations Of ‘Ethnic Cleansing,” *Radio Liberty*, 22 February 2023, <https://www.rferl.org/a/azerbaijan-un-court-unblock-lachin-corridor-karabakh-armenia/32283560.html> (accessed 15 Apr 2023).

40. “The 100th day of the Lachin corridor blockade,” *JAM News*, 21 March 2023, <https://jam-news.net/100thday-of-the-lachin-corridor-blockade/> (accessed 15 Apr 2023).

Ukraine preoccupies the attention and resources of Western powers, the ICJ ruling will remain on the back burner. Azerbaijan's impunity and defiance does not render hope for any immediate resolution to the crisis.

## Conclusion

In a televised speech on 18 April 2023, President Ilham Aliyev of Azerbaijan said: "Armenians living in Karabakh should either accept Azerbaijani citizenship or find another place to live. There is complete freedom in that, all democratic fundamentals have been offered. This issue should be resolved on the basis of human rights."<sup>41</sup> In this convoluted statement, Aliyev, on the one hand, implies that ethnic cleansing would be the only way to solve the Karabagh Question, knowing that Armenians of Artsakh will never agree to live under a despotic regime that promotes Armenophobia and anti-Armenianism. On the other hand, he implies that Armenian rights would be guaranteed as citizens of Azerbaijan. This oxymoronic statement portrays the pathological underpinnings of Aliyev's ideology. While the first part of his statement gives the Armenians of Artsakh an ultimatum, the second part promises that they will live in peace and enjoy all rights as citizens of the state. Today, Freedom House ranks Azerbaijan as "Not Free" in its annual *Freedom in the World* report, with a score of 9 out of 100 (Armenia's score is 55).<sup>42</sup> Human rights violations in the country are rife with persecution of political opponents and journalists, arbitrary arrests, torture, indefinite detentions, forced disappearances, and gender-based violence.<sup>43</sup> There is serious doubt that the Armenians of Artsakh will live in peace and prosperity under Aliyev's rule. As time passes, the anti-Armenian rhetoric propagated by Aliyev's regime is going to increase, and words might be followed by deeds. In the absence of humanitarian intervention, and with

41. "Armenians living in Karabakh should either accept Azerbaijani citizenship or find another place to live—President Ilham Aliyev," *Azerbaijan 24*, 18 April 2023, <https://www.azerbaycan24.com/en/armenians-living-in-karabakh-should-either-accept-azerbaijani-citizenship-or-find-another-place-to-live-president-ilham-aliyev/> (accessed 15 Apr 2023).

42. "Freedom in the World: Azerbaijan" *Freedom House*, <https://freedomhouse.org/country/azerbaijan/freedom-world/2022> (accessed 15 Apr 2023).

43. "World Report: Azerbaijan Events of 2021," *Human Rights Watch*, <https://www.hrw.org/world-report/2022/country-chapters/azerbaijan> (accessed 15 Apr 2023).

the presence of impunity and international apathy, anti-Armenian violence against both the Republics of Armenia and Artsakh will take new heights. The Russian peacekeepers seem to be inept at doing their jobs. They remind us of the Belgian peacekeepers in Rwanda before the Rwandan Genocide perpetrated by the Hutus, and the Dutch peacekeepers in Srebrenica before the Srebrenica Genocide where 8,000 Muslim men were massacred by units of the Bosnian Serb Army of Republika Srpska (VRS) under the command of Ratko Mladić.<sup>44</sup> After more than two years of the Second Nagorno-Karabagh War, many of the 14 common and specific risk factors for atrocity crimes identified by the UN Secretary-General's Office on Genocide are present. These include the following: situations of armed conflict or other forms of instability, a record of serious violations of international human rights and humanitarian law, motives or incentives, the capacity to commit atrocity crimes, an absence of mitigating factors, enabling circumstances or preparatory action, intergroup tensions or patterns of discrimination against protected groups, signs of an intent to destroy in whole or in part a protected group, signs of a plan or policy to attack any civilian population, and serious threats to those protected under international humanitarian law and to humanitarian or peacekeeping operations.<sup>45</sup> Without serious steps taken by the United Nations and its Security Council, without sanctions being put on Azerbaijan, and without the threat of using force, the situation will only lead to two possible scenarios: at minimum, ethnic cleansing and, at maximum, genocide by attrition.

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**Bedross Der Matossian** is a professor of modern Middle East history and the Hymen Rosenberg Professor in Judaic Studies at the University of Nebraska-Lincoln. He is the author of *The Horrors of Adana: Revolution and Violence in the Early Twentieth Century* and *Shattered Dreams of Revolution: From Liberty to Violence in the Late Ottoman Empire*.

44. Chris McGreal, "What's the Point of Peacekeepers when they don't Keep the Peace?" *The Guardian*, 15 September 2015, <https://www.theguardian.com/world/2015/sep/17/united-nations-peacekeepers-rwanda-bosnia> (accessed 15 Apr 2023).

45. United Nations, *Framework of Analysis for Atrocity Crimes: A Tool for Prevention* (New York: United Nations Office on Genocide Prevention and Responsibility to Protect, 2014).