

On the Verge of a deeper Partnership

Azerbaijan-EU Relations: The Role of the EU as a Mediator for the Azerbaijani-Armenian Conflict and Prospects for Finalizing the Agreement between the EU and Azerbaijan

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Introduction

With the adoption of new policy objectives by the European Commission for the post-2020 period, the European Union (EU) has focused its greater attention on the facilitation of security in the region of the Eastern Partnership (EaP), which also includes Azerbaijan and Armenia. While the EU is not willing to participate in empowering the security of the region through military means, it has focused its objectives on the strengthening of the economy, connectivity, and society for greater security in the region (European Council, Eastern Partnership, 2022). For the achievement of greater security in its immediate neighbourhood, which includes the region of the Caucasus, it is important for the EU to have peace between Armenia and Azerbaijan, which makes the EU's participation in the achievement of sustainable peace more attractive for the EU. The achievement of a sustainable peace in the region is not only a matter of interest for the European Union as the normative superpower, but also matters of prosperity and security within the EU itself, as the protection of the periphery is important for the greater development of the Union. Along with the question of the support and the role of the EU in the achievement of peace between Armenia and Azerbaijan, it is also important to consider and understand the process and the progress in the finalization of the new agreement between the EU and Azerbaijan itself. Since the legal basis of the relations between the supranational union and the Republic of Azerbaijan was laid in 1996 with the signing of the Partnership and Cooperation Agreement (PCA), which entered into force in 1999, (MFA of the Republic of Azerbaijan, 2022) the relations between the parties are not reflected according to the current ones, as there have been enormous changes in the development of the relations during the last 26 years. Having the aim of the creation of a security belt around its borders, it is essential for the European Union to work on the strengthening of economic prosperity in the region and peace between Armenia and Azerbaijan. The evolution of relations between the EU and Azerbaijan, which have nearly reached the level of strategic partnership in the last 26 years, necessitates the conclusion of a new agreement for the renewal of the legal basis of the parties' relations.

Multilateral and Bilateral meeting and their declarations

While having the objective of increasing security in its neighbourhood, which includes the region of the Caucasus, the European Union has not been involved in the region militarily. The EU is more

interested in promoting and facilitating the region's countries' strength in terms of economy, connectivity, and society for greater security. Following the aggression of the Russian Federation in Georgia, the European Union came up with the launch of the new project of Eastern Partnership that was formed in 2009, which has set the previously mentioned spheres of strengthening as its objectives. While not being able to get involved in terms of military means in the region because of the nature of the EU itself, being an economic union, nevertheless, feeling the need for the extension of the belt of security and prosperity in its periphery, the EU has been involved in the mediation between Armenia and Azerbaijan (Peters, Rood, & Gromadzki, 2009). The involvement of the EU in the mediation between these countries has been helped both through the summits and projects implemented under the umbrella of EaP but also on the basis of the official summits between the leaders of the supranational union and the leaders of the conflicting countries. It is also necessary to mention that the European Union has always been clear in its support of the territorial integrity and the inviolability of the territories of the countries in the region, which implies the recognition of Karabakh as the territory of Azerbaijan under international law. The Memorandum of Understanding, signed between the EU and Azerbaijan in 2006, further mentioned and supported the territorial integrity of the Republic of Azerbaijan (MFA of the Republic of Azerbaijan, 2022). While this has been shown and reflected in the official documents signed between the leaders of the countries and the supranational entity, a more confident approach from the EU was possible to observe in its attempts at mediation and the clear mentioning of Karabakh as the territory of Azerbaijan.

One of the major mediating attempts by the European Union was observed while hosting the Prime Minister of Armenia, Nikol Pashinyan, and the President of Azerbaijan, Ilham Aliyev, a day before the Summit of the leaders of Eastern Partnership countries on December 14th, 2021. The competition between the EU and Russia in the sphere of mediation was possible to see with the urgent summit of the leaders with the hosting of the President of Russia, Vladimir Putin, in Sochi on November 26th, 2021. The trilateral meeting in Sochi, hosted by the leader of the Russian Federation, has been clearly interpreted as an attempt by Russia to reassert and display its dominance in regional affairs because of the timing and urgency of the summit (Huseynov, 2021). This meeting has further led to the deepening of the peace process between Azerbaijan and Armenia with the perspective of moving slowly into the bilateral peace process with the establishment of the joint commission. This trilateral meeting also demonstrated the indirect effect of the European Union's power in mediation as the region's normative superpower, as its participation has strengthened Russia's will and efforts to reassert its dominance. Later, after the meeting of the leaders of Armenia and Azerbaijan with the President of the European Council had been finished, during the statement, President Charles Michel mentioned the importance of the Trilateral Agreement, reached on the 10th of November in 2020, and honoured the results of the trilateral meeting on the 26th of November in 2021, and the commitments undertaken during these meetings. Along with welcoming the establishment of direct contacts between the Ministers of Defence of two countries and acknowledging the importance of this mechanism in further de-escalation of the tensions in the region, the meeting in Brussels has played a crucial role in humanitarian policy and the deepening of the connectivity lines in the region. President Charles Michel, in the statement after the meeting, stressed the importance of the release of Armenian prisoners by Azerbaijan and mentioned the aim of the EU in deeper cooperation in establishing links for generating a sustainable future, which can be facilitated with the work of the experts in the sphere of the EU. The EU has also stated its willingness and readiness to provide the parties with experts on the delimitation and demarcation of the mutual border, as well as work on the region's economic

reintegration for a more sustainable achievement of peace in the region. As the two major goals of the EU in the region are the strengthening of economic integration and connectivity, it was also possible to see the stressing of the importance of the the construction and opening of the new connectivity links in the region and reopening of the existing ones (European Council, 2021). This meeting has become a great step in moving towards the achievement of the sustainable peace treaty between the conflicting parties in the Southern Caucasus, which was successful in laying out and showing the importance of possible cooperation spheres and the spheres where reconciliation is needed.

Another major step in the normalization process between Armenia and Azerbaijan has been taken with the effort of the European Union. It has occurred again within the meeting of the leaders of Armenia, Azerbaijan and the European Council in Brussels on April 6th, 2022. The meeting in Brussels this time was particularly significant, because it was a direct meeting between the leaders of Armenia and Azerbaijan, as well as the President of the European Council, with the clear goal of facilitating the work to be done in the normalization process between the conflicting sides through the mediation of the European Union. Prior to the meeting of the leaders of the countries, high-level officials from both countries met in Brussels on the 30th of March for the purpose of finding solutions to a wide range of issues with the aim of preparation for the meeting on the 6th of April. The meeting continued its talks on the topics that had been agreed upon at the meeting on the 14th of December 2021, and a wide range of high-level officials even included the separate bilateral discussions between the Secretary to the Security Council of the Republic of Armenia, Armen Grigorian, and the Assistant to the President of the Republic of Azerbaijan, Hikmat Hajiyev, later with the facilitation of the EU Special Representative for the South Caucasus, Toivo Klaar (European Union External Action, 2022). Later, on the 6th of April, the leaders recalled the points mentioned in the meeting of the high-level officials on the 30th of March and the points mentioned in the Trilateral Agreement of the 10th of November 2020. While discussing the prospects of regional cooperation and the normalization attempts between the countries, President Charles Michel mentioned the satisfaction of the developments in the initial steps of the humanitarian policy between the countries. Nevertheless, while a number of topics have been discussed and stressed during the meeting, the major highlight of it has become the steps taken in the direction of the start of the delimitation and demarcation of the mutual border between Armenia and Azerbaijan. While recalling the meeting in Sochi on the 26th of November 2021, where it was agreed to establish the Joint Commission, the sides agreed in Brussels to assign to the mandate of the Joint Commission such duties as the delimitation and the demarcation of the mutual border and the ensuring of security and stability on the borders. The EU has mentioned its particular support and its readiness to assist the countries during the process. The meeting in Brussels on the 6th of April 2022 also mentioned the importance of the restoration of the connectivity lines and the establishment of the new ones, through the opening of railway lines, and the encouragement of the countries to reopen the road lines. While discussing all the issues, the EU was particularly interested in helping the sides in the establishment of links in all spheres where cooperation is possible, thus showing its willingness as the power in the region to influence the outcome of the process positively (European Council, 2022).

The projects of the EU for Peacebuilding

While assessing the contribution of the EU to the establishment of a sustainable peace between Armenia and Azerbaijan on the level of Track 1 diplomacy, which involves the meeting between the official representatives of the countries and the supranational union, it is also important to consider its contribution to peace-building in the region through the number of projects. One such project is the initiative of the European Union, developed for the Eastern Partnership countries, is the project called "EU4Dialogue", which aims to develop and facilitate the peace process in the region through Track 2 diplomacy, which refers to the facilitation of relations between the conflicting parties through non-official channels, such as civil society, youth organizations, and others. From the description of the EU4Dialogue project, it can be seen that the project has prioritized three directions in its activities, which include the establishment of a suitable atmosphere for the decrease of tensions among the conflicting sides; the facilitation of the goal sectors, such as human security, the security of communities, and others; and the improvement of cross-cultural exchanges in the region (Univerza v Ljubljani, 2020). The project aims to improve relations between the non-formal parties in the conflicting countries and will continue its activities until 2024. While the project encompasses a number of new initiatives across the region, one of the questions that arise is the question of funding of the project, where from the description it can be seen that the European Commission plans to attract the contribution of a number of organizations within the European Union, such as DAAD, Alliance Française and other organizations, working in the field of facilitation of work in culture and education (Univerza v Ljubljani, 2020). Financing such an initiative through the internal organizations of the member states in the EU shows the importance of peace-building in the immediate neighbourhood of the supranational union for itself. Aside from that, the project intends to fund local projects and proposals aimed at improving relations between the youth of conflicting countries and protecting vulnerable groups in conflicting regions. The specific aim of the project in the region of the South Caucasus focuses on the improvement of the progress made on gender equality, the protection of vulnerable groups and the opportunities for children and youth in the region. (EU NEIGHBOURS east, 2022)

While the contribution of the European Union to the peace in the region at the level of Track 2 diplomacy between Armenia and Azerbaijan mainly happens through the development of new projects, such as EU4Dialogue, there have also been direct investments by the EU in Armenia and Azerbaijan after the Second Karabakh War. While the disparity in contributions has caused dissatisfaction among the region's parties, the changing realities of the region have eventually led to a greater contribution from the EU to both countries, thus benefiting both sides greatly. The financial contribution in the region is not only based on the separate contribution to each country but also on joint financing projects.

Being approved by the European Commission, one of such joint financing projects is the allocation of an additional 10 million euros for the support of those, affected by the Second Karabakh War, which aims to allocate the spending on the strengthening of resilience and peace-building in the region. While the funding is primarily focused on humanitarian spending in the region, it also aims to facilitate the demining process in the previously conflicted zone as well as the assistance of vulnerable groups with healthcare, emergency assistance, education in emergencies, recovery, and livelihood assistance (European Commission, 2021). While being an additional fund to the previous

funding done by the EU for the improvement of the situation in the post-war region, financing shows the clear interest and the contribution of the European Union to the recovery process.

After the end of the Second Karabakh War, the EU has announced the aid package to Armenia over 3 billion euros, which was 62 percent more than the previously announced number, thus making the new aid package to reach 3.1 billion euros for the 5 years period, after the announcement of the new number. The weight of the contribution to the Armenian side has heavily outweighed the contribution of the EU to any other country in the Eastern Partnership, based on the population to the amount of financial contribution ratio. The aid package along with the support for the affected people from the war in the post-war period also intended to support small- and medium-sized businesses and the transportation projects, such as roads and the mountain tunnels in Armenia. Such big disparity in the contribution to the Armenian recovery has spawned many thoughts from the experts in the region of favouring of Armenia by the EU, because of the newly implemented democratic reforms in the country. (Mejlumyan, 2021)

Another bilateral financial contribution of the EU that can be mentioned was given to Azerbaijan after the aim of Europe became the diversification of the sources of energy, where Azerbaijan became one of the potential candidates for the import of energy resources for the EU. In the joint press statement of Commissioner Oliver Varhelyi and the Minister of Foreign Affairs of Azerbaijan, a financial contribution of the EU in the size of 2 billion euros has been announced, which should be spent on economic development, investment in green technologies, and the creation of growth opportunities in the country. While discussing the possible ways of extending the export of Azerbaijani gas further to the EU countries in the Balkans through the Southern Gas Corridor, the topic of the achievement of peace with Armenia has also been discussed, where Varhelyi has mentioned the readiness of the EU in the provision of technical assistance for the demarcation and delimitation efforts and the continuation of the peace process (European Commission, 2022).

The EU's financial investments in the region, as well as its active participation in the process of establishing links between the populations of conflicting nations, demining previously disputed territory, and investing in infrastructure for higher connectivity and a stronger society, demonstrate the EU's clear intention to actively contribute to peace-building in the region, including Track 2 diplomacy.

Finalization of the agreement EU-Azerbaijan

While elaborating on the impact of the EU in the normalization process between Armenia and Azerbaijan, it is also very important to assess the relations and the future perspectives in their development between the EU and Azerbaijan. For a better understanding of the current situation and the prospects of the signing of the new agreement on strategic cooperation between the EU and Azerbaijan, it is helpful to also understand the development of such relations.

Having developed in many spheres, the relations between the EU and Azerbaijan have first been officially solidified with the partnership agreement, called the Partnership and Cooperation Agreement (PCA), that was signed in 1996 in Luxembourg, which encompassed all areas without touching the military sphere. While being signed for a duration of ten years, the agreement entered into force in 1999, thus laying the legal basis for the EU and Azerbaijan relations till 2009, after

which the agreement was extended each year (MFA of the Republic of Azerbaijan, 2022). Further greater legal enhancement of the relations between the supranational entity and the country has been achieved with the signing of the Memorandum of Understanding (MoU) in 2006. In this memorandum, along with the recognition of the territorial integrity of the countries of the region, the cooperation in four fields has been recognized, which includes the cooperation in the conformation of the legislation on energy with the legislation of the EU, the improvement of the quality of safety and security of transit systems between the country through the Caspian Sea and of the energy supplies themselves, the policy of demand management and the exchange of experience and cooperation (MFA of the Republic of Azerbaijan, 2022). The text of the MoU clearly shows the early interest in being limited mostly to the energy sector and the supply of energy resources to the European market. With the establishment of the Eastern Partnership in 2009 on the 7th of May, relations between the EU and Azerbaijan have been lifted to a new level as the EU has started to focus deeper on the development of stability, security, greater promotion of democracy and prosperity in its neighbourhood, which in this case represented Eastern Europe and the Caucasus (European Council, Eastern Partnership, 2022). Throughout these years till the current day, the results of the development of relations between Azerbaijan and the EU have led to a stronger cooperation and the contribution of the EU to a more prosperous economy, governance, connectivity, and society in Azerbaijan. The contribution of the EU to the economy in Azerbaijan can be seen from the EU becoming the major trading partner of Azerbaijan, the EU funding many new projects in Azerbaijan, aid in the attempts at economic diversification. A similar trend can be seen in the EU's help in governance in Azerbaijan, where Azerbaijan is a part of the "Twinning" project of the EU, which led to the participation of 26 institutions and organizations in Azerbaijan, participating in 46 EU projects. The EU's support for construction projects, such as Baku-Tbilisi-Kars railway, Port of Baku, EU4Energy project for assisting Azerbaijan in achieving its energy sector objectives, "EU-Azerbaijan Visa Readmission Agreements" in 2014, and a number of training and exchange projects for students and young professionals demonstrate cooperation in the development of stronger connectivity and society (European Commission, 2022). While relations between Azerbaijan and the EU have improved significantly since the signing of the PCA in 1996, there has been no significant improvement in the legal basis of the parties' cooperation, making the idea of signing a new agreement more appealing each year.

While the new agreement does not improve the legal basis for the parties' cooperation, discussions on a closer relationship through the signing of a specific association agreement began in 2010. The next step for the preparation of the new agreement has been taken with the mandate for the European Commission, adopted by the European Council, for the member states and the EU to negotiate with the Republic of Azerbaijan on the signing of a comprehensive agreement (European Council, EU to launch negotiations on a new agreement with Azerbaijan, 2016). The negotiations on the preparation of the new agreement started after the visit of President of the Republic of Azerbaijan Ilham Aliyev to Brussels in 2017, after which President Donald Tusk mentioned that the agreement will broaden the scope of the relations between the parties and help them to specify where they are willing to cooperate in questions that include the "new global, political, economic interests and challenges". (European Council, EU relations with Azerbaijan, 2022) With the renewal and the reconsideration by the EU of its Eastern Neighbourhood Policy (ENP), the preparation of the new agreement has been facilitated. After the finalization of the talks with Azerbaijan on the document that has replaced the Eastern Neighbourhood Policy Action Plan, President Ilham Aliyev paid a visit to Brussels again in

2018 for the ceremony marking the end of the negotiations on the partnership priorities. The major areas of partnership priorities have been highlighted in the new document that was adopted during the ceremony and has been endorsed by the EU-Azerbaijan Cooperation Council. The priority areas of partnership, according to this document, included such spheres as the development of the economy, strengthening of the quality of governance, the improvement in connectivity, climate actions, energy efficiency, and the mobility of the people. (MFA of the Republic of Azerbaijan, 2022) The next meeting of the EU-Azerbaijan Cooperation Council in 2019 has further underlined the importance of the reaching of a new agreement that can replace the one signed in 1996 for the improvement of the legal basis of the cooperation. During the meeting of the Cooperation Council, the improvement in the activities of Azerbaijan in the priority partnership spheres has been further highlighted, and the territorial integrity and inviolability of the territories of Azerbaijan have been mentioned. (European Council, 2019) With the further development of the relations and the global developments, such as the global COVID-19 Crisis and the invasion of Ukraine by Russian forces, the importance of Azerbaijan as a potential strategic partner has further risen, especially in the energy security of the European Union. With the adoption of the new policy approach in the Eastern Partnership by the European Commission with the publishing of the joint communication, where five spheres of cooperation have been mentioned, the approach of the European Union to the region have changed. The spheres of cooperation have included integrated economies; security; digital transformation; climate resilience; and inclusivity of societies (European Council, Eastern Partnership, 2022). With the new multilateral approach, each country in the region is able to agree better on the terms with the European Union on the cooperation spheres. The importance and the preparedness for the signing of the new agreement have been mentioned several times by high-level politicians, and the further development on reaching it has been observed in the visit of Oliver Varhelyi to Azerbaijan in 2022, where the importance of the strategic partnership has been further mentioned. (European Commission, 2022) From the negotiations and the latest developments, it can be clearly seen that the agreement is almost ready to be signed and will include a much broader cooperation description in its text, which will set a more stable and deeper legal basis for the cooperation between Azerbaijan and the EU.

Conclusion

The need for the development of security in its periphery as one of the goals of the EU in the region of the Eastern Partnership from the policy goals specified by the European Commission has made it necessary for the EU to participate in the achievement of a sustainable peace between the Republic of Armenia and the Republic of Azerbaijan. The European Union has greatly participated in the facilitation of the process of the development of the peace treaty and the work for the future delimitation and the demarcation of the mutual border between Armenia and Azerbaijan on the official Track 1 level of diplomacy through the organization of summits in Brussels, both under the umbrella of the EaP Summit and the official trilateral summit with the leaders of the conflicting countries. The participation of the EU in the process has not only greatly facilitated the process directly through the involvement of the European Union but also through the increased efforts of Russia, which is willing to reassert its complete dominance in regional affairs. The role can also be seen on the Track 2 level through the establishment of initiatives such as the EU4Dialogue, which funds projects aimed at protecting the vulnerable, establishing links between societies, and protecting minority groups in the region. While in the early stages of the financial support by the EU after the

Second Karabakh War, the Republic of Armenia received an overwhelmingly higher amount, the later demand of the EU for Azerbaijan's energy resources has led to a high investment in Azerbaijan's economy, green technologies, and energy sector. The EU has demonstrated its willingness to contribute to the process of establishing a sustainable peace between Armenia and Azerbaijan at both the Track 1 level, through summit hosting and negotiation support, and Track 2 diplomacy, through attempts to establish links between the countries and financial aid packages to the countries for the period of post-war recovery. Along with the support of the European Union in the establishment of a sustainable peace between Armenia and Azerbaijan, it is also important to mention the need for the renewal of the agreement between the EU and Azerbaijan, which dates back to 1996. Although the work has been started since 2010 and has been continuing slowly, the agreement is almost finished and it is expected to raise the status of the relations between the EU and Azerbaijan to the level of a strategic partnership.

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