

Border Policy of Azerbaijan Republic From the Point of Stability in Caucasus

Hokuma ABBASOVA

Lecturer at the Regional Studies Department, Azerbaijan University of Languages, AZERBAIJAN

Abstract

Border policy plays very important role for each states from the perspective of stable and secure relations with neighbouring countries. However, for newly independent countries it is much more important and gives a new challenges and tasks. As, Azerbaijan held its independence recently after the fall of Soviet Union of course such kind of issue is highly important for it, too. This article will try to scrutinize border policy of Azerbaijan government after independence. Actually, Azerbaijan conducts balanced policy, so it has good relations with all bordering countries except Armenia because of war between them. Meanwhile Azerbaijan has demilitertion and demarcation problems with bordering countries and thus also will be discussed in this article as well.

Managing borders in the XXI century is too complex and difficult. It is widely agreed that in a globalising world borders should be as open as possible; yet over the last decade governments have understandably been more anxious than ever to ensure that their frontiers are secured against threats.

Actually, border policy is very important for every state from the perspective of stabile and secure relations with neighbouring countries. However, for newly independent countries it is much more important. As, Azerbaijan held its independence recently - after the fall of Soviet Union in 1991, of course, such issue is highly important for it too.

With the collapse of the Soviet Union and the fall of communism, the restoration of the independence was perhaps one of the greatest achievements in the history of the modern Azerbaijan, but it also brought new challenges and tasks ahead of the young country. Meanwhile, since 1991 Azerbaijan faced reorganization of its minuscule foreign policy establishment. This process involved creating its foreign policy priorities, establishing full diplomatic relations, opening new embassies and so on. A central area, however, which rendered itself, immediately after independence, was the ratification of state borders.

Generally, Azerbaijan is bounded by the Caspian Sea to the east, Russia to the north, Georgia to the northwest, Armenia to the west, and Iran to the south. Moreover, The Autonomic Republic of Nakhchivan is bounded by Armenia to the north and northeast, Iran to the south and southwest and Turkey to the northwest. Furthermore, Azerbaijan shares ses borders with Russia, Iran, Turkmenistan and Kazakhstan.

As Azerbaijan conducts balanced policy, it has good relations with all bordering countries except Armenia because of war between them. However, Azerbaijan has demilitertion and demarcation problems with some bordering countries. In fact, Azerbaijan had delimitation and demarcation problem of borders with Russia, Georgia and Iran, except Turkey. In addition, Azerbaijan, Russia, Kazakhstan, Iran and Turkmenistan had to ratify the sea bed boundaries in the Caspian Sea.

The delimitation and demarcation of state borders with bordering countries was extremely difficult to resolve within the first years of independence. War between Armenia and Azerbaijan made impossible to solve



this problem at that time. The first attempts only came after the signing ceasefire between Azerbaijan and Armenia in 1994. After the ceasefire Azerbaijan government tried to reach an agreement with bordering countries and therefore, established the commission on delimitation and demarcation of borders within the State Land and Cartography Committee.

As previously indicated, with Armenia Azerbaijan has not so much a border as a front line. Even the borders with Armenia in the Nakhichevan sector are closed and resemble a bristling border. Indeed, as a result of war Armenia occupied 20% of Azerbaijani lands in Nagorno-Karabakh and neighbouring and surrounding regions, which were homogeneously Azeri-populated. Though there is a ceasefire since 1994 and negotiation, still this problem stays unresolved and Armenia controls occupied Azerbaijani territories.

Meanwhile, this conflict has resulted to a considerable refugee crisis in Azerbaijan especially, with the number of displaced persons exceeding one million, ethnic cleansing and massive human rights violations have been reported on the territories. Moreover, Nagorna - Karabakh and 7 surrounding regions became "uncontrolled zone". According to the investigation of researchers and high officials of Azerbaijan republic this zone is used by the Armenians' for growing narcotics and transiting it (Novruzoglu, 2002). Armenian and Iran dealers are engaged in narcobusiness in the occupied Azerbaijan territories. Besides growing and transit of narcotics in the occupied areas, Armenians create terror camps in these areas, trade on children and women. (Hasanov, 2010) All above mentioned facts indicates that uncontrolled zone in Nagorna - Karabakh and surrounding regions remains one of the greatest threats for the security and stability in the Caucasus. The security and stability in this region just could be obtained after the solution of this conflict.

Azerbaijan had delimitation and demarcation problem of borders with Russia too. The length of the state border between Azerbaijan and Russia is 390 km. Actually, negotiation on defining the 390-km state border had been going on for years from the beginning of 1996, but the question could not find a positive solution during 14 years. Three points were not coordinated on Azerbaijan-Russia borders, as well as protection of the water of Samur River. There was discussion of the legal status of the border villages of Khrakh-oba and Uryan-oba (Markedonov, 2010). However, Russia has become the first country after the breakup of the Soviet Union to sign a treaty with Azerbaijan on borders. The delimitation agreement was signed in Baku on 3 September 2010 by the presidents of two countries (Popov 2010). The delimitation documents have been introduced into the parliaments of Azerbaijan and Russia for ratification. After their ratification, the sides will commence the process of demarcation of state borders. It is expected to start work in this direction in the second half of 2011. According to this ratification Russian and Azerbaijan government come to agreement about useful utilization and protection of the water of Samur. Furthermore, Russian side made concessions to Azerbaijan on the demarcation of borders. Though the historical border of Dagestan ended in the right bank of the Samur River, now the border is considered the centre of bridge over the river.

During the negotiation period the main problem was the clarification of the legal status of the villages of Khrakh-oba and Uryan-oba. These two villages were historically part of Khachmazskiy Rayon (Azerbaijan) and had been temporarily transferred to the Dagestani ASSR as pasture land in 1954. In 1984 the Council of Ministers of the Azerbaijani SSR extended the term of the previous document by a further 20 years and the term ended in 2004 (Khalilov 2011). The inhabitants of these villages were ethnic Lezgins, who also inhabit Dagestan. By the beginning of the 2000s many of them had obtained Russian passports. After August 2008 there was much speculation in the media on the subject of a repetition of the South Ossetian story in Azerbaijan. However, after the signing of agreement between two countries this speculation come to an end. Both villages remained on the territory of Azerbaijan Republic and now the residents of the villages Khrakh-oba and Uryan-oba have to choose either the Azerbaijani or Russian citizenship. Till today 4 residents of Uryan-oba have got Azerbaijani citizenship, but 280 residents of Khrakh-oba still got Russian citizenship. Due to the recent migration act of Azerbaijan republic, if these people don't choose Azerbaijani citizenship, then they will be considered as a labour immigrant or will be deported from Azerbaijan (Letifov, 2011). At the beginning of 2011

the residents of Khrakh-oba held a demonstration at Mahachkhala demanding Russian government to protect their rights. As this problem remains unresolved, the security issue in Caucasus is again under threat.

With Georgia Azerbaijan has no territorial disputes, there are some outstanding areas of the border between the two countries. The commission on delimitation and demarcation of borders between Azerbaijan and Georgia had been functioning since 1996. The total border between Georgia and Azerbaijan is 480 km. Approximately 300 km of borders or about 65% of the total length of the border had been solved, work continues on 180 km. There are some territories that countries have different approaches and some territories just waiting optimal solution.

The main dispute of delimitation borders between Azerbaijan and Georgia is in Davud Garedji Monastery and Kvemo Kartli. The negotiation parts still work on these issues. The meetings of commission on delimitation and demarcation of borders between Azerbaijan and Georgia are more intensified in order to discuss and solve disputed and uncoordinated issues. Concerning to Davud Garedji Monastery that consists of several complexes and two of them situated in borderline is one of the main problems between two countries. For Georgia this Monastery is not just a historical building, but also it has religious importance. The monastery complex holds strategic significance for both Azerbaijan and Georgia. From the Udabno/ Keshishdag ridge (813-meter-high) where part of the border passes, both Azerbaijani and Georgian territory can be easily monitored. So, to hold on to the churches on Georgian territory, Tbilisi has proposed giving Azerbaijan an as yet publicly unspecified section of Georgian land near the Azerbaijani border. According to mass media information Georgian side wants compromise on the village Erisimedi, Signagi region which is the other disputable territory, in exchange for Davit Garedji Monastery (Gumbaridze, 2007). Azerbaijani officials, however, state that they are unwilling to consider the exchange.

The village Erisimedi located on the bank of Alazan River in the Signaghi district of Georgia is disputable territory again. Half of the village is situated on the disputable territory, so registration became necessary for the travelling to Erisimedi. There is a Border Police checkpoint at the entrance to the village, and Erisimedi residents or other Georgian citizens who want to enter the village now need identity cards and special registration to do this. The residents of Erisimedi are very furious and complain that even locals cannot enter the village without taking border control and a guest cannot visit them (Chkareuli, 2010). Besides it livestock are lost rather often and there were cases when local residents were arrested. Even one resident of Erisimedi, a 17-year-old shepherd who walked to the borderline following the cattle was shot by the Azerbaijani border guards. The above mention facts prove that there is a security problem between Azerbaijan and Georgian borderline as well and it should be solved as Azerbaijan and Georgia are two neighbouring countries that lived in a friendly neighbourhood and friendship condition during the history.

Actually, Iran and Azerbaijan have no border dispute on land, but they dispute over Caspian Sea division. The length of the state border between Azerbaijan and Iran is 765 km. Meanwhile, in the course of the Nagorno-Karabakh conflict Armenian forces, occupying five districts neighbouring on Karabakh entirely and two partially, took control of the former USSR border with Iran on the River Araks. As a result, Azerbaijan today doesn't control that part of borders with Iran.

Moreover, Iran and Azerbaijan have problem on division of the sea bed boundaries in the Caspian Sea. During the Soviet period the Caspian Sea was divided according to Soviet and Iran agreements signed in 1921 and 1940. However, after the dissolution of Soviet Union the officials of newly independent countries - mainly Azerbaijan and Turkmenistan - stated that they didn't agree with the division of Caspian Sea on the base of these agreements. Appropriately, in 1998 the Azerbaijan government declared that, the Caspian Sea seabed should be divided along a median line into five sectors as it is an international lake (Andrew, 2006).

Creation of a seabed boundary with Kazakhstan, Turkmenistan, Iran and Russia in the Caspian Sea is very complex. The sea bed boundaries in the northern Caspian have been agreed, facilitating major oil and gas



operators. Equidistant seabed treaties have been signed with Kazakhstan and Russia in 2001, but no resolution has been made on dividing the water column among any of the littoral states. However, Azerbaijan, Turkmenistan and Iran have failed to agree boundaries in the southern Caspian and continue to vie for over hydrocarbon resources and valuable fish stocks. Iran continues to insist on an even one-fifth allocation and challenges Azerbaijan's hydrocarbon exploration in disputed waters (Sumerinli, 2011).

As Shaffer (2003) indicated, the dispute with Iran began when Azerbaijan has objected to Iran's decision to award Royal Dutch/Shell and Lasmo a license to conduct seismic surveys in a region that Azerbaijan considers to fall in its territory. Furthermore, Azerbaijan and Iran argue over Araz, Alov, and Sharg concession. The negative tone in the bilateral relations reached its peak in 2001 when Azerbaijani research ships and an Iranian gunboat had a small confrontation across their maritime border in a disputed oil field. The Iranian boats attacked the Azerbaijani vessel in the southern Caspian, which was doing exploration works in Alov field. Actually, it was a British Petroleum (BP) ship, licensed to explore these concessions, and ship was ordered to leave the area by an Iranian gunboat, since Iran considers the area, which it calls Alborz, to be a part of the Iranian sector of the sea. Subsequently, Iranian jetfighters repeatedly violated the airspace of Azerbaijan and threatened the security of Azerbaijan. Only after the Turkish and American political support, the Iranians backed down. Consequently, relations with Iran have slowly recovered since this incident. According to Ariel (2010) the two sides have recently been working to establish the boundary line in the southern Caspian through diplomatic means.

As for the sea border that Azerbaijan shares with Turkmenistan in the Caspian Sea is also very confused. Although both Azerbaijan and Turkmenistan agree that the Caspian Sea should be divided into five sectors, they couldn't reach an agreement on definition of national sectors. As early as 1992 the Government of Turkmenistan sent Azerbaijan a document on territorial delimitation of the Caspian by a median line. For years now the two republics have been arguing about the oil and gas deposits in the Caspian Sea. Turkmenistan and Azerbaijan have traded harsh words over the Kyapaz (Serdar in Turkmeni), Khazar, and Osman fields that both consider theirs as well.

Apparently, Azerbaijan recognized the unlikelihood that a solution to the Caspian dispute would ever achieve the consensus and entered into a deal with Russia. On July 4, 1997 tensions flared in the South Caspian when a treaty on joint development in the Caspian was signed by Russia and Azerbaijan that involved the State Oil Company of the Azerbaijan Republic (SOCAR) and the Russian companies Lukoil and Rosneft and provided for the development of the Kapaz (Serdar) field. Subsequently, Turkmenistan's Ministry of Foreign Affairs issued a note of protest on July 5, 1997 and Turkmenistan's president S. Niyazov sent a letter to Azerbaijan Republic President H. Aliyev with the restatement of their position and visited Moscow. (Kochumov, 1998) As a result, this treaty later declared invalid because of Russia's refusal to participate in it. Though Azerbaijan and Turkmenistan still today continue the negotiation over the Caspian Sea division, unfortunately, they didn't reach an agreement. Even in the summer of 2009 official Ashgabat announced its intention of appealing to the International Court of Arbitration to uphold its rights to disputed fields.

Summing up all above mention facts it is important to state that to achieve security and stability in Caucasus might be very difficult process. Though Azerbaijan conducts balanced policy with all its neighbouring countries, still there are lots of problems waiting to be solved. The main threat to security and stability in Caucasus is Nagorna - Karabakh problem and without its peaceful solution the stability and security couldn't be obtained. Another difficult issue is to divide Caspian Sea boundaries and to reach an agreement with Turkmenistan and Iran.

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