

TURKEY-ARMENIA DIALOGUE SERIES:

# ASSESSING THE RAPPROCHEMENT PROCESS

AYBARS GÖRGÜLÜ, ALEXANDER ISKANDARYAN, SERGEY MINASYAN



TESEV



**TURKEY-ARMENIA DIALOGUE SERIES:**  
**ASSESSING THE RAPPROCHEMENT PROCESS**  
**Working Paper**

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## TESEV's Preface

Turkish-Armenian relations have been the focus of much attention recently. Long a thorn in Turkey's side, there have been significant developments in Turkish-Armenian relations that would have been completely unimaginable five years ago. Following years of distrust and isolation, recent events leave us on the verge of an irreversible breakthrough.

Civil society has played, and continues to play, a crucial role in the rapprochement process. TESEV's Foreign Policy Programme was one of the first organisations to engage with our counterparts across the border and advocate a change in relations. In 2006 we organised a fact finding mission to Armenia, which we followed by publications advocating the normalisations of relations in Turkish. Indeed, although public opinion is unlikely to transform overnight, there is a palpable sense of change in Turkey.

In 2008 we initiated the *Turkey-Armenia Dialogue Series* in collaboration with the leading Yerevan based think-tank the Caucasus Institute (CI). When embarking on this pilot initiative, we both sought to work to bring together activists and practitioners from both Turkey and Armenia. By facilitating dialogue between the two communities, our joint work has looked to build bridges, break down prejudices and fears felt on both sides as well as advocate rapprochement between the two countries.

This was the second year of the dialogue. Over the two years we have achieved a number of successes. Not only have we contributed to engendering dialogue between the two communities but we believe we were the first to publish a truly joint report between a Turkish and Armenian organisation in 2009. Rather than regurgitating our countries' official stance and conflicting viewpoints, the report advocated a joint vision based on cooperation, understanding and compromise.

This second report continues in this spirit. The report assesses the rapprochement and normalisation process on both sides of the border, articulating how each side views recent developments and highlighting where progress can be made. Likewise, the report offers a set of joint recommendations that we feel can help Turkey and Armenia not only normalise relations but also contribute to societal reconciliation. We are in no doubt that this process will be challenging but we are confident that the momentum created will be difficult to halt completely and that recent setbacks will be overcome.

As with all our projects, we would like to take this opportunity to extend our gratitude to our supporters, namely the Swedish Consulate in Istanbul, the Black Sea Trust Fund, Friedrich -Ebert Stiftung Association Turkey office and TESEV High Advisory Board. Without their continued support, this project would not have been possible.

TESEV FOREIGN POLICY PROGRAMME



## Introduction

Since the breakup of the Soviet Union, Turkey-Armenia relations have been challenging. Despite Turkey's recognition of the newly independent Armenia in 1991, the countries have yet to establish diplomatic relations. Up until recently, the likelihood of establishing diplomatic relations and opening up the land border has remained very slim. However, limited political contact has been established in the last five years, leading to hope of a solution to a problem that has lasted for almost two decades. Notably, in October 2009, Turkey and Armenia signed two protocols in Zurich that aimed to normalize relations.

The signing of the two protocols in Zurich has raised hopes of an end to the current stalemate in both Turkey and Armenia. As such, it is highly important that their envisaged ratification in both Ankara and Yerevan proceeds. Despite this, the process has met with hurdles along the way. The protocols now remain unratified. The challenges are various: a lack of dialogue and understanding between the two sides, Turkey's relations with Azerbaijan and the ongoing Nagorno-Karabakh conflict, a common often traumatic history and potential border disputes.

This report tries to analyze the situation in the aftermath of the historic protocols and assess its impact on Turkish-Armenian relations. After a brief analysis of the progress achieved before the signature of the protocols in 2009, the report aims to shed light on the internal debates on the rapprochement process both in Turkey and Armenia and analyzes the reactions towards the protocols. After elucidating why the protocols have yet to be ratified, the final part of the report is dedicated to policy proposals and recommendations that look to get the process back on track. The report approaches the subject from the assumption that the protocols are worth saving.

Indeed, one of the report's main findings is that Turkish-Armenian rapprochement is not simply about normalized relations; societal reconciliation is a vital facet of the rapprochement process and may be more challenging than the technical side. As such, the role of civil society in the rapprochement process is paramount; civil society debate allows for often complicated issues to be discussed, brings the sides closer together and creates momentum around rapprochement.

One of difference that became evident during the report was that each side's expectations from the rapprochement process did not necessarily converge. For Turkey, rapprochement with Armenia is a crucial part of Turkey's recent foreign policy as well as being a litmus test of Davutoğlu's zero problems with neighbours doctrine. In addition, the current deadlock with Armenia directly impacts on Turkey's relations with the United States and the European Union. On the other hand, rapprochement with Turkey promises an end to Armenia's political and regional isolation and the potential for long term economic transformation. Thus Armenia's interest in establishing diplomatic relations and opening the land border is far more immediate than Turkey's. In short, both sides have different priorities when negotiating with each other and this complicates the rapprochement process.

Seven months after the signature of historic protocols, rapprochement seems deadlocked. The suspension of the ratification process by Armenia in April 2010 is a negative development. However the process is not dead and both sides are still in the game. On the other hand, delaying ratification will jeopardise the likelihood of eventual success. Thus Turkey and Armenia should press ahead with the swift ratification and the international community must continue to pressure both in this regard.





## Progress in 2009 – Latest Developments in Turkish-Armenian Relations

Following a long period of little or no communication, Turkish-Armenian relations have gained significant momentum in the past couple of years. The first concrete step to breaking seventeen years of deadlock came in 2008 when Armenian President Serzh Sargsyan invited his Turkish counterpart Abdullah Gül to attend the 2010 World Cup qualifying match between Turkey and Armenia. President Gül reacted positively to the invitation and became the first President of the Turkish Republic ever to set foot in Armenia on 6<sup>th</sup> September 2008.

Despite some criticism in both countries, this historical visit opened a new page in Turkish-Armenian relations, raising hopes of the opening of the land border as well as the establishment of diplomatic relations. Political rapprochement also triggered interaction between Turkish and Armenian civil society. This paved the way to the building of new dialogue channels between the two sides burdened by past legacies and mutual mistrust. In sum, the progress in 2008 increased expectation of the normalization of bilateral relations, something which the international community has been very supportive of.

In 2009, hopes of further rapprochement did not disappoint; Turkey and Armenia agreed a road map to the normalization of relations during discussions mediated by the Swiss in April. Further, on October 10<sup>th</sup> both countries signed two protocols with the ultimate purpose of establishing diplomatic relations and opening the border. And finally, four days after this historic signature, Armenian President Sargsyan visited Bursa upon the invitation of his President Gül to watch the second Turkey-Armenia match.

### THE TURKISH - ARMENIAN ROAD MAP

It was no secret that Turkish and Armenian delegations had been holding closed normalization talks in Switzerland for two years. The first official result of this series of meetings was the agreement on a ‘framework’ to normalize bilateral ties - a road map was declared on 22<sup>nd</sup> April 2009. Accordingly, the foreign ministries of Turkey, Armenia and Switzerland made the following joint statement:<sup>1</sup>

Turkey and Armenia, together with Switzerland as mediator, have been working intensively with a view to normalizing their bilateral relations and developing them in a spirit of good-neighbourliness, and mutual respect, and thus to promoting peace, security and stability in the whole region.

The two parties have achieved tangible progress and mutual understanding in this process and they have agreed on a comprehensive framework for the normalization of their bilateral relations in a mutually satisfactory manner. In this context, a road map has been identified. This agreed basis provides a positive prospect for the on-going process.

Unsurprisingly, American and European reaction to this breakthrough was immediate and positive. The timing and the content of the declaration however was not without criticism; the release of the document a few hours before President Obama’s April 24<sup>th</sup> speech seemed primarily to meet political expediency in Ankara.

Despite such criticism, this milestone should not be underestimated. While the content of the talks remains undisclosed, the landmark signature of the two protocols by the Turkish and Armenian Foreign Ministers on October 10<sup>th</sup> is a direct outcome that few would have deemed possible less than two years ago.

<sup>1</sup> Joint Statement of the Ministries of Foreign Affairs of the Republic of Turkey, the Republic of Armenia and the Swiss Federal Department of Foreign Affairs. 22.04.2009. ([http://www.mfa.gov.tr/no\\_-56\\_-22-april-2009\\_-press-release-regarding-the-turkish-armenian-relations.en.mfa](http://www.mfa.gov.tr/no_-56_-22-april-2009_-press-release-regarding-the-turkish-armenian-relations.en.mfa))

## THE PROTOCOLS: A HISTORIC DAY

In August 2009, Turkey and Armenia publicly declared that two protocols were being prepared. Two months later on October 10<sup>th</sup>, and despite last minute differences that almost derailed the process, the Armenian and Turkish Foreign Ministers initiated an agreement that outlined the steps to establish diplomatic relations and open the border. The ceremony conducted under the mediation of Switzerland was attended by Javier Solana, spokesperson for European diplomacy, Russian Minister of Foreign Affairs Sergey Lavrov, U.S. Secretary of State Hillary Clinton, and Bernard Kouchner, the head of French diplomacy – evidence of the importance the international community places on this issue.

The signing of these protocols is not only a crucial step in the process of normalization between the two countries but also significant in that the Turkish and Armenian authorities agreed to respect a number of legal and political obligations. As such, these agreements are not a simple exchange of statements of principles or a road map outlining a peace process. Both parties have agreed to implement the agreements within a given timeframe, resulting in the precise restoration of diplomatic relations on the basis of the Vienna Convention of 1961<sup>2</sup>, the exchange of diplomatic missions on the date of ratification of the protocols and the borders opened within two months of that date. Put simply, after nearly a century of hostility, the signature of the protocols is the most important step in the history of Turkish-Armenian relations.

The first protocol affirms the desire of both countries to establish good neighbourly relations and stresses their common will to develop a new model of relations and chart a new path in search of peace in a climate of harmony and mutual understanding. This protocol also confirms the mutual recognition of existing borders and Ankara and Yerevan's desire to mark their reopening.

The second protocol defines three concrete steps taken foreseen the development of diplomatic relations between the two countries:

1. The first of these measures includes the opening of the border within two months of the ratification of the protocols by both parliaments.
2. The second defines the themes and subjects of regular consultations at foreign minister level that will be established after ratification. These include (but are not limited to) a dialogue on the historical dimension, the development of transport infrastructure, communication and energy.
3. The third of these measures includes the establishment of a commission to monitor the implementation of the various steps proposed.

## FOOTBALL DIPLOMACY

Only four days after the two protocols were signed, Sargsyan visited Bursa to watch the second Turkey-Armenia match. Following the momentous ceremony in Zurich, Sargsyan's visit was very much positive. However, the FIFA ban on Azerbaijani flags in the stadium in Bursa was a source of irritation before the match and unsettled Azerbaijan. Accordingly, Azerbaijani officials expressed their dissatisfaction, accusing Turkey of being disrespectful. Further, local authorities in Baku removed Turkish flags from the martyrs' cemetery that commemorates the sacrifice Turkish soldiers made in fighting for the independence of Azerbaijan in 1918. Nevertheless, the problem was promptly resolved and the flags were reinstated a couple of days later.

So it is probable that if Turkey and Armenia manage to ratify the protocols and establish diplomatic ties in the near future, the football diplomacy will surely take its place in diplomatic history – just as the famous 'ping-pong diplomacy', which paved the way for a *détente* between China and the US, did during the Cold War.

<sup>2</sup> For the full text of the Vienna Convention of 1961: [http://www.unog.ch/80256EDD006B8954/\(httpAssets\)/7F83006DA90AAE7FC1256F260034B806/\\$file/Vienna%20Convention%20\(1961\)%20-%20E.pdf](http://www.unog.ch/80256EDD006B8954/(httpAssets)/7F83006DA90AAE7FC1256F260034B806/$file/Vienna%20Convention%20(1961)%20-%20E.pdf)

# Turkey: Internal Debates on the Rapprochement Process

Turkey's newfound diplomatic activism is a popular topic. 'Pro-active foreign policy making' or 'zero-problems with neighbours' have become defining phrases that describe current Turkish foreign policy – energy hub and the alliance of civilizations have also entered the Turkish foreign policy lexicon. Of course, the rapprochement process with Armenia is a crucial part of this new activism as well as a test case for the doctrine of zero problems with neighbours. In other words, the recent changes in Turkish-Armenian relations need to be evaluated in line with Turkey's new foreign policy. This section will focus on current domestic debate about the rapprochement with Armenia in Turkey.

## REACTIONS TO THE PROTOCOLS

The Turkish-Armenian protocols were the result of many compromises made during the long negotiation process. Thus, constructive ambiguity dominated the language of the texts. The primary reason behind this was the existence of contentious issues on which the parties remained far apart. So both sides agreed to revisit the unresolved questions at a later date. (In this case, after the protocols would be ratified).

While the international community welcomed the signing of the two protocols between Turkey and Armenia in Zurich, the public in both countries were far more sceptical. The main opposition parties in Turkey, namely the Republican People's Party (CHP) and the Nationalist Movement Party (MHP), were hostile to any sort of rapprochement, repeating that Armenia does not recognise the common border and has territorial claims on Turkey - the recurring selling-out of national interests discourse remains very powerful in Turkey and so has the capacity to influence any sort of rapprochement.

Accordingly MHP has publicly announced that it would oppose the protocols when they are presented to Parliament for approval<sup>3</sup> and Deniz Baykal, the then chairperson of CHP, declared that the "ratification of protocols is doomed to failure, which has been evident from the very beginning." Despite the oppositions' more hawkish approach<sup>4</sup>, the majority of the Turkish public generally welcomed the signature of the protocols. *Milliyet* columnist Hasan Cemal extolled Turkish diplomacy's newfound niche to "tear down walls frozen by age-old conflicts through diplomatic measures."<sup>5</sup> Kanlı stressed that the "two presidents and governments are making history with this courageous rapprochement effort."<sup>6</sup> Birand called it a "golden signature" and likened the event to the 2004 Annan Plan and the Cyprus referendum where Turkey "unburdened a heavy load" through its efforts for a "yes" vote and showed its willingness for the resolution of the conflict.<sup>7</sup> Nevertheless columnists agreed the path ahead would be tough: One columnist underlined it will take time for age-old adversaries to come to a halt and for this reason asserted "the handshake was a bitter handshake."<sup>8</sup>

There is consensus in Turkey that relations with Armenia should not be normalized at the expense of relations with Azerbaijan. Indeed, among critics of the protocols, one of the most debated issues

3 Erhan Başyurt, "Turkey could experience another shock", *Bugün*, 05.09.2009

4 "Turkey's Parliament won't ratify the protocols" Baykal's declaration on Aysor Website, 21.01.2010 (<http://www.aysor.am/en/news/2010/01/21/baykal-protocols/>)

5 Hasan Cemal, "Şeytan üçgeni'nden 'barış üçgeni'ne" (From the 'triangle of evil' to 'triangle of peace'), *Milliyet*, 11.10.09

6 Yusuf Kanlı, "Making history", *Hürriyet Daily News*, 15.10.09

7 Mehmet Ali Birand, "With the 'golden signature' the diaspora lost and Ankara won", *Hürriyet Daily News*, 12.10.09

8 Burak Bekdil, "Shaken hands, bitter handshake", *Hürriyet Daily News*, 13.10.09

was the absence of any reference to Nagorno-Karabakh. While such an absence might have been interpreted in Armenia as a proof of Turkey no longer seeing Nagorno-Karabakh as a precondition to the normalization of relations, in reality, the government, the opposition and the public agree that the rapprochement with Armenia should not damage relations with Azerbaijan.

Prime Minister Erdoğan's emphasis on the connection between the ratification of the protocols and the normalization of Armenia-Azerbaijan relations has been greeted with disappointment in Armenia. Indeed, several Turkish officials have repeated that relations between Armenia and Azerbaijan should "ripen a little more" before the ratification of the protocols is debated in the Turkish National Parliament.<sup>9</sup> The AKP Government's confidence inspiring messages to both Azerbaijan and the opposition parties after the signature of the protocols stems from the 'rigid Azeri position' regarding Turkish-Armenian relations.<sup>10</sup> Simply, the Karabakh conflict still remains a problem that could block the normalization of relations between Turkey and Armenia.

#### AZERBAIJAN AND NAGORNO-KARABAKH

Turkic solidarity between the Turkish and Azeri political elites has always been quite strong. This solidarity paved the way to the closure of the land border between Turkey and Armenia in 1993 after the exacerbation of disputes between Armenia and Azerbaijan over Nagorno-Karabakh. That is why, in the aftermath of the signature of the protocols, Turkish political elites immediately repeated their intention not to establish diplomatic ties with Armenia unless significant progress is made towards a resolution of the conflict.<sup>11</sup>

The Turkish Government's linking of the Nagorno-Karabakh conflict resolution process to the normalization of Turkish-Armenian relations is affirmed by the opposition and Turkish public opinion. On the other hand, the international community and Armenia oppose any such connection between these two issues, arguing that these are two separate processes. Lately Russian Foreign Minister Lavrov has once more underlined that Russia sees no connection whatsoever between the settlement of the Nagorno-Karabakh conflict and the normalization of Turkish-Armenian relations.<sup>12</sup> Taking into consideration Russia's active role in the normalization process after the Five Day War with Georgia, this declaration would have been of little comfort to the Turkish and Azerbaijani governments.

In addition to ideational factors, material interests have also a pivotal role in Turkey-Azerbaijan relations. If Turkey is to achieve its goal of becoming an energy hub, Azerbaijan is the most important country in the Transcaucasus. According to the Undersecretariat of the Prime Ministry for Foreign Trade's Country Profile there was a 261% increase in Azerbaijan's oil and natural gas exports to Turkey from \$ 222 million in 2007 to \$ 802 million in 2008.<sup>13</sup> Turkish investments in this country in sectors such as energy, construction and banking are substantial; Turkey invested \$ 182 million in 2008.<sup>14</sup> Turkey invests more in Azerbaijan's non-petrol industries than any other country. Yet Turkey's relations with Azerbaijan have become more problematic because of Ankara's energy policy and the diplomatic rapprochement with Yerevan. Erdoğan's speech at Azerbaijan's Parliament in May 2009 aimed to reassure Baku but did little to build confidence.

Azerbaijani President Ilham Aliiev's recent comments also strengthened the impression of a serious cooling in Turkish-Azeri relations. Aliiev's declaration that his country is considering alternative

9 "Yerevan-Baku Relations Must 'Ripen a Little More' Before Protocols Ratification", Murat Mercan's declaration on 15.01.2010 (<http://www.tert.am/en/news/2010/01/15/turkey/>)

10 Ömer Taşpınar, "Turkish-Armenian Stalemate", *Today's Zaman*, 11.01.2010 (<http://www.todayszaman.com/tz-web/yazarDetay.do?haberno=198162>)

11 Markar Esayan, "Armenia Wants to Trust Turkey", *Taraf*, 12.09.2009 (<http://www.taraf.com.tr/haber/40712.htm>)

12 "Nagorno-Karabakh Peaceful Settlement Agreement Cannot Not Consider Karabakh People's Position." Sergey Lavrov's declaration on 14.01.2010 (<http://tert.am/en/news/2010/01/14/response/>)

13 T.C Başbakanlık Dış Ticaret Müsteşarlığı Anlaşmalar Genel Müdürlüğü, "Azerbaycan", 2008, <http://www.dtm.gov.tr/dtmadmin/upload/ANL/TurkCumhuriyetDb/Azerbaycan.doc>, p. 7

14 [http://pfmc-az.com/index.php?option=com\\_content&view=article&id=101:russian-investments-in-azerbaijan-up-7-times-in-2008&catid=1:latest-news](http://pfmc-az.com/index.php?option=com_content&view=article&id=101:russian-investments-in-azerbaijan-up-7-times-in-2008&catid=1:latest-news)

routes to the Nabucco pipeline that would bypass Turkish territory would be of serious concern to Ankara.<sup>15</sup> In other words, Baku is seriously considering reducing its excessive dependency on Turkey in the export of its natural resources. Turkey is also Azerbaijan's second largest trading partner; trade volume between Turkey and Azerbaijan increased from 92 million dollars in 1994 to 279 million dollars in 1996 and onto 2.55 billion dollars in 2008.

The primary reason for the deterioration in Turkish-Azerbaijani relations is the rapprochement between Turkey and Armenia.<sup>16</sup> The concept of "one nation, two states" no longer frames relations between Baku and Ankara. From this perspective, the normalization of Turkish-Armenian relations threatens not only the fraternal relations between Turkey and Azerbaijan but also their economic relations. On the other hand, this zero-sum game mentality dominating bilateral relations in the region is in no one's interest; a win-win solution is a distinct possibility. The normalization of Turkish-Armenian relations will create new opportunities and promote peace and stability in the South Caucasus; normalization can actually contribute to the peaceful resolution of the Nagorno-Karabakh conflict, which is currently the greatest obstacle to peace and prosperity in the region.

### THE GENOCIDE ISSUE

The genocide issue is another obstacle to the normalization of Turkish-Armenian relations. In the protocols, Turkey and Armenia agreed to establish an intergovernmental sub-commission on historical issues, to implement a dialogue to restore mutual confidence between the two nations and introduce independent review of historical records. According to the Turkish side, this sub-commission will also review the events of 1915. Despite the lack of direct reference to 1915, several figures in the media declared the possibility of establishing such a commission as one of the major successes of the protocols.<sup>17</sup> On the other hand, there is no consensus between the Turks and Armenians on the scope and the function of this commission. Most Armenians have hesitations about the sub-commission on historical issues and repeat that Armenia will not discuss the historical accuracy of the genocide in building relations with Turkey. The primary reason behind the very different interpretations of the protocols' clauses stems from the fact that Turkey and Armenia have completely opposite official stances towards the tragedy of 1915. Moreover this deep divergence shows little chance of changing in the near future.

Discussing 1915 is no longer a taboo in Turkey. Thanks to the reform of article 301, intellectuals and public figures that label the 1915 massacres as genocide are no longer tried or persecuted. April 24<sup>th</sup> 2010 was exceptional in that sense. The 'Initiative to Say Stop to Racism and Nationalism' organized an April 24<sup>th</sup> commemoration for the first time in Turkey. Almost 1,000 people gathered in Taksim Square, Istanbul and made the following declaration:<sup>18</sup>

The huge pain this great catastrophe puts on our consciences is here. We call all Turkish citizens who feel this huge pain in their hearts to bow respectfully before the victims of the memories of 1915.

These figures also tend to support the government's historical commission suggestion since they see it as an opportunity for Turkey to face its own history. For quite some time, Turkey's official position has been based on Article 2 of the 1948 Genocide Convention. Thus Turkey recognizes the tragedy of 1915 without specifically labelling it genocide. Despite this, the genocide issue was undoubtedly a crucial matter throughout the long negotiations that led to the signature of the protocols.

15 "Azerbaijan Gives Messages to Ankara with Alternative Gas Routes", *Milliyet* on 19.11.2009 (<http://www.milliyet.com.tr/Siyaset/SonDakika.aspx?aType=SonDakika&ArticleID=1163783>)

16 "One Nation is Divided", *Hürriyet Daily News*, 19.11.2009 (<http://www.hurriyet.com.tr/gundem/12720855.asp>)

17 Zeynep Gürçanlı, "What will the protocols with Armenia bring", *Hürriyet*, 10.10.2009 (<http://arama.hurriyet.com.tr/arsivnews.aspx?id=12663370>)

18 "April 24 commemorated for first time in Turkey", *Today's Zaman*, 26.04.2010 (<http://www.todayszaman.com/tz-web/news-208501-april-24-commemorated-for-first-time-in-turkey.html>)

The annexed document to the protocols, where a timetable for the implementation of the protocols is detailed, clearly demonstrates the importance of the sub-commission on historical issues in the overall negotiations. In “Step 5”, the document refers to different sub-commissions to be established after the ratification of the protocols by both national parliaments.<sup>19</sup> According to this annexed document, seven different sub-commissions on the issues of transport/energy, legal matters, science/education, economic cooperation, environmental issue and the historical dimension will be established. The first six sub-commissions are defined in one or two lines, whereas the sub-commission on the historical dimension is explained in ten. This points towards the intense diplomacy behind the protocols as well as both sides’ divergent views on how to label the events of 1915.

A joint historical commission is not a new suggestion. In April 2005, the Turkish Prime Minister sent a letter to President Kocharian explaining the effects of the genocide issue on bilateral relations, proposing an independent commission of historians be established. Erdoğan underlined that both countries will respect the commission’s findings and will thus be a significant step in normalizing Turkish-Armenian relations.<sup>20</sup> In his reply on 25<sup>th</sup> April 2005, President Kocharian emphasized the lack of diplomatic relations and the closed border and repeated Armenia’s desire to restore diplomatic relations unconditionally.<sup>21</sup>

Recently, the US House Committee on Foreign Affairs voted on March 4<sup>th</sup> 2010 to call the 1915 tragedy a genocide; one week later on March 11<sup>th</sup>, Sweden’s Parliament also passed a similar resolution. Indeed, Turkey’s diplomats spend an inordinate amount of time and energy to ward off such campaigns - according to Osman Bengür, a Turkish-American expert and former Congress nominee, “by some accounts, approximately 70 percent of the Turkish Embassy’s time in Washington is spent trying to persuade leading Americans to support the Turkish position on the Armenian question.”<sup>22</sup>

In the realm of foreign policy, Turkey wants to end these genocide resolutions that damage its reputation and create anti-Turkish sentiment around the world. Thus, it sees the proposed historical commission as a tool to find a final solution to this long standing problem. In the realm of domestic politics, the historical commission has the potential to contribute to Turkey’s democratization process by opening up discussion on a previously-avoided part of history. On the other hand, for Armenia, the reality of the genocide is incontestable and not open to discussion. Armenians believe that “the acknowledgement of the Armenian Genocide must be the starting point of any impartial historical commission, not one of its possible conclusions.”<sup>23</sup> In sum, it can be argued that both sides have different expectations from the protocols. Turkey prioritizes the establishment of a historical sub-commission whereas Armenia is far more interested in establishing diplomatic relations and opening the land border for economic reasons. As such, it can be argued that the opening of the border is a more urgent issue for the people of Armenia than it is for the Turkish people. That is why both sides have different priorities when negotiating with each other and this complicates the rapprochement process between Turkey and Armenia.

19 For more details: <http://www.mfa.gov.tr/data/DISPOLITIKA/t%C3%BCrkiye-ermenistan-ingilizce.pdf>

20 Aybars Görgülü, “Turkey – Armenia Relations: A Vicious Circle” TESEV Foreign Policy Analysis Series-8, Istanbul. (November 2008) pp.28-29

21 “Robert Kocharyan Replied To Turkish Prime Minister’s Letter,” Armtown Website 26.05.2005 <http://www.armtown.com/news/en/a1p/20050426/27621>

22 Osman Bengür, “Turkey’s Image and the Armenian Question”, *Turkish Policy Quarterly*, vol.8, N.1, p.45.

23 Roger Smith, “The Politics of Genocide and the Turkey-Armenia Protocols” 21.10.2009 Zoryan Institute Website (<http://www.zoryaninstitute.org/Announcements/Politics%20of%20Genocide%20and%20the%20protocols.pdf>)

# Armenia: Internal Debates on the Rapprochement Process

## DOMESTIC DISCOURSE AROUND THE TURKISH-ARMENIAN PROCESS

Since Armenia's independence, no other foreign policy issue (except perhaps Nagorno-Karabakh) has had such resonance among Armenian society and the Diaspora than Turkish rapprochement. Attitudes towards the signing of the protocols varied from strong disapproval to great optimism. Negative attitudes were however more prominent: a considerable part of Armenian society, an even greater proportion of the Diaspora and segments of the political elite believed the protocols betrayed national interests. Even the most moderate critics accused the Armenian government of making too many concessions.

Up until 2008, two main factors affected Armenian opinion of Turkey. The first was the memory of the 1915 tragedy, made bitterer by Turkey's policy of denial. The second was Turkey's support for Azerbaijan in the conflict over Nagorno-Karabakh. With the borders sealed, the average citizen perceived Turkey as a hostile country, much like the Ottoman Empire and not the neighbour that it is now.

Because of this general sense of mistrust, Swiss-mediated Turkish-Armenian talks were kept secret for quite a while. Indeed, the shock at the publication of their first results in April 2009 was palpable. One of the ruling parties, Dashnaksutyun, even left the governing coalition in protest against the rapprochement after the joint statement about a Turkish-Armenian Road Map was released. The Zurich Protocols, published on August 31<sup>st</sup> and signed on October 10<sup>th</sup> 2009, led to even stronger criticism in the media and amongst the public at large. However, longstanding issues and not the content of the Turkish-Armenian agreements were the main reasons for this adverse reaction, of which there are three of note here:

- 1) The strongest is conservatism: over two decades, Armenians have got used to the regional political layout and are afraid of change.
- 2) The second is mistrust. Many Armenians believe Turkey is being insincere in its negotiations with Armenia; there are widespread fears that the issue of Nagorno-Karabakh has been included in the Armenian-Turkish agreements in some clandestine fashion. These fears were to an extent dispelled by Erdoğan's comments in Washington, where he said that the protocols contained no reference to Nagorno-Karabakh. However, he then said that the Turkish Parliament would not ratify the protocols unless some progress was made on Nagorno-Karabakh.
- 3) The third resulted from a lack of understanding of Turkey's motives. Turkey's efforts to normalize relations with Armenia stem in part from its relationship with the EU and US. Armenians are generally unaware that Turkey is making concessions in the East with a view to gaining dividends in the West.

Armenian perception of Russian-Turkish relations is also littered with stereotypes and phobias. The fact that Turkish-Armenian rapprochement coincided with a revitalization of Russian-Turkish relations was cause for some concern in Yerevan. Some actors voiced fears that Russia and Turkey may agree on some regional project that could jeopardize Armenia's interests. Such opinion formers cited the 1920s Russian-Turkish agreements and the March 16<sup>th</sup> 1921 Moscow Treaty between Bolshevik Russia and Kemalist Turkey as examples.<sup>24</sup>

<sup>24</sup> Raffi Hovannisian, "Forward to the Past: Russia, Turkey, and Armenia's Faith", RFE/RL, 17 October 2008 ([http://www.rferl.org/content/commentary\\_Russia\\_Turkey\\_Armenia/1331509.html](http://www.rferl.org/content/commentary_Russia_Turkey_Armenia/1331509.html)).



However, such opinion does not take account of the new political context in the South Caucasus following the 2008 Russia-Georgia Five Day War. While Turkey and Russia may look to embrace joint initiatives in the South Caucasus, they remain ‘competing allies’ in a strategic sense; “both countries have converging and conflicting interests in neighbouring regions.”<sup>25</sup> Meanwhile, the normalization of Turkish-Armenian relations is unique in the former USSR in that the interests of the United States, Russia and the EU all coincide. Russia keeps insisting that Turkish-Armenian rapprochement be dealt with separately from Nagorno-Karabakh; Russia’s Prime-Minister Putin reiterated this in a meeting with Erdoğan on January 14<sup>th</sup> 2010.<sup>26</sup>

Clearly the burden of history continues to affect Armenian attitudes towards Turkey. However, the Armenian government adheres to its preparedness to implement agreements with Turkey in order to normalize relations and open borders “without any preconditions.”<sup>27</sup>

### THE ROLE OF THE DIASPORA

The Armenian Diaspora played - and continue to play - a unique role in the development of modern Armenia and has a significant impact on its politics.<sup>28</sup> Given its structure and *modus operandi*, the Diaspora has many ways of influencing Armenian political, social and economic life. These range from political advocacy in countries with Armenian communities and remittances from ordinary citizens to donations from large-scale benefactors totalling billions of dollars – representing a significant proportion of both Armenia’s and Nagorno-Karabakh’s budgets. Further, following independence in the early 1990s, political parties which had long existed among the Diaspora returned to Armenia.

Several demonstrations organized by the Diaspora Armenians in France, Syria, Lebanon, Canada, the US and Australia etc. protested against the protocols, demonstrating that they are mostly opposed to rapprochement with Turkey. The main reason is that Armenian Diaspora communities outside the former USSR - primarily those in the West, Lebanon and Syria - are the direct consequence of the massacres and deportations from the Ottoman Empire in the early 20<sup>th</sup> century. These communities consist of direct descendants of genocide survivors; memory is central to their identity. Indeed, studies have shown that Diaspora actors tend to be much more radical with regard to their homeland’s foreign policy and ethnopolitical conflicts than the people who actually live there.<sup>29</sup> The Diaspora’s attitude towards reconciliation with Turkey follows this trend: Armenians abroad are more motivated, consolidated and radical than home-based Armenians.

So, the signature of the protocols was not at all welcomed by the Diaspora.<sup>30</sup> In order to advocate Armenia’s position, President Sargsyan toured the world’s largest Armenian communities, visiting Beirut, Paris, New York, Los Angeles and Rostov-on-Don in Southern Russia. In many communities, reaction to Sargsyan was cool. Sargsyan’s visit to Paris even led to public unrest - French police had to use force to disperse a French Armenian rally. Large rallies were also held in Los Angeles and Beirut. The attitude of the Diaspora to Armenia’s policy on Turkey will almost certainly remain constant and will continue to impact on the rapprochement process.

25 Bülent Aras, “Turkey and the Russian Federation: An Emerging Multidimensional Partnership”, *SETA Policy Brief*, N.35, August 2009, p.11.

26 “Turkey and Russia had a deal on energy”, *TRT Haber*, 13.01.2010. <http://www.trt.net.tr/haber/HaberDetay.aspx?HaberKodu=bb14d3d6-2f2a-4f3b-a3cd-443f29b251cc>; Mikhail Agajanian. “Erdoğan’s Visit to Moscow: the Turks Wanted More, They Got What They Usually Get”. Noravank Foundation, 10.03.2010 <http://www.noravank.am/ru/?page=analitics&nid=2376>

27 “Interview of Armenian Foreign Minister Edward Nalbandyan to ‘Politique International’ Journal”, 04 March 2009 (available at [www.mfa.am](http://www.mfa.am)).

28 Viktor Dyatlov, Eduard Melkonian. *Armenian Diaspora: Essays on Sociocultural Typology*. Yerevan, Caucasus Institute, 2009.

29 C. Christine Fair, “Diaspora Involvement in Insurgencies: Insights from Khalistan and Tamil Eelam Movement”, *Nationalism and Ethnic Politics*, N.11, 2005.

30 See, for example, “Stop the Protocols Campaign”, <http://www.stoptheprotocols.com>.

## THE GENOCIDE ISSUE

The issue of the genocide is very sensitive for Armenians both in and outside the country; neither are prepared to discuss whether the genocide is factually accurate or not.<sup>31</sup> For Armenian society, international recognition of the genocide is about both moral compensation and security - genocide recognition by various states including Turkey is seen as a pledge against future genocides and a way to reduce the feeling of insecurity still experienced by many Armenians.

In the late 1990s Armenia began to implement a policy in which genocide recognition claims became an unconventional tool to exert political pressure on Ankara.<sup>32</sup> As Turkey used Nagorno-Karabakh as a resource for pressurizing Armenia, Yerevan made the genocide instrumental in its policy. Yet many actors in Armenia are convinced that in the framework of the rapprochement, the issue of Nagorno-Karabakh is not a priority for Ankara for a number of reasons. They believe Turkey is only using this issue as a lever or a trading chip in order to detract from international recognition of the genocide. When Turkey brings up the conflict over Nagorno-Karabakh as a precondition to normalizing relations, Armenia toughens its stance on genocide recognition. The pressure exerted by the Diaspora on Western governments thus becomes a resource for pushing Ankara towards concessions in the normalization process.

The ratification of the protocols will not cause Armenia or especially the Diaspora to stop advocating recognition of the genocide. In September 2009 Turkish Foreign Minister Davutoğlu told Turkish journalists he did not believe Armenians would ever renounce genocide claims.<sup>33</sup> The opening of borders and normalization of relations can slow the process down but not stop it; the issue of recognition stems from the Diaspora and not from the Armenian government. Indeed, international recognition of the genocide started before the modern state of Armenia was even established; the European Parliament passed its Resolution on the genocide back in 1987 when no one could so much as imagine that Armenia would become an independent country four years later.

In sum, unsettled problems with Yerevan, including genocide recognition, expose Turkey to pressure from leading world players such as the US and the EU. Some actors in Brussels and Washington use the Armenian question as a tool for pressurizing Ankara in a range of issues from EU membership to the status of Iraq's Kurdish-populated Northern provinces. This is a growing concern for Turkey's political elite and society.<sup>34</sup> As the centenary of the genocide approaches in 2015, genocide recognition efforts will snowball, creating an unfavourable background for Turkish-Armenian reconciliation efforts.

## NAGORNO-KARABAKH

The issue of Nagorno-Karabakh is one of the pillars of Armenian foreign policy. A large share of Armenia's political elite is former Karabakh activists, former combatants or people from Nagorno-Karabakh and Armenian-populated parts of Soviet Azerbaijan. The movement in support of Nagorno-Karabakh which started at the very end of the Soviet era was no less important than Armenia's independence struggle against the communist regime. Twenty years later, Nagorno-Karabakh still has existential value in the political thinking of Armenian elites. Indeed, for almost two decades, Armenia has been prepared to pay a very high price for the independence and security of people living in Nagorno-Karabakh.<sup>35</sup>

31 Alexander Iskandaryan. "Coğrafyanın Birleştirip Tarihin Ayırdığı İki Ülke: Ermenistan ve Türkiye", in *Ermeni sorunu tartışılırken... / "Armenien und die Türkei: Geographisch verbunden – durch die Geschichte getrennt"*, in *Wenn Man Die Armenierfrage Diskutiert...* Heinrich Böll Stiftung Derneği, Istanbul, Mart 2006.

32 Ruben Safrastyan. "The Recognition of the Genocide in Armenia's Foreign Policy: Multi-Level Analysis." *21st Century Journal* (Russian Edition), Yerevan, No 1, 2005, p.3.

33 "Turkey Admits That Armenia Will Not Renounce Genocide Claims After Border Opening" 16.09.2009. ([http://news.bakililar.az/news\\_turciya\\_priznaet\\_cho\\_25357.html](http://news.bakililar.az/news_turciya_priznaet_cho_25357.html))

34 Noah's Dove Returns. *Armenia, Turkey and the Debate on Genocide*. European Stability Initiative, Berlin – Istanbul Yerevan, 21.04.2009, p.22.

35 Sergey Minasyan, "Armenia in Karabakh, Karabakh in Armenia: The Karabakh Factor in Armenia's Foreign and Domestic Policy", in Alexander Iskandaryan (ed.), *Caucasus Neighborhood: Turkey and the South Caucasus*, Caucasus Institute, Yerevan, 2008.

This stance stems from the experience of war in the 1990s. Nagorno-Karabakh now has a fortified border well configured for defence and a buffer zone all along the former administrative border of Soviet Karabakh. Because of the buffer zone and the Lachin corridor which links Karabakh to Armenia, the potential contact line between the armies of Nagorno-Karabakh and Azerbaijan is considerably shortened: in the north, there is a hardly crossable mountain ridge and in the south, the border with Iran. The short border makes it easier for Armenians in Nagorno-Karabakh to rebuff any attack of Azerbaijan's much larger forces. By withdrawing its troops from any of the regions that form the buffer zone, Nagorno-Karabakh fears weakening its defence and giving Baku new hopes for a military solution; this apprehension is fortified by the fact that Azerbaijan is building up its military budget and threatening a new war.<sup>36</sup> Nagorno-Karabakh is not prepared to lower its defences unless the sides sign a final peace agreement that defines the status of Nagorno-Karabakh based on mutual compromises. In fact, the fortified borders, combined with the non-compromising antagonism of the international community to resolution of the conflict by military means, so far remain the best guarantees of the non-renewal of armed hostilities in the area.

It is therefore unsurprising that Turkey's insistence on linking the normalization of relations to Nagorno-Karabakh was met with disappointment, if not surprise, in Armenia. In a meeting with Turkish journalists in December 2009, Armenia's Foreign Minister Nalbandyan said that had Turkish-Armenian normalization originally been tied to the conflict over Nagorno-Karabakh, rapprochement would never have begun.<sup>37</sup> His words illustrate the understanding on the Armenian side that attempts to tie the two together would be damaging at best. Neither the Road Map declaration nor the protocols contain any mention of Nagorno-Karabakh. Efforts to put forward any additional conditions for the ratification of the protocols only increase Armenia's mistrust of Turkey as a reliable partner. Essentially, as far as Yerevan is concerned, linking normalization with Nagorno-Karabakh puts the former process in jeopardy.

Meanwhile, Yerevan is aware of the reasons for Azerbaijan's reaction to Turkish-Armenian rapprochement leading to a series of crises in bilateral relations between Baku and Ankara. Indeed, normalization is expected to benefit Armenia and thus, according to zero-sum logic, impact upon Azerbaijan. Actors in Armenia are aware that Turkey is trying to handle its problems by regularly assuring Azerbaijan that rapprochement with Armenia will be to some degree dependent on the settlement of the conflict over Nagorno-Karabakh. The feeling in Yerevan is that progress in Karabakh is badly needed but linking it to Turkish-Armenian relations means both are unlikely to succeed.<sup>38</sup>

It is clearly counterproductive to perceive Turkish-Armenian and Azerbaijani-Turkish relations as a zero-sum-game, where rapprochement with Armenia results in a deterioration of relations with Azerbaijan. The zero sum game is by no means the only model that can work in the Armenia-Azerbaijan-Turkey triangle. According to Armenia, Azerbaijan cannot jeopardize its relationship with Turkey because this would leave it less room for manoeuvre in its relations with Russia. The Baku-Tbilisi-Ceyhan and Baku-Erzurum communication and fuel transportation projects that took so long to prepare and implement cannot be stopped overnight; they make Azerbaijan and Turkey mutually dependent. Most importantly, the opening of the Turkish-Armenian border could mitigate the overall situation in the region and eventually benefit all the regional players. After all, Azerbaijan does sustain good neighbourly relations with Russia which has a military base in Armenia, is allied to it in the Collective Security Treaty Organization and gives it military assistance. Some disappointment will be inevitable, but Baku cannot afford to have troubled relations with Turkey.

36 "Mediators Report 'Important Progress' In Karabakh Talks, But Difficulties Remain". RFE/RL, 22.11.2009 ([http://www.rferl.org/content/Azerbaijani\\_Armenian\\_Presidents\\_Meeting\\_Again\\_To\\_Discuss\\_NagornoKarabakh/1884679.html](http://www.rferl.org/content/Azerbaijani_Armenian_Presidents_Meeting_Again_To_Discuss_NagornoKarabakh/1884679.html))

37 "Armenian FM Meets with Turkish Journalists", <http://news.am/en/news/10947.html>, 12.12.2009.

38 Alexander Iskandaryan, "Armenian-Turkish Rapprochement: Timing Matters", *Insight Turkey*, vol.11, N.3, 2009.

# Ratification of the Protocols and the Future of Turkish-Armenian Relations

## TURKEY'S APPROACH

The signature of the protocols signifies a turning point in the mutual history of Turkey and Armenia. Expectations are now high. However, the protocols will only enter into force after they are ratified by the respective parliaments. The last minute crisis in Zurich just before the signature ceremony is an indicator of the challenges awaiting both sides during the ratification process.

The first sign of discord occurred soon after the protocols were signed. At a party congress in Ankara on October 12<sup>th</sup> 2009, Erdoğan said that “Turkey cannot take a positive step towards Armenia unless Armenia withdraws from Azerbaijani land... if that issue is solved our people and our parliament will have a more positive attitude towards this protocol and this process.”<sup>39</sup> Erdoğan’s likely intention was to play to the Turkish domestic audience and to appease the opposition, who were harsh critics of the protocols. Indeed, relations with Azerbaijan are a domestic political issue in Turkey, especially when viewed in the context of rapprochement with Armenia.

On the other hand, Armenian reaction to Erdoğan’s statement was steadfast, underlining the fact that neither the word Karabakh nor Azerbaijan appeared in the protocols. The international community also expressed concern at the linking of the ratification of the protocols with the Karabakh peace process. Both the US and Russia stated that Karabakh peace negotiations and Turkish-Armenian rapprochement are separate processes.<sup>40</sup> After this first crisis, both sides have been public in articulating their intention to wait for the other side to act first. In other words, both Turkey and Armenia are acting in a brinkman-like fashion.

Procedurally the process is similar in both countries; both Turkey and Armenia need the approval of their respective national parliaments in order to implement the protocols. However, Armenia’s Constitutional Court must also agree that the protocols conform with the country’s constitution before parliament has a chance to approve them. Accordingly the Constitutional Court approved the protocols on January 12<sup>th</sup> 2010<sup>41</sup> and thus dismissed claims that some provisions contained in the documents were unconstitutional.

However the decision of the Constitutional Court was a cause of frustration in Ankara. On January 18<sup>th</sup> the Turkish Ministry of Foreign Affairs issued a press release stating that: “this decision contains preconditions and restrictive provisions which impair the letter and spirit of the protocols.”<sup>42</sup> The Ministry’s disappointment was shared by the Turkish Government; Erdoğan said that the Court’s reference both to the “killing of Armenians” and to the conflict between Armenia and Azerbaijan over Nagorno-Karabakh is problematic: “This will challenge the process unless the mistake is corrected. It’s definitely unacceptable to Turkey.”<sup>43</sup>

The official Turkish reaction stemmed from two of the Constitutional Court’s rulings. The first one was the reference made to Article 11 of the Armenian Declaration of Independence; the

39 “Azerbaijan attacks deal with Armenia”, *Independent*, 12.10.2009 (<http://www.independent.co.uk/news/world/europe/azerbaijan-attacks-deal-with-armenia-1801349.html>)

40 Ömer Taşpınar, “Crisis”, *Sabah*, 25.01.2010 (<http://sabah.com.tr/Yazarlar/taspinar/2010/01/25/kriz>)

41 Full Text of Constitutional Court’s Decision on Protocols: (<http://concourt.am/english/decisions/common/pdf/850.pdf>)

42 Press release regarding the Armenian Constitutional Court Decision on the Protocols Between Turkey and Armenia. 18.10.2010 (<http://www.mfa.gov.tr/no.-14.-18-january-2010.-press-release-regarding-the-recently-published-grounds-of-the-decision-of-the-armenian-constitutional-court-on-the-protocols-between-turkey-and-armenia.en.mfa>)

43 “Erdoğan Warns Armenian Court Ruling Could Derail Protocols.” on 21.01.2010 (<http://www.armeniadiaspora.com/news/armenia-turkey/1048-erdogan-warns-armenian-court-ruling-could-derail-protocols.html>)

Court underlined that the clauses within the protocols cannot contradict Article 11 which states that Armenia will “support the task of achieving international recognition of the 1915 genocide in Ottoman Turkey and Western Armenia.” According to Turkish officials, this interpretation undermined the proposed historical sub-commission charged with investigating the nature of the events of 1915.

The second issue Turkey had related to the Court’s fourth decision, which stated that “international treaties can only have legal effect in Armenia in line with the provisions of Article 6 of the Armenian Constitution, with due regard for their validity in international law and their being a constituent part of the legal system of Armenia in the procedure prescribed by the constitution.”<sup>44</sup> Turkish officials took this as the protocols therefore not recognizing the Kars Treaty of 1921 and as another expression of Armenia’s reluctance to recognize the territorial integrity of Turkey.

Turkey’s official reaction has had a mixed response. Some Turkish analysts found Turkey’s position over the top, arguing that the process has already been blocked by Turkey due to the linking of the ratification with the Karabakh peace process.<sup>45</sup> Others argued that the official Turkish reaction is just as the Armenian Constitutional Court has introduced some restrictive provisions that conflict with the spirit of the protocols.<sup>46</sup>

Another important development in the aftermath of the signature occurred during Erdoğan’s meeting with President Obama in early December 2009. In the press conference following the meeting, Erdoğan responded to questions relating to ratification. There he made an analogy between the famous March 1<sup>st</sup> 2003 Bill about sending Turkish troops to Iraq and allowing Americans to use Turkish territory for invasion. At that time AKP did not apply the parliamentary whip; 97 MPs from the governing party voted against the bill and it thus did not pass. Erdoğan said that he could not apply the whip when bringing the protocols to parliament and thus could not guarantee a positive result.<sup>47</sup> So in that sense, Erdoğan’s US visit confirmed the current deadlock.

In sum, these demonstrate that ratification will be quite challenging. The international community expects swift ratification on both sides. However neither Turkey nor Armenia has yet displayed the necessary enthusiasm. The AKP government is hesitant to discuss the protocols in parliament since they are concerned about the potential public reaction and, maybe more importantly, that there may be no significant progress in the Minsk Group talks.

Unsurprisingly April 24<sup>th</sup> accelerated the process. Erdoğan assigned Foreign Ministry Undersecretary Feridun Sinirlioğlu as a special representative and sent a letter to Sargsyan. Then both leaders met in Washington D.C. on April 12<sup>th</sup> to discuss this letter as well the current situation. Ten days later President Sargsyan declared that Armenia had decided to freeze the ratification of the Zurich protocols. This declaration was not a surprise and thus Turkish officials responded calmly. Davutoğlu underlined this by saying: “We hope conditions get better and that the process continues again. We see this process as a process which will be beneficial for the entire region. Nothing has changed for Turkey.”<sup>48</sup> In fact Turkey saw the suspension as an opportunity for both sides to reconsider the whole process and develop new strategies to tackle their difficulties. Much political investment has been spent in delivering the protocols and this should not be wasted.

44 Press release of the Armenian Constitutional Court, Decision 4e

45 Erdal Güven, “Protocols will do work”, *Radikal*, 21.01.2010 ([http://www.radikal.com.tr/Default.aspx?aType=RadikalYazarYazisi&ArticleID=975796&Yazar=ERDAL\\_GUVEN&Date=21.01.2010&CategoryID=99#](http://www.radikal.com.tr/Default.aspx?aType=RadikalYazarYazisi&ArticleID=975796&Yazar=ERDAL_GUVEN&Date=21.01.2010&CategoryID=99#))

46 Ceyda Karan, “One should say ‘I dare you’ to Yerevan’s annotations”, *Radikal*, 25.01.2010 (<http://www.radikal.com.tr/Default.aspx?aType=RadikalYazarYazisi&ArticleID=976551&Yazar=CEYDA%20KARAN&Date=25.01.2010&CategoryID=100>)

47 Sedat Ergin, “Will the March 1 accident be repeated?”, *Hürriyet*, 10.12.2009 (<http://hurarsiv.hurriyet.com.tr/goster/haber.aspx?id=13160431&yazarid=308&tarih=2009-12-10>)

48 “Ankara hopes for ‘reflection’ in Armenia process”, *Today’s Zaman*, 24.04.2010 (<http://www.todayszaman.com/tz-web/detaylar.do?load=detay&link=208352>)

## ARMENIA'S APPROACH

The protocols are the result of many compromises made during lengthy negotiations. Thus the likelihood of either side achieving everything it wants is very small. The path to ratification and implementation may also prove challenging.

The normalization process began because circumstances were favourable: the US and EU supported rapprochement; democratic change in Turkey made rapprochement more palatable; and the Five-Day War injected new impetus into the region. However, procrastination may cause European actors to lose enthusiasm. A lack of progress visibly frustrates stakeholders on both sides. Such sentiment leads to speculation and creates domestic problems for public officials. Worse still, it activates historical phobias, leading to the rejection of rapprochement in Armenia and further aggravating the Diaspora's concerns. Speed and clarity are essential to keep the process going.

Should ratification be postponed, stalling the rapprochement process, restarting may be increasingly difficult. As a result, Turkish-Armenian relations may return to a period similar to pre-football diplomacy. New factors will hinder normalization, including growing mutual distrust, mounting support for nationalist groups and possible change in the will of external actors. Plus, the Democrat-sponsored Turkish-Armenian rapprochement is potentially one of the few success stories in Obama's foreign policy. Failure would increase tensions between Washington and Ankara.

Armenia has taken its initial step to ratify the protocols by putting them forward to the Constitutional Court. The Court judged the protocols to be in accord with the Constitution and submitted them to Parliament exactly as signed in Zurich. However, Turkey's Foreign Ministry was disillusioned by the descriptive section of the Court's verdict on the assumption that it affected the content of the protocols. In turn, Armenia regarded the Turkish Foreign Ministry's statement as an endeavour by some actors to use the Court decision as a pretext to stall ratification and laying all responsibility on Armenia. However, from a legal perspective, the decision only means that the protocols do not contradict the Constitution.

Ratification will set off a countdown of concrete normalization steps, starting with the opening of the border within two months until the establishment of diplomatic relations. However, one cannot rule out that although the normalization procedure is clearly spelled out in the protocols, it will in fact be slowed down and complicated by technical issues that either side may raise. Any potential problems should not prevent the countries from moving ahead with rapprochement, because its suspension or a U-turn will lead to a lose-lose situation.

Should ratification fail, it will be very hard for the two countries, and especially Armenia, to continue with normalization. By spring 2010, mistrust of Turkey grew significantly in Armenia, even in those political circles that were originally very pro-rapprochement and argued in favour of it in discussions with nationalists and Diaspora actors. The perspectives of Armenian society on relations with Turkey are again moving closer to those of the Diaspora. A discourse about Turkey being "as always" unable to normalize its relations with Armenians or to stick to its commitments is unfolding in the Armenian media alongside the extensive coverage of the Genocide and related issues in the run-up to the April 24<sup>th</sup> anniversary of the Genocide.

Amidst dwindling hopes that Turkey might ratify the Protocols, public attitudes in Armenia are becoming radicalized with regard to the Karabakh issue as well as to the Turkey-Armenia relationship. As Turkish officials make renewed statements tying ratification to Nagorno-Karabakh, Armenian experts and politicians insist that Armenia set Genocide recognition as a precondition to negotiations with Turkey.<sup>49</sup> In this logic, the next step would be for Yerevan to reverse the tables and set ratification of the Protocols and opening of borders with Turkey as preconditions

49 Raffi Hovhannisian. "No You Can't: Obama's Test and Turkey's Time." *Foreign Policy Journal*, March 20, 2010 <http://www.foreignpolicyjournal.com/2010/03/20/no-you-can-t-obama-s-test-and-turkey-s-time/>; Manvel Sargsian. Mountainous Karabakh Is Yet Again at the Epicenter of International Attention, ACNIS Policy Brief No 4, 2009 (<http://www.acnis.am/publications/2009/ACNIS%20Policy%20Brief%20No.4%202009.pdf>)

in talks with Azerbaijan over Karabakh. As more Armenians feel disappointed by the perceptibly failed effort to normalize relations with Turkey, growing societal pressure and opposition criticism may induce the Armenian government to toughen its stand on Nagorno-Karabakh. The official Armenian position in negotiations with Turkey may also toughen: Armenian leaders have already intimated they may recall Armenia's signature under the Protocols should they be persuaded that Turkey has no intention of ratifying the Protocols in a "reasonable time frame."<sup>50</sup>

Such developments will clearly lead to a vicious circle in the Armenia-Turkey rapprochement and very probably take it back to square one. In order to avoid new tension, the two countries need to at least try to sustain relations at the present level and avoid damaging them by unnecessarily radical statements and actions of public officials. A source of hope is that although efforts to normalize diplomatic ties and open borders have not yet been successful, track-two diplomacy between the two societies is going well and has already reached a new stage where mutual ties are gradually shedding the legacy of stereotypes and phobias. Even should "football diplomacy" stall or even lead to a setback, relations between civil society actors can hardly be expected to deteriorate. The Armenians and Turks who work to promote reconciliation through civil society contacts, debates and exchange are now past the point of no-return.

Where the format of inter-state dialogue is concerned, it is clear that even in the event that the parliaments fail to ratify the Protocols, the provisions contained therein will serve as the starting point for future efforts to normalize bilateral ties. The Protocols reflect the highest degree of compromise which is possible at the moment, the price that the elites (or at least the ruling elites) of Turkey and Armenia are prepared to pay for normalization. It is unlikely that the two countries will decide to review their positions drastically; therefore, the dialogue should be taken forth at the level of technical solutions with view to both creating new windows of opportunity for "football diplomacy" and avoiding making the same mistakes that were made in 2009. This will be also crucial for preventing any external actors from interfering in the Armenia-Turkey dialogue or in the domestic debates in Turkey and Armenia and endangering the two nations' laborious quest for compromise.

The future will thus depend on the political will of the Turkish and Armenian leaders to go on with the dialogue and continue the search for new mechanisms and opportunities for reconciliation based on the understanding and acceptance of the provisions contained in the Protocols regardless of their ratification in the short-term.

<sup>50</sup> Speech By H.E. Serzh Sargsyan, the President of the Republic of Armenia, in the Chatham House British Royal Institute of International Affairs, 11.02.2010 ([http://www.mfa.am/news/inthenews/20100210\\_president\\_eng.pdf](http://www.mfa.am/news/inthenews/20100210_president_eng.pdf)).

## Conclusion: Policy Proposals & Recommendations

Despite serious political problems and profound historical mistrust, rapprochement may still be successful. From the perspective of Armenia, relations with Turkey are a national security issue. For Turkey bad relations with Armenia are a potential issue of historical liability that affects its international image and is an obstacle in front of its new foreign policy aspirations. By showing that it can be an unbiased and open partner – a country that settles its relations with its neighbours and is open to compromise and constructive dialogue on the most controversial issues, Turkey can hope to improve its image in the Muslim world as well as in Europe and the US. A new constructive image will be conducive to Turkey's soft power aspiration; Turkey hopes to play a role in the management of regional conflicts should it succeed in becoming a neutral neighbour.<sup>51</sup>

### RECOMMENDATIONS

**On Ratification:** The October Protocols were a historic achievement. Delaying their ratification will only reduce the likelihood of eventual success. Momentum is fickle; such a historic opportunity to move forward may not present itself again for some time. Regardless of current developments, the motivations that pushed both sides to move towards normalizing relations still stand. To this end, the governments of Turkey and Armenia should press ahead with swift ratification and the international community must continue to pressure both in this regard. Delaying ratification is in no one's interest.

**On Nagorno-Karabakh:** Nagorno-Karabakh is an issue that needs addressing. There are platforms, such as the OSCE Minsk Group, that are designed to help find a lasting and just solution. They should be encouraged. The absence of Nagorno-Karabakh from the Protocols was a facilitating factor. Its re-emergence has complicated the process of ratification. In seventeen years, linking developments in Turkish-Armenian relations with the situation in Nagorno-Karabakh has not yielded the desired result. Both remain unresolved. Indeed, fully established relations with Armenia will help facilitate resolution. For example, if Turkey has fully established diplomatic relations with Armenia, it will be better placed to engage with Armenia vis-à-vis Nagorno-Karabakh than currently. In the long run it will thus also benefit Azerbaijan and a solution will be easier to achieve.

**On the Diaspora:** Bearing in mind that the Armenian Diaspora has strong leverage over Armenian politics and economics, the leaders of Armenia and Diaspora bodies should proceed from a pragmatic vision of Armenia-Turkey relations and avoid creating unnecessary impediments to dialogue between Yerevan and Ankara.

**On normalization and reconciliation:** The process of rapprochement is twofold. The first more technical step is normalization, a key part of which is the ratification of the protocols, opening the border and establishing of official relations. The second, reconciliation, will be a more challenging and emotional process. Both sides will face their common history and burdens, overcome mutual mistrust and prevail over existing stereotypes.

**On civil society:** Both in terms of normalization and reconciliation, the role of civil society is paramount. Until now, the efforts of civil society have tried to fill the void left by failed bilateral relations. The efforts of civil society will become even more important during the process of reconciliation where the two societies will overcome their differences. Civil society dialogue must be encouraged both domestically and internationally.

■ 51 Hakan Altınay, "Turkey's Soft Power: An Unpolished Gem or an Elusive Mirage?" *Insight Turkey*, vol. 10, No 2, 2008, p.56.



**On the media:** The media in Turkey and Armenia should do their best to ensure unbiased coverage of Turkey-Armenia relations and to create a favourable environment for dialogue on both political and societal levels. This should involve, on the one hand, avoiding stereotypes and sensationalism, and on the other, informing the public at home of the vision and reasoning of the other side.

**On the international community:** The international community and external players should continue to support the process but must make sure that their actions do not create any new obstacles to the two societies' and governments' difficult quest for mutual compromise.

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