



**INTER-CULTURAL COEXISTENCE AND  
COOPERATION:  
IS THE MODEL OF SCHLESWIG-HOLSTEIN  
TRANSEFFRABLE?**

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# INTER-CULTURAL CO-EXISTENCE AND COOPERATION: IS THE MODEL OF SCHLESWIG-HOLSTEIN TRANSFERRABLE?

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*The current paper, developed in connection to an ECMI project implemented in Azerbaijan in 2014, explores the transferability of successful reconciliation and intercultural cohesion mechanisms from one region or a country to another. Analysing the positive example of Schleswig-Holstein and the conflict region of Nagorno-Karabakh, the paper aims at overcoming the specific context related issues and to look at the structural factors that need to be considered if a model is to be adapted to a historically, geographically, and culturally different case.*

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## **I. INTRODUCTION**

In the formerly contested Danish-German border region, Danes and Germans share a history of two centuries of conflict, and only half a century of reconciliation. As a result of the shifting borders, Schleswig-Holstein has developed as a multicultural and bilingual region. After signing the Bonn-Copenhagen Declarations in 1955 setting up the respective minority protection frameworks on both sides of the border, the governments of Denmark and Germany have focused on developing mechanisms to provide

minority communities with a possibility for maintaining their language, culture and identity, and with the opportunity to enjoy fully their minority and citizenship rights. The effort invested in ensuring the provision of rights to people from both sides of the border has fostered bilateral relations and cooperation between the two states. Supporting and promoting the two languages, two cultures and two identities has built a relationship of tolerance, respect for diversity and trust; and as a result, the emerging particular regional bicultural identity has become a solid basis for social cohesion and integration. The model of coexistence in Schleswig- Holstein



has often been referred to as a possible role model for other minority regions in Europe

Examining the experience of Schleswig-Holstein, this report aims to outline the model for reconciliation and peaceful coexistence in regions with a long history of conflicts. The report will focus on the preconditions needed to enable a process of reconciliation, and on the factors that contribute to the success of inter-cultural dialogue. In the end, the report will examine whether the other regions in need could benefit from the experience and the lessons learned in Schleswig-Holstein. By evaluating the validity of the model against historically, culturally and geographically different areas experiencing inter-cultural clashes and difficulties in establishing peace and multicultural coexistence, the potential for transferability would be identified. For the purposes of the current report, Nagorno-Karabakh will be addressed as a region in need that could possibly benefit from and adapt the experience of the successful reconciliation at the German-Danish border to its own specific local environment.

## II. THE MODEL OF SCHLESWIG-HOLSTEIN

The region of Schleswig-Holstein is the northernmost federal state of Germany, bordering with Denmark and surrounded by the North and the Baltic Sea. It is administratively divided into 11 districts and 4 cities; its area is a part of two Euroregions – Region Sønderjylland-Schleswig and the Fehmarnbelt Region – both including territory of Denmark. The total population of 2,838,000 people is one of the most diverse in Germany with a Danish community of ca. 50 000

people (1.8% of the population in the region), a Frisian community of again ca. 50 000 (1.8%), and the Roma and Sinti communities of about 5,000 people. Among the foreign population inhabiting the region, the most sizeable groups are Turks (1.0%/29,312) and Poles (0.7%/ 8,520). The linguistic landscape reflects the cultural diversity. Although German is spoken by all citizens in the region, the minority languages of Danish, North Frisian, and Romani are preserved by their speakers and enjoy special protection and promotion in the federal state.<sup>1</sup>

The existence of the national minorities in the region of Schleswig-Holstein did not result from migration within a certain period, but rather through a historical process of changing boundaries accompanied by cultural and linguistic consequences.

### *2.1 The Historic Background*

The German-Danish border region has been the ‘apple of discord’ between the two states for centuries. The Schleswig-Holstein Question, rooted in the issue of who should control the Duchies of Schleswig and Holstein, lead to two wars in the 19<sup>th</sup> century (1848 – 1851 and 1864) – the first one won by Denmark, and the second one by Prussia. As a result, the formerly Danish and German fiefs (also sovereign states in certain periods of history) became incorporated as a region into the Kingdom of Prussia and part of the German Empire from 1871.

With the end of World War I and the defeat of Germany, the population of the duchy of Schleswig was allowed to decide democratically on the national status of the territory. In the Northern part of Schleswig 74.9% voted for a reunification with Denmark and



25.1% for Germany, and in the central part of Schleswig 80.2% voted for Germany and 19.8% for Denmark.<sup>2</sup> Among those who voted to remain in Germany were many Danish-minded people who at the time prioritised their “class-interests” rather than their ethnic affiliation.<sup>3</sup> With respect to the principle of self-determination, the 1920 referendum mandated by the Treaty of Versailles permanently fixed the German-Danish national border running from an area north of the German city of Flensburg to an area south of the Danish city of Tøndern; Northern Schleswig officially returned to Danish rule.

The long period of moving political borders had a significant impact on the demographic landscape establishing Schleswig-Holstein as a bi-cultural Danish-German region with the respective minority communities living outside their kin-states. Despite the formal respect of German commitments to the principle of reciprocity,<sup>4</sup> the Nazi regime was particularly hostile to the Danish minority, abusing even their rather limited minority rights provided by the constitution of Weimar Germany.<sup>5</sup> The German aggression against Denmark in 1940, disregarding the 1939 Non-Aggression Pact and the promise that the two countries would respect each other’s territorial integrity, was praised by the Nazi-minded German minority in Northern Schleswig.

For the Danish minority who had survived the war, the capitulation was liberation from the Nazi dictatorship and Germany as a whole. The leaders of the Danish minority collected signatures and discussed the general situation on May 7<sup>th</sup> 1945 in the Southsleswigan association (SSF) in Flensburg to incorporate Southsleswig into Denmark without either voting or regional self-administration. For the German population

they only saw cultural autonomy, whereas all higher positions should be reserved for the Danish population.<sup>6</sup>

According to the zone agreement of the victorious powers, Schleswig-Holstein belonged to the British occupation zone. The British government therefore placed four options with regard to the future of the region before the Danish government:

- to clearly state how much territory it desired to annex without a plebiscite
- to hold a new plebiscite
- to agree to an exchange of populations
- to reach a mutual agreement of full cultural and civil rights for the two respective minorities

To the great disappointment of the Danish community in South Schleswig expecting to reunite with Denmark, the Danish government rejected a revision of the border and decided to focus on ensuring a full cultural autonomy for the German and Danish minorities on both sides.<sup>7</sup> In contrast to other governments that expelled the German minority from their territories at the end of WWII, Denmark did not undertake such a step. Furthermore, the authorised punishment ex-post-facto for illegal acts committed by close to 3 000 minority members was subsequently revoked or reduced; no one among the German minority was condemned to death.<sup>8</sup>

**The history of the tensions in the region is not very different from the history of many other border regions in Europe. Two factors however make the situation particular. The first is that as early as the beginning of the 20<sup>th</sup> century, the people from the region were presented with the right to decide in a democratic referendum to which state they wanted to belong. Despite their cultural self-**



**identification, many Danes from the south voted for their territory to remain within Germany. The second factor is that although they were on the side of the winners, Denmark decided not to take advantage of the defeated Germany and rejected the border revision after the World War II. Making a strategic assessment that annexing a devastated territory with an altered demographic structure (due to the many internal refugees to the region) would have many negative consequences, the Danish government managed to overcome revisionist aspirations and concentrate all of its efforts into building the future.**

## *2.2 Overcoming the Divides*

The first step to modern administration of the region was the establishment of Kiel as the future state capital and the creation of the positions of an Upper President and Presidential Office, as a forerunner of today's State chancellery and six country offices. From May 1946 the occupying Power approved the provisional use of the terms "President of State", "Landtag", "State government" and "ministers" for the chairmen of the Main Committees.<sup>9</sup> The provisional constitution of the country was adopted on June 12<sup>th</sup> 1946, but it entered into power only after the British occupying forces officially dissolved the former Land of Prussia on August 23<sup>rd</sup> 1946. On December 13<sup>th</sup> 1949, the first statutes for Schleswig-Holstein were adopted, avoiding the formulation of programmatic state objectives.

As the Danish demands for revision were not heard by the British government the representatives of the South Schleswig Association (SSF) obtained a commitment from

the State Government to the Danish minority in Schleswig-Holstein for absolute cultural development opportunities. The commitment was assured by the "Kiel Declaration" signed on September 26<sup>th</sup> 1949.

The Declaration stressed the rights for the Danish-minded population in South Schleswig to enjoy all democratic rights defined in German Constitution as well as the right to free commitment to the Danish folklore and culture without any right of re-examination through the state authorities. However it did not release the individuals from their civic obligations. To prevent abuses of power, the Kiel Declaration also envisaged the establishment of a Committee of Understanding (Verständigungsausschuss) for the Schleswig region with a mandate to deal with complaints regarding assaults or violation of rights. The Committee was entitled to address the Secretariat, funded by the Provincial government, responsible for settling disputes between the parties or sending requests to the authority concerned.<sup>10</sup>

The Kiel Declaration was the first step in the process of normalization regarding the relationship between the Danish-minded and the state government of Schleswig-Holstein. The important part of the declaration was the assurance of all rights and commitments for all Schleswig-Holstein citizens and the right to belong to a national minority on the basis of individuals' self-identification. Authorities were restricted from interfering, in order to protect the citizens from any kind of discrimination due to their belonging or commitment. Inconsistencies in the Declaration regarding the electoral threshold and the level of subsidies for Danish schools became apparent in the early 1950s. To finally reconcile the conflicts in the border area,



a foreign policy solution had to be established, but to avoid any interference of the West German government in their internal affairs Denmark's foreign policy line did not allow for formal bilateral minority treaties.

When West Germany applied for NATO membership, an opportunity to address and solve the minority question in Schleswig-Holstein emerged. Two identical documents, in which the Parliaments of both countries assured the provision of civil rights to the minorities, were signed on March 29<sup>th</sup> 1955 by the German Chancellor Konrad Adenauer and Danish Prime Minister Hans Christian Hansen. Reaffirming the provisions and replacing the Kiel document, the Bonn-Copenhagen Declarations confirmed the existing liberties, and especially the free commitment to language and culture.

Both states accepted the principle that the affiliation to Danish/German nationality and Danish/German culture is a free choice and may not be disputed or questioned by the authorities.<sup>11</sup> In the declarations both states expressed their desire to promote peaceful relations between the population on both sides of the Danish-German/German-Danish border and thus also the development of friendly relations.<sup>12</sup> The documents acknowledged that all members of either minority have the same citizen rights and freedoms as guaranteed in the respective Constitution.<sup>13</sup>

Germany and Denmark agreed to the mandate that the states financially support their respective minorities in the border region. The Danish minority (SSW) in Germany was freed from the five percent election threshold for the Regional Parliament.<sup>14</sup> The Copenhagen Declaration re-established the right of the German minority in Denmark to have their

private secondary schools. To discuss matters concerning the respective groups and to support the relations between the communities and governments, consultative bodies were established on both sides of the border.<sup>15</sup> In Denmark, a Liaison Committee ensured close contact between the German minority and the Danish government and Parliament. The North Schleswig committee was established in the Schleswig-Holstein parliament in 1975 to regularly deal with the issues of the German minority in Denmark, concerning questions such as finance, culture, or political representation, and in 1980 the decision was made to support the Sinti and Roma and eliminate inequalities and discrimination against this group.

Based on the particular condition in Schleswig-Holstein after the end of World War II, the German-Danish cooperation is said to be leading the way in Europe towards the integration of national minorities.<sup>16</sup> The first state report on the minority situation in Schleswig-Holstein was submitted in 1986 and the first minority and border country representative was assigned in 1988 to further promote the coexistence of ethnic groups in Schleswig-Holstein. In the same year the Frisian committee, following the example of the northern Schleswig committee, was established to maintain and promote the Frisian language, education and culture. Likewise in 1988 the parliament decided unanimously to set up a state's own hardship funds for the "forgotten victims groups" and a new consensus in the Schleswig-Holstein parliament was developed.<sup>17</sup> In the same year, Schleswig-Holstein was the first federal state to introduce the office of a Commissioner for Minority Affairs, whose job it is to foster good relations between the different minority groups.



**Overcoming divides is a long-term process that requires efforts from both sides. The example of Schleswig-Holstein shows that the end of a conflict is only the beginning of the difficult road to reconciliation. The political will of both parties is crucial for the success of laying the foundations for future peaceful development and cooperation. If such a political will is present, solutions that are mutually beneficial can be found. The Bonn-Copenhagen Declarations are an example of a win-win outcome of a power play, which in the end did not aim at political benefits for either side, but at ensuring a stable and prosperous future for people from both sides of the German-Danish border. The Schleswig-Holstein experience suggests that when policies and politics are developed with a focus on the citizens, their rights and future, governments can be more than successful.**

### *2.3. The Current Framework on Minority Protection in Schleswig-Holstein*

The revision of the Statutes in 1990, which led to their transformation into a Constitution (May 30<sup>th</sup> 1990), introduced plebiscitary elements in the governance of the State and fundamental expansion of minority protection. With the new Article 5, minorities<sup>18</sup> and their rights to develop their culture and maintain their language, religion and traditions were elevated to a constitutional status.<sup>19</sup>

The Schleswig-Holstein Statutes,<sup>20</sup> initially envisaged as a temporary substitute for a constitutional framework, have become the basis of the German nation's politics towards minorities. Germany not only signed and ratified

the Framework Convention for the Protection of National Minorities (1998) and the European Charter for Regional or Minority Languages (1999), but also appointed a Federal Commissioner on National Minorities (2002) responsible for national minorities in Germany and German minorities outside of Germany.

The ratification of the two key documents with regard to minority protection by the German Federal State boosted the development of the minority rights framework in Schleswig-Holstein even further. On October 18<sup>th</sup> 2000 the Schleswig-Holstein Parliament declared the obligation of the Regional Government to regularly submit reports on the implementation of the European Charter for Regional or Minority Languages, which in the region covers the Danish and Frisian minority languages, the regional language of Low German, and Romani. Among the subsequent emblematic legislative changes that fostered the protection of the minorities in the region are the Frisian Act (2002) passed with the aim of strengthening the use of the Frisian language in the public sphere, and the Constitutional amendments from 2012, to officially recognise the German Sinti and Roma as a national minority.

In 2004 "Dialogue Forum North" was established on the initiative of the Commissioner for Minorities, to confederate the four minorities and ethnic groups in Schleswig-Holstein (including the German minority in Denmark) and in the German-Danish border region, and to bring the different minority institutions, organizations and politicians together. Launched as a result of the improved German-Danish cooperation, the Forum affiliated with the Commissioner on Minorities to the Schleswig-Holstein Landtag has become a major player in the cross-border





cooperation. In 2007, a Partnership Declaration was signed between the State of Schleswig-Holstein and the Region of Southern Denmark, which renewed the German-Danish Declaration on regional cooperation from 2001. **Discarding the borders between the two countries**, the new agreement affirmed that both sides would work together in technology, regional development, higher education and cultural projects and to strengthen cross-border projects on topics such as health, climate change, tourism, transport and logistics, labour market and training.

**Schleswig-Holstein is the only federal state in Germany with three officially acknowledged minorities and with kin-minority in a neighbouring state (Denmark). The minority protection framework in the region of Schleswig-Holstein is the most developed one not only in Germany, but also in Europe, and is a widely recognised model for fostering intercultural dialogue and peaceful coexistence. The national minorities are recognised by the State Constitution and they enjoy both their minority rights and their German citizenship rights. The legislative framework provides not only protection to the minority communities but also promotes their rights and fosters their participation in all spheres of life – political, economic, social and cultural.**

**The continuous and evolving cooperation between the German and the Danish states, expanding beyond the minority issues, is a key element of this model. The minority communities of the two sides of the border have been recognised as an asset for the development of the bilateral relations and a key factor for facilitating the political dialogue.**

## *2.4. The Model of Coexistence in Schleswig-Holstein*

Regulated by a number of bilateral and international agreements, the success of the Schleswig-Holstein model of co-existence is based on the continuous engagement of national and local authorities, minority bodies, and civil society in maintaining and developing the region as a bi-cultural unity beyond the political borders of the two states. The mutual respect for the rule of law and the democratic and minority rights of citizens from both sides of the border has fostered the establishment of a regional identity, which among the young generation is even stronger than the respective national identity. In the following section, the political, economic, cultural and civic aspects of the Schleswig-Holstein model of co-existence will be examined.

### **2.4.1. Political Aspects**

Since the end of WWII, the Parliament and the Government of Schleswig-Holstein have been located in its capital, Kiel. Based on the results of the elections for the State Parliament held on May 6<sup>th</sup> 2012, the Social Democrats (SPD) were allocated 22 seats (30.8%), the Christian democratic union (CDU) 22 seats (30.8%), the Greens 10 seats (13.2%), the Free Democratic Party (FDP) and the PIRATES 6 seats each (8.2%), and the Danish minority party called The South Schleswig Voter Association (SSW) 3 seats (4.6%).<sup>21</sup> The coalition government between SDP, the Greens and SSW headed by the Minister-President Torsten Albig (SPD) has become the first ever with a ministerial seat allocated to SSW. As a minister for Justice, Cultural and European Affairs Ms Anke



Spoorendonk is currently dealing with many issues concerning the Danish minority and their associated linguistic and cultural characteristics. Founded in 1948 to represent the Danish and the Frisian minority political interests, thanks to the granted exemption from the five-percent election threshold, SSW has been present in the Parliament of Schleswig-Holstein in Kiel ever since (with the only exception being the years 1954 to 1958). The party has become an integrated part of the political landscape in Schleswig-Holstein, as it has established itself not only as a minority party but also as a regional party attracting many Germans voters. With approximately 3,600 members, today SSW is the third largest party in Schleswig-Holstein.<sup>22</sup> SSW's success in the 2010 mayoral elections resulted in the appointment of a mayor in the border city of Flensburg. In the second round of the elections, the SSW candidate and current mayor Mr. Simon Faber won 55% of the votes beating the CDU-Greens candidate. According to SSW President Flemming Meyer, "it is a good sign that a majoritarian German population gives a vote of trust to a minority party and that SSW is seen as the best party to run the city."<sup>23</sup>

The active participation of minorities in the political life of the region is also supported by the established institutional infrastructure, such as the Department for the Baltic Sea, European and Minority matters and the Committees for the minorities of the Frisian, North Schleswig and Sinti and Roma. On many occasions, representatives of minority political institutions and organizations such as the Federal Union of the European Nationalities (FUEN) or universities are invited to provide support to the work of the committees. The Federal Government Commissioner on National

Minorities and the Commissioner for the German minority also participate in discussions on a regular basis. The annual report on minority issues produced by the State government with the support of other institutions has included a unique section in which minorities can directly present their views and requirements to the State authorities.

In the Dialog Forum Nord (DFN) all four minorities, institutions, organizations and politicians dealing with minorities have joined forces to address minority issues on a regular basis and whenever there is a concern. With the aim to support not only the minority policies but also continuous development, a number of committees have been established under the Parliamentary President. Members include representatives of the political parties of the Schleswig-Holstein Landtag and the German Bundestag, the Minority Commissioner, the Prime Minister and representatives of minorities and ethnic groups. The Committees meetings are held in the Parliament in Kiel twice each year, with the aim of providing support to the State Government. The Committee for Federal and European Affairs for Cooperation in the Baltic and North Sea Region and for Minorities also acts as an advisory body to the State government.

To foster participation in the Danish-German border region, the Independent body of the Commissioner of Minorities and Culture of Schleswig-Holstein is located directly below the Prime Minister and therefore serves as a direct contact with the Government for the national minorities and border associations. The Commissioner maintains close contacts with all the minorities from both sides of the German-Danish border and their organizations. At a Federal level, the Advisory Committee for



Questions Regarding the Danish Minority in the German Ministry of the Interior was set up to discuss all government decisions that could affect the Danish minority, and to ensure the minority's contact with the German Federal government and the Bundestag.

At the international level, the minorities of Schleswig-Holstein have different opportunities for political participation through civil society organizations such as FUEN, the European Bureau for Lesser-Used Languages (EBLUL) and Young European Nationalities (YEN). All agreements, from the international to the regional level, have to be agreed on in consensus. It is this political consensus that leads to major concession, recorded in the Bonn-Copenhagen declarations.

**The current political model ensures not only the democratic rights of every individual as a citizen of Germany, but also the right of those who feel affiliated to a minority community to express, maintain, and develop their cultural identity. An individual belonging to a minority has the right to education in their mother tongue, to the use of their language, and to practice their own religion, culture and traditions. Besides the cultural rights, minorities in the region are granted the right to association, and to political participation and representation. Minorities in Schleswig-Holstein are active participants in the decision-making processes at local and regional level and in the local governance. To ensure the protection of minorities and their rights in the region, the State of Schleswig-Holstein and the Federal Government have established a number of institutions ranging from consultative bodies to Commissioners on Minority Issues. The**

**state provides financial support to the minorities and allows for the kin-states to support their communities in the country.**

#### **2.4.2. Economic cooperation**

The economic development on both sides of the German-Danish border is rather similar. In 2012, the GDP of Schleswig-Holstein was EUR 27,220, accumulated by the services (77.3%), industry (19.7%) and agriculture (3%) sectors. The main industries in Schleswig-Holstein are the food industry, health care tourism, information and communication technology, medical technology and the naval industry.<sup>24</sup> The employment rate in the region reaches 93.5%. In the administrative region of Southern Denmark the main industries and services are agriculture, green energy, pharmaceuticals and medical equipment, finance and investments, and tourism. The unemployment rate in South Denmark is similar to that of Schleswig-Holstein at 5.3%.<sup>25</sup> In contrast to the significant differences in the post-war years due to the vast devastation of Germany and the complicated situation with the numerous internal refugees to the region of Schleswig-Holstein, the current economic conditions in both of the countries are favourable for fostering regional development and cooperation.

Until the 1990s, cooperation in the historically sensitive region was rather limited. With the launch of the first EU INTERREG funding for joint projects however, the cross-border cooperation gained impetus. Nowadays, the economic cooperation between Denmark and Germany is based on cross-border activities in the Euroregion Sonderjylland-Southschleswig, where both national minorities are located within 25 km of the frontier, with exclaves beyond.



Following the 1996 initiative of the Chamber of Industry and Commerce in Flensburg to establish a Danish-German Transport Forum, in the last few decades the economic structure of the region has undergone fundamental changes from an agrarian and ship-building area into a location for high-tech industries. In 1997 the Danish “Amt” Sonderjylland and the German counties North Frisia, Schleswig-Flensburg and the city of Flensburg decided to form a trans-border region in accordance with the “Euroregion” recommendations of the European Charter for Border Regions and Trans-Border Regions.<sup>26</sup> A Joint Regional Assembly was established consisting of 21 representatives from Sonderjylland and 21 delegates from South Schleswig. The assembly is headed by a board of eight members, four of them representing the former Amt Sonderjylland, and four delegates of the South Schleswig cooperation partners. The regional assembly is supposed to meet twice a year, once in Denmark and once in Germany.<sup>27</sup> The membership of the Region’s Council includes the mayors and political leaders of the counties nearest the border (the city of Flensburg, the county Schleswig-Flensburg and North-Frisia) from the German side and from the Danish side - the former Amt Sonderjylland, now the municipalities of Tondern, Aabenraa, and Sonderburg.

The Euroregion, which in 2002 changed its name to Sonderjylland-Southschleswig, was created following the model of joining the two sides of a border in a cooperating organization. The cross-border structure has been established in order to combat regional development problems by combining forces in the areas of economic development, the job market, education, culture, health, environment, and nature conservation,

and implements numerous projects in the areas of economy, the job market, traffic, environmental protection, sports, youth, and health.<sup>28</sup>

Since November 1<sup>st</sup> 2006 the Employment Agency Flensburg and the Districts of North Frisia and the county Schleswig-Flensburg have taken over management of cross-border job placement. The initiative has been supported by German and Danish trade and employer unions, country organizations, employment agencies, and business associations. To enable cross-border economic activities, the two governments have come up with solutions regarding healthcare policies and insurances, social benefits and the double-taxation issues.<sup>29</sup> The banking sector has also developed to support cross-border commuters offering special “border” accounts (*Grenzgängerkonto*) for salary payments with no exchange charges (e.g. the Danish Sydbank and the German NordOstseeSparkasse).

After the administrative reform in Denmark in 2007, the new Region Syddanmark (encompassing the former four large municipalities of Aabenraa, Sønderborg, Haderslev, Tønder) and the Schleswig-Holstein government re-signed a Partnership agreement, the most strategic document to date. Two Steering Committees were established on each side of the border and minorities have been awarded an observer status. The Agreement has given the joint collaboration a new basis, with the aim of strengthening joint regional awareness and creating a common, cross-border economic and labour space.<sup>30</sup> To facilitate the development of the regional infrastructure, in 2008 the two countries signed an Infrastructure Agreement.

Thanks to the INTERREG, a program supporting transnational projects that contribute



to the reduction of economic, social and spatial differences in Europe, since 1991 the Euroregion has successfully completed more than 190 projects in various fields of cross-border cooperation. More than 80 joint projects in the areas of renewable energies, logistics, tourism, and the food industry have contributed to the economic growth of the region. Among the achievements of the cross-border cooperation are the first German-Danish wind farm, the largest hub for trucks in Europe (which serves as a customs clearance and trade centre for freight forwarding, logistics and other transportation companies), the joint system for quality control in the food and bio-industry, a trans-boundary air rescue, and the virtual Museum about the region.

Alongside the economic cooperation projects, INTERREG also has supported projects contributing to the fostering of cross-country dialogue and the establishment of closer connections between the citizens of the two countries. The Danish/German minorities' project "Neighbors/Blandt Naboer" focused on improving the knowledge of the local communities about the people from neighbouring country and the living and working conditions through events, online platforms and a public calendar. The "Border" project of the Joint Info-centre aimed to provide information and advice to cross-border commuters,<sup>31</sup> the number of which reached 18,000 in 2008.<sup>32</sup>

Both Germany and Denmark provide a number of language learning opportunities on both sides of the border. With regards to education, the long-term plan for the region envisages the creation of a cross-border education model that leads to a double qualification on both sides of the border. This idea is directly linked to the expected future needs for a coherent labour

market in the growing Danish-German Fehmarn Belt Region with the planned construction of the Fehmarn Belt crossing. On a practical level, the vocational education project "German-Danish cooperative training" (Verbundsausbildung) of the Schleswig-Holstein Chamber of Commerce in Flensburg is already working towards the idea. The Convention on the recognition of professional qualifications signed by the German and the Danish ministers of education signed in November 2013 is expected to bring significant benefits to the cross-border labour market for both Schleswig-Holstein and Denmark.<sup>33</sup>

**The economic model of the region of Schleswig-Holstein since the 1990s cannot be examined separately from that of the Sonderjylland-Southschleswig Euroregion. Starting with political agreements regulating the provision of the necessary conditions of supportive administrative institutions, infrastructure and transportation services and facilities, the bilateral management of the border activities have proven to be rather successful.**

**An obvious factor behind the success is the dedication of the governments on both sides of the border to develop the trans-border region as a social and economic entity. Certainly, the financial support provided by the EU has played an important role for the development of the Euroregion. Nevertheless, the high number of submitted proposals and successfully implemented projects over the years can only be attributed to the dedication and the willingness of the local communities to foster cross-border cooperation.**

**A key message coming from the examination of economic aspects of cooperation in the German-Danish border**



**region is that fostering development requires not only investments in purely economic activities, but in a comprehensive package of healthcare, social and banking services. Of crucial importance is to foster societal cohesion by fostering the cross-border labour market, by intensifying the relations between people from different communities, and by developing appropriate educational platforms.**

### **2.4.3. Civil society and Culture**

Since the 1990s, the cooperation between Germany and Denmark on cultural matters has intensified significantly. The first steps were made by enthusiastic professionals in the field from both sides of the border, with the conviction that culture is the best ambassador to overcome limitations and prejudices.

Today, the minorities in the region of Schleswig-Holstein have a comprehensive cultural autonomy with their own organizational and institutional framework supporting the maintenance and development of the minority identity, languages and culture. The Danish minority, as the only minority with a kin-state, enjoys also a financial support coming from Denmark. The German authorities provide financial assistance to all minorities in the region for maintaining and developing their cultural institutions and educational facilities, as well as to promote their languages and culture.

Minority structures are therefore very well developed and active on the both sides of the border. Among these structures are library associations, minority newspapers, social services, linguistic groups, music associations, sports clubs and student organizations. Their

work is supported by cultural umbrella organizations and by the minority party SSW. Due to the larger size of the community and close contacts with the kin-state, the Danish minority is the most active in the region of Schleswig-Holstein. The Danes have their own School Association (Dansk Skoleforening for Sydslesvig), a Danish-language daily newspaper "Flensborg Avis," and a Danish Library (Dansk Centralbibliotek). Welfare centres, nursing homes, homes for children and young people and a mobile nursing service all run by the Danish Health Service (Dansk Sundhedstjeneste for Sydslesvig) care for the medical and dental treatment of the minority. The Danish Youth Association of South Schleswig (Sydslesvigs danske Ungdomsforeninger) supports young people in finding jobs. The Danish Evangelical Lutheran Church (Dansk Kirke) as a congregational chapel with 35 parishes facilitates the church life of the Danish minority in 40 religious communities with 6,600 members in Germany. The Danish language and culture is a part of everyday life in the region of South Schleswig. Lectures, concerts, and theatre performances in Danish are a significant part of the cultural calendar in the region.

The South Schleswig Association (Sydslesvigsk Forening, SSF) is the main cultural organization of the Danish minority, maintaining a vital connection to Denmark and the Nordic countries. The administration of the SSF comprises the Danish General Secretariat and eight locally placed secretariats, with the general secretariat situated in the "Flensborghus" in Flensburg. SSF takes care of the interests of the Danish minority, partly in cooperation with the SSW, and has an information office in Copenhagen in cooperation with the youth



organization of the minority SdU. The SSF comprises 15,000 members in around 80 local unions and eight regional unions. The SdU includes 12,000 members and about 60 affiliated associations. Each year the South Schleswig Association organises the annual meeting of the Danish minority accompanied by a number of cultural and social events.

The work of the border associations is based on a combination of renewal and tradition. The Frisian association, which currently has about 600 members, was founded in 1923, but its roots can be traced back to the national movements of the 19<sup>th</sup> century. It supports the Frisian language through courses, production of books and teaching materials in Frisia, and organising an annual Frisian folk event.

A number of minority organisations structure the civil society of Schleswig-Holstein. Among the active NGOs in the region are the German Border Association, the Schleswig-Holstein Heritage Association, the Lower German associations and the German Schleswig (ADS) Peace Alliance that facilitate and promote the German Danish dialogue through cultural work and social work. The Nordic Information Office for the Euroregion, established in 1997, holds eight information offices in the north, associated to and funded by the Nordic Council of Ministers. Its role is to provide information about official and voluntary Nordic cooperation, to provide advice on Nordic foundations and funding opportunities, and to organise lectures and other events.

The Danish School Council was founded by a circle of pro-Danish parents in 1920, with the intention of securing a Danish school education for minority children. In 1949 the statute of the Danish schools in Flensburg and Schleswig was

changed from public to private and their administration was transferred to the Council, which took over the responsibilities for the maintenance of the premises and the management of the teaching and support staff. With the financial support of the Danish state, the minority educational system developed to include 55 kindergartens, 46 schools, 2 high schools, youth colleges and adult education establishments distributed all over the region of South Schleswig. The objective of the Danish minority educational institutions is to introduce ca. 5 700 students and 1 900 young children to the Danish (and Frisian) language and culture and to support the development of the pupil's minority identity alongside their identity as German citizens. According to the State Constitution the parents have the right to choose a school for their children with no restrictions.<sup>34</sup>

The German state also bears financial responsibility for the minority schools. The Educational Act, adopted on January 24th 2007, ensures the financial equality of Danish schools with public schools in Schleswig-Holstein. Furthermore, in 2010 and 2011, the Danish minority requests to the regional government to provide transportation subsidies for the pupils resulted in refunding significant amounts to the Danish Schools Association. In 2011 however, with the aim of cutting some expenses, the State decided to reduce the grants for the minority schools by 15% but to maintain the same levels of funding for the German schools. This act was not contradictory to national or international legal obligations, but was a catastrophic regression in the minority policy of the state of Schleswig-Holstein from the minority's perspective. Major protests against decision occurred throughout the region, supported not only by the members of the



Danish minority but also by the German community. As a result of the joint efforts of the civil society, the decision was reversed in 2012.

This case provoked debates about the need to elevate the Educational Act (stipulating the financial equality of majority and minority schools) to a Constitutional status. In 2014, the draft law introducing the respective amendments to the State Constitution was accepted by all parties of Schleswig-Holstein.<sup>35</sup> The draft law, referring to the special position of minority policy in Schleswig-Holstein, sees the necessity of not only including the cultural and linguistic diversity in the State Constitution, but also of ensuring the equality of minority schools. The Constitution will now be more specific.

With the awareness that the institutionalised intercultural dialogue in the border region is based on multilingualism and that the language competences are a key factor for its success, the introduction of the Danish language as a compulsory second language in schools all over Schleswig-Holstein has been discussed by policy-makers and stakeholders for a number of years now.

Language education is just a part of the minority language policy implemented in the region. In 2007 the infrastructure committee of the border city of Flensburg decided to install bilingual road signs, and since 2009 bilingual signs have been introduced all over the State. The city administration of Flensburg has also introduced language signs in its offices, to inform citizens coming to the Administration about the language competences of the public officers. To support multiculturalism in the region, the local Euroregion office has established a Working Group on Cross-border Network Cooperation, Language and Intercultural Understanding –

(Sprog og interkulturel forståelse) as a forum where stakeholders from both sides of the border can meet, provide each other with relevant business or other types of information, and discuss current regional topics and issues of common interest.

Aiming to promote a sense of community between old and new citizens of the region, the Day of Schleswig-Holstein, invented after the World War II by the Schleswig-Holstein Heritage Association (Schleswig-HolsteinHB), has become a symbol of the will for peaceful coexistence of different cultures. Nowadays, Germans and Danes jointly commemorate events like the battle at Sankelmark in 1864 between Denmark, Prussia, and Austria, honouring the fallen from both sides. The Oeversee March is an official event, often attended by politicians and government representatives from both countries, and both Danish and German hymns are played. The WWII memorial, jointly maintained by students from the Danish and the German high schools, is just one of the few war memorials in Schleswig-Holstein; there are about 10 historical sites for remembrance.

The Agreement on Future Cultural Cooperation in the Euroregion, officially signed on April 10<sup>th</sup> 2014, is a unique agreement in Europe, setting up a model. It is expected to bring a new dimension to the German-Danish cultural partnership and cooperation and to present the border region with the possibility to apply for funding for EU cross- border cultural projects.

**Eliminating prejudices and negative stereotypes about the “others”, changing mindsets and building relationships of trust and respect for the cultural diversity requires a lot of effort and investment in the social capital. Cultural cooperation plays a key role**





in that process because it has the power to bring people together and to provide them with a better understanding of each other. Institutionalisation of this cultural cooperation, however, is a precondition for success, and it is the responsibility of both the political actors and of civil society organisations. Promoting inter-cultural dialogue at only one level will not lead to positive change. Without political support, people do not have the possibility to institutionalise their cooperation and to develop adequate mechanisms for interaction. Without active grass-root level participation and the involvement of stakeholders, the governmental policies would remain just strategies on paper. Therefore the role of civil society and minority organisations as partners in the decision-making process and the management of issues related to minority communities is of significant importance.

The model of cultural cooperation demonstrated by Schleswig-Holstein suggests that besides the joint efforts of the stakeholders at all levels, the provision of the right for all cultural groups to use their language, to practice their traditions and to maintain their identity is an important factor in fostering coexistence. Multicultural education plays a key role in this process, and should be a priority focus for any minority protection strategy and policy for fostering societal cohesion and intercultural dialogue.

### III. PRECONDITIONS FOR ENABLING THE INTERCULTURAL DIALOGUE AND COOPERATION

The minority protection model of Schleswig-Holstein is the most comprehensive and advanced of its kind not only in Germany, but also in Europe. According to Jürgen Kühl,<sup>36</sup> the model of Schleswig-Holstein consists of the following factors:

- the Referendum of 1920
- the recognition of the border despite other temporary irredentist aspirations
- no violence /displacement
- the legal settlement
- cultural autonomy
- functional autonomy
- voluntarily self-identification with a minority
- possibility for political participation
- institutionalized dialogue
- moderating forces
- the Bonn-Copenhagen Declarations of 1955
- shared values since 1945
- common security interests
- international cooperation
- kin-state and kin-minority
- fiscal surplus
- reciprocity
- voluntariness
- from subject to object

The development of this structure, however, has occurred over the course of many years, involving political, economic, cultural, and human resources. Therefore, if assessing the



transferability of this successful model of co-existence, the case-related particularities need to be approached from a general theoretical perspective distinguishing between the current structure of the intercultural dialogue and the preconditions that have enabled its development and functioning.

In summary, the **current format of the inter-cultural dialogue** at grass-root and at official levels is ensured through:

- active involvement of stakeholders from both sides of the border in the political, economic, social and cultural processes in the region
- political will for cross-border cooperation
- implementation and safeguarding (by governments and civil society) of legal framework for protection of the democratic rights of all citizens
- political, economic and civic interests in peaceful coexistence
- the common interest in the economic perspectives the Euroregion faces, which is an additional trigger that fortifies relationships between communities on a daily basis
- respect for diversity
- continuous development of the region as a multicultural space
- access for minorities to political power (through their minority parties)
- active involvement of minorities in the decision making process, ensuring the stability of the established institutions
- an active civil society, represented by a number of non-governmental organisations supporting the maintenance and development of the

cultural and linguistic identity of minorities and contributing to the societal cohesion

- fostering integration not only through education, but also through cultural events and joint commemorations of the past (common symbols and symbolic unification)
- an overarching regional identity which emphasises common ground instead of differences<sup>37</sup>

Examining the case of Schleswig-Holstein, the following **preconditions** to enable the process of building a multi-cultural society and achieving lasting peace and sustainable development can be identified:

- **International involvement as a guarantor for peace:** Involvement of international powers to support the post-conflict reconstruction process, and their timely withdrawal when foundations have been laid
- **Enforced international law:** Implementation of the provisions of the international law, frameworks and agreements
- **Vision for the future:** Strategic decisions being shaped by a vision for the future (and overcoming the past)
- **Responsibility to people:** Respect for the interests of the local communities
- **Political will:** Political will at the level of governments to overcome the crisis and to find sustainable solutions and mutually beneficial grounds for future dialogue and cooperation (win-win outcomes)
- **Shared responsibility:** Bilateral cooperation on the implementation of achieved agreements on a political level



- **Rule of law:** Development and implementation of a stable legal framework that ensures the rule of law, equal respect for the democratic rights and freedoms of all citizens, and equal respect for the minority rights of the people who identify themselves as members of a minority community
  - **Minority rights:** Provision of cultural autonomy
  - **Supportive institutions:** Building of institutions that ensure and support the implementation of the rights provided by the law, and that provide people with the necessary security (to enjoy their rights)
  - **Active civil society:** Support for the establishment of an active civil society and its institutions
  - **Wide participation:** Involvement of stakeholders representing different communities in the decision making process
  - **Supported and promoted diversity:** State support not only for protecting diversity, but also for promoting it through education, cultural and social activities, economic cooperation, political participation, and language and media policies.
  - **Common interests:** Fostering the creation and development of common economic and security interests
  - **Economic cooperation enhancing interactions:** Strategically facilitating inter-cultural dialogue alongside projects for economic or other types of cooperation. Enhancing the cross-border interactions and facilities through the labour market and educational opportunities, and through developing specific packages of social and other services to support mobility throughout the region
  - **Platforms for dialogue:** Developing platforms for dialogue simultaneously at official and at a grass-root level, and creating closer contacts between stakeholders and building trust among those levels
  - **Intensive grass-root level contacts:** Intensifying everyday contact between people from different cultures and across borders, enabling them to meet and interact in a secure and friendly environment
  - **Changing mindsets:** Eradicating prejudices and negative stereotypes through revising history and finding a common perspective towards sensitive historical events
  - **Symbolic unification:** Creating symbolic events that re-confirm the community as an entity of differences on an annual basis
  - **Identity-building:** Investing in the development of an over-arching identity which unites the cultural divides (e.g. regional identity)
- Looking at the historical experience of Schleswig-Holstein and the outlined preconditions, a conclusion could be drawn that reconciliation cannot start before the provision of peace and security within the respective territories, and without parties to comply with the international standards and frameworks. Once the conflict is settled, there should be willingness from both sides to pursue their strategic decisions with a view to the future possibilities and benefits, and not to the past. Certainly, the establishment of a sustainable framework for protection of the rights and freedoms of all citizens, and governmental commitments to support the inter-cultural cooperation in all areas of life (political, economic, social and cultural) is crucial for enabling reconciliation.**



**Although all of the above factors are of significant importance for providing the necessary environment, inter-cultural dialogue cannot occur without the active participation of people at the grass-roots level. The key factor for success in achieving reconciliation and sustainable peace is to rebuild trust, to foster willingness to interact and to cooperate, and to make people see the mutual benefits for the future. An active civil society can contribute to the process, intensifying contact between people, raising awareness about the other and promoting participation in and ownership of processes. The key to success is therefore the empowerment of people to work for their future and to bring about positive change.**

#### **IV. TRANSFERABILITY OF THE SCHLESWIG-HOLSTEIN MODEL OF CO-EXISTENCE**

As it was pointed out in the introduction, this report aims also to explore whether the successful positive model of reconciliation and trans-border inter-cultural societal cohesion could be transferred to other regions in need, to support their efforts in overcoming the divides and achieving peaceful and sustainable development. Nagorno-Karabakh is a region where such needs are undoubtedly currently present. The challenging question, however, is whether the positive model of Schleswig-Holstein is context-related, or whether it could be applied to this historically, geographically, and culturally different case. To assess on one hand the transferability, and on the other hand the possible prospects for the future of Nagorno-Karabakh if

it benefits from the lessons learned, the following section will first outline the situation in the Caucasus region, and thereafter will project the theoretical model against it.

#### *4.1. Historic Background of and Current Situation in Nagorno-Karabakh Region*

Nagorno-Karabakh is an enclave wedged between Armenia and Azerbaijan that has been in the spotlight since 1988. At that time, the region's legislature – which legally belonged to the state of Azerbaijan's territory despite being demographically dominated by ethnic Armenians – passed a resolution to join Armenia. The secession was not accepted by Azerbaijan, and the subsequent armed conflict with Armenia resulted in hundreds of thousands of refugees and internally displaced persons.<sup>38</sup> After the collapse of the Soviet Union, Nagorno-Karabakh's legislature decided to declare independence, but neither Armenia nor Azerbaijan recognized the sovereignty of the claimed Republic.<sup>39</sup> At the end of the Karabakh war, Armenians managed to gain full control not only over the Nagorno-Karabakh region, but also over seven other neighbouring regions belonging to Azerbaijan: Agdam, Qubadli, Jabrayl, Zangilan, Kalbajar, Lachin and Fizuli. Almost 20 percent of the Azerbaijani territory was occupied.

In 1994, Armenia and Azerbaijan signed a Ceasefire Agreement which officially ended the military campaign and the direct violence.<sup>40</sup> Nevertheless, violence has not been terminated since then, and short episodes of shooting along the Line of Contact (LOC) or at the border continuously occur.



The two countries have engaged in peace negotiations to find a solution to the Nagorno-Karabakh conflict, but in the last 20 years Armenia and Azerbaijan have not managed to reach decisions or to sign a Peace Agreement. Established before the ceasefire in 1994 and co-chaired by Russia, the United States, and France,<sup>41</sup> the OSCE Minsk group has been actively involved in conducting the peace talks and mediating the conflict in order to find a solution that would satisfy both parties.<sup>42</sup> But the impossibility or unwillingness of the political level on both sides to reach mutually acceptable compromises has resulted in freezing the conflict and the current *no peace, no war* situation.<sup>43</sup> Today, there are no diplomatic relations between the two countries, and Nagorno-Karabakh, together with the seven surrounding regions, remains under Armenian control. And although the cease-fire has ended the direct violence, the root causes of the conflict are still present – in fact, “the most serious incident on the LOC since the ceasefire”<sup>44</sup> with the highest number of casualties since 1994 occurred in August 2014. It is certain, however, that the exchange of fire maintains international attention<sup>45</sup> to this frozen conflict, and reminds the international community about the risks that it entails.<sup>46</sup>

The Ceasefire signed in 1994 is the only agreement signed between Armenia and Azerbaijan since the eruption of the conflict. The Agreement has not allowed for a meaningful international monitoring presence on the ground,<sup>47</sup> nor has it introduced any confidence-building measures between the forces deployed on both sides of the LOC or effective security mechanisms. Moreover, since the signing of the ceasefire agreement, defensive fortifications, underground tunnels and minefields have been

erected and expanded along the 110-mile line of contact separating Azerbaijani and Armenian forces.<sup>48</sup> The lack of a peace-keeping mission on the ground (because of its contested composition<sup>49</sup>) alongside the cases of “self-regulating ceasefire”<sup>50</sup> is an indicator of the fragility of the current situation.

Border delimitation is at the crux of the Nagorno-Karabakh issue, perceived by Azerbaijan as a military aggression by a neighbouring country over internationally recognised state borders,<sup>51</sup> and by Armenia as a response to a discriminatory policy towards the Armenian ethnic population in the region and their right to self-determination.<sup>52</sup> At the same time however, Armenia views Nagorno-Karabakh as an integral part of Greater Armenia and as a territory forcefully separated from the state in 1921 by Stalin’s regime.<sup>53</sup> Despite this, Armenia also has not recognised the self-proclaimed independence of the Republic of Nagorno-Karabakh.<sup>54</sup>

The Azerbaijani government has advocated for the implementation of the four UN Security Council Resolutions from 1993 (822, 853, 874, 884),<sup>55</sup> which urged the withdrawal of Armenian forces from the regions of Kelbajar, Agdam and Zangelan and other areas and “reaffirmed the sovereignty and territorial integrity of the Azerbaijani Republic.”<sup>56</sup> The three districts mentioned in the resolutions are among the seven districts occupied by Armenian forces outside the geographic area of the Nagorno-Karabakh Autonomous Oblast (NKAO).<sup>57</sup> For Armenians residing in Nagorno-Karabakh however, the occupied lands constitute a buffer zone, which is essential for their security.<sup>58</sup> Removing Armenian troops from these regions would tilt the military balance towards Azerbaijan and hence the



implementation of UNSCRs is not foreseeable without the signing of a comprehensive peace agreement with mutual guarantees for all sides. The UNSC resolutions call inter alia for “the restoration of economic, transport and energy links in the region” and making the ceasefire “effective and permanent”.<sup>59</sup> The latter provisions remain unimplemented by all sides.

Among the challenges to the peace process are also the secessionist demands of the Armenian population residing in the former NKAO, which are equally ignored by Armenia and Azerbaijan.<sup>60</sup> Azerbaijan’s determination to restore its territorial integrity,<sup>61</sup> the Armenian dream for unification<sup>62</sup> and the NK’s secessionism are certainly not a fruitful ground for building foundations for co-existence.

One of the important steps in the peace process of the Nagorno-Karabakh conflict was the implementation of the “Madrid Principles” which were introduced at the OSCE Summit in Madrid in November 2007.<sup>63</sup> These principles were first made public during the G8 Summit in July 10, 2009 by the US President Obama, then Russian President Medvedev and then French President Sarkozy.<sup>64</sup> The Basic Principles are the following:

- the return of the territories surrounding Nagorno-Karabakh to Azerbaijani control
- an interim status for Nagorno-Karabakh providing guarantees for security and self-governance;
- a corridor linking Armenia to Nagorno-Karabakh
- future determination of the final legal status of Nagorno-Karabakh through a legally binding expression of will

- the right of all internally displaced persons (IDPs) and refugees to return to their former places of residence
- international security guarantees, including a peacekeeping operation<sup>65</sup>

An agreement on the basic principles has not yet been reached, and the “Madrid Principles” have been under discussion for a long time without any tangible progress. The peace process is stalled. Moreover, both parties continue to blame each other. In practice, there is a war of words<sup>66</sup> between them that could fuel further escalation of tensions, thus aggravating the de-escalation and the possibility of attitudinal decompression. Future progress in the peace process is therefore dependent on the change of rhetorical climate coming from both sides.

Despite the stalemate in the negotiation process, neither Armenia nor Azerbaijan wants to leave the Minsk Group. In contrary, both parties are committed to continuing the negotiations in this format. This decision, together with the official declarations of Armenian and Azerbaijani presidents that they want and support a peaceful resolution to the Nagorno-Karabakh conflict, represent a good signal for the overall peace process.<sup>67</sup>

## 4.2 Normalization<sup>68</sup> of Life

After the end of the Karabakh war in 1994, both Armenia and Azerbaijan have tried to focus on the future. Azerbaijan has faced major difficulties such as obtaining political stability and economic recovery. Azerbaijani leaders have tried to exploit the country’s sizable energy resources and pivotal location to help manage the challenges presented by the country’s volatile neighbourhood and the conflict with Armenia.<sup>69</sup>



The Caspian region, known for its energy reserves and potential to become a trade and transport corridor linking Europe and Asia, became a central point of the development of Azerbaijan's energy resources and projects. To be more concrete, the development of the Caspian Sea energy resources has become the key element of the long-term commitment to gaining economic and political independence for Azerbaijan.<sup>70</sup>

Through properly exploiting its oil and gas revenues, Azerbaijan has become the economic leader of the South Caucasus region, despite the Nagorno-Karabakh conflict and its consequences. Currently, 75% of investments in South Caucasus are made in Azerbaijan.<sup>71</sup> Besides this, "defence spending in the South Caucasus continues to be dominated by Azerbaijan's disbursements."<sup>72</sup> Azerbaijan's military budget reached 3.7 billion dollars<sup>73</sup>, which on the whole exceeds Armenia's entire state budget. Moreover, regarding the economy of Azerbaijan, there are experts who believe that, in the absence of compulsory state budget expenses on defence, the Azerbaijani government would be hypothetically able to eradicate poverty not only in Azerbaijan, but in Armenia as well.<sup>74</sup> Nagorno-Karabakh has tried to develop as well. Lacking any international recognition and confronted with severe under-employment, the Nagorno-Karabakh Republic has become "increasingly dependent on 'external' support, particularly from the Armenian Diaspora groups in the West and from 'inter-state' loans from Armenia."<sup>75</sup>

Without any oil or gas revenues, Armenia has not experienced rapid and efficient development.<sup>76</sup> Armenia gained control over Nagorno-Karabakh and the seven surrounding

regions, but in response Azerbaijan managed to put the country into economic isolation, with all energy and transportation projects bypassing Armenia.<sup>77</sup> As a result of the Karabakh conflict, Azerbaijan's strategy of putting pressure on Erevan, and the absence of any effective roadmap for normalization of Armenia's relations with Turkey have increased Armenia's dependence on the Russian Federation (also perceived as a security guarantor).<sup>78</sup>

Over the past 20 years, life in both Azerbaijan and Armenia has normalised to a significant degree, but the negative attitudes towards the "others" have fortified. Sporadic hostilities and bloody clashes still occur along the LOC, maintaining and intensifying the sense of insecurity and stress for the people living nearby. According to an ICG report, "at least 128,000 people, including IDPs as well as permanent residents of villages and towns, are estimated by Azerbaijan to be living in areas roughly 5km from the LOC. They have to cope with automatic gunfire, landmines, unexploded munitions, water contamination and fires deliberately set to fields and forests as a military tactic."<sup>79</sup>

There are only few reports or statistical data concerning the occupied territories and their condition after the Karabakh war. For example, the last Field Assessment Mission to the seven occupied Azerbaijani territories surrounding Nagorno-Karabakh conducted by the OSCE Minsk Group Co-Chairs together with two UNHCR experts in October 2010 stated that "in travelling more than 1,000 kilometres throughout the territories, the Co-Chairs saw stark evidence of the disastrous consequences of the Nagorno-Karabakh conflict and the failure to reach a peaceful settlement. Towns and villages that existed before the conflict are abandoned and



almost entirely in ruins. While no reliable figures exist, the overall population is roughly estimated as 14,000 persons, living in small settlements and in the towns of Lachin and Kelbajar. The settlers, for the most part ethnic Armenians who were relocated to the territories from elsewhere in Azerbaijan, live in precarious conditions, with poor infrastructure, little economic activity and limited access to public services. Many lack identity documents.”<sup>80</sup>

Another challenge to the normalisation of life is the situation with the internally displaced persons (IDPs). In the 1990s, the Nagorno-Karabakh war generated one of the world’s largest populations of IDPs when hundreds of thousands of ethnic Azerbaijanis fled their homes. This fact is attested in a number of resolutions adopted in 1993 by the Security Council of the United Nations.<sup>81</sup>

For a country of almost 9 million citizens, Azerbaijan hosts one of the largest per capita displaced populations in the world – about 600 000 people.<sup>82</sup> This has led to a humanitarian crisis, which Azerbaijan was only able to start properly managing after 2000 when it started gaining revenues from the growing oil wealth. Regardless of the fact that the state has achieved significant progress in improving the living conditions for the IDPs, the policy of the Azerbaijani government remains oriented towards a return of IDPs to their lands of origin, which is considered a right and not an obligation.<sup>83</sup> The issue of the IDP’s properties in the surrounding regions of Nagorno-Karabakh is one of the sensitive points that need to be addressed by the prospective future peace agreement between Armenia and Azerbaijan.<sup>84</sup>

The trauma suffered by the IDPs<sup>85</sup> and the people directly affected by the conflict from

both the opposing sides is also a significant impediment to the process of normalisation of life and opening the possibilities for inter-cultural dialogue. The provisional future return of the IDPs to their land of origin needs to be supported by mechanisms that would enable the people to cope with possible psychological issues that might cause obstacles to the process.<sup>86</sup> There is a need for a deep reconciliation to help the future returnees to overcome the grievances, the feelings of past injustice, and the perception of the Karabakh Armenians, whom they would have to co-exist with, as “the enemy”. This sensitive aspect needs special and focused attention, because healing the relationship between the Azerbaijanis who will opt to go back to Nagorno-Karabakh and Karabakh Armenians is the precondition for a successful return. Thus, “both return and restitution will require a wider set of societal relationships and functional institutions to make them work.”<sup>87</sup> Allowing societies to interact and speak openly about their traumatic experience or cooperation in the field of arts and culture could contribute to processes of healing.<sup>88</sup>

### *4.3 Prospects before the Reconciliation Process*

In the case of the Nagorno-Karabakh conflict, the current approach to reconciliation is still to be developed – the parties and the OSCE Minsk Group are still concentrating their efforts towards establishing the principles underpinning a future peace agreement. As it seems, supporting bottom-up processes is left for planning at a later stage, after a peaceful solution is agreed to at the political level. There are currently few if any targeted measures in either of the conflicting countries to facilitate the reconciliation process at





grass-root level and to enable the restoration of relationships between the Armenian and Azerbaijani societies. And in the conflict zone, even normalization is still a process-to-come.

The narratives about the Nagorno-Karabakh conflict are clashing and rather rhetorical. Blame games, mutual accusations, and victimization dominate the public discourses in both Armenia and Azerbaijan. In the absence of direct cross-border people-to-people contacts, the populations receive information and form opinions about each other on the basis of the messages coming from the media, which address the conflict in zero-sum terms. The war rhetoric and hate speech heralded by respective media overshadow the need for knowledge on all sides and for acquiring a mutual understanding on a variety of matters. The de-humanization of the other and the absence of any contact between new generations are further obstacles to the constructive inter-cultural dialogue and co-existence.

Although conflicting parties could hardly agree on a common narrative on the causes of war, Armenia and Azerbaijan could opt for pragmatic solutions for moving towards peace. For instance, both countries can align their concerns that the unresolved conflict is used as leverage against both Armenia and Azerbaijan to extract concessions on an array of issues, and hence leads to diminishing state sovereignty and independence. Finding areas of common interest – e.g. in rebuilding infrastructure, economic and trade links - and points of convergence in respective foreign policies should facilitate reconciliation at all levels of society, starting from the top levels of power.<sup>89</sup> Elaborating on the meaning of the restoration of regional integrity in terms of free movement, unified legal space, return of displaced populations, restoration of

links and reintegration into social and economic structures could depict concrete steps towards the desired peace outcome.<sup>90</sup>

Working on a more balanced media coverage should be mutually agreed upon at the highest level, and if implemented should be a self-reinforcing mechanism. This process can start with less controversial content, such as art, culture, and sports. This can be accompanied by the opening of cultural centres. Coverage on developments in Nagorno-Karabakh and enabling the broadcasting of joint reportage materials will contribute to shaping a better vision for common coexistence. Rebuilding information bridges between societies requires more neutral media coverage that would aim to overcome stereotypes and to foster inclusion of differing perspectives. Acknowledge the other's suffering is also an important part of the process of reconciliation.

The revision of education curricula could serve to attenuate the consequences of a deepening divide for the next generations. Courses on inter-ethnic relations and conflict resolution should serve to raise awareness of conflicts, solutions and policies used in other contexts. Since achieving successful reconciliation is a long-term process, it is important to ensure that future generations will be taught about mutual coexistence and the benefits of inter-cultural cooperation.

The legal and security constraints and considerations that prevent Armenians from travelling to Azerbaijan and vice versa also have a negative impact on the contacts between the civil society actors from the two countries. Currently, there is no official policy in either of the countries to support re-establishment and to facilitate interactions at the grass-root level and



inter-cultural dialogue in general. De-securitizing migration is an essential element of reconciliation. Free movement between Armenia and Azerbaijan should be facilitated for respective citizens, to mitigate the view that citizens from the other side are enemies by default.<sup>91</sup> The conduct of independent civil society projects involving various strata of respective populations should receive domestic political support as they are currently suffering from an uncertain political climate and fear of retribution. Showing that neither side is afraid to hear the other and that it is politically acceptable to conduct low-level contacts is essential. Contacts on social media should be allowed to take place without fear of state intimidation.

Moving the conflict towards peace transformation can be successful only if it comes as a deliberate choice of respective political elites and state institutions and with the active participation of the civil society. This however requires that reconciliation is perceived as a mutual opportunity and not as a show of weakness and a loss of strategic advantage towards the other. Without the political support, contacts at the grass-root level are rather limited and only possible primarily due to the support of international institutions and organizations.<sup>92</sup> In fact, the lack of political support for the efforts of Track-Two diplomacy in both societies has created an atmosphere of mistrust around those initiatives. Over the years, different international and local NGOs have been trying to implement a number of projects aiming to create a constructive dialogue among representatives of different strata of Armenian and Azerbaijani societies. These include The Armenia-Azerbaijan Initiative - The Ben Lomond Peace Process (1993-1998), Partners in Conflict: Building

Bridges to Peace in Transcaucasia (August-December 1995), The Dialogue on Armenian-Azerbaijani Conflict over Nagorno-Karabakh within the Framework of the Dartmouth Conference (2001-2007), The Consortium Initiative (2003-2009), and The European Partnership for the Peaceful Settlement of the Conflict over Nagorno-Karabakh (2010-2011).<sup>93</sup>

#### *4.4 The Schleswig-Holstein Model Projected over Nagorno-Karabakh*

The main challenge to adapting and applying the model of Schleswig-Holstein over the region of Nagorno-Karabakh is not the historical, cultural or the geographical gap between the two regions. Looking at the structural challenges, the similarities between the regions and their past and current history of tensions emerge:

- Contested territory and neighbouring countries' aspirations
- History of wars and aggression
- Shifting borders
- Minority population claiming self-determination
- International involvement and mediation
- Sensitive bilateral relations
- Lack of trust between the governments
- Lack of trust between people

The major difference however is that while peace was imposed on the region of Schleswig-Holstein after the end of the World War II (to which Denmark's strategic decision to preserve the earlier bilaterally agreed borders also contributed), and for the last 60 years the model of co-existence has been allowed to emerge and develop, currently, peace is still to come to Nagorno-Karabakh. The brief overview of the situation in the Caucasus region clearly reveals



that the minimum conditions required for the initiation of a formal reconciliation process are still missing: **bilaterally agreed unchallenged peace, guaranteed by the international community through the enforcement of international law and the presence of peace-keepers.**

Looking at the list of the reconciliation-preconditions developed on the basis of the Schleswig-Holstein model, further it becomes obvious that in the case of Nagorno-Karabakh:

- The past prevails over the vision for the future
  - The politics are focused on the states and not on the people
  - Political will for dialogue, cooperation and finding compromising solutions for overcoming the crisis is suppressed by power-struggles
  - Both parties aim to win against the other and not to cooperate and share the responsibility for the future
  - The rule of power dominates the rule of law
  - Possibilities for self-determination of communities and negotiation of mutually accepted frameworks are not even on the table for negotiations
  - There are no national institutions supportive to the peace-process in either of the countries
  - The civil society is disempowered to take on initiative and to enable the interactions at a grass-roots level (no political support)
  - Stakeholders are not involved in the decision making process
  - Hostility and negative stereotypes against the “other” as an enemy shape the public discourse
  - No common interests in co-existence have been officially articulated and promoted
- There is no economic cooperation to support the development of the region and the interactions among people
  - There are no platforms for dialogue and cooperation at grass-root, economic or political level
  - There are no contacts among people from the two conflicting nations
  - Mindsets are caught in the hate-speech and war rhetoric - the “other” is de-humanised and perceived as the “evil enemy”
  - The symbols of war and disintegration are promoted
  - No overarching identities are sought to replace the projection of the self as a victim

Certainly, an agreement on a political level cannot be achieved unless both sides are willing to re-shape the agenda by looking towards the possibilities for cooperation and for the future benefits of peaceful coexistence. Without the termination of violence and the provision of minimum security, without a final mutually agreed-upon and irreversible decision on borders, without elaboration of legal frameworks to ensure the rule of law, rights, equality and respect for diversity, a stable peace cannot be ensured. And this process requires the political involvement of both sides.

Many more years could pass before the governments of Armenia and Azerbaijan manage to put end of the violence and achieve an agreement regarding the future of the region and its stability. But if the lessons learnt from Schleswig-Holstein become a platform for the future changes and strategic development of Nagorno-Karabakh, the period to achieve peaceful coexistence and efficient inter-cultural dialogue and cooperation could be much shorter than those 60 years of diversity-management and



trust-building at the German-Danish border. The end of war and violence does not automatically bring peace and stability. Therefore, if governments are thinking from a long-term perspective, they could identify the positive aspects in the model and adapt them to the local context and needs.

The examination of Schleswig-Holstein reveals that there are certain positive aspects that governments and policy-makers could consider for adaptation and transfer to the Caucasus region even at this very early stage. Crucial among them are:

**Enabling people to start thinking and planning for a better future through:**

- Elaborating on and promoting a perspective towards history and historical events that would introduce facts from the different points of view with no blame and accusation; identifying the grounds that unite people (e.g. the joint commemorations of the World War II victims in Schleswig-Holstein)
- Supporting people to overcome trauma and the negative past through the empathic recognition the suffering from both sides and recognition of the injustice to IDPs – dialogue for possible mutually acceptable solutions
- Promoting the advantages and prospects for the future (e.g. benefits from economic co-operation)
- Investing in the new-generation – promoting the values of the inter-cultural dialogue and peaceful co-existence through education
- Supporting the mindset-changing process – eliminating hate speech in media and the “demonization of the others”

**Initiating a trust-building process through:**

- Supportive media promoting the benefits of opening a dialogue and enabling cooperation
- Enabling inter-cultural dialogue - opening platforms for discussions even initially on neutral territory
- Supporting cooperation initiatives at grass-roots level
- Supporting economic cooperation activities
- Ensuring a safe environment and security for all participants in the discussions
- Encouraging the expression of opposing views and discussions aiming at identifying the points of intersection of opinions and consent
- Replacing the victim-offender discourse with the mutual-suffering perspective
- Supporting the intensification of grass-roots level inter-cultural activities, contacts and communication
- Recognition of the right to cultural differences and their practices
- Promoting respect for diversity

**Empowering the civil society through:**

- Supporting grass-roots level cooperation and inter-cultural activities (also on neutral territory)
- Supporting joint projects that aim to bring conflicting parties and people together
- Support for cross-border and inter-cultural networking and awareness-raising events
- Support for civil society organisations (CSOs) promoting educational and economic cooperation
- Consultations with CSOs in the process of strategies/policy planning
- Enabling CSOs to participate in the decision-making process



- Enabling the voice of CSOs to be heard regionally and internationally
- Enabling CSOs to work on both sides of the border

**Despite the current circumstances and the lack of a peace agreement between Azerbaijan and Armenia, there is still a way forward. The model of Schleswig-Holstein clearly indicates that the key player in the process of reconciliation is the civil society. The active grass-roots level has the potential to go beyond the political stalemate and to make a significant contribution to bringing people together. The bottom-up approach to fostering inter-cultural dialogue and the will for cooperation and living together is, however, dependent on the political support coming from the national government. Without this, trust towards organisations involved in reconciliation activities would be minimal and the scope and impact of their activities would be limited.**

**Supporting civil society initiatives also includes providing security for all participants and offering them the possibility to freely express their identity, culture, opinion and even disagreements or grievances. At the same time, national governments also have the power to regulate hate speech and the media and public discourses. Changing mindsets and eliminating stereotypes and prejudices is a long-term process that sometimes spans multiple generations. Therefore, with a view to the future, strategies for re-shaping attitudes need to be developed and introduced without delay, if governments aim to build societies supportive of future cooperation and sustainable peace and development once the conflict is over. Raising awareness about the**

**advantages of peaceful co-existence, inter-cultural dialogue and cooperation, and empowering people to shape their own future is a guarantee that they will develop ownership of processes and would become the driving engine of future progress.**

## **V. CONCLUSION**

The protracted Armenian-Azerbaijani conflict over Nagorno-Karabakh has frozen the relations between the two countries at the political, economic and grass-roots levels. Over the last 20 years, the perceptions-shaping pattern towards the “others” as “enemies” has led to the alienation of both Armenians and Azerbaijanis, and to the accumulation of feelings of revolt, frustration, injustice or even failure. This is why efforts to prepare the two societies for peace, inter-cultural dialogue and co-existence should begin even without a peace agreement in place. This would certainly be of benefit for all people from both sides of the conflict. Subsequently, once the peace agreement is signed, the re-established connections and trust at the grass-root level would be a trigger for the political, economic and socio-cultural development of the two countries and the Caucasus region in general. Without motivated and interested stakeholders to put it into practice, a provisional future political decision for cross-border co-operation could easily fail.

In fact, if accounting for the power of civil society to put pressure on governmental decisions, perhaps the strategies towards finding a political resolution of the stalemate could be reconsidered. Investing in building closer relations between communities, promoting the



culture and values of peace and motivating the people to be willing to look at the economic benefits of future cooperation is a challenging and time-consuming task, but quite likely with a significant positive return in the long-term. To move on to this step however, there is still the need to create an environment where a minimum degree of security and trust might be attained.<sup>94</sup> Achieving this requires a change in attitudes from both sides and political support for such a change.

Discussions on who should make the first step towards compromise and problem-solving are futile because both parties need to take this step. Both parties should understand that making a compromise does not mean that one side is the victor and the other one the loser, but in fact that they have to work together to find an agreement, to perceive the situation as shared problem

solving and in this way to achieve a solution that satisfies both of them. A desire to approach one's opponent as a partner should come from both sides.

But until that moment comes, the Schleswig-Holstein model suggests that the political support at national level needs to focus on the development of the civil society and on providing support to grass-root inter-cultural contacts, dialogue and initiatives. The facilitation of the bottom-up processes and the development of Track-Two diplomacy should become a priority focus for the national political agenda. And certainly, once a Peace Agreement between Azerbaijan and Armenia is reached the Schleswig-Holstein model can become a guiding light for further reforms and political and societal development.



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**Persons Interviewed:**

- Engelbrecht, Bernd, Press Officer SSF, Flensburg.
- Hedrich, Isabel, Chamber of Commerce and Industry Flensburg.
- Lorenzen, Martin, Secretary SSW, Flensburg
- Meyer, Heike, EURES- Adviser, Sozialzentrum Flensburg.
- Schmidt- Holländer, Jutta, and Anja Freudenthal, Administration of the Schleswig-Holstein Landtag, Kiel.



## ENDNOTES

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- <sup>3</sup> Norman Berdichevsky, “The German-Danish Border: A Successful Resolution of an Age-Old Conflict or its Redefinition?”, 2 (7) *International Boundaries Research Unit* (1999), at 18, at < <https://www.dur.ac.uk/ibru/publications/view/?id=214>>
- <sup>4</sup> Of the Danish government toward the German-minded minority in North Schleswig.
- <sup>5</sup> Article 113 guaranteed “minority cultural rights” for use in education, the courts and administration to “foreign language population groups” (Volksteile) only; see note 3, Berdichevsky, *ibid.*, at 17-18.
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- <sup>10</sup> Henningsen, *ibid.*, 192.
- <sup>11</sup> Jørgen Kühl, *Minority policy in action. The Bonn-Copenhagen Declarations. 1955 – 2005* (ECMI, 2005), 49.
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- <sup>16</sup> Klaus Kellmann, *Insights into Schleswig-Holstein, Politics – Economy – History* (Center for political education of Schleswig-Holstein, 2012), 8.
- <sup>17</sup> Hübner, *ibid.*
- <sup>18</sup> With an explicit reference to the Danish and Frisian communities.
- <sup>19</sup> Hübner, *ibid.*
- <sup>20</sup> Kellmann, *ibid.*, 13. The first statutes for Schleswig-Holstein were adopted by the Landtag on 13 December 1949. The choice of the term “statutes” – a term that is legally less substantive than that of a “constitution” – is attributed to the fact that the founders of Schleswig-Holstein considered that the federal state has low chances of survival as a separate administrative unit. The Social Democratic government has expected that the construct of Schleswig-Holstein would merge into restructured Länder. 40 years later, in August 1990, under the next Social Democratic government, the Statutes of the State (Landessatzung) became a State Constitution (Landesverfassung);
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- <sup>22</sup> Although the party has the right to participate in elections for the German Bundestag without the 5% electoral barrier, SSW has decided not to run.
- <sup>23</sup> EFA news, “SSW- Mayor in Flensburg. Press release in English and Frisian” (2010), at < [http://www.e-f-a.org/news/news/?tx\\_ttnews%5Btt\\_news%5D=128&cHash=845aedd9087e4b27a75dddce18ae6bc7](http://www.e-f-a.org/news/news/?tx_ttnews%5Btt_news%5D=128&cHash=845aedd9087e4b27a75dddce18ae6bc7)>
- <sup>24</sup> Schleswig-Holstein.de, “Wirtschaftsstandort” [“Business Location”], at < [http://www.schleswig-holstein.de/Portal/DE/LandLeute/ZahlenFakten/Wirtschaftsstandort/wirtschaftsstandort\\_node.html](http://www.schleswig-holstein.de/Portal/DE/LandLeute/ZahlenFakten/Wirtschaftsstandort/wirtschaftsstandort_node.html) > (Accessed: August 20, 2014)
- <sup>25</sup> Report on the job market in the Euroregion Sønderjylland- Schleswig (2013), at < <http://www.region.de/index.php?id=279&L=1%2Fperson.php%3Fid%3D>> (Accessed: August 20, 2014)
- <sup>26</sup> Association of European Border Region, “European Charter for Border and Cross-Border Regions” (draft), Gronau, 2011 (revised), at < [http://www.aebr.eu/files/publications/110915\\_Charta\\_EN\\_clean.pdf](http://www.aebr.eu/files/publications/110915_Charta_EN_clean.pdf)> (Accessed: April 15, 2014)
- <sup>27</sup> Jørgen Kühl, and Robert Bohn (Eds.), *Ein europäisches Modell? Nationale Minderheiten im deutsch-dänischen Grenzland 1945-2005* (Verlag für Regionalgeschichte, Bielefeld, 2005), 30.
- <sup>28</sup> Andrea Teebken and Eva Maria Christiansen, *Living together. The minorities in the German-Danish border region* (European Centre for Minority Issues, Flensburg, Germany, 2001), 51.
- <sup>29</sup> Deutsch-dänisches Steuerabkommen, *Abkommen zwischen der Bundesrepublik Deutschland und dem Königreich Dänemark zur Vermeidung der Doppelbesteuerung bei den Steuern vom Einkommen und vom Vermögen sowie bei den Nachlaß-, Erbschaft- und Schenkungsteuern und zur Beistandsleistung in Steuersachen* (Inkrafttreten: 25 Dezember, 1996), at < [http://www.bundesfinanzministerium.de/Content/DE/Standardartikel/Themen/Steuern/Internationales\\_Steuerrecht/Staatenbezogene\\_Informationen/Laender\\_A\\_Z/Daenemark/1996-11-06-Daenemark-Abkommen-DBA-Gesetz.pdf?\\_\\_blob=publicationFile&v=5](http://www.bundesfinanzministerium.de/Content/DE/Standardartikel/Themen/Steuern/Internationales_Steuerrecht/Staatenbezogene_Informationen/Laender_A_Z/Daenemark/1996-11-06-Daenemark-Abkommen-DBA-Gesetz.pdf?__blob=publicationFile&v=5)>
- <sup>30</sup> Agreement on the Danish- German collaboration in the Euroregion Sønderjylland- Schleswig (2011), at < <http://www.region.de/index.php?id=279&L=1%2Fperson.php%3Fid%3D>> (Accessed: August 20, 2014)



<sup>31</sup> A cross-border commuter is defined as someone who either travels across the border for work on a daily basis or comes back to his home country at least once a week. There's a striking unilateral South-North mobility due to a major shortage of skilled workers, laborers and artisans on the Danish side and intensive counseling and communication activity.

<sup>32</sup> Due to the economic crisis following 2008, at the beginning of 2013 the number of cross-border commuters was about 9.000. Report on the job market in the Euroregion Sønderjylland- Schleswig (2013), at <<http://www.region.de/index.php?id=279&L=1%2Fperson.php%3Fid%3D>> (Accessed: August 20, 2014)

<sup>33</sup> Recognition of professional qualifications by Germany and Denmark, at <<http://www.bmbf.de/pubRD/bqfg.pdf>> (Accessed: August 20, 2014).

<sup>34</sup> Constitution of the state Schleswig- Holstein, Article 8, para. 4, at <<http://www.gesetze-rechtsprechung.sh.juris.de/jportal/?quelle=jlink&query=Verf+SH&psml=bssshoprod.psml&max=true>>

<sup>35</sup> 63<sup>rd</sup> Plenary session from July 9<sup>th</sup> 2014, draft by CDU, SPD, Alliance 90/ The Greens, FDP, PIRATES and SSW, Printed matter 18/2115.

<sup>36</sup> Kühl and Bohn, *ibid*, 475.

<sup>37</sup> Findings from a discussion with young people from the region within the frameworks of the ECMI Summer School 2013

<sup>38</sup> Charlotte Mathilde Louise Hille, *State Building and Conflict Resolution in the Caucasus* (BRILL publishing, 2010).

<sup>39</sup> Lionel Beehner, "Nagorno-Karabakh: The Crisis in the Caucasus" (Council on Foreign Relations November 2005), at <<http://www.cfr.org/armenia/nagorno-karabakh-crisis-caucasus/p9148>>

<sup>40</sup> Sabine Freizer, "Twenty years after the Nagorno Karabakh ceasefire: an opportunity to move towards more inclusive conflict resolution", 1 (2) *Caucasus Survey* (2014), 109-122, at <<http://www.caucasus-survey.org/voll-no2/downloads/Twenty%20years%20after%20the%20Nagorno%20Karabakh%20ceasefire.pdf>>

<sup>41</sup> The main objectives of the Minsk Process can be summarized as follows: a) providing an appropriate framework for conflict resolution by way of assuring the negotiation process supported by the Minsk Group; b) obtaining conclusion by the Parties through an agreement on the cessation of the armed conflict in order to permit the convening of the Minsk Conference; c) promoting the peace process by deploying OSCE multinational peacekeeping forces. See: OSCE, Minsk Group, "Objectives", at <<http://www.osce.org/mg/66872>>

<sup>42</sup> The Minsk Group is co-chaired by Russian Federation, the United States, and France. The permanent members of the Minsk Group include the following participating States: Belarus, Germany, Italy, Sweden, Finland and Turkey, as well as Armenia and Azerbaijan and, on a rotating basis, the OSCE Troika. See: OSCE, Minsk Group, "Who we are", at <<http://www.osce.org/mg/108306>>

<sup>43</sup> Sergey Minasyan, "Karabakh conflict after two decades: a view from armenia and Nagorno Karabakh" (Alexanteri Institute, Helsinki), at <<http://www.helsinki.fi/aleksanteri/english/projects/files/Karabakh-Minasyan.pdf>>

<sup>44</sup> "Bloody clashes between Azerbaijan and Armenia over disputed territory" The Guardian, 4 August 2014, at <<http://www.theguardian.com/world/2014/aug/04/nagorno-karabakh-clashes-azerbaijan-armenia>>; "Death toll in Karabakh fighting continues to rise", Eurasianet, 4 August 2014, at <<http://www.eurasianet.org/node/69346>>

<sup>45</sup> For example, in 2012 then US Secretary of State Clinton was on an official tour in South Caucasus. During her tour, deadly border clashes erupted on the northern border of Azerbaijan with Armenia. Clinton told reporters she was „very concerned by these incidents and have called on all parties, all actors, to refrain from the use of force. There is a danger that this conflict could escalate into a much broader conflict that would be very tragic for everyone concerned." "Clinton's visit sparks shoot-outs in Caucasus", Foreign Policy News, 5 June 2012, at <<http://foreignpolicynews.org/2012/06/05/clintons-visit-sparks-regional-shoot-outs>>

<sup>46</sup> For example, the OSCE and the US State Department of State expressed their concern regarding the latest intense upsurge in violence between Armenia and Azerbaijan. The OSCE Chairperson-in-Office and Swiss Foreign Minister, Didier Burkhalter, together with the Co-Chairs of the OSCE Minsk Group urged the Presidents of Armenia and Azerbaijan to take immediate action to defuse tensions and to respect the ceasefire agreement. They also appealed to the Presidents of Armenia and Azerbaijan to resume negotiations on a peaceful settlement of the conflict as soon as possible. See: OSCE Newsroom, "Chairperson-in-Office, Minsk Group Co-Chairs deeply concerned about developments at Line of Contact, call for immediate action to defuse tensions", 2 August 2014, at <<http://www.osce.org/cio/122190>> The US Department of State stated that "there can be no military solution to this conflict. Retaliation and further violence will only make it more difficult to bring about a peaceful settlement" See: US Department of State Press Statement, "Escalating Violence Along the Line of Contact in the Nagorno-Karabakh Conflict", 1 August 2014, at <<http://www.state.gov/r/pa/prs/ps/2014/230150.htm>>

<sup>47</sup> Because there is no permanent monitoring mission, the only way of monitoring the contact line is through regular, pre-arranged visits on the ground. The monitoring of the contact line separating Azerbaijani and Armenian forces is conducted under the mandate of the OSCE. "Ambassador Kasprzyk and five assistants monitor a ceasefire in which in excess of 20,000 troops on either side face one another across a 175-kilometre line of trenches and dug-outs. But this monitoring mandate is limited and the monitors are powerless to prevent either side taking military action if it so desires. This means that monitoring is less about enforcing the ceasefire than about providing a way for the mediators to keep their finger on the pulse of the two armies and the situation on the front line. That is significant, but should not be confused with a genuine war-prevention mechanism." Thomas de Waal, "Remaking the Nagorno-Karabakh Peace Process", 52:4 *Survival* (2010), at 166.

<sup>48</sup> International Crisis Group, "Armenia and Azerbaijan: Preventing war", no. 60 Policy Briefing, Europe Briefing (8 February 2011), 3.

<sup>49</sup> The Azerbaijani side rejected any involvement of a Russian-led peacekeeping force.



- <sup>50</sup> Oksana Antonenko, “Self-regulating ceasefire” in *The limits of leadership. Elites and societies in the Nagorny Karabakh peace process*, 17 *Accord* ( Conciliation Resources, London, 2005), at 42, at <[http://www.c-r.org/sites/default/files/17\\_Nagorny%20Karabakh\\_2005\\_ENG\\_F.pdf](http://www.c-r.org/sites/default/files/17_Nagorny%20Karabakh_2005_ENG_F.pdf)>
- <sup>51</sup> Ministry of National Security of the Republic of Azerbaijan, “Position of Azerbaijan towards the conflict settlement”, at: <<http://www.mns.gov.az/en/pages/50-115.html>>
- <sup>52</sup> Ministry of Foreign Affairs of Republic of Armenia, “Nagorno-Karabakh issue”, at <<http://www.mfa.am/en/artsakh/>>
- <sup>53</sup> *Ibid.*
- <sup>54</sup> Tim Judah, “Nagorno-Karabakh and Kosovo - States of independence”, *The Economist*, 28 December 2011, at <<http://www.economist.com/blogs/easternapproaches/2011/12/nagorno-karabakh-and-kosovo>>
- <sup>55</sup> UN Security Council resolutions 822 (1993), 853 (1993), 874 (1993).
- <sup>56</sup> UN Security Council Resolution No. 884, adopted on November 12, 1993.
- <sup>57</sup> The autonomous entity within the former Azerbaijani SSR
- <sup>58</sup> Gulshan Pashayeva, “The Nagorno Karabakh conflict in the aftermath of the Russia-Georgia war”, 8 (4) *Turkish Policy Quarterly* (2013), at <[http://www.esiweb.org/pdf/esi\\_turkey\\_tpq\\_vol8\\_no4\\_gulshan-pashayeva.pdf](http://www.esiweb.org/pdf/esi_turkey_tpq_vol8_no4_gulshan-pashayeva.pdf)>
- <sup>59</sup> UNSC RESOLUTION 853 (1993), Adopted by the UN Security Council at its 3259<sup>th</sup> meeting, on 29 July 1993, para 3 and 4.
- <sup>60</sup> Beehner, *ibid.*
- <sup>61</sup> Ministry of National Security of the Republic of Azerbaijan, “Position of Azerbaijan towards the conflict settlement”, at <<http://www.mns.gov.az/en/pages/50-115.html>>
- <sup>62</sup> Ministry of Foreign Affairs of Republic of Armenia, “Nagorno-Karabakh issue”, at <<http://www.mfa.am/en/artsakh/>>
- <sup>63</sup> Kamer Kasim, “The Nagorno-Karabakh conflict: Regional implications and the peace process”, 2 (1) *Caucasus International*, (2012), at 106.
- <sup>64</sup> L’Aquila Summit of the Eight, “Joint Statement on the Nagorno-Karabakh Conflict by US President Obama, Russian President Medvedev and French President Sarkozy”, (10 July 2009), at <<http://www.whitehouse.gov/the-press-office/joint-statement-nagorno-karabakh-conflict>>
- <sup>65</sup> *Ibid.*
- <sup>66</sup> “Armenia and Azerbaijan, engaged in a war of words”, *New York Times*, 16 September 2014, at <[http://www.nytimes.com/2014/09/17/opinion/armenia-and-azerbaijan-engaged-in-a-war-of-words.html?\\_r=0](http://www.nytimes.com/2014/09/17/opinion/armenia-and-azerbaijan-engaged-in-a-war-of-words.html?_r=0)>
- <sup>67</sup> For example, after the August bloody clashes that occurred along the Armenian-Azerbaijani ceasefire line, a joint meeting of President of the Republic of Azerbaijan Ilham Aliyev, President of the Russian Federation Vladimir Putin and President of the Republic of Armenia Serzh Sargsyan has been held in Sochi. During this meeting, both Armenian and Azerbaijani Presidents have agreed to peacefully resolve the Nagorno-Karabakh conflict. Ilham Aliyev said “*I hope that in the near future through negotiations, peacefully, we will find a solution, which will correspond to the norms and principles of international law, and will conform to justice.*” Serzh Sargsyan stressed that “*the conflict should be settled on a compromise basis, using the principles proposed to us by the Minsk Group co-chairmen US, France, Russia.*” Russia, Azerbaijan and Armenia agree: Nagorno-Karabakh conflict should be resolved peacefully”, 10 August 2014, at <<http://rt.com/news/179292-russia-azerbaijan-armenia-meeting/>>
- <sup>68</sup> The notion of normalization in this context is used to refer to one of the phases of the de-escalation model. This conflict analysis model entails four steps: ceasefire, agreement, normalization and reconciliation. See: Ramsbotham, Oliver Tom Woodhouse and Hugh Miall, *Contemporary conflict resolution. The prevention, management and transformation of deadly conflicts* (Polity Press, Cambridge, 2<sup>nd</sup> edition, 2005), 11.
- <sup>69</sup> Zaur Shiriyev, “Impact of Afghanistan on Energy Security in the Caspian Sea Basin: The Role of Azerbaijan”, Vol.106 *Afghanistan and Central Asia: NATO’s Role in Regional Security since 9/11, NATO Science for Peace and Security Series- E: Human and Societal Dynamics* (2013).
- <sup>70</sup> Shiriyev, *ibid.*, 112.
- <sup>71</sup> Remark made by Glen Howard, president of Jamestown Foundation, at the „South Caucasus in the changing world” forum organized by Center for Strategic Studies under the President of Azerbaijan, September, 2013.
- <sup>72</sup> “Azerbaijan dominates defense spending in South Caucasus”, Report, 5 February.2014, at <<http://www.azadliq.org/content/article/25254316.html>>
- <sup>73</sup> President Ilham Aliyev: Azerbaijan’s military budget has reached 3.7 billion dollars this year, 26 January 2013, at <<http://en.apa.az/news/195357>>
- <sup>74</sup> Remark made by Vusal Gasimly, Head of Economic Analysis and Global Affairs Department within the Center for Strategic Studies under the President of Azerbaijan at the „South Caucasus in the changing world” forum organized by Center for Strategic Studies under the President of Azerbaijan, September, 2013.
- <sup>75</sup> Phill Chapman, “The cost of stalemate. Economic aspects of the Nagorny Karabakh Conflict”, in *The limits of leadership. Elites and societies in the Nagorny Karabakh peace process*, 17 *Accord* ( Conciliation Resources( Accord, London, 2005), at 56, at <[http://www.c-r.org/sites/default/files/17\\_Nagorny%20Karabakh\\_2005\\_ENG\\_F.pdf](http://www.c-r.org/sites/default/files/17_Nagorny%20Karabakh_2005_ENG_F.pdf)>
- <sup>76</sup> Anna Hess Sargsyan, “Nagorno-Karabakh: Obstacles to a Negotiated Settlement”, *The Hub: International Perspectives* (Stratford Global Intelligence, 13 May 2013), at <<http://www.stratfor.com/the-hub/nagorno-karabakh-obstacles-negotiated-settlement#axzz3IcKR1Gs9>>
- <sup>77</sup> *Ibid.*





- <sup>78</sup> Armen Grigoryan, “Armenia’s Increasing Dependence on Russia”, *The Central Asia-Caucasus Analyst*, 5 July 2014, at <<http://www.cacianalyst.org/publications/analytical-articles/item/12972-armenias-increasing-dependence-on-russia.html>>
- <sup>79</sup> International Crisis Group, “Tackling Azerbaijan’s IDP Burden”, *67 Policy Briefing, Europe Briefing* (27 February 2012), at 7-8.
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- <sup>81</sup> UNSC Resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993).
- <sup>82</sup> UNHCR, “Azerbaijan: Analysis of gaps in the protection of IDPs”, October 2009, at 7, at <<http://www.unhcr.org/4bd7edbd9.html>>
- <sup>83</sup> Avaz Hasanov, „The probability of return of Internally Displaced Persons to their homes in various scenarios of conflict resolution” in *Problems and Prospects of Refugees/IDPs Return to Conflict Regions of South Caucasus* (The Caucasus Institute for Peace, Democracy and Development, Tbilisi, 2008), at 174.
- <sup>84</sup> According to Azerbaijani experts, the solution of this problem could be solved by following three points: “(a) putting IDP property rights into the additional agreement between Azerbaijan and Armenia, a ‘second’ agreement (in addition to the peace agreement) that could be guaranteed by the UN’s relevant commission, which could declare funding for reconstruction from an international organization. Part of these funds could be use to resolve the immediate housing problems of IDPs; (b) Both sides can agree that Armenia will not claims any right to property in the surrounding regions of NK; similarly Azerbaijanis will not ask for any property rights in former NKAO, with the exception of Shusha; (c) Regarding the property rights of Armenian IDPs in Azerbaijani cities, and vice-versa, a ‘Property Commission’ could be established, with a mandate to deal with this issue within 3-5 years.” Zaur Shiriyev, “A bleak future for Nagorno-Karabakh: models, formats and prospects. An Azerbaijani perspective” in *South Caucasus 2018. Facts, trends, future scenarios* (Konrad Adenauer Stiftung, 2013), at 250-251, at <[http://www.kas.de/wf/doc/kas\\_35353-1522-35-30.pdf?130913081416](http://www.kas.de/wf/doc/kas_35353-1522-35-30.pdf?130913081416)>
- <sup>85</sup> Erin Mooney, “The Concept of Internal Displacement and the Case for Internally Displaced Persons as a Category of Concern” 24 (3) *Refugee Survey Quarterly* (2005), at 15.
- <sup>86</sup> Azer Allahvernov, “The return of Internally Displaced Persons (IDPs) and the Restitution Policy” in *Problems and Prospects of Refugees/IDPs Return to Conflict Regions of South Caucasus* (The Caucasus Institute for Peace, Democracy and Development, Tbilisi, 2008), 215.
- <sup>87</sup> Conciliation Resources, “Individual rights, societal choices: Confronting legacies of displacement in the Nagorny Karabakh conflict”, Policy Brief (November 2011), at <[http://www.c-r.org/sites/default/files/IndividualRightsSocietalChoices\\_201111\\_ENG.pdf](http://www.c-r.org/sites/default/files/IndividualRightsSocietalChoices_201111_ENG.pdf)>
- <sup>88</sup> Laurence Broers, “Confidence building in the Karabakh conflict: what next?” (Caucasus Edition (online), February 2012), at: <<http://caucasusedition.net/analysis/confidence-building-in-the-karabakh-conflict-what-next>>
- <sup>89</sup> *Ibid.*
- <sup>90</sup> *Ibid.*
- <sup>91</sup> *Ibid.*
- <sup>92</sup> Sabine Freizer, “The Nagorno-Karabakh dispute after 20 years”, *Today’s Zaman*, 12 May 2014, at <[https://www.todayszaman.com/newsDetail\\_openPrintPage.action?newsId=347597](https://www.todayszaman.com/newsDetail_openPrintPage.action?newsId=347597)>
- <sup>93</sup> Gulshan Pashayeva, “Assessing the impact of track two initiatives on the Nagorno-Karabakh peace process”, 11 (3) *Turkish Policy Quarterly* (2012), at 114-117.
- <sup>94</sup> Pashayeva, *ibid.*, 118-119.



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