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Azerbaijan's Foreign Policy Strategies and the European Union: Successful resistance and pursued influence

ESKE VAN GILS

Abstract

In recent years, Azerbaijan has positioned itself on the international scene as an increasingly important and assertive actor. This essay focuses on Azerbaijan's relations with the European Union (EU). It will identify the policy strategies used by Azerbaijan to engage with the EU in two areas where their interests and objectives do not align, namely democracy and human-rights promotion policies, and agenda-setting of the Nagorno-Karabakh conflict. The essay highlights, first, the relevance of national independence, 'balancing' and regime legitimacy in explaining Azerbaijan's foreign policy strategies, and second, the mixed track record of Azerbaijan's assertiveness, with different outcomes depending on whether the policy strategies are reactive or proactive.

SINCE ITS INDEPENDENCE IN 1991, AZERBAIJAN'S HAS ENGAGED IN bilateral relations with the European Union (EU). Relations have intensified over the course of this period and been amiable. Yet in recent years, Azerbaijan's approach to the EU has become increasingly confrontational, as it demands policies that take into account Baku's national interests and viewpoints. In line with the aims of this special issue, this essay will critically assess the EU's influence on Azerbaijan's foreign policy by examining how the latter anticipates and reacts to the EU in formulating its foreign policy. The essay will examine how Azerbaijan has used various policy strategies to further its own objectives in areas where the two sides hold different views or interests.

An oft-held view of EU–Azerbaijan relations is that they are based primarily on pragmatic considerations: while the EU seeks to maintain good relations to secure its energy imports¹, Azerbaijan sees these relations as fulfilling its economic interests without requiring too many political commitments in return (Rasizade

¹ Approximately 5% of the EU's energy import currently originates from Azerbaijan (Eurostat 2018).

2003).² While economic cooperation is indeed the main dimension of EU–Azerbaijan relations, not all areas of cooperation can be seen in this light. There are several non-economic domains where one of the two seeks further engagement, despite this causing a certain level of friction in the relationship. Two such areas are democracy and human rights (DHR) promotion, and the Nagorno-Karabakh conflict.

The literature that aims to explain the dynamics of EU–Azerbaijan relations has been weighted towards research and theorising from the EU perspective (Nuriyev 2008; Pace 2009; Schimmelfennig & Scholtz 2010; Wetzel 2011; Raik 2011). Other studies have carefully analysed Azerbaijan’s historical and political legacies, but without examining these in light of relations with the EU [Please rewrite the highlighted text completely]. (see for instance Goldenberg 1994; Herzig 1999; Cornell 2011; Bölükbaşı 2011; Assenova & Shiriyev 2015). To understand the logic behind Brussels’ and Baku’s desire to address the issues of DHR promotion and Nagorno-Karabakh respectively, without seeming prepared to make any compromises, we do however need to look beyond separate accounts of their behaviour. To this end, this essay will also include Azerbaijan’s perspective as an active player in its interaction with the European Union.

The essay has three main goals. First, it aims to explore Azerbaijan’s active role in relations with the EU, thereby complementing the many studies that have already looked at the EU’s perspective. The second aim is to understand how the foreign policies and strategies of Azerbaijan and the EU are influenced by their respective legacies. For the EU, this is the idea of being a transformative power. Azerbaijan’s legacies can be seen in light of the concepts of national independence, ‘balancing’ and regime legitimacy. The essay finds that not only has the EU not succeeded in bringing Azerbaijan’s policies more in line with the EU’s agenda, but through its own policies towards Azerbaijan, the EU has—possibly in an unintentional and indirect manner—reinforced Azerbaijan’s emphasis on national independence.

Third, this essay demonstrates that the ability of actors to further their own objectives in bilateral relations differs according to whether they are engaging in reactive or proactive policy formulation. The different outcomes related to proactive or reactive foreign policy strategies will be linked to the notions of ‘offensive’ and ‘defensive’ power (Goldmann in Goldmann & Sjöstedt 1979). Offensive power enables actor A to make actor B do something; defensive power is possessed by B enabling B to resist such attempts by A (Goldmann in Goldmann & Sjöstedt 1979, pp. 13–4). Therefore, Goldmann believes, ‘the expression “the power of an actor” may refer both to the ability of the actor to control others (i.e., his role as A) and to his ability to avoid being controlled by others (i.e. his role as B)’ (Goldmann in Goldmann & Sjöstedt 1979, p. 14). The essay finds that in both case studies, the only

² See also Schimmelfennig and Sedelmeier (2005).

form of influence that can be gained by the EU or Azerbaijan is defensive in nature, that is, by the actor taking the reactive position. Proactive policy strategies, which could potentially result in offensive power, have been largely unsuccessful for both the EU and Azerbaijan. For Baku, being on the receiving end of proactive EU policies has served, in some cases, to reinforce its defensive power, which Baku has not hesitated to use. It is this strategic use of defensive power that makes Azerbaijan such an exceptional case, and an outlier in the post-Soviet region.

The analysis of how EU policies affect Azerbaijan's foreign policy will be based on two case studies. The first is an area where the EU's desire to bring about change in Azerbaijan is the most visible, namely DHR promotion. Azerbaijan's policies are mostly reactive in this regard. The second case concerns agenda-setting of the Nagorno-Karabakh conflict, where Azerbaijan takes the proactive role and the EU reacts.

The essay's dual analytical focus is predominantly based on data from policy documents and interviews conducted during fieldwork in Baku and Brussels in 2014, 2015 and 2017.³ Interview data was used to create a comprehensive picture of the different policy strategies used by the two sides in their efforts to influence policy outcomes to their own benefit. Additional evidence has been gathered from the literature, policy papers and media reports in order cross-check and/or add details to the narratives. It needs to be acknowledged that these sources have their limitations: Azerbaijan being a relatively closed country in the sense that politics cannot always be discussed freely, it proved difficult to collect full and unbiased information.

It should be emphasised that the views discussed are those of members and officials belonging to parts of the Azerbaijani government and the EU institutions that are involved in official relations between the two actors in question.⁴ The essay does not aim to capture the views of all political actors or of Azerbaijani and EU citizens as such. The time span covered in this essay is 2010–2017, although there are various references to specific events that occurred prior to 2010.

³ For reasons of confidentiality, interviewees have been anonymised. This essay is based on interviews with 23 persons, a total of 37 hours of conversation. Interviewees were affiliated with the EU institutions and actors (11) or the Azerbaijani authorities (7) or were independent experts, working for e.g. think tanks and CSOs (5). Not all interviewees have been directly referenced in this essay.

⁴ For the EU, this refers mainly to the European External Action Service (EEAS) and the EU Delegation in Baku, as well as the European Commission. For Azerbaijan, it is more difficult to decipher who exactly is in charge of formulating foreign policy strategies; however, given the more centralised decision-making structures, it can be presumed that the country's foreign policy reflects the view of the government as a whole.

The essay will now turn to a brief overview of the EU's and Azerbaijan's legacies that underlie their foreign policy stances regarding DHR promotion and the Nagorno-Karabakh conflict. Subsequently, it will unpack the two case studies of DHR promotion and agenda-setting of the Nagorno-Karabakh conflict, focusing on the differing positions of Brussels and Baku and analysing which policy strategies have been used over time by the latter in order to bring policy outcomes more in line with its own interests. The conclusions and discussion section will bring together the main points on legacies, reactive and proactive foreign policy strategies, and the outcomes in terms of 'offensive' and 'defensive' power.

EU and Azerbaijan legacies influencing their current policies

The EU's view: strategic interests and universal values

Relations between Azerbaijan and the EU have developed and become closer over the past two decades since Azerbaijan's independence in 1991. At first, relations were mostly focused on technical assistance (Demirağ 2004, p. 91; EC 2007, p. 15), necessitated by the collapse of Azerbaijan's economy and the war with Armenia over Nagorno-Karabakh between 1988 and 1994. In later policy frameworks, especially the European Neighbourhood Policy (ENP 2003) and the Eastern Partnership (EaP 2009), a stronger emphasis was placed on EU values. The EU perceives itself as a transformative, norm-promoting foreign policy actor (Sjöstedt 1977, p. 122; Whitman 1998; Rosecrance in Zielonka 1998, p. 22; Manners 2000, p. 35, 2002, p. 252), and as such is considered 'a new type of international actor' (Rosecrance in Zielonka 1998, p. 15).⁵ This perceived role as norm promoter influences its behaviour towards Azerbaijan (Sjursen in Elgström & Smith 2006, p. 85), specifically, the EU's inclusion of so many transformative objectives in these relations (Lucarelli & Manners 2006, pp. 3–4; Orbie 2008, p. 2; Kavalski 2012, p. 85), even when this may compete or even clash with other interests, such as trade and energy security (Warkotsch 2006). Such objectives include: democratisation; good governance; protection of the rule of law, human rights and fundamental freedoms; market economy reforms and World Trade Organization (WTO) accession; and commitment to international law (EC 1996, 2004). The EU has been often criticised by scholars and commentators for allowing the significant material and strategic interests at stake to hinder a more in-depth values promotion policy in regard to Azerbaijan (Warkotsch 2006; Gahramanova 2009; Youngs 2010); while this may be true to some extent, the fact is that many of the EU's policies towards Azerbaijan do have a clear values dimension, and this approach regularly leads to diplomatic tensions in relations with the government in Baku.

⁵ In this context, Diez has proposed to replace the term 'normative power' by 'hegemony', since according to the author, hegemony can be interpreted as 'the power of ideas and consensus' (Diez 2013, p. 195).

The normative nature of the EU's external policies is however not unproblematic. First, Baku does not recognise the EU's legitimacy in promoting its norms abroad. The EU's objectives clash with Azerbaijan's growing demand to be acknowledged as an equal partner and its foreign policy focus on independence, balancing and internal regime legitimacy. Second, the EU's transformative efforts with regard to Azerbaijan have so far been largely fruitless. As will be shown in the subsequent case studies, the 'economic and coercive forms of power' needed to enforce normative power (Vogt in Mayer & Vogt 2006, p. 8) are limited because of the greater symmetry in relations. This essay therefore tries to understand how (and why) the Azerbaijani government responds to EU transformative pressure.

Azerbaijan's legacies: independence and Heydar Aliyev

Much of Azerbaijan's current foreign policy strategy was initiated by former president Heydar Aliyev during his term in office (1994–2003). Aliyev came to power shortly after the country's independence and left a clear mark on Azerbaijani foreign policy. He established the strategy of 'balancing', through which he tried to appease neighbouring countries and regional powers, as a way of securing national independence (Huseynov 2009; Bölükbaşı 2011, p. 206; Balci 2013; İbrahimov 2013b, p. 34).⁶

Aliyev's original strategy is evident in the country's current balancing approach, which has allowed Azerbaijan to maintain stable relations with almost all its neighbouring countries (Iran, Turkey, Georgia and Russia) as well as other regional actors with potential influence over the country (the EU, Ukraine, Israel). Aliyev's approach was to gain the goodwill of all surrounding countries by promising them shares in the oil sector; he thus guaranteed the country's independence and simultaneously generated the revenues that underlie the country's current boom (Bölükbaşı 2011, p. 206).⁷ 'Balancing' or 'multi-vector' policies are not unique in the region (Idan & Shaffer 2011; Gnedina 2015), but the extent to which Baku maintains active and friendly relations with other states in the region is remarkably high, especially given the country's size.

After Aliyev's death in 2003, his son İlham Aliyev was elected to succeed him (Aliyev 2008, p. 175; Jeffries 2003, p. 7). An important part of Azerbaijan's contemporary identity construction is the personality cult around Heydar Aliyev (Bölükbaşı 2011, p. 217; Cornell 2011, p. 170). In terms of foreign policy, İlham Aliyev

⁶ Heydar Aliyev also made references to the pre-Soviet independent republic—the Azerbaijan Democratic Republic—that existed from 1918 to 1920 and much of Azerbaijan's post-Soviet foreign policy is said to have similarities with that of the ADR (Yusifzade in ADA 2008, p. 6).

⁷ Interview with independent expert 2, May 2014,

continued the ‘balancing’ strategy, and references to Heydar Aliyev’s legacy are normally part of Azerbaijan’s political discourse. A key difference between the leadership of father and son is that the current regime has become much more assertive and goes to greater lengths to promote the regime’s international image, enabled in this by the country’s energy resources.⁸ There is both an external and internal dimension to this national self-promotion. The external dimension—identity-building—can be explained by the country’s desire for international recognition,⁹ and is achieved through Public Relations and the creation of façades such as distinct architectural projects and the organisation of large international events.¹⁰ Internal propaganda promoting the idea of Azerbaijan as a wealthy and internationally confident country able to resist the agendas set by external powers serves to maintain internal legitimacy and quell domestic criticism.¹¹

As it will be shown through this essay, much of Azerbaijan’s foreign policy is built around the imperatives of balancing, independence and internal regime legitimacy. Because of these imperatives, the government is not interested in closer cooperation with the EU. While the EU traditionally deals with neighbouring countries seeking closer cooperation and even integration with the EU, Azerbaijan has been named by scholars as a ‘least likely’ case for EU accession before, along with Belarus (Franke *et al.* 2010, p. 156). The Azerbaijani government is simply not interested in, and as an insufficiently democratic regime does furthermore not qualify for, in further integration with the EU, let alone membership (Franke *et al.* 2010, p. 156).¹² First, Azerbaijan has sufficient leverage to act independently on the international stage without needing the support of EU affiliation.¹³ Moreover, so far the country has fared well while refraining from membership of integration initiatives such as

⁸ Interview with EU representatives 2, May 2014, Baku.

⁹ Interview with EU representative 1, May 2014, Baku. As part of the strategy, the government builds expensive infrastructure to bring international events to Baku, such as the Eurovision Song Festival in 2012, the Davos Economic Forum in 2013, the European Games in 2015, and Formula 1 in 2016 (interview with independent expert 2, May 2014, Baku).

¹⁰ Interview with EU representative 1, May 2014, Baku.

¹¹ Some observers see similarities between Azerbaijan and the United Arab Emirates regarding national identity-building (informal conversations interview with EU representative 1, April 2014, Baku). Both have similar ways of identity-building through prestige projects and architecture, with a focus on appearance rather than on content, and a strong modernisation discourse. As such, Azerbaijan could be analysed as a young oil-producing nation rather than as a post-Soviet state *per se*.

¹² Interview with EU representative 1, May 2014, Baku; interviews with EU representatives 1 and 3, May 2014, Baku; interview with independent expert 1, May 2014, Baku.

¹³ Interview with EU representatives 1, April 2014, Baku; interviews with independent experts 1 and 2, May 2014, Baku.

the EU or Eurasian Economic Union. The ruling elite see Azerbaijan as a growing regional power, both in economic and political terms.¹⁴ Second, the country's aforementioned strategy of balancing means that the EU is only one among many of Azerbaijan's partners. The government is seeking increased cooperation with Europe in a broader sense, but not necessarily with the EU as an actor.¹⁵ In particular, closer relations with the EU could negatively affect relations with Russia, which remains the key player in Azerbaijan's foreign policy (Warkotsch 2006, p. 519).¹⁶ Lastly, Baku considers the EU's emphasis on values to be 'interference in domestic affairs' (Cornell 2011, p. 395; Babayev 2014, p. 62).¹⁷ The government prefers to limit cooperation to technical and economic areas rather than seeking political partnership.¹⁸

Cooperation in technical and economic areas is not problematic: the EU and Azerbaijan have worked together without friction since 1991, for example on issues of culture, education and mobility. However, those areas in which EU objectives are perceived to contradict Azerbaijan's national interests are fertile ground for resistance by the government in Baku. The two main areas of friction are the EU's DHR promotion policies and the Nagorno-Karabakh conflict. The latter is Azerbaijan's main security priority, and the one area in which the government would like increased cooperation with the EU, by envisaging more engagement from Brussels with the conflict resolution process. DHR is a policy domain where the EU wishes to promote its own values in Azerbaijan, which the government sees in turn as an interference in its internal affairs. The foreign policy strategies used by Azerbaijan in these two policy areas will now be unpacked.

Democracy and human rights promotion (DHR) policies

The first case that sheds light on Azerbaijan's policy strategies in its relations with the EU is DHR promotion, on which Brussels and Baku take almost opposite stances. DHR promotion remains one of the policy priorities of the EU in the ENP and EaP (EC 2004, 2011); Azerbaijan, however, does not appear interested in engaging with this policy instrument, and the EU's policies have not, so far, led to any transformations in line with the EU's aims. There are considerable efforts to promote *human rights*, both by the supranational EU institutions as well as

¹⁴ Interview with Azerbaijani representative 1, May 2014, Baku.

¹⁵ Interview with independent expert 2, May 2014, Baku.

¹⁶ Interview with independent expert 1, May 2014, Baku.

¹⁷ Interview with EU representatives 2, May 2014, Baku.

¹⁸ Interviews with EU representatives 1 and 2, May 2014, Baku. Technical and economic areas encompass trade, economic regulations, and other de-politicised areas of cooperation; 'political issues' refers to security, Azerbaijan's domestic affairs, and values.

individual member (Van Gils 2017). However, arguably, the EU could be more active where it concerns the promotion of *democracy* and political reform, possibly because it clashes with other EU interests, such as the supply of energy. DHR promotion is therefore one of the most criticised parts of the EU's external policies, resulting in accusations of double standards by scholars and commentators (Balfour in Lucarelli & Manners 2006, p. 115). Although the Azerbaijani government and the EU regularly clash diplomatically over Brussels' norm promotion, the EU does not consider putting these values aside, as they are considered fundamental principles, and the promotion policies have remained in place unchanged over the years.¹⁹ One explanation for this limited success may be found in the reactive strategies used by the government in Baku, informed by the regime's legacy.

All three elements of Azerbaijan's previously discussed legacies play a role in shaping its stance on EU values promotion. From an internal legitimacy point of view, the incumbent, non-democratic regime in Baku disproves of the EU's DHR promotion policies, using national sovereignty as a resistance strategy. In line with the practice of 'balancing', the government has formally committed to respecting democracy and human rights issues through treaties with the European Union (such as the Partnership and Cooperation Agreement (PCA) from 1996 (EC 1999, p. 22)) and other organisations such as the Council of Europe (Ministry of Foreign Affairs of Azerbaijan 2014). However, as it will be shown below, this formal commitment has not been put into practice.

Since the Arab Spring and developments in Ukraine,²⁰ the regime has been particularly sensitive to any internal criticism. This more repressive approach has led to the arrest of journalists, youth and opposition activists, many of whom received lengthy prison sentences; among others journalist Afghani Mukhtarli who was arrested in 2017; youth activists Giyas Ibrahimov and Bayram Mammadov, arrested in 2016; and opposition activist Asif Yusufli, arrested in 2014 (Freedom House 2015; Ahmedbeyli 2016; Human Rights Watch 2016).²¹ In 2015, there were 80 prisoners recognised by the international community as 'political prisoners' (ESI 2015); in 2017 this number was over 150 (Amnesty International 2018). According to Guliyev this is because they are 'perceived as a threat ... to the governing elite's desire to hide information about flows of oil revenues and misappropriation of

¹⁹ Interview with EU representative 4, July 2014, Brussels.

²⁰ Interview with EU representative 4, July 2014, Brussels.

²¹ 'World report 2015: Azerbaijan', Human Rights Watch, 2015, available at: <http://www.hrw.org/world-report/2015/country-chapters/azerbaijan?page=3>, accessed 14 February 2015; 'Freedom in the World. Azerbaijan', *Freedom House*, available at: <https://freedomhouse.org/report/freedom-world/2014/azerbaijan#.VN-RnSYfyM8>, accessed 14 February 2015; 'Azerbaijan: Human rights record still not roadworthy as Formula 1 hits Baku', Amnesty International, 16 June 2016, available at: <https://www.amnesty.org/en/latest/news/2016/06/azerbaijan-formula-1/>, accessed 22 January 2018.

public funds by elite members' (Guliyev 2013, p. 136). Oil revenues would also be used to contain political mobilisation (Guliyev 2013, p. 145) for instance by funding repression or financing welfare provisions (Guliyev 2013; Yörük 2012). Such criticism aside, one international observer believes that there is a degree of genuine popular support for the government, basing their claim on the growing prosperity in the country and the lack of a suitable alternative to Aliyev.²² This may explain the fact that the EU and other international actors such as the USA government, Council of Europe and OSCE have put less emphasis on democracy promotion in Azerbaijan and more on human rights, condemning the growing political crackdown (EP 2014, 2015), including the cases of political prisoners²³ and the arrests of dozens of LGBT citizens in Baku in the autumn of 2017 (Rettman 2017).

In short, the EU's values promotion policies are a potential threat for the Azerbaijani government in that they are intended to undermine its practices. For the EU, the promotion of key liberal democratic values is fundamental to its status as a normative power. Azerbaijan's reception of the EU's policies in turn translates into the use of reactive foreign policy strategies. In recent years, the government has introduced a range of reactive and proactive measures to circumvent and undermine the EU's policies. Several policy tools that will be discussed in the next section are grouped as followed; first, ignoring pressure and expressing counter-criticism; and, second, lobbying and PR activities, and the undermining of the EU's support to civil society.

Reactive strategies: avoiding pressure and expressing counter-criticism

One of the EU's main DHR promotion tools is the issuing of official statements, which can be done by the EEAS, the Council, or the European Parliament (EP).

²⁴ In 2014 and 2015 the EP adopted resolutions criticising the situation of both democracy and human rights in Azerbaijan and called for sanctions to be imposed (EP 2014, 2015). This move caused annoyance with the Azerbaijani government, which retaliated by postponing a number of meetings of the Partnership and Cooperation Committee as well as exploratory talks over the proposed Strategic Partnership Agreement with the EEAS,²⁵

²² Interview with EU representative 1, May 2014, Baku.

²³ See for example, EEAS (2014) regarding journalist Khadija Ismayilova; and EP (2017a) concerning the case of Afghan Mukhtarli.

²⁴ Interview with EU representative 1, May 2014, Baku; interview with EU representative 3, July 2014, Brussels.

²⁵ 'Azerbaijan cancels EU delegation visit after criticism of rights record', *Reuters*, 11 September 2015, available at: <http://www.reuters.com/article/us-azerbaijan-europe/azerbaijan-cancels-eu-delegation-visit-after-criticism-of-rights-record-idUSKCN0RB1U920150911>, accessed 22 January 2018.

causing in turn some friction between the EP and the EEAS.²⁶ This strategy shows that when the government is unable to change the EU's DHR promotion policies, it simply tries to avoid the impact of this pressure where possible.

When such counter-actions to express government displeasure are judged insufficient, the government responds to critical EU statements and report through counter-statements.²⁷ Occasionally, Baku has accused the EU of having double standards by singling out Azerbaijan or by pointing out human rights issues within the EU,²⁸ such as the treatment of immigrants.²⁹ Azerbaijan feels it is being treated 'unfairly' by the EU's 'naming and shaming' approach.³⁰ Such accusations are expressed both publicly and privately between government representatives.³¹

Due to the frequency of EU statements on Azerbaijan's human rights record, officials in Baku have noted that the Azerbaijani government has become insensitive to this kind of criticism.³² Several interviewees have explained their opinion that public criticism is counterproductive, as Azerbaijan is very sensitive about its reputation.³³ Indeed, the Azerbaijani government itself takes this position, and on occasions, confronts the EU about its public statements, noting that the regime would be more lenient about certain human rights-related issues if international actors would not make such a public matter of it.³⁴

Currently, a number of EU actors retreated to only expressing criticism behind closed doors. As Azerbaijan's dissenting media have been silenced, the net effect of this new EU attitude related to a drastic limitation of the Azerbaijani public's exposure to these cases of human rights violations. At the same time, the

²⁶ Interview with EU representative 5, October 2015, Brussels.

²⁷ See for instance the statement by Azerbaijan's ambassador to Belgium regarding criticism from the EU ('Criticism against Azerbaijan artificial, orchestrated—envoy', *Azernews*, 4 October 2017, available at: <https://www.azernews.az/nation/119946.html>, accessed 22 January 2018) or the government's response to the OOCRIP report on the so-called 'laundromat' scheme, accusing the report to be financed by George Soros and Armenia ('Who is being attacks against Azerbaijani president', *news.az*, 25 September 2017, available at: <http://news.az/articles/politics/125560>, accessed 22 January 2018).

²⁸ Interview with EU representative 6, July 2017, Baku.

²⁹ Interview with Azerbaijani representative 3, May 2015, Baku.

³⁰ Interview with Azerbaijani representative 6, July 2017, Baku.

³¹ Interview with EU representatives 1, April 2014,; see also Cornell (2011, p. 401).

³² Interview with Azerbaijani representative 2, July 2014, Brussels.

³³ Interview with EU representative 1, May 2014; interview with EU representative 4, July 2014, Brussels; see also Van Gils (2017).

³⁴ Interview with EU representative 4, July 2014, Brussels.

government's critical responses to the aforementioned EU criticism are publicly available through mainstream national media. In this way, the government minimises threats to its legitimacy through criticism of its HR record, both internal and foreign, and highlights the nation's political and economic independence.

Proactive strategies: influencing Brussels and establishing ties with civil society organisations

Baku's reactive strategies, as we have seen above, are complemented by proactive ones, such as the attempt to influence the policy-making and implementation processes in Brussels through lobbying and PR activities. Judging from scandals that emerged in recent years, this strategy appears to have been relatively effective.

Azerbaijan's so-called 'caviar diplomacy' (ESI 2012) aims at forestalling criticism of its lack of democracy and its human rights record, and where possible, orchestrating positive evaluations instead. After the 2013 presidential elections it came to light that travel costs of some members of an EP Observation Mission had been (indirectly) covered by the Azerbaijani government (Politico EU/Vogel 2014). The mission's positive report was contradicted by the findings of the OSCE (ESI 2013; Van Gils 2017).³⁵

In September 2017, a more elaborate form of lobbying was revealed with the so-called 'Laundromat' scandal. An international investigative team formed by different media outlets and research organisations exposed a large financial scheme used by the Azerbaijani government to offer financial rewards to policymakers in different European institutions and national governments, seemingly in return for a less critical attitude regarding the situation of democracy and human rights in the country.³⁶ While the investigation confirmed rumours that had existed for years about the extensive Azerbaijani lobby, the scale of Baku's efforts came as a shock to many, suggesting that lobbying and Public Relations activities in Brussels and other European capitals remains a very powerful tool. In response to the 'Laundromat' scandal, the EP voted to launch an investigation into the corruption practices of the Azerbaijani government, calling for action to implement stricter anti-corruption measures in relations with Azerbaijan (EP 2017b; Rankin 2017).

A second proactive strategy is the establishment of closer ties with civil society, to lure civil society organisations (CSOs) away from the EU. Civil society occupies central importance in the EU's DHR promotion (EU Council 2011, p. 7; EC 2012, p. 3),³⁷ but the support available for civil society activities is not very extensive

³⁵ Interview with EU representative 3, July 2014, Brussels; interview with independent expert 3, July 2014, Brussels.

³⁶ 'The Azerbaijan Laundromat', OCCRP, 2017, available at: <https://www.occrp.org/en/azerbaijanilaundromat/>, accessed 20 October 2017.

³⁷ Interview with EU representative 4, July 2014, Brussels.

(Youngs 2008, pp. 6–7; İbrahimov in Vanderhill & Aleprete . 2013, p. 131) and now the Azerbaijani government has started to provide alternative funding to local CSOs, themselves.³⁸ This strategy can help protect regime legitimacy, since it reinforces a civil society that stays within certain boundaries set by the government itself and does not receive funding from external actors; NGOs that are critical of the government find themselves in increasingly difficult conditions to operate.³⁹

Economic decline and the preservation of defensive power

These proactive activities can be seen as an assertion of national independence by Baku. Azerbaijan has not been able to change substantively EU policies—DHR promotion policies are still in place and there are no current indications that they will be discontinued—and therefore has not managed to gain any offensive power. Yet it has succeeded in undermining the implementation of the DHR promotion policies through reactive strategies to an extent, resulting in defensive power.

The government has so far been able to enact these strategies because of its economic and political independence from the European Union. This independence is based on its oil revenues, its balancing strategy and its lack of interest in closer cooperation with the EU, making any attempt by Brussels to impose conditionality valueless.⁴⁰ More recently, however, the 2015 economic downturn weakened the government’s position. One example where this diminished power has become visible are the negotiations over the new legal basis for relations, to replace the 1996 Partnership and Cooperation Agreement. At the start of the negotiations in 2013 Baku was adamant that values should have no place in any new agreement (Rettman 2013; Turan Information Agency 2014);⁴¹ but the government has softened its stance on this principle over the course of the past year.⁴²

Therefore, while Azerbaijan has had strong defensive power through its reactive policy strategies thus far, this position might alter. The country’s defensive power may remain high when it relies on diplomatic tactics but is likely to diminish when it comes to more costly measures such as postponing meetings or influencing negotiations, since the overall bargaining power of the state seems to have been reduced after 2015. Lobbying and Public Relations activities in Brussels are also reliant on sufficient economic strength, due to the financial costs required for this. For its part, the EU has not realised any of its transformative objectives in Azerbaijan nor

³⁸ Interview with EU representatives 2, May 2014, Baku

³⁹ Interview with independent expert 1, May 2014, Baku.

⁴⁰ See also Franke *et al.* (2010), Böttger and Falkenhain (2011).

⁴¹ Interview with Azerbaijani representative 2, July 2014, Brussels.

⁴² Interview with Azerbaijani representative 6, May 2017, Baku.

acquired any new offensive power. Overall, the status quo remains unchanged—a favourable outcome for the Azerbaijani government.

Agenda-setting of the Nagorno-Karabakh conflict

The second case study of Azerbaijan's foreign policy strategy is that of agenda-setting with regard to the Nagorno-Karabakh conflict. In bilateral relations between the EU and Azerbaijan, the Nagorno-Karabakh conflict remains the most prominent policy issue in the field of security. The two actors hold different views on how the conflict should be addressed, informed by their respective legacies. This issue also indirectly affects progress in other areas of cooperation and is therefore crucial for understanding EU–Azerbaijan relations.

The Nagorno-Karabakh conflict erupted in 1988, and in 1992 the Organisation for Security and Cooperation in Europe (OSCE) Minsk Group obtained a mandate from the international community to mediate (De Waal 2010, p. 124; Babayev 2014, p. 123). A ceasefire was brokered in 1994, but the conflict has still not been resolved. The issue of Nagorno-Karabakh arouses strong nationalist sentiments and the government's legitimacy and authority rest to an extent on its ability to resolve the issue (Kaufman in Sperling *et al.* 2003, p. 62).

The EU has always referred to the OSCE Minsk Group as having the mandate for active engagement, and consistently places its own activities within the OSCE's framework. In this sense, the EU addresses the conflict within an OSCE-led regional security framework, and on the basis of the principle of the 'non-use of force' (EU Council President 2011, p. 2). The EU's non-involvement in the conflict is consistent with its role as a non-military actor emphasising mediation and peaceful conflict resolution. Over the past two decades, the EU's role has been one of support, not that of actively brokering any settlement (Babayev 2014, p. 114).⁴³ However, this specific stance contradicts the European Union's broader self-perceived role as a regional security actor (Freire & Simão 2013). The incongruence between the EU's self-perceived role and its behaviour might be explained by practical considerations: there simply are no feasible ways of getting directly involved without harming relations with Russia or Armenia (Jahn in Reiter 2009, p. 266–69),⁴⁴ the EU has no 'coherent strategy'

⁴³ The EU has therefore focused on financial aid and technical assistance; 'rehabilitation of territories damaged during the conflict' (German 2007, p. 367; EC 1992, p. 263); contributing to the creation of supportive conditions to resolve the conflict, predominantly confidence-building measures; (EU Council 2000, p. 10; see also EU Council 2002, p. 15); and support to civil society organisations in Armenia and Azerbaijan (EC 2006, 2014). (German 2007; Interview with EU representative 3, July 2014, Brussels; EC 2006, p. 9; EU Council President 2012, p. 3; EC 2013, p. 3).

⁴⁴ See also Nuriyev (2008, p. 165).

concerning frozen conflicts (Babayev 2014, p. 114);⁴⁵ and there is only limited agreement between the member states regarding a conflict management policy (Whitman & Wolff 2012, p. 216). Lastly, since the 1990s, Russia and Turkey engaged in a clearer conflict resolution strategy (Simão 2014, p. 300), potentially limiting the EU's role in the region. In 2003, the appointment of the EU Special Representative for the South Caucasus contributed to partially address this issue, embodying the EU's self-perception of mediator that speaks to all parties involved (Pashayeva in Chiragov *et al.* 2015, p. 39).

The Nagorno-Karabakh conflict is possibly the only policy area in which Azerbaijan requests more, not less, involvement by the EU. Azerbaijan has made clear in its diplomatic relations with Brussels that it wishes the EU to take up a stronger role in conflict mediation, or speak up for Azerbaijan's territorial integrity (Ministry of Foreign Affairs 2015).⁴⁶ Two decades of conflict mediation through the OSCE Minsk Group have brought no result, and Azerbaijan considers the EU to be the sole actor that could broker a compromise (Babayev 2014, p. 114). Russia, France and the United States, co-chairs of the Minsk Group, are seen by Azerbaijan as biased in favour of Armenia (De Waal 2010, pp. 104–5).⁴⁷ As a result, Baku would rather see an EU representative in the Minsk Group, possibly an additional member beyond France.⁴⁸

The question of territorial integrity versus self-determination is especially complicated for the EU and Azerbaijan. While both territorial integrity and the right to self-determination are principles of international law, there is a contradiction between them (Goble in Goble & Ismayilov 2011, p. 29). Azerbaijan wants the EU to fully recognise and support Azerbaijan's territorial integrity, that is, to support the claim that Armenia should withdraw from the Nagorno-Karabakh region, and to place more pressure on Armenia to solve the conflict, for instance, through sanctions.⁴⁹ The fact that both Azerbaijan and Armenia are EU partners through the EaP places Brussels in a difficult position, which could well explain its non-involvement (Popescu 2009, p. 472). Moreover, the EU

⁴⁵ Interview with EU representative 4, July 2014,; interview with Azerbaijani representative 3, May 2015, Baku.

⁴⁶ Interview with Azerbaijani representative 2, July 2014, Brussels; interview with EU representative 1, May 2014, Baku.

⁴⁷ Interview with Azerbaijani representative 2, July 2014, Brussels; interview with independent expert 4, May 2015, Baku; see also Kaufman in Sperling *et al.* (2003, p. 52).

⁴⁸ Interview with Azerbaijani representative 2, July 2014, Brussels.

⁴⁹ Interview with independent expert 2, May 2014, Baku; interview with Azerbaijani representative 2 and 6, July 2014, Brussels and July 2017, Baku.

recognises both Azerbaijan's territorial integrity as well as Nagorno-Karabakh's right to self-determination (Jahn in Reiter 2009, p. 279; İbrahimov 2013a, p. 106).⁵⁰

While in private meetings the Azerbaijani government does acknowledge that they realise there is not much the EU can do,⁵¹ at a public level the government states it does not understand why the EU does not want to take a clear position on the status of Nagorno-Karabakh,⁵² or at least why not regarding the occupation of the other parts of Azerbaijan's territory beyond Nagorno-Karabakh.⁵³ This contradiction might be a way of adding pressure to the EU to become actively involved in the conflict resolution process. The government states that if bilateral relations are truly founded on principles of equality and partnership, the EU should acknowledge its partner's territorial integrity more clearly.

Azerbaijan has allocated significant resources to the resolution of the Nagorno-Karabakh conflict in its favour and uses a number of proactive strategies to include the issue on the agenda in its relations with the EU. The two discussed in the next section are the creation of a negative discourse, including the threat of war; and linkage and lobbying/ Public Relations.

Azerbaijan's strategies: negative discourse and a new threat of war

One of Baku's rhetorical strategies is to accuse the EU of inconsistent behaviour and double standards: compared to its hands-off approach to Nagorno-Karabakh, the EU is engaged actively in the conflicts in Kosovo, South-Ossetia and Abkhazia, and has strongly condemned Russia's annexation of Crimea and its support of separatists in Ukraine.⁵⁴ Baku's discontent with the EU's reluctance to become directly involved in the resolution of the Nagorno-Karabakh conflict is translated into a rhetoric featuring a negative undertone, in which the EU is accused

⁵⁰ See also interview with EU representative 5, October 2015, Brussels.

⁵¹ Interview with EU representative 1, May 2014, Baku.

⁵² Interview with Azerbaijani representative 1, May 2014, Baku; interview with EU representative 2, May 2014, Baku.

⁵³ Interview with independent expert 2, May 2015; see also İbrahimov (2013a, p. 82). Estimations of the total territory over which Azerbaijan has no control vary between 15% and 20% (Jahn in Reiter 2009: 262).

⁵⁴ Interviews with Azerbaijani representatives 2, 5 and 6, July 2014, Brussels; May 2015, Brussels; July 2017, Baku; interview with independent expert 2, May 2014, Baku; see also Pashayeva in Chiragov *et al.* (2015, p. 42); Interview with EU representative 5, October 2015, Brussels. What these Azerbaijani representatives do not acknowledge here is that in case of Georgia, Ukraine and Moldova it is a non-EaP actor (Russia) responsible for the violations; and that this makes it more delicate for the EU to take a position on Nagorno-Karabakh.

of not listening to Azerbaijan, and of not understanding the problems confronting the country.⁵⁵ According to an EU representative, the Azerbaijani government raises this issue ‘in every single meeting we have’, asking the EU ‘to be more specific or vocal or firm on defending Azerbaijan’s position’.⁵⁶ In its public statements the Baku government often blames the EU (and the United States) for not doing more to solve the conflict.⁵⁷ Possibly because of Baku’s ‘balancing’ strategy, Russia escapes such censure.⁵⁸

At the 2015 Riga Summit, a series of tensions erupted in relation to the way the Nagorno-Karabakh conflict was addressed by the EU. One Azerbaijani MP explained that Azerbaijan felt its policy priorities were not being taken into consideration in the Association Agreement that was under discussion at the time; in particular, Nagorno-Karabakh was not given the consideration Azerbaijan felt was due (Rajabova 2015a). Tensions were manifest by the Azerbaijani Deputy Speaker of Parliament, who called the EU’s ‘double standards’ regarding the issue of territorial integrity ‘disrespectful’ of Azerbaijan.⁵⁹ The EU reiterated its previous position on the matter—that its involvement was strictly within the OSCE Minsk framework—and evaluated the meeting in Riga rather positively. The President of the European Council, Donald Tusk, said that it was ‘not realistic’ for the EU to offer military support, and that the only resolution to the conflict would be through dialogue (Rajabova 2015b). There were rumours that Azerbaijan didn’t want to sign the Riga Declaration at the end of the summit. Eventually, Azerbaijan did sign, but according to one interviewee this was ‘only for the sake of agreement, as partners’.⁶⁰ Azerbaijan issued an additional statement in which it declared that the country continued to expect the EU to take a ‘firm position’ regarding territorial integrity.⁶¹

The Baku government also actively voiced its criticism of the EU and EU member states that failed to explicitly support the Azerbaijani view on Nagorno-Karabakh. When the London-based think tank Chatham House organised a meeting on the conflict in July 2015 and invited a representative from the self-declared republic

⁵⁵ Interviews with Azerbaijani representative 5 and 6, May 2015, Baku and July 2017, Baku. This negative discourse could be perceived as contradicting the fact that Azerbaijan wants the EU to act more in the country’s favour. Perhaps confusingly, at times, Azerbaijan expresses ‘gratitude’ for the EU for its involvement (see for example, EU Council 2007, p. 2; 2008b, p. 4).

⁵⁶ Interview with EU representative 5, October 2015, Brussels.

⁵⁷ Interview with EU representatives 1, April 2014, Baku.

⁵⁸ Interview with EU representative 1, May 2014, Baku.

⁵⁹ ‘EU shows disrespect for Azerbaijan’s territorial integrity—first deputy speaker’, *Trend.az*, 22 May 2015, available at: <http://en.trend.az/azerbaijan/karabakh/2398120.html>, accessed 22 January 2018.

⁶⁰ Interview with Azerbaijani representative 5, May 2015, Baku.

⁶¹ Interview with Azerbaijani representative 5, May 2015, Baku.

of Nagorno-Karabakh itself, the government-led media in Azerbaijan publicised its displeasure.⁶² One of the actors involved was the European Azerbaijan Society (TEAS) lobby group,⁶³ which operates in Brussels and other European capitals, with its headquarters in London. The British ambassador to Azerbaijan was summoned to the Ministry of Foreign Affairs in Baku to provide a clarification—one of several summons issued when Baku was dissatisfied with how the conflict was being framed in the UK.⁶⁴ As a result, the British Embassy in Baku made a public statement saying it had ‘no ties with separatists in Nagorno-Karabakh’,⁶⁵ and Chatham House publicly distanced itself from the ‘separatist claims’ of Nagorno-Karabakh and the Institute’s Director wrote a letter stating that Chatham House respects Azerbaijan’s “sovereignty, independence and territorial integrity”^{66 67}.

The final discursive strategy used by the Azerbaijan government has been the threat of re-starting the war. In 2010, the president and members of parliament made references in a speech to using military means in case negotiations would not lead to a solution (Goble & Ismayilov 2011, p. 165; Day.Az 2010). In August 2014, President Aliyev’s threats to Armenia *via* Twitter received attention in the international media (Liston 2014). On 2n April 2016 violence resumed with four days of clashes between Azerbaijani forces and military in Nagorno-Karabakh, with many casualties on both sides. While a new ceasefire was agreed between Armenia and Azerbaijan on 5th April (Walker 2016), there has been almost daily reporting of violations by both sides up to the time of writing. While obviously a war is not desirable, Jahn has warned that Azerbaijan may decide to undertake military action in the absence of any progress by diplomatic means and if the de facto independence of Nagorno-Karabakh continues (Jahn in Reiter 2009, p. 267). As one interviewee had remarked, some actors on the Azerbaijan side have come to believe that this conflict cannot be solved peacefully, and perhaps a war is needed to resolve it.⁶⁸

⁶² ‘Protest action held in front of Chatham House building’, *AzerTac*, 8 July 2015, available at: <https://azertag.az/en/xeber/869990>; ‘British Foreign Office: Official London doesn’t recognize a regime created in the Nagorno-Karabakh and this stance will remain unchanged’, *AzerTac*, 2 July 2015, available at: <https://azertag.az/en/xeber/868696>

⁶³ ‘European Azerbaijan Society addresses open letter to Chatham House’, *News.az*, 8 July 2015, available at: <http://www.news.az/articles/politics/99437>, accessed 23 August 2015.

⁶⁴ ‘British Ambassador summoned to Foreign Ministry’, *Contact.az*, 2 July 2015, available at: <http://www.contact.az/docs/2015/Politics/070200121881en.htm#.VdobaH0UNqw>, accessed 23 August 2015.

⁶⁵ ‘UK says has no ties with separatist Nagorno-Karabakh’s representatives’, *Azernews*, 1 July 2015, available at: <http://www.azernews.az/azerbaijan/84835.html>, accessed 1 July 2015.

⁶⁶ ‘Chatham House rules out recognition of separatist NKR regime’ *Azernews*, 6 July 2015, available at <http://www.azernews.az/azerbaijan/85006.html>, accessed 23 August 2015. No references to this incident could be found on the UK Embassy’s website or in UK media outlets at the time.

⁶⁷ AzerTac (2015c) ‘Robin Niblett: Chatham House respects Azerbaijan’s sovereignty, independence and territorial integrity’, 21 August, available at: <https://azertag.az/en/xeber/878932>

⁶⁸ Interview with Azerbaijani representative 4, May 2015, Baku

Yet, these threats of violence do not seem to have increased Azerbaijan's bargaining power in its relations with the EU: the international community does not appear to view military action as a serious option.⁶⁹ Azerbaijan has invested heavily in its military in recent years (SIPRI 2015)⁷⁰ However, Russia still has a military base in Armenia (Pototskaya 2014, p. 301; Pashayeva in Chiragov *et al.* 2015, p. 41) and it is believed by the government in Baku that Moscow would provide aid to Armenia if it were attacked by Azerbaijan, considering the two states' 2010 defence pact in which Russia says to guarantee Armenia's territorial integrity.⁷¹ The Azerbaijani military would not be able to match this power.

Linkage and Public Relations/lobbying

The Baku government's second proactive foreign policy strategy with regard to the Nagorno-Karabakh conflict is that of linkage. For Azerbaijanis, the elites as well as the majority of the population, Nagorno-Karabakh is of great importance, and the conflict is perceived to influence all other aspects of its foreign policy: as one interviewee explained, the conflict was such a huge problem for the country because the state is not in control of 15-20% of its territory. Therefore, only once this matter is resolved can the country focus on other issues such as the much needed economic reform (EU Council 2000: 5). In 2000, then EU High Representative for Common Foreign and Security Policy Javier Solana acknowledged that the settlement of the conflict 'is a priority since without a settlement, normal political development and economic recovery will be virtually impossible to achieve' (EU Council 2000, p. 5).⁷² The Nagorno-Karabakh conflict is therefore very much present in the political discourse of Azerbaijan, both on a foreign policy as well as domestic level. For Baku as well as for Yerevan, the Nagorno-Karabakh conflict 'dominates the foreign policies ... with each seeking allies to strengthen their position' (German 2007, p. 366).

Since Nagorno-Karabakh is perceived and presented as underlying other aspects of foreign policy too, the conflict ultimately influences relations between the EU and Azerbaijan on many fronts. For instance, negotiations over the Strategic Modernisation Partnership⁷³ were put on hold because the two sides could not

⁶⁹ OSCE (2018) 'Press statement by the Co-Chairs of the OSCE Minsk Group following their meetings with the Presidents of Azerbaijan and Armenia', 11 February.

⁷⁰ Military expenditure has been increasing ever since the 1994 ceasefire; the military budget for 2017 was a 5.9% increase compared to 2016; 62.2% compared to 2010; and even an increase of 780.4% in comparison to 2000 (based on data from SIPRI 2018).

⁷¹ Trenin & Trenin (2010). The Pact was extended in 2016 with a joint military unit (Euractiv / Gotev 2016).

⁷² See also Ibrahimov (2013a, p. 80).

⁷³ A non-binding agreement that was negotiated alongside the Association Agreement in 2013.

agree on how the Nagorno-Karabakh conflict would be addressed. While Azerbaijan wanted to copy the references to territorial integrity from the PCA, the EU wanted Nagorno-Karabakh excluded from the agreement.⁷⁴ This linkage between the Nagorno-Karabakh conflict and other policy domains can be seen as a negotiation strategy by Azerbaijan, allowing it to halt developments in other areas of cooperation that the EU considers to be of greater importance. Linkage, in essence, is used to create a deadlock elsewhere and to enforce one's own objectives.

Some experts question whether or not the conflict really underlies all other aspects of foreign policy, or if it is only presented as such, to serve another purpose. For example, according to Blum, Nagorno-Karabakh serves as a 'source of social cohesion and state legitimacy' (Blum in Sperling *et al.* 2003, p. 33). Some would indeed believe that the governments of both Armenia and Azerbaijan use the conflict to divert public attention from other issues, such as the standard of living and the absence of political freedoms.⁷⁵ In Azerbaijan the conflict is presented as the core issue, which allows Armenia to be blamed for many problems. For both governments, it seems convenient to maintain the *status quo* and not resolve the conflict, or at least not yet;⁷⁶ and the conflict enhances the legitimacy of both governments (George in Wooden and Stefes 2009: 85).

Pressure is also brought to bear on the EU through lobbying and Public Relations activities in Brussels and other European capitals. In particular the TEAS, as mentioned previously, is an active player in publicising the Nagorno-Karabakh conflict within the EU.⁷⁷ An EU representative explained that pro-Armenian and pro-Azerbaijani lobbies are active to influence the European Parliament.⁷⁸ Both lobbies are also actively attempting to engage with the EEAS but one source within the EU did not consider this influence to be significant.⁷⁹ It has not been possible to find further relevant evidence on the influence of the Azerbaijani lobby on agenda-setting in relations with the EU. However, as already mentioned in the case study on DHR promotion, there is extensive evidence on how such activities influence other areas of cooperation (ESI 2012; Knaus 2015).

⁷⁴ Interview with Azerbaijani representative 2, July 2014, Brussels; interview with Azerbaijani representative 3, May 2015, Baku.

⁷⁵ Interview with independent expert 5, May 2015, Baku.

⁷⁶ Interview with independent expert 5, May 2015, Baku

⁷⁷ 'Nagorno-Karabakh—our mission', TEAS, available at: <http://teas.eu/nagorno-karabakh>, accessed 25 June 2015.

⁷⁸ There were also links between TEAS and several members of the EP Delegation to the South Caucasus 2009–2014 (See, 'European Parliament's Friends of Azerbaijan Group discusses Azerbaijan's religious tolerance', TEAS, 15 May 2013, available at: <http://teas.eu/press-release-european-parliament-s-friends-azerbaijan-group-discusses-azerbaijan-s-religious>, accessed 2 December 2015).

⁷⁹ Interview with EU representative 5, October 2015, Brussels.

Agenda-setting: defensive and offensive power

Azerbaijan has applied several policy strategies to engage the EU more actively in the conflict, but to no avail. Thus, Azerbaijan's proactive strategies have not yielded any offensive power so far, highlighting the limits of the regime's influence. As with DHR promotion, the 2015 economic decline likely reduces the potential for offensive power even further. The EU, on the other hand, can be said to have significant defensive power in that it has managed to maintain its position of non-involvement, despite the pressure exerted by Baku. Although one can only speculate, potentially the one threat to this defensive power is Azerbaijan's pointing out of discrepancies in the EU's roles as conflict mediator and regional actor, and its non-engagement in this specific conflict

Conclusion and further discussion

This essay has assessed if and how Azerbaijan's foreign policy is influenced by the EU. It found that Baku's policies are indeed formulated partially in response to the EU's approach, at least for the two contested case studies where the Azerbaijani government feels its interests are not sufficiently defended: DHR promotion and agenda-setting of the Nagorno-Karabakh conflict. The government has become a much more assertive player in international politics especially in recent years, and this affects how it interacts with the EU, and on what foreign policy strategies it uses to advance its own interests in these policy domains.

The essay highlighted that the viewpoints of the EU and the Azerbaijani government (not necessarily the country's citizens) on these policy areas are conflicting, and their strong adherence to these views does not always seem rational on the basis of their material interests. Yet their respective views and policies are (at least partially) informed by their different legacies, which can explain the determination of both sides. Certain legacies are so fundamental for an actor's legitimacy and credibility that no compromises are possible. The EU's DHR promotion policies are strongly based on its perception of its role as a norm promoter. Brussels' preference for the OSCE's leading role in the Nagorno-Karabakh conflict resolution process can be seen in light of the EU's self-perception as a supporting actor; yet this clashes with its role as regional security actor. Azerbaijan's behaviour and policy choices in relations with the EU seem to be largely founded on the three notions of national independence, 'balancing', and internal regime legitimacy. The government needs to respond to the EU's policies on DHR and Nagorno-Karabakh in order to secure regime legitimacy, by highlighting notions of national independence while, at the same time, engaging in a delicate 'balancing' act to maintain amiable relations with the EU and all other main powers in the region.

To do this, both reactive and proactive policy strategies have been used in recent years. Concerning DHR promotion policies, on the one hand, the Azerbaijani government has responded to EU criticism and ignored its pressure; on the other hand, it has also tried to actively influence EU policies, through lobbying and Public Relations activities, and through undermining relations between the EU and Azerbaijani civil society organisations. To put the Nagorno-Karabakh conflict on the agenda, this essay finds that the Azerbaijani authorities have applied different strategies to advocate more active EU engagement: the creation of a negative discourse on the EU, linkage to other areas, and lobbying and PR activities.

The government's foreign policy strategies in relations with the EU has mixed track record. The two case studies showed that reactive and proactive policy strategies lead to different outcomes in terms of success. In general, the proactive actor—the EU in case of DHR promotion, and Azerbaijan concerning agenda-setting of the Nagorno-Karabakh conflict—did not achieve their goals; but the reactive side did, as they were able to resist each other's pressure, but could not actively influence and shape the other's agenda. A possible explanation for this is that it may be easier to defend the *status quo* than to bring about reform. One exception is Baku's lobbying effort in Brussels to undermine the implementation of DHR promotion policies, with recent scandals exposing the range of these lobby activities.

The outcomes can be interpreted using the concepts of 'defensive' and 'offensive' power (Goldmann in Goldmann & Sjöstedt 1979, pp. 13–4). Offensive power is the more traditional interpretation of power, whereby one actor can influence another; defensive power refers to the situation whereby one actor can defy another's attempts to gain influence. This differentiation between offensive and defensive power explains why Azerbaijan has more influence than could perhaps be expected on the basis of the traditional balance of power in these relations, and the actors' relative sizes. Azerbaijan has few opportunities to acquire offensive power in relations with the powerful EU, but it has been investing heavily in (often unconventional) reactive strategies that have given it an unusual amount of defensive power. This investment in defensive power is crucial for the regime: DHR promotion is perceived by the regime as a direct threat to its survival (the external dimension); and the Nagorno-Karabakh conflict is central in maintaining the regime's legitimacy on a domestic level (the internal dimension).

Furthermore, this all suggests a certain degree of 'instrumentalisation' of the principles of national independence and balancing in relations with the EU, for purposes of regime legitimacy. The case studies in this essay have emphasised two ways to achieve this. First, in the case of DHR promotion, the government in Baku applied reactive policy strategies to undermine the EU's policies. In other words, the government responded to an

external actor's engagement which could threaten regime legitimacy. Second, and more interestingly, the case of Nagorno-Karabakh showed that the Azerbaijani government also used different proactive policy strategies to further its own interests. Here, on the contrary, it instrumentalised the external actor's disengagement in order to enhance regime legitimacy. Even though these pro-active strategies were overall not successful, it demonstrates that as such, regime legitimacy, national independence and 'balancing' are both a source and a goal for Azerbaijan's foreign policy, established in response to the EU's policies that may undermine these very principles.

Lastly, the essay has found that not only has the EU not succeeded in bringing about a policy more in line with its own agenda, but through its policies, the EU has (possibly unintentionally and indirectly) in fact reinforced Azerbaijan's emphasis on national independence. For DHR promotion, this is the case because the government in Baku tried to 'neutralise' these efforts, which could pose a threat to the regime; and regarding the Nagorno-Karabakh conflict Azerbaijan interprets the EU's lack of engagement as inconsistent and biased behaviour, affirming Baku's views that too close cooperation with Brussels is undesirable.

Why is this more significant an outcome for Azerbaijan than for the EU? First, Azerbaijan being a relatively small and young, post-Soviet country, it is a remarkable achievement to be able to resist EU pressure, with the EU being a much larger, more established partner. Second, while Azerbaijan has perhaps not yet achieved positive outcomes in the area of putting Nagorno-Karabakh on the agenda, it is slowly adding successes to its track records in relations with the EU overall. At the same time, it remains to be seen what medium and long-term effect the 2015 economic downturn will have on policymaking and the country's bargaining power in relations with the rest of the world.⁸⁰

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