



Hügelgasse 2, A-1130, Wien | Tel.: + 43 (1) 403 13 22 | Fax: + 43 (1) 403 13 23 | E-mail: vienna@mission.mfa.gov.az

**Statement by the Delegation of the Republic of Azerbaijan
1184th Meeting of the Permanent Council,
03 May 2018**

*in response to H.E. Mr. Volker Türk,
UN Assistant High Commissioner for Protection, and
Mr. Manfred Profazi,
Senior Regional Adviser for Europe and Central Asia
of the International Organization for Migration*

Mr. Chairperson,

Delegation of the Republic of Azerbaijan warmly welcomes H.E. Mr. Volker Türk and Mr. Manfred Profazi to the Permanent Council. We would like to thank the Italian Chairmanship for keeping such important topics high on the OSCE agenda.

Azerbaijan enjoys excellent cooperation with both institutions. We highly value their respective roles in tackling serious challenges stemming from ongoing large-scale displacement. Due to the ongoing conflict with Armenia, close to one million Azerbaijanis continue to be displaced. Since the first days of restoration of its independence, the Government of Azerbaijan has spent significant resources towards alleviation of sufferings of this vulnerable group. The Great Return Programme worked out by the Government envisages series of measures to facilitate safe and dignified return of displaced persons. We have already started its practical implementation in the Jojug Marjanli village of the occupied Jabrayil district and look forward to possible contribution by the UNHCR to that end.

The Government tries to find solutions to numerous social problems of displaced persons and provide their normal living conditions locally. In the meantime, the only sustainable solution is to ensure their right for safe and dignified return into places of origin in accordance with existing international standards. Unwillingness of the conflict party to guarantee and fulfill the rights of IDPs to return to their homes and properties and to get compensation for the incurred injustice necessitates effective international response.

In this particular context, we highlight the case-law developed by the European Court of Human Rights (ECtHR) in its Judgment on the case “*Chiragov and others v. Armenia*”. This case made it clear that the ongoing political negotiations do not provide a legal justification for the interference with the rights of IDPs. In the context of extraterritorial jurisdiction under the European Convention of Human Rights (ECHR), the Court identified responsibilities of Armenia for actions taken outside its territories but within the substantial scope of the Convention, which arise due to military occupation of the territories of Azerbaijan. The Court reaffirmed that the right to return of IDPs is undisputed and any solution to the conflict will have to ensure effective exercise of this right.

We concur with distinguished Assistant Commissioner that the twentieth anniversary of the UN Guiding Principles on Internal Displacement provides a unique opportunity to step up our collective efforts and galvanize further commitment. The Guiding Principles recognize, among others, the right of access by the internally displaced persons to the grave sites of their deceased relatives. On this occasion, we would like to draw the attention to particular case of two Azerbaijani IDPs- Mr. Dilgam Askerov and Shahbaz Guliyev, who have been taken hostage in the occupied territories of Azerbaijan while attempting to visit the graves of their relatives. It is already forth year that they continue to be illegally deprived of their liberty being subjected to torture and degrading behavior by the occupying forces. In this context, we reiterate our call on OSCE Minsk Group Co-Chairmen to pay due attention the cases of the mentioned Azerbaijani IDPs and take necessary steps with a view to ensuring their safe return to their families in light of their deteriorating health conditions.

The ongoing crisis in the neighborhood of the OSCE is a serious challenge, also in the sense that it adds new wave of displaced persons to already large numbers of refugees and IDPs inside the region. The problem should be dealt exclusively in accordance with international humanitarian law. We underline the necessity of taking adequate measures to prevent illegal resettlement of refugees from Syria in the occupied territories of Azerbaijan, which has been widely documented by numerous international independent observers. This must be prevented and reversed, as it runs contrary to the humanitarian law and aggravates situation in Armenia-Azerbaijan conflict zone. We encourage both the UNHCR and IOM to closely look into the matter.

Mr. Commissioner,

We join your call on the OSCE and participating States to use the opportunity presented by the twentieth anniversary of the Guiding Principles to re-inject momentum and galvanize action in favour of IDPs, notably on finding solutions. Specific Ministerial Council deliverable dedicated to this important anniversary could be a significant contribution to implementation of existing OSCE commitments, and we encourage the Chairmanship to integrate this important issue into the agenda ahead of preparations for the Milan Ministerial Council.

In conclusion, we once again thank Mr. Türk and Mr. Profazi for their presence at the Council and wish them every success in their future endeavors.

Thank you, Mr. Chairperson.