

## **HUMAN DIMENSION IMPLEMENTATION MEETING 2015**

**Warsaw, Poland**

**Monday, 28 September 2015, Working Session 11**

### **Humanitarian issues and other commitments, including:**

- Address by the OSCE Special Representative/Co-ordinator for
  - Combating Trafficking in Human Beings
  - Combating trafficking in human beings
  - Refugees and displaced persons

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### **Refugees in the Nagorno Karabakh Republic**

Ladies and Gentlemen,

I would like to draw your attention to the European Court on Human Rights (ECHR) judgment in the case of “*Sargsyan vs. Azerbaijan*” (June 16, 2015).

Sargsyan is an Armenian from the Shaumian region of the Nagorno Karabakh Republic. In the summer of 1992 Sargsyan's family along with the entire Armenian population of the region was expelled from their home as a result of occupation and ethnic cleansing carried out by Azerbaijan.

There is no doubt, that the judgment addresses the issue of protection of individual rights, in particular, the property rights and, as mentioned in the ECHR judgment itself, the comprehensive solution of the problems of refugees, including the return to their former places of residence and payment of compensation, can only be achieved within the frameworks of a peace agreement.

However, the ECHR judgment is important, as it has again brought to the surface the issue of Armenian refugees from the territories the Nagorno Karabakh Republic occupied by Azerbaijan. This problem was ignored for many years, and more than 30 thousand Armenian

refugees residing in the Nagorno Karabakh, have been completely forgotten by the international community.

It is noteworthy that ECHR has considered and adopted similar decisions on two parallel cases – the above-mentioned case “*Sargsyan v. Azerbaijan*” and “*Chiragov and Others v. Armenia*”. Thus, the ECHR demonstrated that the issue of compensation for refugees and displaced persons resulting from the conflict between Azerbaijan and Karabakh should be resolved based on the principles of reciprocity and equality.

Unfortunately, Azerbaijan continues its policy aimed at the collective punishment of the Armenian refugees residing in the Nagorno Karabakh Republic, preventing the visit of specialized international organizations, in particular, the UN High Commissioner for Refugees to Nagorno Karabakh. Depriving the Armenian refugees of the Nagorno Karabakh Republic of international protection and assistance, Azerbaijan violates the principles of reciprocity, fairness and equality.

Asymmetric attitude to the rights of those directly involved in the conflict, and in particular discrimination against refugees based on national or ethnic grounds create all conditions for freezing the conflict.

I believe that the ECHR judgment in the case of “*Sargsyan vs. Azerbaijan*” will draw the attention of specialized international organizations to the need to solve the vital problems of Armenian refugees residing in the Nagorno Karabakh Republic.

Sincerely,

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