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**STATEMENT  
BY THE DELEGATION OF THE REPUBLIC OF AZERBAIJAN  
AT THE OSCE CONFERENCE ON RACISM, XENOPHOBIA AND DISCRIMINATION  
VIENNA, SEPTEMBER 4, 2003**

Mr. Chairman,  
Distinguished delegates,

I would like to start with expressing our deep gratitude to the Secretariat for excellent preparation of this Conference and wish all participants every success in their work.

My Delegation considers this Conference to be a follow-up to landmark and historic events such as the European and World Conferences against Racism. As we all remember, through the turbulent sea of events at these conferences the consensus was reached on practical steps to be taken. The documents adopted show us the way to work jointly to roll back and uproot the scourge of racism, all forms of intolerance and aggressive violent nationalist ideologies.

My Government attaches great importance to conclusions of these Conferences, which should lead to decisive actions at national, regional and international levels to help those who suffer on daily basis from racism and its manifestations. In our opinion, this Conference is a very timely event, which creates a possibility for an exchange of views on the present situation, as well as to stress once again the necessity to make all efforts by leading international organizations, governments and civil society aimed at ensuring the efficient implementation of the decisions adopted in Strasbourg and Durban.

Azerbaijan is a multiethnic and multi-confessional country, whose national policy is planned and carried out with due regard for the legitimate interests of persons belonging to minorities. Azerbaijan's numerous minorities are broadly represented in Milli Majlis (Parliament), central and local government, civil society and academic circles. In towns, districts, settlements and villages where compact groups of minorities live, representatives of the local population hold

leading positions in government. Active participation of all national minorities in the life of society on equal basis, including the participation in the joint events of a countrywide level, is an evidence of environment of mutual respect existing in Azerbaijan. With the purpose to maintain national identity, traditions and culture, educational institutions organize exhibitions, national holidays with demonstration of labour, art and creative work of representatives of national minorities. Topics devoted to protection of rights of persons belonging to national minorities are included into the training system and educational programs of the law enforcement agencies. Measures are also taken to provide study of culture, history, customs, traditions and languages of the national minorities by the police in the areas compactly inhabited by numerically small ethnic groups. Over the past few years, cultural centres, charities and other social organizations related to all the minorities living in Azerbaijan have been set up. These organizations receive strong material and financial aid from the State budget and the President's Fund.

Based on the spirit of traditional tolerance and harmonic coexistence of different groups, the legislation of Azerbaijan contains relevant provisions, which guarantee equal and effective protection to all individuals without any discrimination. Ensuring the right to equality, together with other rights provided by the Constitution is one of the main responsibilities of the recently established Ombudsperson's Institution. The agitation and propaganda aimed at arousing racial, national, religious or social difference or hostility is prohibited in accordance with the criminal legislation. Criminal proceeding is conducted and the justice is administered on the basis of everyone's equality before the law and courts. The reform of the judiciary and legal systems according to international and European standards contributes to ensuring the independent judiciary, rule of law and effective legal proceedings in order to guarantee the right of every person to a fair trial without any discrimination.

Azerbaijan is a party to all major international and European instruments in the field of human rights and has recognized the competence of the relevant treaty-monitoring bodies to receive and consider communications from individuals who claim to be victims of human rights violations. Azerbaijan acceded to the Optional Protocol to the International Covenant on Civil and Political Rights and the Optional Protocol to the Convention of All Forms of Discrimination Against Women, and made declarations with respect to other multilateral instruments in the field of human rights including the declaration of the Government of the Republic of Azerbaijan made in accordance with Article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination. It should also be stressed that the

Government of Azerbaijan is ready to take further steps to promote the equality of all persons through the enforcement of the general prohibition of discrimination. In this connection my Government is now considering the possibility of accession to Protocol 12 of the Convention for the Protection of the Human Rights and Fundamental Freedoms.

Mr. Chairman,

While focusing on minority rights, we should also give our attention to the duties of minorities to respect the national legislation and the rights of others, in particular persons belonging to majority or other minorities. In this regard, it should be pointed out that minority rights cannot be interpreted as permitting any activity contrary to the fundamental principles of international law and in particular sovereign equality, territorial integrity and political independence of States.

As the experience shows, the policy aimed at protection of existence and identity of minorities does not guarantee from ethnic tensions and hostilities. A cursory look at the world today shows that there are several minorities that pursue extremely provocative and violent policies towards the majority of population and other minorities. We firmly believe that a State should be a common home for all of its resident population, where neither a majority nor minorities have the right to assert their identity in such a manner that prevents others from doing the same.

Mr. Chairman,

Speaking about the present-day tendencies related to racism and its manifestations throughout the OSCE region, it should be mentioned that plagues of racism, aggressive nationalism, and all kinds of intolerances are still widespread. Along with social and economic instability, they are among the main sources of crisis, human misery and loss of life and constitute a serious threat to security and democratic development of states.

Thus, the dominant feature of aggressive nationalism is to exclude and segregate certain ethnic groups in a most violent way on the basis of artificial hierarchy and supremacy and exploitation of ethnic or religious prejudices. Aggressive nationalism is usually willing to absorb certain minority groups while rejecting others. If ethnic groups follow aggressive-nationalistic ideology, they are likely to violently pursue claims to self-determination and in

doing so purge members of other ethnic groups living within their region and even outside, in order to have a “pure” ethnic composition. In certain cases these groups try to impose their radical views on the majority of population of a country and make unconstitutional attempts to revise borders in order to join with a neighboring state whose majority belongs to the same ethnic group. In such instances the external encouragement to drive for secessionist activities by open intervention disturbs the international legal order.

The experience of the well-known armed conflict, which Azerbaijan is a victim of and which have turned later on into one of the most tragic conflicts of the past century still on the agenda of the OSCE is an example of how a state elevating the ideology of aggressive nationalism to the rank of its state policy tries to camouflage its annexationist policy by appeals to the principle of the right of peoples to self-determination. However, according to the international law the principle of self-determination can only be realized in a peaceful way and in accordance with the principle of territorial integrity.

Seeking a realistic formula for a compromise based on adherence to the norms and principles of international law, Azerbaijan at the same time strongly rejects settlement models, which infringe on sovereignty, territorial integrity and unity of the State. My country proceeds from the position that a number of concepts of self-rule, including autonomy, may constitute a practical way to preserve and promote ethnic, cultural, linguistic and religious identity of persons belonging to minorities within a State of their residence. The attempts, sometimes made these days, to revise these principles would have grave and irreversible consequences for the settlement of the existing and would-be conflicts in the OSCE area and beyond.

Mr. Chairman,

In our opinion, this Conference should draw up concrete conclusions and recommendations on further ways and means of joint measures aimed at combating racism, aggressive nationalism and all other forms of intolerance. The conclusions of the Conference should reflect strong condemnation by the OSCE participating States of the persistence and resurgence of these phenomena and aggressive separatism, extremism and terrorism directly linked to them, in all their forms and manifestations, and stress that these phenomena can never be justified in any instance and any circumstances.

Thank you.