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PERMANENT MISSION OF THE REPUBLIC OF ARMENIA TO THE OSCE

Statement
in response to the address of Ms. Gillian Triggs
UNHCR Assistant High Commissioner for Protection
as delivered by Ambassador Armen Papikyan
at the 1411th meeting of the Permanent Council

16 February, 2023

Mr. Chairperson,

I would like to welcome UNHCR Assistant High Commissioner for Protection, Ms. Gillian Triggs and thank her for the informative presentation.

In today's volatile world the role and effective engagement of UN specialised agencies and particularly the UNHCR is more indispensable than ever and we are pleased to have this dialogue today at the Permanent Council of the OSCE, whose area of responsibility, unfortunately, is not immune from conflicts and crises. It is our firm conviction that the UN and its agencies should enjoy unconditional, unimpeded, unhindered and unfettered access to people in need, wherever they are and in all circumstances. The forced displacement should be addressed comprehensively and UNHCR's efforts should be directed to alleviate the plight of people fleeing from conflicts, violence and crimes.

The extension of humanitarian assistance should aim at protection of human rights of the affected persons, their safety and dignity, and should not discriminate against them because of their origin, language, religion, national origin or other status.

Distinguished Assistant High Commissioner,

The topic of displacement is highly relevant for Armenia as a country. Displacement has been a feature of Armenian people in the 20th century and regrettably continues to be in the 21st century.

The 44-day war of aggression unleashed by Azerbaijan against Artsakh and its people in September 2020 led to massive forced displacements. As a result, about 91,000 people were displaced from their homes and fled to Armenia, 88% of whom were women and children. More than 40 000 people had to leave their homes and property acquired through generations to escape mass atrocities. Significant part of the displaced people, particularly from Shushi and the Hadrut region of Nagorno-Karabakh, today are unable to return to their homes as those territories are now under the Azerbaijani occupation. Many of them have become victims of repeated forced displacement, since they had fled the ethnic cleansing committed by Azerbaijan from 1988 to 1994. Tens of thousands of Armenians forcefully displaced from their ancestral homes so far have no prospects for their voluntary return to their homes in safety and dignity.

The provision 7 of the Trilateral statement of November 9, which stopped the active phase of hostilities envisages an engagement of the Office of the UN High Commissioner for Refugees.

However, due to the politicization of the humanitarian access to Nagorno-Karabakh by Azerbaijan the victims of forced displacement and mass atrocities in Artsakh are still largely deprived of international humanitarian assistance, protection, and have little prospects for durable solutions.

The situation was further aggravated by the unprovoked and unjustifiable aggression unleashed by Azerbaijan last September against sovereignty and territorial integrity of Armenia. This third large-scale offensive against Armenia since the signing of the Trilateral statement of 9 November, 2020 resulted in occupation of around 150 square km of sovereign territory of Armenia and 233 casualties, including among civilians. Azerbaijani armed forces deliberately targeted civilian infrastructures and peaceful settlements as a result 7600 people have been displaced, including 1437 children and 99 people with disabilities.

The humanitarian situation on the ground continues to be dire. In the atmosphere of total impunity, Azerbaijan continues to breach principles of the international human rights law and international humanitarian law. It has been around 70 days that Azerbaijan is blocking the **Lachin Corridor**, the only road connecting Nagorno-Karabakh to Armenia, usually referred

to also as a “lifeline for Artsakh”. Azerbaijan has also disrupted the electricity supply and is regularly cutting the gas pipeline. As a result, 120 thousand people of Nagorno-Karabakh are on the verge of a humanitarian catastrophe. Meanwhile, Azerbaijan announced at the highest level that it can lift the blockade for all those who want to leave Nagorno-Karabakh. It is a creeping ethnic cleansing and forced displacement in making.

Azerbaijan’s actions clearly demonstrate that the final goal of Azerbaijan remains the complete destruction of the people of Artsakh (Nagorno-Karabakh) by inflicting on them conditions of life calculated to bring about its physical destruction in whole or in part or to achieve its forced deportation which is a crime, punishable under international law.

Therefore, Armenia would respectfully call upon the UNHCR to take every possible action in order to avoid getting entangled in the endorsement and implementation of such a blatant campaign of ethnic cleansing.

Mr. Chairperson,

We firmly believe that the UN, its agencies and other humanitarian actors which have been bestowed with a universal mandate should be deployed in Nagorno-Karabakh in order to avert the unfolding humanitarian disaster and prevent further escalation with detrimental impact on the prospects of regional peace and stability.

It is Armenia’s firm conviction that at this stage, a fact-finding mission is a bare minimum necessary to establish the state of affairs on the ground. The UN is bestowed with a universal mandate and should enjoy unconditional and unimpeded access to the people in need. It should be utilized for saving lives, extending the necessary humanitarian assistance and protecting the human rights of the people concerned. The world needs positive and successful cases of the application of international mechanisms, the ones that they were created and mandated for. The international system cannot afford to sustain another failure.

In this context, Armenia took note of UNHCR's continued commitment to seek access to Nagorno-Karabakh in line with article 7 of the trilateral statement. We strongly believe that it should be based on humanity, neutrality, impartiality and independence, which are the fundamental principles for humanitarian action.

Likewise, we have taken note of UNHCR's position that its deployment to Nagorno-Karabakh is contingent on the agreement of all parties concerned. Both Armenia and Nagorno-Karabakh have shown political will and flexibility on this position and insisted that the issue must not be politicized. The spokesperson of the UN SG clearly mentioned that it was Azerbaijan that has not given its consent to the UN mission to NK.

I would like to reiterate that the efforts for the return of the displaced population should address the needs of all who were affected, without leaving anyone behind. There should not be any hierarchy in return of displaced people and the November 9 statement certainly does not leave room for any selective approaches.

After two years it is clear that Azerbaijan wants to prevent the international community and the UNHCR, in particular, from entering and operating in Nagorno-Karabakh.

The reasons are obvious, and Azerbaijan makes no secret of it: it wants to ethnically cleanse the Armenians out of Nagorno-Karabakh. Baku clearly demonstrated it during the recent war. To finish what they had started Azerbaijan needs to keep the UNHCR and the international community at large at bay from Nagorno-Karabakh.

During and after the war in Nagorno-Karabakh Azerbaijan committed despicable atrocity crimes. I am sure Commissioner you have been duly briefed about the severity and magnitude of the grave violations of the International Humanitarian Law by Azerbaijan. Armenia, as well as a number of human rights watchdogs voiced those instances at various international platforms.

While in response Baku sought to establish an artificial balance between the parties through countering the criticism that it had been facing for the violation of the IHL by pushing forward the so-called mine-awareness narrative that we just heard today. It is very telling that the ICJ rejected all claims that Azerbaijan made on the issue of minefields.

The last point I would like to make relates to continuous references by Azerbaijan to the issue of mines. In this regard we would like to recall that Azerbaijan in this very Council was opposing any demining activities allegedly carried out by the OSCE in Nagorno-Karabakh. It is also telling that it went as far as closing down the OSCE Office in Yerevan.

Distinguished Commissioner,

The Government and civil society of Armenia always enjoyed good cooperation and close collaboration with the UNHCR. An extensive structural remaking of the asylum and migration management system in Armenia is envisaged by a project recently launched by Armenian authorities and the European Union, which is implemented by the UNHCR and International Organization for Migration. This joint endeavour aims to strengthen Armenia's capacities, modernise and reform our legislative and regulatory framework.

Armenia further welcomes that the UNHCR established a field unit in Goris, in the southern part of Armenia. That was a step in the right direction for addressing the plight of the tens of thousands of victims of forced displacement.

We remain convinced, Commissioner, that the UNHCR itself should not be entangled in political processes and its mission should remain fully impartial and humanitarian. In this context I would like to assure you of Armenia's full and unconditional support to UNHCR to carry out its mandated work and wish you every success in all your future undertakings.

Thank you, Mr. Chairperson, and I kindly ask to attach this statement to the journal of today's meeting.