

Human Dimension Implementation Meeting

WORKING SESSION 13

Fundamental Freedoms II, including freedom of movement

As delivered by

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Mr. Moderator,

We would like to thank the distinguished introducer for his informative presentation.

We would like to stress the crucial role of the OSCE commitments in the sphere of freedom of movement in facilitating people to people contacts and freer cross-border movement in the OSCE area. It is an important track to reach our objective of common and indivisible Euro-Atlantic and Eurasian security community.

Armenian authorities are constantly updating the electronic visa system to facilitate acquisition of visa for people, wishing to travel to Armenia. Citizens of 38 OSCE participating States, including all the EU member states are exempt from entry visas to travel to Armenia on unilateral basis. At the same time Armenia enjoys reciprocal visa free travel regime with 9 OSCE participating States, including almost all CIS member-states.

As a landlocked country with 80% of borders in blockade Armenia is one of the most interested participating States in promoting freedom of movement. Enjoyment of the right of the freedom of movement requires the existence of open and secure borders between participating states. Unfortunately, the land borders of Armenia have been closed by Turkey and its kin state Azerbaijan and the right of freedom of movement of population of Armenia has been severely curtailed for more than two decades. The Armenian side has regularly raised its concerns in this regard in the OSCE.

The land blockade of Armenia by its above two neighbours is aimed at undermining the social and economic development of Armenia, isolating Armenia from international economic cooperation and transit corridors and promoting emigration from the country. There are no any legal grounds to inflict such step, which constitute a flagrant breach of the international law which we are bound to respect not only by its virtue but also through commitments undertaken in the Helsinki Final Act. Moreover, the Helsinki Final Act clearly states the inadmissibility of political, economic and other coercion exercised against other participating state.

The blockade of Armenia by Azerbaijan and Turkey has a negative influence on the living standards of the population of the Republic of Armenia, especially its vulnerable groups and on their social and economic rights, including the right to development, which is an apparent violation of the norms of the Charter of the United Nations, the international law, including the Convention on Transit Trade of Land-locked States.

Another pressing issue, which we would like to raise is continuous denial of entrance to Azerbaijan for not only Armenian citizens, but any persons, suspected to be of Armenian origin, regardless their nationality. This is the only such case in the whole OSCE area, when a participating State officially implies discriminatory practices on the basis of ethnicity in the field of freedom of movement. The Baseline Study on Cross-Border Mobility in the OSCE Region, elaborated by ODIHR has reflected this situation. Such a policy by Azerbaijan goes hand in hand with its efforts to dehumanize the Armenian people in the eyes of its population and create fertile ground for anti-Armenian hate crimes.

This year there were two specific cases. An 8 year old boy Luka Vardanian, citizen of Russian Federation of Armenian origin was denied entrance to Azerbaijan. The child was lucky in comparison with another Russian citizen of Armenian origin, former refugee and native of Baku city, Mr. Marat Ueldanov, who was arrested and detained this June. The charges brought against him are similar to the cases against opposition in Azerbaijan from high treason to the possession of drugs. These are not only violations of commitments in the freedom of movement, but one of the numerous reflections of alarming situation in the sphere of tolerance and non-discrimination in that country.

In light of the above, we would like to make the following recommendations:

- Participating States should comply with their commitment to facilitate free and secure movement of persons through ensuring open and secure borders.
- Participating States should remove the illegal restrictions imposed on the freedom of movement of all individuals residing in the conflict affected areas and ensure humanitarian access of international organizations, including OSCE institutions to those areas.
- Participating States should promote regional and cross-border cooperation at all levels of governance, including civil society through ensuring freedom of movement for representatives of governmental bodies, NGOs and international actors, including OSCE.

In response to the statement of the distinguished delegate of Turkey I would like to state that the reality is that Turkey has closed its land border for movement of people, goods and services. Simple denial of the existence of problem is not conducive for open and constructive dialogue.

I will reply to the delegation of Azerbaijan and its GONGO as representatives of the same authorities. In early 1990s Armenia held first place by the number of refugees per capita in the OSCE area. We had received more than 400 thousand refugees, escaping pogroms and atrocities in Azerbaijan. The Armenian Government undertook all measures for their integration despite harsh socio-economic situation, caused by the blockade by Turkey and Azerbaijan. Currently, Armenia hosts another 20 thousand refugees from Syria and conducts comprehensive policy aimed at their integration. On the contrary, the Government of Azerbaijan spent these 25 years in vain and despite billions of dollars of oil revenues did not undertake any step to integrate its refugees and displaced people and even more, placed them in such conditions, which led to even more augmentation of their number. The Azerbaijani authorities instrumentalized their refugees

and displaced people for their political aims at the expense of their human rights and fundamental freedoms.

Last, but not least, while the current session is entitled freedom of media, the Azerbaijani delegation devoted all its time to elaborate on the restrictions to that freedom. Any attempts to isolate the population of NK from the international community are illegal, as Nagorno-Karabakh has nothing to do with the territorial integrity of Azerbaijan. The latter has never exercised jurisdiction over NK.

Thank You.