

## Human Dimension Implementation Meeting

### WORKING SESSION 11

Humanitarian issues and other commitments, including address by the OSCE Special Representative/Coordinator for Combating Trafficking in Human Beings, combating trafficking in human beings, refugees and displaced persons

As delivered by

Mr. Davit Knyazyan, Deputy Head of the Permanent Delegation of Armenia to the OSCE

Ms. Moderator,

We would like to reiterate our support to the activities OSCE Special Representative/Coordinator for Combating Trafficking in Human Beings.

Armenia has made a considerable progress in the fight against trafficking, which was acknowledged by international community, academia and civil society.

Organized fight against trafficking started earlier in 2002. Three national programs of action have been implemented, while the fourth national Program of action is currently underway. The actions are taken in three directions: early prevention, prevention, support. Trafficking in human beings, as a separate type of crime, was incorporated into the Criminal Code of the Republic of Armenia in 2003.

Victims of trafficking are included in the list of socially disadvantaged and separate (special) groups of population entitled to receive free medical assistance and services guaranteed by the State under privileged conditions.

The process of bringing the legislation of the Republic of Armenia into compliance with the requirements of the Council of Europe Convention on Action against Trafficking in Human Beings is currently ongoing. The Government of Armenia has submitted to the National Assembly the draft law of the Republic of Armenia "On identification and assistance to the victims of trafficking or exploitation". The legislative reform aims at defining by law the reflection period, ensuring the accessibility of compensation and legal aid for victims of trafficking, ensuring the provision of assistance to all victims of trafficking irrespective of the degree of their co-operation with the law-enforcement authorities, their nationality and citizenship.

We would like to make the following recommendations:

- Strengthen regional and sub-regional cooperation with the OSCE in the field of combating trafficking in cooperation with the OSCE field operations.
- Strengthen the role of the OSCE as a platform for dialogue and cooperation in the field of anti-trafficking between those participating States, which do not have bilateral relations.

## ***Refugees and Displaced Persons***

At the outset we would like to recall that Armenia is highly interested in the topic of refugees and IDPs as a country, which hosts hundreds of thousands refugees from Azerbaijan and Syria. Displacement has been a feature of Armenian people in 20th century. It is difficult to find an Armenian both in Armenia and Diaspora whose ancestors have not been displaced. Nowadays Armenia is receiving tens of thousands Syrian Armenian refugees whose group has been displaced for the second time in last century.

Since 1988, when the first waves of refugees from Azerbaijan fled to Armenia, our authorities jointly with UNHCR implemented a number of programmes aimed at improving the socio-economic conditions of more than 400 thousand refugees, providing housing and guarantying their human rights and fundamental freedoms. To perceive the scale of the challenge, I would like to refer to the information provided by the Office of the UNHCR, according to which until the year of 2005 Armenia was heading the list of countries with the largest number of refugees per 1000 people.

As in all other cases with displaced population, their human rights come first for the Armenian Government in seeking durable solutions. From the first days of arrival of the refugees, the Republic of Armenia adopted integration policy for refugees despite the social and economic difficulties the country was facing. The integration policy for refugees has been yielding tangible results.

Nowadays we face a second wave of refugees and asylum-seekers from Middle East. In the aftermath of the fighting in Iraq and Syria, a number of refugees, mainly Armenians and Yazidis from these countries were granted asylum in the Republic of Armenia. In particular, within the last three years more than 17.000 refugees have arrived in Armenia from Syria and Iraq.

The Government of Armenia has undertaken measures to facilitate their integration into our society and address their economic and social problems. In addressing the needs of Syrian Armenian refugees the Armenian authorities have developed close cooperation with the international organizations, including the UNHCR, UNICEF, UN World Food Programme and the OSCE.

My Government also contributes to the UNHCR's activities in addressing the needs of refugees from the Middle East. Armenia has extended financial contribution to the UNHCR to provide support to Yezidi refugees from Iraq. The problem of forced displacement of religious and national minorities from Iraq, including Yezidis, Christians and Muslims from the actions of extremists is consistently raised by our representatives in the international organizations. Armenia was the co-author of the respective resolution adopted at the UN Human Rights Council on September 1, 2014.

The issue of displacement is present in the OSCE agenda as one of the elements of resolution of some existing conflicts. The problem of protracted displacement is being addressed within the agreed formats of peaceful settlement of conflicts and is closely linked to political settlement of the conflicts.

Therefore we see the role of OSCE first, in facilitating the activities of the UNHCR and the UN special procedures in addressing the issue of displacement in the OSCE area, including unhindered access to the conflict areas. Here, I would like to recall that the resolution of OSCE Parliamentary Assembly adopted in the year of 2014 calls upon participating states to ensure unhindered humanitarian access to all refugees and IDPs. Second, the OSCE participating States should support activities of the mandates dealing with conflict resolution, since only such mandates are empowered to mainstream rights of the displaced population in their entire work.

In this regard we would like to make the following recommendations

- The OSCE participating states should provide unhindered humanitarian access of the UNHCR and the UN special procedures to the refugees and internally displaced people in the conflict affected areas in the entire OSCE area
- Both the OSCE and the participating States should undertake measures to effectively uphold commitment on non-discrimination against asylum seekers, refugees and IDPs on the national, ethnic and any other ground, as stated in the Maastricht Ministerial Council Decision 4/03 on Tolerance and Non-discrimination, adopted in 2003.

Thank You.

### **Reply to Azerbaijan**

Ms. Moderator,

Human rights of refugees should come first and the suffering of displaced population should not be instrumentalized to gain political advantages in conflict resolution. Back in 90s both Armenia and Azerbaijan held hundreds of thousand refugee population. In the proportion of its original population Armenia had more displaced population than Azerbaijan. Yet Armenia did not build refugee camps and opted for local integration, which has been only possible durable solution. Yet Azerbaijan did everything to sustain and even augment the declared number of displaced population at the expense of realization of human rights of the displaced population.

There are no good or bad refugees. The Maastricht MC Decision 4/13 states that there should be no discrimination against asylum-seekers, refugees and IDPs on the national, ethnic and any other ground.

The reality is that Azerbaijan is the only OSCE participating State, which hinders humanitarian access of the UNHCR and UN special procedures to Nagorno-Karabakh, where, according to the UN Special Rapporteur on IDPs of the year 2008 30 thousand Armenian IDPs are residing. Azerbaijan does not offer any policy of return or compensation to more than 400

000 Armenian refugees, who were forcibly displaced from Azerbaijan in the late 1980s and early 1990s. By doing so, Azerbaijan clearly violates the OSCE commitments.

We fully support the proposal of the Azerbaijani Delegation to make use of the OSCE toolbox, including fact-finding missions. We wish to remind the Azerbaijani Delegation that so far a number of OSCE fact-finding missions were received by the NK authorities, and their reports indicate that allegations of Azerbaijan on organized policy of settlement are baseless. We invite the Azerbaijani authorities to follow their own recommendation and receive fact-finding missions in the territories of Nagorno-Karabakh, currently under Azerbaijani occupation.

Finally, we would just like to remind the delegation of Azerbaijan, that return of both Armenian, NK, and Azerbaijani refugees and IDPs is one of the elements of the Basic principles of peaceful settlement of the NK conflict, which Azerbaijan effectively rejects.

Thank You.