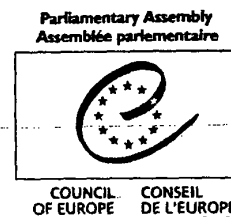


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REPORT

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ADDENDUM 1

Refugees and displaced persons in Armenia, Azerbaijan and Georgia

The following texts were submitted for inclusion in the official report by members who were present in the Chamber but were prevented by lack of time from delivering them.

Mr DEMIRCHYAN (*Armenia*) – First of all I would like to say that we highly appreciate the work carried out by the rapporteur.

Unfortunately the situation of refugees and displaced persons in Armenia, Azerbaijan and Georgia continues to give cause for concern and to impede the social and economic development of the countries.

As is noted in the report there are many obstacles to the success of programmes for the local integration of refugees and displaced persons. Emergency aid continues to be requested. The refugees and displaced persons can no longer be cared for without international aid. We agree with the approach that urgent humanitarian aid, however, must be increasingly supplemented by international development programmes to provide a future for the refugees and displaced persons in Armenia, Azerbaijan and Georgia.

It is obvious that without an overall settlement of the existing conflicts of the region, the return of the refugees and displaced persons to their homes is hardly possible. It is also obvious that present conflicts should be resolved in accordance with democratic practices and principles. There is no alternative to a peaceful solution of the conflicts. It should be noted that conflicts differ depending on their peculiarities, so the regulation of conflicts must be achieved by dissociating them from each other. There can be no such things as a universal key to be used for the regulation of all kinds of conflicts.

The conflict over Nagorno-Karabakh is the most significant obstacle to peace and stability in the South Caucasus. The solution of the conflict should be achieved only through peaceful negotiations. To resolve the conflict without the participation of Karabakh is not realistic. The Karabakh people's right to self-determination cannot be ignored and Karabakh should become an active participant in the negotiation process. Any dictated solution of the conflict will not establish peace and stability in the long term. At the same time, the continuing undermined status of Nagorno-Karabakh should not be an obstacle for the international community to respect the fundamental human rights and liberties of all the people of Nagorno-Karabakh.

The formation and enlargement of the frame of common interests between the conflict parties is a most important stimulus for the regulation of the Karabakh conflict. The best way to reach this is the encouragement and realisation of regional co-operation. The processes of conflict regulation and the establishment of regional co-operation must proceed simultaneously. The formula, "No kind of co-operation until conflict regulation" not only fails to contribute to the formation of an atmosphere of mutual confidence but in fact preserves hostility and the danger of resuming the war.

The European Union can play a constructive role in establishing peace and security in the region. Armenia, Georgia and Azerbaijan are included in the European Union's Wider Europe and New Neighbourhood initiative and it gives new perspectives to the South Caucasus. A mutually beneficial partnership with the European Union may stimulate democratisation and regional co-operation. The promotion of democratisation in the region will provide more chances to successfully resolve the conflicts and provide a basis for co-existence based on democratic principles.

Mr MERCAN (*Turkey*) – I would like to thank Mr Boriss Cilevičs for his comprehensive report on refugees and displaced persons in Armenia, Azerbaijan and Georgia, giving an insight into the humanitarian and human aspects of the situation. Those people are one of the victims of the unresolved conflicts in the South Caucasus region. The picture he has drawn continues to give cause for concern. Yet it is encouraging to see some positive signs that the three countries are moving forward with the local integration of their refugees and displaced persons.

The report reveals the fact that we, the parliamentarians, should work hard to mobilise international development aid or financial support to the South Caucasian Governments' efforts in dealing with this serious problem. They are in need of substantial urgent aid for restructuring the lives of those victims - in other words, for providing nutrition, education and health services, job opportunities, infrastructure and housing. Moreover, the economic and socio-political development of these three countries will be severely hampered if the situation does not improve.

Although Mr Cilevičs' report deals mostly with the humanitarian and human aspects of the situation, in the draft resolution, a call is made to the member states to offer their good offices in order to try and achieve a permanent settlement of the conflicts which are still raging and which maintain the entire region in a state of chronic under-development. I think this call is important and should be responded to. We should not overlook the root cause of this endemic problem. Without a peaceful and permanent settlement, security and stability will never be established and prosperity will never prevail in the region.

It is encouraging to see that the three countries have embarked on programmes for the local integration of their refugees and displaced persons. Yet those Governments should be supported as well in their efforts to adapt their legislation in order to assure that refugees and displaced persons have the same political, civil, economic and social rights as the local population. Such incentives would not only enable these communities to contribute to the development of the regions that they are living in, but also prepare them for voluntary return under better social and psychological conditions.

At this point, I would like to refer to the recent efforts of the Georgian authorities for laying the groundwork of the repatriation of the Meskhetian Turks to their homeland, Georgia. Meskhetian Turks is the only group who were expelled from their motherland in the 1940's and could not return to their homeland. Their repatriation process, if completed successfully, would set a precedent in many aspects to other cases in the region.

In accordance with its obligations and commitments undertaken at the time of its accession to the Council of Europe, the Georgian Government is now creating the necessary legal and administrative conditions for this purpose. Apart from the legal framework, the content of the law bears significance. If the law on repatriation complies with the basic norms and standards of the Council, the Meskhetian Turks would be given the chance to assume their basic rights and be loyal Georgian citizens. This will put an end to their decades long suffering.

With regard to persons displaced by the conflicts in Abkhazia and South Ossetia, the efforts of the Georgian Government to ensure their return to places of their former residence should be acknowledged and encouraged.

A new policy for improving the overall living conditions of displaced persons, launched by the Georgian Government and known as the "New Approach" seems to be useful for the time being and UNDP's support to extend it to other regions is worthwhile.

The largest movement of displaced persons in the region have taken place in Azerbaijan. IDPs enjoy the right to vote in national and municipal elections. Their access to means of production and to property is important as well.

In addition to the displaced persons who had to flee Nagorno-Karabakh and the occupied districts of the Republic of Azerbaijan, there are also Azeri refugees from Armenia. It should be underlined that Azerbaijan has granted full civil rights to its refugees, starting with the right to Azerbaijani nationality. Yet, the situation of refugees of foreign extraction such as Iranians, Iraqis, Afghans and Chechens seems to need more attention. Improvements in terms of accommodation and infrastructure remain dependent on financial resources. Thanks to the payments from the "Oil Fund", Azerbaijani efforts in this respect yield positive results.

As Mr Cilevičs stated in his report, enjoying civil, economic, social, and cultural rights in the regions in which they live, refugees and IDP's regain a certain dignity, which will certainly be complete once they are able to return home. However, to make peace with their past, issues such as investigation into the fate of missing persons or restitution of property should also be settled. To achieve all these, the relevant authorities need our assistance in financial, legal and political terms. If we cannot prevent the conflicts, at least we should try to salve the wounds.

Mr HUSEYNOV (*Azerbaijan*) – Very often we hear from the rostrums of the Council of Europe an expression that is quite right: it is too much to have just one political prisoner in a COE member-state. I would like to apply this phrase to the refugees and displaced persons who are destined to suffer a humanitarian catastrophe with the judgement of time: it is too much to have just one refugee or displaced person in a COE member – state and in general in any country of the world.

Upon analysing this problem in Europe the truth that appears first before our eyes is that the country mostly suffering from the problem of refugees and displaced persons is Azerbaijan. Comparison on the wider scale reveals the depth of the problem. But the bitter truth is that there are over 1 million refugees and displaced persons in Azerbaijan. If one refugee means one tragedy, then more than 1 million refugees and displaced persons surely means not 1 million, but millions of tragedies. One million refugees and displaced persons in a country of 8 million people is supposed to change in the country the whole life, philosophy and way leading to the future. Moreover, when taking into account a number of complicated processes in the region and in the world related to the region as well as the Iranian and Georgian factors and some other aspects of this kind, one should not forget easily the threatening assumptions of new flows of refugees into Azerbaijan.

Therefore, the balanced line in the report allegedly taken for the sake of objectivity is not acceptable at all. The problem of refugees and displaced persons of Azerbaijan is much more complicated and harder than the one in the other countries researched in the report, and unfortunately, this has not been reflected in the submitted report. If the situations in these three countries are analysed in the report, I guess not only the current situation, but also the factors that can more or less complicate the current situation are supposed to be taken into account and analysed. If the problem is being analysed in the framework of the report it has to be studied thoroughly, otherwise we will be obliged to devote a separate report to each aspect of the problem.

Armenia has occupied 20% of the Azerbaijani territories. Moreover, nowadays it is intensively continuing hostilities and regularly violating the cease-fire regime in the contiguous territories. Armenia has also been demonstratively stating its new territorial claims against Azerbaijan and its intention to seize the Autonomous republic of Nakhchivan of Azerbaijan. Over half a million Azerbaijanis reside in Georgia. The rapporteur is well aware of their hard social conditions in the country, in particular due to the incorrectly conducted land reform. It is not the only way for man to become a refugee or displaced person in a war condition. There are a lot of insidious methods of perpetrating that tragedy. The report does not say anything about it.

In the case when Azerbaijan has around 1 million refugees and displaced persons, and moreover when it has hosted Mehseti Turks, Chechens, Afghans and some other refugees from different nations on its territory and that it provides care for them, then it is unfair to raise any claims against Azerbaijan.

A solution of any problem needs cardinal measures to be taken. The hard problem that Azerbaijan faces has been created by Armenia, which is a member state of the Council of Europe. The official documents adopted by the Council of Europe have already proved Armenia to be an invader, which means that it recognises Armenia as an author of these tragedies. So, this respected institution has to take its next effectual measures and put to work all its mechanisms to put pressure on and influence Armenia. Once you hold one of the keys to the problem in your hand, you have no right to be inactive. That is what 1 million Azerbaijani refugees and displaced persons anticipate from the Council of Europe and want it to do.

Mrs MILNE (*Canada*) – I want to thank the rapporteur for a very good report that highlights the challenges facing internally displaced persons and refugees in Armenia, Azerbaijan and Georgia. I fully support the call on Council of Europe member states, the international community in general and the three countries concerned to continue and intensify their efforts to address the immediate humanitarian needs of IDPs and refugees, and also the long-term development of the region.

I do, however, believe that the root causes of the humanitarian crisis facing these people and the obstacles to their integration and to the long-term prospects for economic development deserve greater attention. These are fundamentally the product of the frozen conflicts that continue to afflict the lives not just of IDPs and refugees but of all people in the South Caucasus. There are two issues I want to raise in this context.

The first concerns the need for compromise in the negotiations for a permanent and peaceful settlement of the conflicts in Nagorno-Karabakh, South Ossetia and Abkhazia. Here, all parties must not only demonstrate a genuine willingness to compromise in the negotiations themselves; they must stop the rhetoric that just adds fuel to the fire and inflames and reinforces prejudice and they must do more to communicate the importance and inevitability of compromise to their own citizens.

Compromise is the basis on which internal democracy and peaceful international co-existence are built.

The second issue I want to raise is the issue of human security. I believe that we need to take a more people-centred approach to security, conflict resolution and development, which recognizes that lasting stability and development cannot be achieved until individuals are protected from violent threats to their rights, safety, lives and livelihoods. Thank you.

Mrs NAGHDALYAN (*Armenia*) – I thank Mr Cilevičs for his comprehensive and fair work. Today we have a report on a very delicate and sensitive issue, prepared on the basis of a multilateral and detailed study of the situation, thorough proposals for improving the situation and regulation of existing problems.

The main peculiarity of the report is in my opinion its fairness and impartiality. It does not suffer the widespread shortcoming of our discussions – obligatory equalizing of countries. In this concrete case the equalization of countries could be turned into an equalization of murderers and victims. The distortion of fact and history is not a rare thing nowadays. In today's Turkey, there are people who want to present the genocide of Armenians of 1915 in this way, thinking that decades have passed, that there are fewer escaped people who survived and that no-one will remember and speak the truth.

Who were the first refugees and where did they come from? They were the peaceful and quiet people of Sumgait, who as if in a horrible dream, could not imagine what would happen to them. They are attacked and beaten by infuriated people under the eyes of the authorities who did not intervene.

Beaten with stones, axed and tortured when they tried to defend their families, women were raped and children killed. The small Soviet city of Sumgait entered into history with the stain of these horrible crimes, mass murders, which later we called a humanitarian catastrophe. After that there were the events of Baku and Kirovabad.

The refugees from Azerbaijan passed through brutality and murder, lost their relatives and friends, lost their houses and hardly escaped. The refugees from Armenia left Armenia in general on a moral basis, there was no violence towards them and they could keep their welfare completely or partly – many of them could sell or exchange their houses. I know many Azerbaijanis who left Armenia with regret.

The issue of refugees in Azerbaijan has become an issue of political speculation for many years: refugees shelters have existed for a decade. What is it if not a political situation? A state that is advertising its oil-dollars, increasing its budget, including its defence budget every year, cannot provide elementary living conditions. Cannot? The state does not want to do so, as it is easy to speculate on human tragedy.

In Armenia, during the last decade of 20th century there were natural disasters, such as the earthquake which ruined many cities and villages. Hundreds of thousands of victims were left without shelter, work and the means to leave. The blockade of transport communications by Turkey and Azerbaijan is continuing. The war was started by Azerbaijan in response to the peaceful request of people for self-determination and the result was refugees.

Year by year, the Government allocates means to improve the living conditions from its scarce budget. As the report states, many of them have received houses, jobs and citizenship. But as a vulnerable part of the society they need sympathy and help. Refugees who live in the territory of Karabakh are deprived of humanitarian aid by the international community. This is not fair as whether the Republic of Nagorno-Karabakh is recognised or not, it should not be reflected on the people. People should not suffer.

