

To: Ms. Paula Gaviria Betancur

Special Rapporteur on the human rights of internally displaced persons

From: Office of the Commissioner for Human Rights
(Ombudsman) of the Republic of Azerbaijan

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Input of the Office of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan for the report of the Special Rapporteur on human rights of internally displaced persons

- **Climate change and internal displacement**

One of the most challenging global problems faced by the populations is the climate change which can also lead to forced displacement.

As a member of the global community Azerbaijan also takes necessary measures in order to tackle the problems arising out of the global warming and other related issues.

In Azerbaijan the most vulnerable situation with the climate change is in the agricultural field and water sector.¹ Hence, the populations residing near the water resources are the target groups to be addressed with regard to predictable water scarcity and irrigation problems near the riversides.

Currently there's not such a situation which force people to change their places of permanent residence, but mainly the rural population and those using the water systems are affected by these problems. However, the state and relevant stakeholders combine their efforts in order to develop relevant policies to prevent any such cases which can even lead to internal displacement due to climate issues.

Taking into account the shortage of drinking water resources, rising number of the population and recent global climate change, in 2020 a Presidential Order was signed on Additional Measures for Provision of Efficient Use of Water Resources and the relevant Action Plan for 2020-2022 was approved. In addition to the technical measures, awareness-raising activities were also considered in this action plan. Within this framework, recently the state bodies, civil society members draw attention to climate issues more intensely through the mass media and social media.

Azerbaijan is a country which hosted a mass number of internally displaced persons (IDPs) due to an armed conflict with Armenia. There have been both state-sponsored and international projects developed for solving the problems faced by the IDPs related to the environmental concerns. For example, the International Organization for Migration (IOM) to Azerbaijan has implemented a project for sustainable water supply for the IDPs through

¹ Official website of the Ministry of Ecology and Natural Resources of the Republic of Azerbaijan, Climate Changes (original article in Azerbaijani), available at: <https://eco.gov.az/az/hidrometeorologiya/iqlim-deyismeleri>

rehabilitation of water wells.² This ancient water well system, which is also known as “kahriz”, is presented as an alternative water resource. These actions are also aimed at addressing the Goal 6 and 13 of the UN Sustainable Development Goals.

The Sustainable Development Cooperation Framework for 2021-2025, signed between the United Nations and Government of Azerbaijan, provides for four priority areas, the first of which is related to inclusive growth that reduces vulnerability and the third one is related to addressing climate change.³

The Azerbaijani lands formerly occupied by Armenia had also been contaminated with anti-personnel and anti-tank landmines. The existence of these ‘silent killers’ in those areas prevent the safe and timely return of the IDPs to their homes. As is known, landmines and other explosive remnants of war not only cause the death and disability of people but also negatively affect the land surface and damage the ecosystem.

The Ombudsman has regularly raised this issue within her mandate and sent relevant appeals to the international human rights organizations calling for support in this regard.⁴

It’s worth mentioning that during the occupation period Armenia also committed ecocide in the territories of Azerbaijan by destroying forests, damaging flora and fauna, illegally exploiting and looting the natural resources etc.⁵ These acts negatively affected the ecological balance of the region and made the environment more vulnerable to the climate change challenges.

Water resources had also been polluted by Armenia; the water dams were artificially banned and kept in disrepair, so that the residents of Azerbaijan living in the border zone were deprived of access to water. This problem was addressed as an urgent humanitarian problem in the Resolution adopted by the Parliamentary Assembly of the Council of Europe in 2016.⁶

After the liberation of those lands, Azerbaijan also focuses on environmental-friendly solution to the environmental problems. In general, 20 percent of the water resources of Azerbaijan belong to the liberated lands which shows the importance of preserving the nature of this territory.

Restoration process in the liberated lands has to be sustainable. That’s why Azerbaijan has introduced smart city and smart village concepts in those lands in order to take account of future environmental challenges too.

In the post-war period, several reservoirs have been built in those regions which is aimed at ensuring supply of drinking water for the people to be resettled in Karabakh and surrounding territories as well as to address irrigation issues. For example, “Hakarichay”

2 Official website of the IOM Mission to Azerbaijan, SUSTAINABLE WATER SUPPLY FOR INTERNALLY DISPLACED PERSONS (IDPS) IN AZERBAIJAN THROUGH KAHRIZ REHABILITATION, <https://azerbaijan.iom.int/sustainable-water-supply-internally-displaced-persons-idps-azerbaijan-through-kahriz-rehabilitation>

3 Sustainable Development Cooperation Framework 2021-2025, United Nations and Government of Azerbaijan, p.13, available at: https://azerbaijan.un.org/sites/default/files/2021-06/AZERBAIJAN%20UNSDCF%202021-2025%20FINAL%20SIGNED_1.pdf

4 <https://www.ombudsman.az/en/view/news/3824/appeal-of-the-commissioner-for-human-rights-ombudsman-of-the-republic-of-azerbaijan-to-the-international-community-regarding-4-april-the-international-day-for-mine-awareness-and-assistance-in-mine-a>

5 <https://www.ombudsman.az/en/view/news/3714/the-next-appeal-of-the-commissioner-for-human-rights-ombudsman-of-the-republic-of-azerbaijan-to-international-human-rights-organizations-concerning-war-crimes-and-ecocide-committed-by-armenia-against->

6 PACE Resolution 2085 (2016), Inhabitants of frontier regions of Azerbaijan are deliberately deprived of water, available at: <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=22429&lang=en>

Water Reservoir will provide drinking water to nearly 3 million people,⁷ and “Sugovushan” Water Reservoir will help to irrigate more than 96,000 ha area.⁸

- **Internal displacement due to generalized violence, including the role of criminal violence**

Azerbaijan has had nearly one million IDP and refugee population as a result of Armenia’s military aggression and invasion of 20 percent of the territory of Azerbaijan. During this period criminal violence, including war crimes, acts of genocide, ethnic cleansing was committed against the peaceful population of Azerbaijan, and it was followed by internal displacement of the local residents. More than 600,000 people had to live as IDPs and took shelter in different regions of Azerbaijan⁹ between the First and Second Karabakh Wars.

The IDPs, who were forced to flee their native lands due to the armed conflict and criminal violence had to live in tents, camps etc. with various difficulties.

As the economy started to develop in the country, the Azerbaijani government implemented numerous projects for the settlement of IDPs at state expense and granted them several privileges regarding their socio-economic situation.

In 2020, the occupied territories of Azerbaijan were liberated as a result of the Second Karabakh War which paved the way for fulfillment of four UN Security Council resolutions on the Armenia-Azerbaijan conflict.¹⁰ Thus, the necessary grounds were established for the repatriation of the Azerbaijani IDPs.

However, the anti-tank and anti-personnel mines planted in our territories during the occupation period impede the return process of the Azerbaijani IDPs to their liberated lands. The Armenian side doesn’t provide accurate mine maps, and from the end of the Second Karabakh War up to now, more than 300 people have become mine victims as a result of mine explosions.¹¹ It’s regretful that the validity of mine maps provided by Armenia has been only 25 percent, however, Armenia’s cooperation on this issue could have helped to prevent the human cost of landmines.

We consider that the Special Rapporteur can address this issue in terms of promoting mutual cooperation in such humanitarian cases in order to prevent the violations of human rights and freedoms which cannot be used as a political tool.

7 Official website of the President of the Republic of Azerbaijan, “Ilham Aliyev got acquainted with the project of Hakarichay Water Reservoir in Lachin district” (original text in Azerbaijani), available at: <https://president.az/az/articles/view/56540>

8Azerbaijan State News Agency, “More than 96, 000 ha area will be irrigated with the Sugovushan Water Reservoir” (original text in Azerbaijani), 3 June 2021, available at:

https://azertag.az/xeber/Suqovusan_su_anbari_vasitesile_96_min_hektardan_chox_sahе_suvarilacaq_FOTO_VIDEO-1797981

9 <https://karabakh.org/conflict/refugees-idps/general-info/>

10 U.S. Department of State Archive for 2001-2009, “1993 UN Security Council Resolutions on Nagorno-Karabakh”, available at: <https://2001-2009.state.gov/p/eur/rls/or/13508.htm>

11 Trend News Agency, “Over 300 people became victims of mines in Azerbaijan past 32 months - ANAMA (UPDATE)”, 25 May 2023, available at: <https://en.trend.az/azerbaijan/politics/3753061.html>

Azerbaijan has initiated de-mining work which will also take a long duration of time. Mine clearance activities demand a mass amount of financial as well as human and technical resources.

Several foreign countries and international and regional organizations have shown their support for the mine action in Azerbaijan.

In particular, the Mine Action Agency of the Republic of Azerbaijan (ANAMA) jointly with the EU and UNDP implements a project which is intended for the safe return of the IDPs to their lands.¹² This project is also gender-inclusive as it also involves the first female de-mining teams. It's also one of the significant facts that the IDP communities will also actively participate in the implementation of this project.

- **Internally displaced persons in peace negotiations or mediation processes and in peacebuilding to achieve sustainable peace**

This sub-paragraph is relevant for our case as Azerbaijan and Armenia are currently at the center of the peace negotiations which is intended to sign a final peace deal.

Peace negotiations are held at the high level and the interests of the Azerbaijani IDPs are taken into consideration in these talks.

The communities from the formerly occupied territories also contribute to the peace negotiations, as the President regularly meets with the IDPs and their concerns are listened to.

Civil society members also propose their recommendations in this regard. For example, "Back to Karabakh" Public Union (formerly the Azerbaijani Community of Nagorno Karabakh Region of Azerbaijan) showed efforts to negotiate at the community level. This NGO has also called on the Armenian residents of Karabakh in order to negotiate on the essential issues and reach a peaceful solution to the long-lasting hostile relations.

- **(Re)integration of internally displaced persons**

During the occupation period consecutive measures were taken for ensuring the integration of IDPs into society. Improvement of their socio-economic situation and welfare as well as increasing their educational, cultural participation have always been among the priority areas of the state policy. In this regard, Azerbaijan had shaped a successful policy.

There is a special body dealing with the problems of IDPs in Azerbaijan which is entitled the State Committee for Affairs of Refugees and Internally Displaced Persons of the Republic of Azerbaijan.

¹² Official website of the UNDP Azerbaijan, Press release "European Union funded project for mine action kicks off in Azerbaijan", 8 February 2023, available at: <https://www.undp.org/azerbaijan/press-releases/european-union-funded-project-mine-action-kicks-azerbaijan>

There has been a special unit for the protection of the rights of refugees, IDPs and migrants in the Ombudsman Office which particularly focused on the complaints lodged by these marginalized population groups.

The Ombudsman Institution also run various public education events for the IDPs. Women and children have been chosen as the specific groups among the IDPs as they could face more challenges. The Ombudsman organized events jointly with the UNHCR and UNICEF.¹³ A range of awareness-raising events were held mainly in rural areas for the empowerment of women.¹⁴

According to the Provision 7 of the Statement signed by the leaders of Azerbaijan, Armenia and Russia on 10 November 2020, the IDPs shall return to Nagorno Karabakh and adjacent districts under the control of the UNHCR.¹⁵

After the Second Karabakh War, Azerbaijan initiated the Great Return program for the safe and dignified return of the IDPs to their own lands. The issue of repatriation has been identified as one of five national priorities of the Republic of Azerbaijan to be achieved by 2030.

Now safe return and sustainable reintegration of the former IDPs in their native lands assume high importance. For this purpose, large-scale reconstruction and renovation work is carried out, new workplaces are opened, business initiatives are supported for building a new life in the liberated regions.

Ombudsman Institution has also been represented in a number of events which brought together different state bodies, civil society organizations in order to introduce better approaches regarding the return process of the IDPs and the relevant recommendations have been proposed.^{16,17}

13 <https://www.ombudsman.az/en/view/news/312/ombudsman-office-conducted-joint-awareness-training-with-unicef-and-unhcr>

14 <https://www.ombudsman.az/en/view/news/850/events-are-continued-within-the-framework-of-project-on-empowerment-of-women-in-the-displacement-situations-implemented-by-the-ombudsman-office-and-unhcr>

15 Statement by the President of the Republic of Azerbaijan, Prime Minister of the Republic of Armenia and President of the Russian Federation, 10 November 2020, available at: <https://president.az/en/articles/view/45923>

16 <https://www.ombudsman.az/en/view/news/3348/the-head-of-the-ombudsman-office-delivered-a-speech-at-a-conference-held-in-zangilan>

17 <https://www.ombudsman.az/en/view/news/3388/head-of-the-ombudsman-office-delivered-a-speech-at-the-training-for-ngos>