

**OSCE HUMAN DIMENSION IMPLEMENTATION MEETING**  
**Warsaw, 23 September – 4 October 2013**

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**Wednesday, 25 September 2013**

**Ms. Karine Soudjian**  
**Head of Human Rights and Humanitarian Issues Division**  
**Ministry of Foreign Affairs of the Republic of Armenia**

**Working session 5: Fundamental Freedoms II:**

**- Freedom of Movement**

Mr./Ms. Moderator,

Freedom of movement is a universal human right which is fully enshrined in all major human rights instruments including the Universal Declaration of Human rights and International Covenant on Civil and Political Rights. Yet for the OSCE freedom of movement has its specific standing as a founding right which became a pillar of building a regional organization free of separation walls and closed borders.

Throughout time the patterns of addressing this issue underwent significant changes. Yet freedom of movement remains at the core as it had been initially conceived as an important individual human right the enjoyment of which builds trust and friendly relations among peoples. Hence the significance of ensuring freedom of movement in the OSCE applies both to persons and peoples.

Armenia is committed to developing human contacts and ensuring greater respect and application of freedom of movement in the whole OSCE region. With this in mind, in January this year the Armenian Government unilaterally exempted visa requirements for the EU citizens. One should add to this also 11 states with whom Armenia has been maintaining visa free regime. We are pleased to state that our country is accessible for visa free travel for the citizens of great majority of countries.

In our view, continued efforts towards ensuring stronger human contacts serves to our overall objective of building security community free of dividing lines and closed borders.

While being one of the founding rights, freedom of the movement is by far the most updated one. Apparently there are certain stumbling blocks towards full enjoyment of this right elsewhere in the OSCE.

As a result of unilateral coercive measures there are still closed borders which infringe the right of freedom of movement. There are certain restrictive criteria being applied in some participating states which do not comply with the international law such as the denial of entrance based on the ethnicity. We are particularly concerned that persons presumably bearing Armenian

surnames are denied entry to Azerbaijan. It is a clear violation of the international obligation, in particular, Article 12 of the International Covenant on Civil and Political Rights were restricted “by making distinctions of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status” (General Comments adopted by the Human Rights Committee under Article 40, para.4, ICCPR).

These discriminatory practices should be clearly addressed in our work towards updating our commitments with regard to the freedom of movement.

Furthermore, there are impediments of realization of this right by the population living on certain areas of the OSCE. In our view, this universal right should be accessible for everyone and the basic component of the implementation of this right is the right of the individual to determine the State of destination.

At least according to one country this basic human right is a crime, and therefore it decides to blacklist people that have visited the Nagorno Karabakh Republic. Not only this is absurd but it is counterproductive. If there is a genuine willingness to find a solution to the Nagorno Karabakh issue one should encourage wider contacts between the peoples, and most importantly sincerely engage in the negotiations.

It may seem unbelievable, but Azerbaijani`s Foreign Ministry has published a list of persons declared *Personae non gratae* , who visited Nagorno-Karabakh. The list includes 335 individuals from 41 countries, among them parliamentarians, culture and art professionals, journalists, students and tourists. This is done by a country, which adopted Universal Declaration on Human Rights, which clearly states, that “no distinction shall be made on the basis of political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty”.

Initially designed as tool for overcoming divisions, the realization of the right to freedom of movement can nowadays establish a cooperative framework and be used as important confidence building measure.

Thank you.