
УДК 341.231.14; 342.7**Turan Jahangirova****FEATURES OF REFUGEES PROBLEM IN AZERBAIJAN**

The article examines the historical aspects of the formation of the problem of internal displacement in Azerbaijan, as well as the negative consequences of the Nagorno-Karabakh conflict. Based on the analysis, the basic and specific characteristics of the problem in Azerbaijan.

Key words: refugee, internally displaced person, onslaught, occupation, property.

Most of the modern armed conflicts in basically are internal conflicts and the majority of the victims are civilians [1, p. 95]. Due to the international humanitarian law, commitments undertaken by the states are conducted with with universally recognized principles and norms (regulations), when armed conflict and military operations begin. These stated should follow them. Mankind is still unable to prevent the war, but it goes through the humanization of its laws and traditions [2, p. 3]. The most tragic pages in the history of the XX century, has been regarding the refugee and internally displaced people. Azerbaijan's geo-strategic location, rich natural resources attracted our enemy, they (Armenians) had their interests in the region. Thus in 1905, 1918–1920, 1948–1953 and 1988–1993 years are followed and resulted relocation of Azerbaijanis from their historical lands.

Suffice it to say that, as a result of the Armenian aggression against Azerbaijani people for many years at the helm of the massive violations of human rights and as an extension of sufferings at the end of the XX century, in 1989–1994 Armenian separatists and terrorists committed 373 terrorist acts in the territory of Azerbaijan as a result 1,568 people were killed and 1,808 wounded. The court of the Republic of Azerbaijan, as well as foreign countries proved in procedural rules that 32 terrorist attacks was implemented hundreds of kilometers from the settlements from the front line using occupied territories of Azerbaijan with the participation of special bodies of Armenia Republic [3, p. 257]. An integral part of Azerbaijan Daghlig Garabagh and its 7 regions ((Lachin-1992 18 May, Kalbajar-1993 April 2, Aghdam-1993 July 23, Jabrayil-1993 August 23, Fuzuli – 1993 August 23, Gubadli-1993 August 31, Zangilan-1993 October 29) were occupied by Armenian aggressors. In the result of this occupation 20 percentage of Azerbaijan territory was occupied, population exposed to torture, inhuman treatment and violence.

In result of this aggression bordering on Armenia and Daghlig Garabagh (Nagorno-Karabakh) settlement 700 thousand obligatory refugees had been resettled in 62 cities and regions, more that 1600 replaced in compact settlements, 12 camps, wagons, in 16 Finnsettlement residents, hostels, education institutions, kinder-gardens, public, social and private buildings, farms, drilling and roadsides. It is resulted the violation of their rights and freedom that known by international law. Despite of solution of social problems of internally displaced people, as well as reforms on improvement of living conditions by the government, 370 thousand of them have the problem of settlements at the moment. National leader of Azerbaijan Heydar Aliyev, mentioned this problem a case of absolute measures in the events of international and local organizations, he called it the number one problem in the country. It is exactly right that, the problem of obligated people (refuges) should be solved in the same context with the same problems of another countries. The specific feature of creation of obligatory refugees in our country is to be made to leave their native lands by Armenian military aggression and occupation of our territories by Armenian Army. Armenian armed forces have forced to leave the people their native lands. So the fundamental human rights and freedoms of all our citizens who were displaced such as life, liberty, property, intellectual property, security life, personal integrity, inviolability of housing, employment, recreation, to live in a healthy environment, culture, health care, education, honor and dignity, freedom of conscience, and to demand compensation for damages and other rights have been violated. It should be noted with great regret, today, one of every 9 of the population of Azerbaijan Republic are refugees or internally displaced persons. It is the highest indicator due to the number of refugees and internally displaced persons in the world.

It is expressed in dozen international agreements stemming from the document of the UN Universal Human Rights Declaration of Human Rights since 1948 [4, p.12]. Resolution on «The determination of aggression» adopted by the UN General Assembly on the 1974. According to the resolution, aggression is an armed force of one country against another state's sovereignty, territorial integrity or political independence or incompatible with the UN Charter and the established praised movement.

At the same time, no one, no case and any situation can justify violence despite of political, economic, military or other nature. It is the responsibility of the international war of aggression a crime against international peace. The acquisition of any land or property as a result of rape, can not be considered legitimate. As international organizations and the international community conduct double standards to these events, Armenia continues the policy of occupation and terrorism against

overeign Azerbaijan Republic which is an equal member of the international community. As a result, the rights and freedoms recognized by international law about one million people are being violated. Security Council the UN adopted resolutions № 822, 853, 874, 884 regarding the liberation of the occupied territories, return of refugees and internally displaced persons to their homes; № 822 dated on 30 April, № 823 dated in 1993, a № 853 dated on 29 July 1993, № 874 dated 14 October 1993, № 884 dated on 12 November 1993. The implementation of those resolutions have not provided yet. In addition to the above-mentioned General Assambly of UN adopted reolutions titled «The emergency international assistance to refugees and displaced persons» on 20 December in 1993 No. 48/114, «The situation in the occupied territories of Azerbaijan» at the № 60/285 dated September 7, 2006 and February 20, 2008. But despite this, the Armenian side is still ignore mandatory of the these resolutions and the conflict is being continued. We should mentiom that, prepartion of common standards for providing of human rights and freedom had been taken much time, many years by the international organizations. The organizations have been spent for years for providing of human rights and freedom.

The main aim in this proccess is to prepare improment of international obligations regarding implementation of human rights and freedom, and European convention concerning «Protection of human rights and freedom» signed on 4 November, 1950 in Rome can be a good example. This convention is ratified on 25 December, 2001 by National Parliament of the Republic of Azerbaijan and in accordance of prosedure reles it has come into force on 15 April, 2002.

In addition to the Convention, minutes № 1, 4, 6 and 7 were ratified as anex by Parliament. It can be explained being the most useful Human Rights Mechanisms, convention regarding protection and development of human rights and freedom, the role and importance of Europe Human Rights Court, participants'supreme low, historical traditions and modern political-legal infrastructure on pluralist democracy and protection of human rights, having convention legislative authority or nature as international agreement. As we know, the Europe Convention gives status of a subject of international law to every indivudal and an opportunity to prosecute the state that is a sovereign subject of international law to the international court. Thus, the court, with the exception of international law regulating the protection of human rights, so do not institute a second. Exception of court there is not such institute to regulate protection of human rights in internationl low productively. There some normatives regarding «Protection of human rights and freedom» of European Commission, this normatove gives an opportunity to our obligatory refuges to apply to the European Human Rights Court to restore their violated rights as an applicant. There are several normatives regarding the recognition of the property rights of our compatriots and reception of appropriate financial compensation from agressor country in the European Conventions as a result of the Armenian occupation of Daghlig-Garabagh by Armenia. Article 8 of the European Convention and Article 1 of Protocol № 1 of the European Convenssion regarding «Protection of human rights and freedom» can be a good axample. So, this item focuses on the rights to respect private family life, home and confidential correspondence of every man.

Article 1 of Protocol № 1 «On the Protection of Human Rights and Fundamental Freedoms» of the European Convention provides for the right of property. It is informed: «Every indivudal or legal person has the right to the peaceful enjoyment of possessions. No one can be be deprived of oün properity in the public interest, the conditions provided for by law and by the general principles of international law, shall be deprived possessions expect the public interest and the conditions provided for by law and by the general principles of international law. The main direction of Azerbaijan's foreign policy isto regulate this conflict within the framework of international normative law. The conflict caused the loss of 431,5 billion dollars. Today Azerbaijan is spending more of its income to needs of obligatory refuges in comparison with any country that faced the same problem.

Today our counry organizes events to solve the problems of obligatory refuges, provides rights and freedom in comparison with other citizenship, improves normative-legislative base in the education, medical sphere. It serves improvement of life level of our compatriots who were expelled from their native lands. In general, regular care and attention to the solution of problems of refugees and IDPs of the country once again proves that, every step taken in this area, signing decrees in order to solve their various problems, especially in the solution of social problems are seriuos collective challenges, as well as implementation of comprehensive measures.

As a result, country implements many events on improvement of living levels of refuges, provides the cost of stay (households in fuel consumption, payment of utility service), pays appropriate funds to the organizations for the resolution of important problems

Unfortunately we should mention that despite all the measures taken humanitarian and social situation of refugees and internally displaced people remains complicated. Thus, 400 thousand Internally Displaced Persons are still living in difficult conditions – buildings not suitable facilities for living. Despite the creation of favorable conditions for our compatriots to military agression victims, they have only one wishe and desire: To return to their native lands! At the present moment the solution of our country conflict according to the

international law norms, restoration of the territorial integrity and sovereignty of the country, the return of refugees and internally displaced people to their native lands for the sake of consistent efforts.

It is not difficult to see and to give a legal assessment the overall situation of people suffering from armed conflict in our country. We can see it more clearly not only by remembering of the war period in Azerbaijan, we can see the events and conflicts committed in the world more clearly by comparing. Notably that in recent years social-economic situation of refugees and internally displaced people (obligatory refugees) are developed and improved in our country and productive cooperation with international organizations that function in this direction give the concrete results. So, our country was elected another prestigious organization – a member of the Executive Committee of the High Commissioner for Refugees of the United Nations (UN). Due to the demand of Resolution General Assembly, dated December 19, 2011 it was held in the Economic and Social Council the UN on April 26, 2012 and they had adopted a unanimous decision regarding the selection of Azerbaijan Republic members of the Executive Committee of the UN High Commissioner for Refugees with the majority of votes.

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ОСОБЛИВОСТІ ПРОБЛЕМ БІЖЕНЦІВ З АЗЕРБАЙДЖАНУ

У статті розглядаються історичні аспекти становлення проблеми вимушеного переселення біженців з Азербайджану, а також негативні наслідки нагірно-карабахського конфлікту. Формуються основні характеристики, виявляються специфічні особливості цієї проблеми в Азербайджані.

Ключові слова: біженець, вимушений переселенець, натиск, окупація, власність.

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ОСОБЕННОСТИ ПРОБЛЕМ БЕЖЕНЦЕВ С АЗЕРБАЙДЖАНА

В статье рассматриваются исторические аспекты становления проблемы вынужденного переселения беженцев из Азербайджана, а также негативные последствия нагорно-карабахского конфликта. Формируются основные характеристики, выявляются специфические особенности данной проблемы в Азербайджане.

Ключевые слова: беженец, вынужденный переселенец, натиск, оккупация, собственность.

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Ярослав Секо

ЦЕНТРАЛЬНОЄВРОПЕЙСЬКИЙ ДИСКУРС У КОНТЕКСТІ ДИСИДЕНТСЬКОГО РУХУ 1980-Х РР.

У статті розглянуто особливості формування центральноєвропейського дискурсу в опозиційній публіцистиці 1980-х рр. Головну увагу звернено на співвідношення ідеї Центральної Європи із популярними дисидентськими концепціями опору.

Ключові слова: Центрально Європа, дискурс, дисидентський рух, М. Кундера, Ч. Мілош.

Європу завжди ділили. І якби це робили залюблені в науку Паганелі на уроках географії – то ще б нічого. Але Європа, насправді, визначається не географією, а колективними уявленнями, які історично змінюються під дією різних чинників. Кожен воліє бачити «свою» Європу, тож не варто дивуватися, що у калейдоскопі уявлень співіснують європейські «Північ» і «Південь», «стара» і «нова» Європи, Західна і Східна. А додайте сюди поділи типу «кривавих земель», або ж помисліть «басейнами» – дунайським чи чорноморським.

Перебуваючи у світі подібних уявлень, важливо розуміти інструментальне значення таких поділів, на які проєктуються різні стратегії розвитку суспільств. Бо географія, в цьому випадку, розглядається «інтелектуальною ареною ідей та переконань», та підкреслюється важливість інтелектуальних концепцій географічного простору для формування людської свідомості [1, с. 16].

Саме тому, виносячи на розгляд концепцію Центральної Європи, важливо розуміти її дискурсивний характер. Вона по праву вважається однією із найцікавіших інтелектуальних знахідок