



**The importance of archives and information sharing for determining the fate of
missing persons and realizing the right to truth**

**Statement by Ms. Marziyya Vakilova-Mardaliyeva, Second Secretary of the
Permanent Mission of the Republic of Azerbaijan to the United Nations Office and
other International Organizations in Geneva**

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Thank you, Madame Chair.

At the outset I would like to thank the Croatian Delegation for the initiative to convene this event on such a significant theme and appreciate the distinguished panelists for their insightful presentations.

With dramatic increase in the number of persons reported missing in connection with the armed conflicts in recent years, the issue related to missing persons, including missing women and children, remains one of the pressing issues which requires urgent action. The issue of missing persons entails consequences not only for the victims themselves, but also for their families. The families of the persons gone missing face an ongoing anguish of not knowing the whereabouts and fate of their relatives. The difficulties around uncovering the fate of the missing persons continue to inflict tremendous suffering on their families.

Azerbaijan continues its consistent efforts to raise awareness of this disturbing phenomenon at the international level and initiated the resolution on *Missing Persons* back in 2002 during the 57th Session of the General Assembly, which was adopted by consensus. This resolution is being adopted biannually with the latest adopted during the 73rd session of the General Assembly and co-sponsored by more than 60 countries, including Croatia.

The resolution calls upon the states that are parties to an armed conflict to strictly observe and respect the rules of international humanitarian law, to take all appropriate measures to prevent persons from going missing, to determine the identity and fate of persons reported missing in connection with the armed conflict and to pay the utmost attention to the cases of missing children. Furthermore, noting the importance of exchanging information, the resolution urges all concerned states to cooperate with each other and with other concerned actors working in this area by, inter alia, providing all relevant information related to missing persons, including on their fate and whereabouts.

Fully supporting the international efforts to address the issue of missing persons, Azerbaijan has also co-sponsored the Security Council Resolution on *Persons Reported Missing during Armed Conflict* adopted in June last year.

Madame chair,

Armenia-Azerbaijan Nagorno-Karabakh conflict had tragic consequences not only for one million refugees and IDPs, forced to flee their homes. 3,888 citizens of Azerbaijan, including women and children, went missing in connection with this conflict. To reveal the fate of those persons the State Commission on Prisoners of War, Hostages and Missing Persons was set up in Azerbaijan in 1993. The Law on the Protection of Civilians and the Rights of War Prisoners was adopted in 1995.

The State Commission investigates each case of loss, regularly collects and analyses vital information and has developed a comprehensive database, which is one of the most important steps in the search of missing persons. The information collected will help many families clarify the fate of their loved ones and let them know that their missing relatives have not been forgotten. Since its establishment, the State Commission has been guided by the principles and norms of international humanitarian law and enjoys close cooperation with relevant international organizations, including ICRC.

Since 1992 the ICRC has been working with the state authorities in Azerbaijan to support the families of the missing persons in their right to learn what has happened to their family members. On April 2008 the ICRC and the State Commission signed a framework agreement on collecting and centralizing detailed data on persons missing in connection with the armed conflict. In addition, since 2014 the State Commission and the ICRC are taking biological reference samples to supplement the information that is already available. A DNA profile can be extracted from the samples taken from family members and compared with DNA extracted from human remains.

Solving the issue of missing persons is a humanitarian and human rights issue, and not political. It is therefore essential that states, parties to the armed conflict act constructively, consistent with their international obligations, and provide mutual assistance in terms of information-sharing, location and identification of missing persons, mapping and preserving burial sites. This all will help solve effectively cases of missing persons.

At the same time, states must step up efforts in order to bring to an end the breaches of international humanitarian law and to ensure the right to know, to justice and to reparations, as well as guarantees of non-recurrence.

Azerbaijan would support more systematic and frequent discussions on this important topic and we once again commend Croatia's initiative to hold today's event.

I thank you.