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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Azerbaijan**

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## **I. The preparation of the second periodic report**

1. The second periodic report of the Republic of Azerbaijan under the United Nations Human Rights Council Universal Periodic Report mechanism was elaborated by the Working Group established by the Decree of the President of the Republic of Azerbaijan of 13 July 2012. The very second periodic report was elaborated under the guidance of the Ministry for Foreign Affairs and in cooperation with the Administration of the President, Ministry of Internal Affairs, Ministry for Justice, Ministry for Economic Development, Ministry of Labor and Social Protection of the Population, Ministry of Culture and Tourism, Ministry of Education, Ministry of Health, Ministry of Youth and Sport, Committee on State Statistics, State Committee on Refugees and Internally Displaced Persons, Central Commission on Elections, the Office of the State Prosecutor, Ministry for National Security, the Ministry of Defense, the State Council under the President of the Republic of Azerbaijan for the support of non-governmental agencies, State Committee on Religious Affairs, the Office of the Commissioner of human rights of the Republic of Azerbaijan and the State Committee on Family, Women and Children Problems.

2. In accordance with the UN GA Resolution 17/119, entitled “The follow-up of the Human Rights Council resolution 16/21 with regard to the universal periodic review”, the second periodic report reflects the information on the implementation of the recommendations accepted during the first review, as well as information on recent achievements on the promotion and protection of human rights in the country.

3. For the implementation of the recommendations given during the first review of the Republic of Azerbaijan under the UN HRC UPR mechanism, the Working Group bringing together the representatives of different state organs was established on 22 December 2010 and the interim report of the Republic of Azerbaijan on the implementation of the recommendations of its first UPR review was presented to the Office of the High Commissioner for Human Rights in 2012. The views and recommendations of the very Working Group were taken into consideration during the preparation of the second periodic report.

4. In compliance with the item 2 (the preparation of the second periodic report in cooperation with civil society institutions) of the Presidential Decree 2366 of 13 July 2012, the draft of the second periodic report was placed on the web-site of the Ministry for Foreign Affairs for reflection of the views of the civil society as well as non-governmental organizations on the very document.

## **II. The legal and institutional mechanisms for promotion and protection of human rights**

### **The National Action Program of the Republic of Azerbaijan on increasing the efficiency of the protection of human rights and freedoms**

5. The issues raised in the recommendations presented during the first universal periodic review of the Republic of Azerbaijan (A/HRC/11/20, dated 29 May 2009) were reflected in the National Action Program of the Republic of Azerbaijan on increasing the efficiency in the protection of human rights and freedoms, which was approved with the Presidential Decree of 27 December 2011.

6. The very National Action Program envisages the realization of the following measures, along with others:

- the continuation of the acceding by the Republic of Azerbaijan to the international treaties on the protection of human rights;
- the conduct of researches on the implementation of the provisions of the international documents regulation the protection of human rights by the courts in the Republic of Azerbaijan;
- the guarantying of trainings for the public servants, officers of courts, officers of public prosecutor's office, officers of ministry of internal affairs and lawyers, workers of the office of High Commissioner of Human Rights of the Republic of Azerbaijan and officers of the municipals on international documents on human rights, especially European Convention on Human Rights;
- the preparation and realization of joint projects with the UN specialized agencies and international regional organizations and etc.

7. Furthermore, the National Action Program determines the concrete responsible state organs for its realization. The relevant executive organs cooperate closely with civil society institutions in realization of the National Action Program. The Working Group on coordination of the realization of the National Action Program, consisting of the representatives of executive organs responsible for the realization of the National Action Plan report to the President on its activity on a regular basis.

### **The improvement of the normative legal base**

8. The promotion and protection of human rights is a priority issue for the Government of the Republic of Azerbaijan. Article 12.1 of the Constitution of the Republic of Azerbaijan stipulates that ensuring the rights and liberties of a person and a citizen, decent living conditions for the citizens of the Republic of Azerbaijan is the highest objective of the State. Rights and liberties of a person and citizen listed in the present Constitution are implemented in accordance with international treaties to those the Republic of Azerbaijan is a party. To achieve the very aim relevant normative legal acts are being adopted and control mechanisms for their efficient realization are being established on a regular basis.

9. After the universal periodic review of the first national report, along with other relevant measures, the following laws have been adopted:

- The Law on Education (19 June 2009);
- The Law on Combat against domestic violence (22 June 2010);
- The Law on Ensuring the rights and freedoms of the detained persons (22 May 2012);
- The Law on Ensuring the intellectual property rights and combat against piracy (22 May 2012).

10. According to the article 71.6 of the Constitution of the Republic of Azerbaijan, rights and liberties of a human being and citizen, act on the territory of the Republic of Azerbaijan by themselves. Article 148.2 stipulates that international agreements to which the Republic of Azerbaijan is a party constitute an integral part of legislative system of the Republic of Azerbaijan.

11. In last four years the Republic of Azerbaijan has acceded to the following international treaties, which importantly contribute to the promotion and protection of human rights:

- The UNESCO Convention on the protection and promotion of the Diversity of Cultural Expressions (26 November 2009);

- The Convention of the Council of Europe on Action against Trafficking in Human Beings (11 May 2010);
- The ILO Convention No. 156 concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities (11 May 2010);
- The ILO Convention No 183 concerning the revision of the Maternity Protection Convention (Revised) 1952 (11 May 2010);
- The Agreement on the establishment of the International Anti-corruption Academy as an International Organization (29 June 2012).

### **III. The measures realized in the sphere of human rights and the implementation of the recommendations**

#### **Accede to Rome Statue of the International Criminal Court, ensure the conformity of national legislation to the international commitments and conform the legislation to provisions of the Convention against Torture (recommendation No. 1)**

12. The Republic of Azerbaijan participated at the UN Diplomatic Conference (Rome Conference) of Plenipotentiary Representatives on establishment of International Criminal Court held on 15–17 June 1998 and took part at the adoption of the final statement. Since 1998 till present discussions on different crimes that are under the jurisdiction of International Criminal Court and on its punitive mechanisms are ongoing. From the other hand the formation of International Criminal Court is ongoing. Therefore, the Republic of Azerbaijan observes the process of formation of the International Criminal Court. After the process is complete, the possible accession to the Statue of the International Criminal Court may be reviewed by competent authorities of the Republic of Azerbaijan. Thorough study of proposals concerning the amendments to Constitution and other legislative acts of the Republic of Azerbaijan, necessary for the accession to the Rome Statute must be realized by the relevant competent authorities of the Republic of Azerbaijan. Hence, the conclusion of the formation process of the Statue is important from the view of acceding to it.

#### **Measures taken in the fight against torture, other cruel inhuman or degrading treatment and punishment**

13. The Republic of Azerbaijan in accordance with law of 31 may 1996 acceded the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of United Nations of 1984. By acceding to this convention the Republic of Azerbaijan took commitments for creating effective legislation, administrative, court and other measures for prevention of torture and systematic and purposeful steps in this direction were granted by the State. Thus, Article 133 of the Criminal Code of the Republic of Azerbaijan defines psychical agony and hard physical pain caused by permanent beating and other violent acts as a torture crime. During discussion of 3<sup>rd</sup> periodic report of the Republic of Azerbaijan on “Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment” held in the 43<sup>rd</sup> session of UN Committee against Torture in Geneva on 9-11 November 2009, in response to the recommendation of committee members, the General Prosecutor’s Office offered to differ the article 133.3 of the Criminal Code of the Republic of Azerbaijan from articles 133.1 and 133.2 of the Criminal Code which are mostly related to domestic violence and attach it as an

independent norm which stipulates an official as an object of crime or a person incited by official to the crime. In accordance with law of the Republic of Azerbaijan “On Amendments to the Criminal Code of the Republic of Azerbaijan” dated 29 June 2012 the word “torture” in the name of article 133 was replaced with “agony”, Article 133.3 of that Code was abolished, article 293 of the Criminal Code was renamed to “Torture and Cruel, Inhuman or Degrading Treatment or Punishment not considered as Torture” and “official person of state authority or any other person acting in name of him or any other acting on his incitement or other persons him to be informed” is defined as subject of this article.

14. The Republic of Azerbaijan acceded to Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 29 January 2009 and the Commissioner on Human Rights (Ombudsman) of the Republic of Azerbaijan was appointed as preventive mechanism on 13 January 2009 in accordance with the Optional Protocol. Relevant enlightening and other necessary measures are to be realized for to provide effective implementation of national preventive functions envisaged in the National Action Program of the Republic of Azerbaijan increasing the efficiency of protection of human rights and freedoms.

15. In accordance with the Constitution of the Republic of Azerbaijan human rights and freedoms are applied in conformity with international agreements our state is party to. According to article 148.2 of the Constitution international agreement to which the Republic of Azerbaijan is party to are constituent part of national legislation system (excluding Constitution and acts adopted by referendum) and if collision between normative legal acts and international agreements arises international agreements prevail. Under this requirement of the Constitution during adoption of draft laws all of them are reviewed for conformity with Constitution and international law and in case of contradiction, draft laws are adjusted to international agreements. For this purpose relevant draft laws are examined at international organizations and their recommendations are considered. Moreover according to 2<sup>nd</sup> paragraph of National Action Plan on Protection of Human Rights adopted by order of the President of the Republic of Azerbaijan dated 28 December 2006, the conformity of implementation of commitments arising from international agreements which the Republic of Azerbaijan is party to and of national legislation to international legal documents is granted.

## **Promotion of human rights and cooperation with NGOs in this field (recommendation No. 2, 3, 29, 30 and 32)**

### **Enhancement of effectiveness on protection and promotion of human rights**

16. In the field of protection and promotion of human rights towards strengthening the institutional and political mechanisms with the aim of simplification of application to courts by population during last 5 years 20 new regional, as well as appellation and the court on grave crimes are established, military court is improved. Taking into account the particular importance of administrative courts in preventing the violation of civil rights by state authorities, administrative-economical courts have been established in 7 regions of the country and began to operate since January of 2011. The increase of work burden at courts related with the rapid economic development of the country led to the increase of number of judges, which reached to 600, increasing twice in recent years, number of court employees increased up to 75%, assistant staff is allocated to every judge. The improvement of the material support of judges was the focus of attention and in comparison with year 2000 their salary was increased up to 30 times.

17. To strengthen the institutional measures in the field of human rights, the implementation of “Justice Reform Support Program” is being jointly realized with the

European Commission. The main purpose of the program is to support the modernization of the justice system in Azerbaijan by promoting protection of human rights and pre-eminence of law. Program includes measures on 3 directions – improvement the operation of regional justice sectors, strengthening the potential of Justice Academy, supporting the reforms of the penitentiary system.

**Fight against corruption and enhancement of effectiveness in promotion and providing human rights and freedoms**

18. In line with the recommendations of the European Council Group of States against Corruption (GRECO), some important amendments have been made to the Criminal Code by law dated 24 June 2011. Chapter 33 of the Code was simplified and renamed (Corruption crimes and other crimes against service interest), issues concerning the force of criminal law on criminal acts out of the borders of the Republic of Azerbaijan and circle of official persons arrested for corruption crimes and other crimes against service interest were made precise.

19. Furthermore, according to amendments made to Criminal Code by Law dated 7 March 2012 use of legal criminal measures against legal entities are envisaged for deeds considered in articles 308 (abuse of power), 311 (accept bribes (passive bribery)), 312 (give bribe (active bribery)), 312.1 (Illegal influence on decisions of official person (impact trade)), 313 (duty falsification) and other articles of the Code.

20. According to the Constitutional Law on “Normative legal acts” dated 21 December 2010, particular attention is paid to the expertise of draft normative legal acts in the sphere of the fight against corruption and all normative legal acts adopted in the country are included to the State Registry of Legal Acts ([huquqiaktlar.gov.az](http://huquqiaktlar.gov.az)).

21. International cooperation in the field of the fight against corruption is considered to be of utmost importance. Azerbaijan, being one of the founders actively participates in the work of International Association of Anti-Corruption Authorities which involves more than 140 states; minister of justice of the Republic of Azerbaijan is the vice president of the very organization.

22. The National Action Plans on Promotion of Open Government and on the Fight against Corruption approved with order of the Head of State dated 5 September 2012 aims at promotion of transparency in local and national entities and effective use of potential of the country. Action plans that will cover years 2012–2015 are aimed at granting the sustainability of measures implemented against corruption in the Republic of Azerbaijan, enhancement of transparency in the work of state authorities, formation of governance in accordance with modern standards and promotion of open government principles.

23. “National strategy on enhancement of transparency and fight against corruption” was implemented during 2007-2011 with the aim to improve the activity of the state bodies in compliance with modern standards. Also important measures were defined in strategy on implementation of open government principles. The Republic of Azerbaijan joined all international efforts on promotion of sound governance. Azerbaijan joined new and international initiative on Open Government Partnership in 2011 for to enhance the transparency, to improve the activities promoting the open government, to exchange the international experience in this field as well as to contribute to the international efforts. Furthermore, the Republic of Azerbaijan is one of the founders of the International Anti-Corruption Academy and is party to the agreement “On Establishment of International Anti-Corruption Academy as International Organization” since 29 June 2012.

24. Following measures have been realized for application of principles of transparency in the activity of state authorities and open government.

*In the field of ensuring freedom of information*

25. The Law of the Republic of Azerbaijan “On Right to Obtain Information” was adopted in 2005. Supervision of the implementation of the law was entrusted to the Commissioner on Human Rights (Ombudsman) of the Republic of Azerbaijan. Practical work within the framework of “National Strategy on Fight against Corruption and Enhancement of Transparency” was done to simplify the obtaining of information. Measures necessary for presenting the information to public by state organs in a proactive form have been determined.

*In the field of formation of electron services*

26. In 2010 second “Electron Azerbaijan” program was adopted. Decree of the President of the Republic of Azerbaijan on “Measures towards Formation of Electron Services by State Authorities” was signed on 23 May 2011. According to this decree state authorities formed electron services related to all their activity areas. Common governmental electron portal, [www.e-gov.az](http://www.e-gov.az) was established with the aim to guarantee the formation “Single-window” principle of electron services.

27. State Agency for Public Services and Social Innovations under the President of Azerbaijan was established on July 2012 with the aim of providing all services by state authorities to public from one place and with more quality and comfort. “ASAN” service centers will operate under the very authority. “ASAN service” centers are authorities providing unit and coordinated implementation of services provided by state bodies. Activity purposes of “ASAN” service centers are followings:

- decrease time loss and additional costs of citizens;
- achieve observing polite manner and ethic norms with regard to citizens;
- enhancement of professionalism level;
- strengthen the trust to state authorities;
- strengthen fight against corruption and enhance transparency;
- more wide use of electron services;
- enhancing the effectiveness of institutional reforms in this field.

*Cooperation with civil society institutions and guaranteeing the participation of public*

28. Participation of NGOs at working groups under Commission on Combating Corruption is guaranteed. Information and Communication Network of NGOs combating Corruption was established in 2005. The Commission on Combating Corruption joined Network. Network conducted public hearings on all legislation drafts related to combating corruption and transparency enhancement.

29. In response to the recommendation addressed to the Republic of Azerbaijan, it is to be noted that the Commissioner for Human Rights is supervising the implementation of recommendations of the Universal Periodic Review as an independent monitoring mechanism. Commissioner continues its efficient cooperation with NGOs, public and civil society on the implementation of all recommendations. The participation of civil society institutions, local NGOs and communities were ensured in all public hearings held in all cities and districts of the country to monitor the promotion and implementation of the National Action Plan as well as to educate people on the right to vote.

*Human rights education and trainings*

30. With the aim of broadening the enlightening measures on human rights the following measures are foreseen in the National Action Program of the Republic of Azerbaijan on increasing the efficiency of the protection of human rights and freedoms:

- carry on the work towards preparing, publishing and distributing among population training aids, visual aids, booklets and posters on human rights;
- improvement of scientific research works on human rights and freedoms in universities and science centers;
- enhancing the efficiency of education on human rights and establishment of specialized human rights centers or networks for this purpose;
- translation of decisions of the European Court of Human Rights to Azerbaijani language and its dissemination among relevant authorities;
- granting the studying the international documents on human rights, particularly of the European Convention on Human Rights among public servants, employees of court, public prosecutor's office, internal affair authorities and advocates, apparatus and regional centers staff of Commissioner on Human Rights (Ombudsman) of the Republic of Azerbaijan and municipality members;
- development of human rights sections in libraries;
- establishment and development of web pages of state authorities operating in the human rights field.

31. Furthermore, all relevant authorities of the Republic of Azerbaijan implement durable common projects on promotion of human rights with international organizations (Office of the United Nations High Commissioner for Human Rights, OSCE, European Council and other specialized organizations). Moreover the study of international documents on human rights, particularly European Convention on Human Rights by public servants and by leading education staff is ongoing. The Ministry of Education in cooperation with organizations like UNICEF, International Red Cross, "Reliable Future" Youth organization, ABA/CELLI organization, "Clear World", "International Migration Organization", Conrad Adenauer Fund of Germany, "Save Children" realizes joint projects and programs in the field of human rights education. It must be noted that, the Government of the Republic of Azerbaijan is committed to cooperate with UN Human Rights Council, the Office of the High Commissioner for Human Rights and other mechanisms on human rights on protection and promotion of human rights, which is a priority issue for the Republic of Azerbaijan.

32. Training course under "Know your Rights" motto on topic "conducting enlightening work for preventing earlier marriage" was held in Baku by Ministry of Youth and Sport on 11–13 June 2012. The participants of the training course were socially active youth from regions where "Youth House" functions.

33. With the aim to ensure the implementation of the relevant paragraphs of the National Action Program of the Republic of Azerbaijan on increasing the efficiency of the protection of human rights and freedoms, training courses for youth organizations under topic "Development of Law Culture" were organized by the Ministry of Youth and Sport in Baku on 19–21 September 2012.

34. On 20–22 November 2012 the training course under the topic "Efficient Promotion of Child Rights" for socially active youth from regions where "Youth House" operates, was held in Baku. Event was organized by the Ministry of Youth and Sport in relation with the anniversary of adoption UN Convention on the Rights of the Child.



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**To implement the voluntary pledges and to issue standing invitation for the special procedures of the UN Human Rights Council (recommendation No. 5)**

35. In relation to this recommendation, it is to be underlined that the Republic of Azerbaijan is cooperating with the Special Procedures-mandate holders of the UN HRC and is committed to the very cooperation. Up to now, the Republic of Azerbaijan has accepted all the visit requests of the UN Special Procedures- mandate holders, for example, the visit requests of the Working Group on arbitrary detentions (2009–2011), Special Reporter on violence against women, its causes and consequences (2008), Special Rapporteur on the independence of judges and lawyers (2009), Special Rapporteur on the rights to freedom of peaceful assembly and of association (2012) and Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (2012). Representative of the Secretary-General on the human rights of internally displaced persons paid visit to the Republic of Azerbaijan on 19-24 May 2010. The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health paid visit to Azerbaijan on 16-23 May 2012.

**To ensure family, woman and children rights (recommendation No. 6, 7, 8, 9, 10, 11, 12, 22, 23, 26)****Promotion and protection of the rights of women, combat against domestic violence and guarantee of gender equality**

36. It should be pointed out that since acceding to the UN Convention on the “Elimination of all forms of discrimination against women” on June 30, 1995 and to its Optional protocol on February 16, 2001, the Republic of Azerbaijan has pursued systematic and consecutive measures to implement its commitments on realization of effective legislation, administrative, judicial and other relevant measures in the field of protection women’s rights. The law on “Combat against domestic violence” was adopted in 2010 taking into consideration the best practices of different states. The notion of domestic violence as well as measures to prevent domestic violence and other relevant measures which was not envisaged in the legislation previously, are regulated by legislation now. Moreover, based on the Presidential Decree No. 537 ordered by the President of the Republic of Azerbaijan on the implementation of the Law of Azerbaijan Republic on “Prevention of domestic violence” dated November 24, 2011, the Cabinet of Ministries of the Republic of Azerbaijan by its Decision No. 89 approved and passed on April 25, 2012 the “Regulations on activities of the centers assisting domestic violence victims” and “Regulations on accreditation of the centers of non-governmental assistance to victims of domestic violence”.

37. According to recent related decisions, the Ministry of Labor and Social Protection of Population has issued the directives on setting up standards for the accreditation of the non-governmental assistance centers for domestic violence victims. At the same time, it is intended to follow up with the establishment of Accreditation Commission comprising in itself the representatives of the relevant state institutions (Ministry of Labor and Social Protection of Population, Ministry of Domestic Affairs, Ministry of Justice, Ministry of Health, Ministry of Education, Azerbaijan Republic State Committee for Family, Women and Children Affairs). The Commission will decide whether the centers created by NGOs meet the minimum required standards. The assisting centers created based on appropriate standards will serve as a shelter for domestic violence victims.

38. The Government of the Republic of Azerbaijan has taken into consideration the recommendations of the first periodic review and therefore, has conducted more intensive

actions and raising awareness campaigns on elimination of discrimination against women. Activities such as “Measures to combat family violence”, a project to raise attention to the violence towards women and children in families in the regions implemented by the Azerbaijan Republic State Committee for Family, Women and Children Affairs in partnership with “Third Sector” Public Union in May-April 2010; and to intensify the work in this field, extensive awareness raising activities about implementation of the Law of the Republic of Azerbaijan on “Combat against domestic violence” were held by the Azerbaijan Republic State Committee for Family, Women and Children Affairs in penitentiary facility No 4 for women of the Justice Ministry’s Penitentiary Service on the topic “Prevention of domestic violence” on February 7, 2011; the Azerbaijan Republic State Committee for Family, Women and Children Affairs in partnership with the Gender Equality and Women’s Initiatives Public Union on November 12-14, 2009 also conducted lectures for women on the topic “domestic violence -reasons and its causes” in Neftchala, Lenkeran and Kurdamir cities.

### **Ensuring gender equality**

39. To address the respective recommendation it is to be noted that, promoting gender equality is one of the priority issues for the Government of Azerbaijan. On October 10, 2006 a Law was adopted on “Guarantees of gender (men and women) equality”; in line with the noted law, another law was adopted dated October 1, 2007 for the purpose of changing some legislative acts; on April 1, 2008 the following laws of the Republic of Azerbaijan were adopted: the Law on “Affirmation of the amendment to the 1st paragraph of the 20th article of the UN Convention on “Elimination of all forms of discrimination against woman””; the Law on amendments changes to the “Civil service Act” and “Employment Act” in compliance with Law on the Guarantees (men and women) of gender equality. According to the changes made to the Family and Criminal Codes on November 15, 2011, the marriage age for women was increased from 17 up to 18 years; moreover, a point of criminal liability was added for the case if a woman is forced into marriage.

40. Also, public awareness-raising campaigns on equal opportunities for women and men were held in successive order, with the close cooperation of state and non-state organizations in this direction.

### **Mothers’ and children’s health, reproductive health and improvement of maternal death cases**

41. Government of the Republic of Azerbaijan recognizes that the cases of maternal mortality could be avoided; therefore measures are in place in the creation of institutions that provides safe pregnancy and childbirth services as an integral part of ensuring women’s human rights.

42. Achievement of the 4th (reducing child mortality rate) and 5th (improving maternal health) MDGs are realized in the framework of the “Action program on the protection of children and mothers’ health”. “National Strategy on reproductive health” was prepared with the support of World Health Organization Regional Office for Europe and adopted. Moreover, the government together with UNICEF and UNFPA is implementing projects in the direction of combating maternal mortality and morbidity. The “State Program on protection of children and mothers’ health” adopted in 2006, ensures protection of reproductive health and safe maternity. “The second National Strategy on reproductive health (2009–2015)” was approved by the Cabinet of Ministers and along with the issue of the prevention of HIV/AIDS and promotion of reproductive health among Youths, the issues related to the development of the criteria of maternal health standards were addressed in the aforementioned document. Presently, it is intended to establish prenatal centers in 7 cities and regions (Baku, Nakhchivan, Ganja, Sheki, Guba, Lenkeran, Sabirabad) and

provide them with modern equipment. Draft bill “On reproductive health” of the Republic of Azerbaijan has already been prepared and submitted to the National Assembly (“Milli Məclis”).

#### **Promotion and protection of the children’s rights**

43. By the special order of the President of the Republic of Azerbaijan, the year of 2009 was proclaimed “Year of the Child” in order to focus and strengthen more state care towards the children. For the very purpose, relevant measures were realized in this regard.

44. To ensure the rights and freedoms of children in a more efficient way, the main activity directions have been determined in the National Action Program of the Republic of Azerbaijan on increasing the efficiency of the protection of human rights and freedoms. On May 8, 2012, “Regulation and implementation of state control over the rights of children” was approved with the relevant order of the President of the Republic of Azerbaijan.

45. The purpose of the state control is to protect the rights and interests of the child as defined by the Constitution of the Republic of Azerbaijan, to create a favorable environment to protect children’s rights, and to eradicate and eliminate the cases that cause violation of the rights of children. Moreover, national legislation also includes such points as juvenile justice principles that warrants criminal persecution for the under-ages, procedures for prosecutions in the court of justice and expected outcomes from such circumstances involving minor. The cooperation with the UN Children Fund in this field is still ongoing.

46. The referendum held on May 18, 2009 brought positive changes to the provisions related to the promotion and protection of the children’s rights. According to the results of the referendum, the state took over the caring for children of orphanages, made provisions for them, put in place appropriate prohibition as preventive measures from getting involved in the activities that negatively influences on their lives, health or morality; also provisions on a ban to employ children under the age 15 and on state control over rights of children were added to the 17th Article of the Constitution of the Republic of Azerbaijan.

47. To provide all sections of the people, particularly the children with qualitative education, the implementation process of the respective state programs adopted in 2009-2012 to improve the education were sustained and measures necessary for the development in the field of education were taken. Plus, the Law of the Republic of Azerbaijan “On Education” which secures main principles of the policy in the field of right of the people to education and guarantees of appropriate terms on regulation of educational activity was also adopted. The Decree No. 220 of the President of the Republic of Azerbaijan “On putting new financing mechanism into the practice in high schools” was signed for to define the compliance of the directions of the reforms in the field of education to the development tendencies of the higher education in the world. In order to educate and inform law-enforcement authorities more about human rights and freedoms, close cooperation relations have been established with different committees of the Council of Europe in the field of protection of human rights and combat against torture and with other international organizations. As a result of this cooperation, Special Training Program on realization of human rights and freedoms was elaborated; trainings based on the very Program are being conducted at the Police Academy, as well as during the preparation scheme for personnel.

48. To provide the formation and effective operation of the mechanisms of placing children in families, on March 29, 2006, the President of the Republic of Azerbaijan approved the “State program to deliver children from orphanages to families (de-institutionalization) and alternative care”. While implementing the respective provisions of the mentioned program, cooperation was established with the Program Coordinator of the

Ministry of Education, its local departments and with other committees and organizations. However, during placing the children from orphanages to new families, the state police with other public security service institutions closely cooperated in the process.

**Ensuring the conformity of quality standards of child care in respective institutions and the promotion of pilot initiatives at the regional level with full federal government support (recommendation No.4)**

49. The Republic of Azerbaijan is a unitary country and therefore the Republic of Azerbaijan does not accept the second part of the recommendation. Regarding the first part, it should be noted that the Republic of Azerbaijan will continue its efforts to monitor the conformity of quality standards in respective institutions.

**Ensuring the effective implementation of the National Action Plan against Human Trafficking (recommendation No. 13)**

50. In order to combat with human trafficking, the Republic of Azerbaijan has implemented a number of significant legislative actions since 2009. “National Action Plan of the Republic of Azerbaijan to Combat with Human Trafficking for 2009–2013 years” and “Plan of Measures to carry out the National Action Plan to Combat with Human Trafficking for 2009–2013 years” have been approved by the Presidential Order dated 6 February 2009. Moreover, in order to ensure the implementation of the mentioned normative acts the Cabinet of Ministers of the Republic of Azerbaijan issued Decisions on approval of the “Rules of identification of victims of human trafficking” dated 3 September 2009, the Decision on the “Rules of the National Directive Mechanism regarding victims of human trafficking” dated on 11 August 2009 and the Decision on the “Rules of the placement and accommodation of the child victims of the human trafficking in shelters” dated 19 November 2009. Besides, the Inter-Agency Council was established to implement the Rules of the National Directive Mechanism regarding victims of human trafficking in accordance with the Decision of the Cabinet of Ministers on the “Certification of the Rules of the National Directive Mechanism on victims of human trafficking” dated 11 August 2009.

51. At the result of the legislative reforms, in accordance with the Law on amendments to the Criminal Code dated 7 March 2012, legal measures for legal personalities were defined for committing the acts specified in the Article 144.1 (Human trafficking) and 316.2 (Disclosing the confidential information about the victim of human trafficking) of the Code. At the same time, in accordance with the Law dated 11 May 2010, the Republic of Azerbaijan has acceded to the Convention against Human Trafficking” of the Council of Europe.

**Ensuring freedom of expression (recommendation No. 14, 15, 16, 17)**

52. The freedom of speech has been guaranteed by the articles 47 and 50 of the Constitution of the Republic of Azerbaijan and by the other respective laws. For effective implementation of this right the Government executes various policies in order to ensure the freedom of mass media and to improve their financial-technical resources. These policies include reducing taxes for media bodies, allocating financial loans for them, redeeming their debts at the expense of state budget, and direct financial support.

53. “The Conception of State Support to Development of Mass Media” was adopted in 2008 in order to eliminate problems in media field, to ensure operative implementation of

the freedom of information, and to support independence of mass media. The Fund of State Support for Development of Mass Media under President of Azerbaijan had been established in accordance with Presidential Decree dated 3 April 2009, and for these purposes the Government regularly allocates financial support from the state budget. The financial support predominantly intended for the development of freedom of expression, speech and information, for supporting independence of mass media, for stimulation of utilization of new information communication technologies, for promoting effective collaboration between society and mass media, for improving professionalism and responsibility of journalists, for strengthening their social protection, for the financing the projects and programs designed for the development and improvement of activities of mass media.

54. Regarding 16th recommendation addressed to the Republic of Azerbaijan, we want to note that all kind of violations of law, including violations against journalists and human rights defenders are widely investigated, relevant measures are taken and those committing such violations are necessarily brought to justice and accordingly punished.

55. Regarding the recommendation about broadcasting foreign radio stations within the territories of Azerbaijan, it should be noted that the foreign radio broadcasting is not banned in the Republic of Azerbaijan. According to the “Law on Television and Radio Broadcasting”, which has been examined by experts of Council of Europe and approved to be in line with international standards, foreign radio broadcasting was stopped only on national frequencies. This provision is not intending to restrict freedom of media, on the contrary, it aims to promote the development of local media and with this view the primacy of broadcasting on national frequencies is given to local radios. As in European countries, the AM broadcasting of foreign radios, as well as, their broadcasting through internet, cable and satellite is ensured.

56. Concerning the recommendations on modification of the provisions of criminal legislation about defamation, the National Action Program denotes preparation of recommendations for improvement of the legislation in order to repeal the criminal responsibility for defamation. To that end, the Government of Azerbaijan applied for support in preparation of draft law on defamation to the European Commission for Democracy through Law (Venice Commission) in 18<sup>th</sup> September 2012.

57. Moreover, it is worth to mention that since 2009 the imprisonment for defamation in accordance with the articles 147 and 148 of the Criminal Code has never been employed. Particularly in 2011–2012 nobody was convicted for such offences.

### **Ensuring freedom of assembly (recommendation No. 18)**

58. Regarding the recommendation, Freedom of assembly of everyone in the Republic of Azerbaijan is guaranteed according to the Constitution and International Treaties which the Republic of Azerbaijan is party to. For further effective realization of the freedom of assembly, the “Law of the Republic of Azerbaijan on freedom of assembly” which reflects the guarantees enshrined in international treaties was adopted in 1998. After the amendments were made to the Law in accordance with suggestions of the Venice Commission, in its final opinion the Law was considered to be in line with European standards. According to the Law freedom of assembly can only be restricted when prescribed by law and necessary in a democratic society, in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health and morals, rights and freedoms of others. As known this provision reflects article 11 of the European Convention on Human Rights, expressing freedom of assembly.

59. The limitations of implementation of freedom of assembly are considered within the context of the constitutional norms which sets fundamental human rights and freedoms. According to the 5<sup>th</sup> article of the Law on Freedom of Assembly the route of the street rally, time and venue of the meeting should be coordinated with the local executive body by written notification for execution of necessary measures. Substantiated decision about meeting is delivered to the organizers within 3 business days. At the same time, according to the 2<sup>nd</sup> paragraph of the 24<sup>th</sup> article, 2<sup>nd</sup> paragraph of the 71<sup>st</sup> article, 2<sup>nd</sup> paragraph of the 72<sup>nd</sup> article, 155<sup>th</sup> article of the Constitution of the Republic of Azerbaijan, 3<sup>rd</sup> article of the Constitutional Law on Regulation of the Exercise of Human Rights and Freedoms in the Republic of Azerbaijan, and 2<sup>nd</sup> part of the 11<sup>th</sup> article of the Convention for the Protection of Human Rights and Fundamental Freedoms restrictions necessary in democratic society and defined in the law may be applied to the freedom of assembly enlisted in 49<sup>th</sup> article of the Constitution.

60. All administrative sanctions and other legal measures applied for the persons for unlawfully conducted meetings are in accordance with the national legislation, and in the framework of the recommendations, and standards of international treaties. On the other hand, Prosecutor General's Office of the Republic of Azerbaijan in all situations investigates the proportionality of conducted force by the organs of internal affairs in order to restore public order.

### **Ensuring freedom of religion (recommendation No. 19)**

61. Azerbaijani nation has an old tradition of religious tolerance and harmony and continues its efforts to enhance and develop this tradition.

62. By declaring its intention to establish secular, democratic state which ensures rule of law, the Republic of Azerbaijan does not conduct any registration or documentation of any individual according to his/her nationality and no such norm was defined in legislation. The absence of information about nationality in personal identification documents (identity document, passport etc.) is a clear example of national nondiscrimination.

63. At the result of logical consequences of employed practical measures and state assurance of nondiscrimination right listed in the Constitution of the Republic of Azerbaijan, there is no any criminal record in recent years about national, racial hatred, humiliation of national dignity, as well as the restriction of the rights of citizens on racial or national grounds and violation of principle of nondiscrimination.

64. For the purposes of exchanging experience on promotion of religious tolerance, our republic prioritizes organization of international meetings and conferences. For exchanging foremost experience on promotion of religious tolerance, conferences on "Interreligious Dialogue: From understanding to mutual cooperation" between 6–7 November 2009 and "World Summit of Religious Leaders" on 26–27 April 2010 were held in Baku. Moreover, Baku hosted the first international forum named "State and Religion: Strengthening tolerance in the changing world" during 19–20 December 2012.

65. So far 730 religious communities have been registered in State Committee on Religious Affairs of the Republic of Azerbaijan. 34 of them are non-Islam communities: 22 Christian, 8 Judaic, 1 deity of Krishna and 3 Baha'i religious communities. At the moment, more than 1500 mosques, 6 synagogues, 6 Russian orthodox, 1 Catholic, 1 Lutheran, 2 Albanian-Udi and 4 Georgian Orthodox churches operate in Azerbaijan. All necessary conditions were designed for religious rites and ceremonies of the people in places of worship. Along with that the Government regularly renovates churches, synagogues and other worship places and constructs new ones in the expense of state budget.

66. At the moment projects are being carried for lawful regulation of the activities of religious communities, for the protection of the principles of the freedom of religion, and for the free execution of religious ceremonies and rites. Moreover, preparation of educational and awareness programs which focus on different religions are in the priority of the Azerbaijani Government and such programs are being implemented regularly. Seminars, trainings and meetings which cover all regions of Azerbaijan are being conducted in order to develop interreligion dialogue, to strengthen tolerance tradition, and to inform citizens about essence of religions.

### **Improvement of imprisonment conditions (recommendations No. 20 and 21)**

67. Regular complex activities are being carried out in the framework of cooperation with international organizations in order to adapt penitentiary system to international standards. Improvement of imprisonment conditions of prisoners is also reflected in the “State Program on Development of Azerbaijani Justice System for 2009-2013” dated 6 February 2009. Furthermore, one of the main directions of “Support Program for Reforms in Justice System” which has been jointly implemented with European Commission since 2009, is modernization of penitentiary system.

68. Thanks to the practical assistance and technical support of the International Committee of Red Cross (ICRC) complex measures have been taken against tuberculosis since 1995 and as a result of this, the number of fatal cases among prisoners from the disease has decreased drastically. For the first time in the world, new express-test which enables diagnosing tuberculosis within 1 hour 40 minutes (comparing previously with 3 month) was tested and implemented in the penitentiary institutions of Azerbaijan. The ICRC declared that Azerbaijan does not need its assistance any more and decided to completely handover supervision over tuberculosis to the Ministry of Justice, and emphasized that Azerbaijan is able to spread its positive experience to other countries. In addition, for the purpose of establishing special detention places for juveniles, the new penal complex was constructed for under-ages in Sabunchu district of Baku city.

69. Over this period, the legislative basis that regulates the penitentiary area was further improved, also by taking into account the recommendations of international organizations, the “Law on Ensuring Rights and Freedoms of Persons Held in Places of Detention” and “Internal Discipline Rules in prisons” were adopted.

70. In order to ensure strict control over the protection of rights of the persons detained in penitentiary institutions Inspectorate for monitoring the performance of punishment and the Department of human rights and public relations were established under the Ministry of Justice. Monitoring of the state of convicts is carried out by European Committee for the Prevention of Torture, Commissioner for Human Rights (Ombudsman), and International Red Cross Committee, Public Committee established under the Ministry of Justice which conducts reformatory activities with convicts and carries out public control over the activities of the penitentiary institutions and by non-governmental organizations. To ensure public control over the penitentiary system, the Public Committee which consists of distinguished human rights advocates and NGO representatives had been established since 2006. During this period, the Committee representatives have undertook about 300 visits to the penitentiary institutions. During this visits the terms of detention were investigated and with the participation of the professional lawyers, assistance were rendered when necessary.

71. A special attention has been given to the recommendations presented by European Committee for the Prevention of Torture (CPT) during their visits to the places of detention beginning from 2002. During their 6th and the last visit in 2011 to the places of detention,

CPT Representatives noted that detention terms of the convicts, the medical services that are provided had been improved in a very high grade, and that during the monitoring they did not observe any concerns about torture or misconduct in penitentiary institutions towards convicts instead they have witnessed good conduct.

72. Regarding the recommendation on improvement of the justice system, it should be noted that, adoption of Statue of Ministry of Justice, “Law on serving in the judicial bodies”, Presidential order on “Improvement of the judicial bodies”, approval of the “State Program on the improvement of the Azerbaijani Judicial system in 2009–2013” is a basis for the development of both Azerbaijani Justice and Penitentiary service. The work in this sphere is ongoing.

73. The new “Law on ensuring rights and freedoms of the persons kept in the places of detention” which is in conformity with international standards and European Penitentiary Rules was adopted on May 22, 2012, provides opportunity for these persons who are caught or arrested: a right to an immediate call to close relatives or to the ones who is of interest according to the legal circumstances at the temporary place they have been detained; detention by guaranteeing personal safety; right after the admission to the place of detention or while in the prison, these detainees are to be informed about their rights and obligations, internal daily routine, including getting familiarized in written form with the regime in that location, also with the rules on how to submit proposals, petitions and complains and if there is need, to keep such written notification with themselves; cannot be subjected to torture or insane or humiliating conduct or punishment; to inform them about all procedural steps while detaining them in the jail; meeting with their council for the defense or legal representative etc. are legal guarantees for ensuring their human rights.

### **Promotion and protection of the rights of persons with disabilities**

74. The Republic of Azerbaijan acceded to the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol on January 28, 2009 and the Government submitted its Initial Report on the activities for promoting and protecting the rights of persons with disabilities to the UN Committee on the Rights of Persons with Disabilities. Following the accession of the Republic of Azerbaijan to the Convention additions and amendments were made to the “Law of the Republic of Azerbaijan on Prevention of Adult and Child Disability, Rehabilitation and Social Protection of Adults and Children with Disabilities” which was adopted on August 25, 1992.

75. Moreover, it is projected to develop the Action Plan for 2012–2015 in order to establish social institutions for increasing the employment of persons with disabilities, improving the rate of employment and their integration to the labour market in accordance with the component of the “Development of Improved Employment Services” in the framework of the project of the “Development of Social Protection” which is conducted jointly by the Ministry of Labour and Social Protection of Population and the World Bank.

76. A pilot day care center is functioning in Sarai Boarding House upon the initiative of the specialized non-governmental organization supported by the Ministry of Labour and Social Protection of Population starting from January, 2010. The principal goal of the project is to create an opportunity for transferring children with disabilities to families. It means that a child’s right to grow up in a family is maintained, he/she spends days in the center and goes home in the evening. The day care center also helps to mutually integrate and adapt children with disabilities and their parents to society.



## **Elimination of poverty and social policy (recommendation No. 24 and 25)**

77. We would like to stress that “the State Program on Poverty Reduction and Sustainable Development in the Republic of Azerbaijan for 2008–2015 year” was approved by the Order of the President of the Republic of Azerbaijan dated September 15, 2008 in order to continue activities aimed at further development of good trends of economic and social life of the country, improvement of wellbeing of the population and reduction of poverty. The program includes 9 strategic objectives and 34 targets. They mainly cover the targets determined to achieve the millennium development goals. The implementation of the above mentioned State Program was started in 2008 and every year end a progress report is developed and submitted to the respective authorities.

78. The Targeted Social Assistance (TSA) program, one of the most effective social assistance programs aimed at reduction of poverty in the country and other suchlike programs implemented in the expense of the state funds of Azerbaijan independently from international donors, are signs of our country’s sustainable political and economic power. Unlike many countries legal acts governing the social assistance program implemented in the country is more liberal and imposes no restriction with regard to the term of participation in the program. The review of the created TSA database shows that 73% of beneficiary families are families who are reiterated receivers as of December 31, 2011. No doubt, some of the families will depend on long term passive programs which include families with many children, families which do not have family members with working ability, and those living a hard life etc.

79. All these measures and effective social and economic policy helped to reduce the poverty level which increased 3 times from AZN 35.8 in 2003 to AZN 106.9 in 2011. In the meanwhile the poverty level decreased from 44.7% to 7.6% in 2011. The country even decided to introduce programs for social rehabilitation of low income families tested internationally in Russia, Brazil, Malaysia, and Indonesia etc. The pilot project following the concept worked out jointly with the World Bank will be introduced soon at the national level.

80. The social and economic policy run in the country primarily focuses on the protection of labour rights of citizens of the Republic of Azerbaijan, implementation of effective activities in the field of labour, employment and social protection of population, improvement of labour legislation, and meeting financial, social, morale and other vital demands of workers. Activities aiming at strengthening welfare of population, reducing poverty, increasing employment, protecting and developing overall human capacity in the country are carried out in consistency with “the State Program on Social and Economic Development of the Regions of the Republic of Azerbaijan for 2009–2013 years” approved by Decree numbered 80 of the Republic of Azerbaijan on April 14, 2009 and “the State Program on Poverty Reduction and Sustainable Development in the Republic of Azerbaijan for 2008-2015 years” approved by the Order of September 15, 2008 and “the State Program on implementation of the Employment Strategy of the Republic of Azerbaijan for 2007–2010 years” approved by Order of May 15, 2007. “The State Program on implementation of the Employment Strategy of the Republic of Azerbaijan for 2011–2015 years” approved by Decree of the President of the Republic of Azerbaijan dated November 15, 2011 facilitates sequential implementation of the state policy in the field of employment of population simultaneously focusing on realization of the second stage of the Employment Strategy of the Republic of Azerbaijan for 2006–2015 years approved by the Order of the President of the Republic of Azerbaijan dated October 26, 2005.

## **Refugees and internally displaced persons (recommendation No. 27 and 31)**

81. The conflict which was started by Armenian aggression against Azerbaijan in 1987-88 led to the occupation of Nagorny Karabakh and seven neighboring regions of the Republic of Azerbaijan, namely Lachin, Kalbajar, Agdam, Fizuli, Jabrayil, Gubadli and Zangilan. Around 30 thousand Azerbaijanis were killed and about one million people became refugees and internally displaced persons during the war. The activities conducted by the Government of Azerbaijan focusing on employment, education, life style, social and medical requirements of this category of people are conducted stage-by-stage and substantially following the principle of sequent handling of social, housing and daily problems of families living a rather hard life commensurate with the relevant state programs approved by the head of state.

82. Following “the State Program for Improving Living Conditions and Increasing Employment of Refugees and Internally Displaced Persons” approved by the Order of the President of the Republic of Azerbaijan dated July 1, 2004 removal of 12 campsites erected in the country was completed in December, 2007 and 863,4 million money allocated from the Reserve Fund of the President of the Republic of Azerbaijan (AZN 17 million), the State Oil Fund (AZN 799,4 million) and other sources (AZN 47 million) was spent to build 45 settlements and private houses in the area covering 830 square meters for 15 thousand families with more than 68 thousand IDPs, and 109 schools, 5 music schools, 24 nursery schools, 22 health care facilities and 22 communication centers which are operational now.

83. With regard to the recommendation No. 27 we would like to state that IDPs enjoy the same rights and privileges as other citizens of the country. Moreover, there are particular laws (Laws of the Republic of Azerbaijan on the Status of Refugees and IDPs and on social protection of IDPs and people equated to them) which provide further rights and benefits for them. The Government approved the procedures for distributing plot of land among IDPs to get them involved in farming. They also enjoy the right of purchasing places of residence within the country like other citizens which gives no reason for considering their status lost.

84. The issues like lost property, ownership compensation and reimbursement will be reviewed in the course of resolution of the conflict provoked as a result of Armenia’s military aggression. IDPs also have the right to apply to the European Court of Human Rights for reimbursing the lost incurred by Armenia. Civil case began upon the application of a group of IDPs of our country for being compensated for the loss incurred by Armenia is under consideration of the European Court of Human Rights.

85. Furthermore, we would like to indicate that more than 450 meetings were held with representatives of foreign countries, international financial institutions and humanitarian organizations and more than 250 visits were made to densely-populated temporary lodgings of IDPs by diplomatic representative offices, delegates of well-known international organizations being on an official visit in the country.

## **Complying with recommendations made by treaty bodies and ensuring rights of asylum seekers and ethnic minorities (recommendation No. 28)**

### **Cooperation with the UN Treaty Bodies on human rights**

86. The Government of the Republic of Azerbaijan submits periodical reports in a timely manner to the UN Treaty Bodies (the Human Rights Committee, the Committee for the Prevention of Torture, the Committee on the Elimination of Discrimination against Women, the Committee on Economic, Social and Cultural Rights, the Committee on

Migrant Workers, the Committee on the Rights of the Child), concluding observations of the Treaty Bodies are translated into Azerbaijani and distributed to raise awareness of the population. Moreover, the Government of the Republic of Azerbaijan joined new reporting procedures for submission of reports to the Committee for the Prevention of Torture. The relevant measures are undertaken to implement the recommendations of the Treaty Bodies in line with the domestic procedures.

#### **Promoting rights of migrants, asylum seekers and ethnic minorities**

87. The Republic of Azerbaijan ensures rights and freedoms of all persons irrespective of their ethnic origin, race, religion, language or gender or vulnerable people, however “monitoring” these groups might lead to restriction of their rights. In general, it is not clear what exactly meant by “to monitor” in Recommendation numbered 28.

88. The State Migration Policy Concept of the Republic of Azerbaijan adopted in 2004 stands behind the recent legal and institutional migration initiatives. The State Migration Program of the Republic of Azerbaijan for 2006-2008 years was adopted in 2006 by the Order of the President of the Republic of Azerbaijan. Many legal acts are adopted in the field of migration such as Laws on legal status of foreigners and stateless persons, on immigration, on labour migration, on approval of the Statute for transit regulations of foreigners and stateless persons from the territory of the Republic of Azerbaijan, and the Republic of Azerbaijan acceded to the UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families as well as the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention against Transnational Organized Crime.

89. It must be stressed that the President of the Republic of Azerbaijan issued a Decree on March 4, 2009 for introduction of “single-window” principle to manage migration process. Following the enactment of the Decree documents given to foreigners and stateless persons have been improved and the procedure was defined for issuing individual permits, registration in the place of residence and extending temporary stay in the country according to the single-window principle.

## **IV. Accomplishments, best practices and challenges**

90. The Government of the Republic of Azerbaijan considers education and training on human rights and freedoms as a key and important element for promoting and protecting fundamental human rights and freedoms. In spite of numerous educational activities on human rights we believe that there is still much work to be done in this field and the Government of the Republic of Azerbaijan will continue the respective activities both at the national and international levels.

91. Since Nagorny Karabakh and seven neighboring regions of the Republic of Azerbaijan have been occupied by Armenia, the Republic of Azerbaijan is unable to ensure implementation of obligations in the field of human rights in the areas currently which are under the control of the Republic of Armenia. The Republic of Azerbaijan is unable to carry out provisions of international agreements on human rights to which it is party in the territories occupied by Armenia. The Government of the Republic of Azerbaijan bears no responsibility for violations of human rights in the occupied territories until they are liberated from the Armenian occupation. In order to provide better protection of international law, including human rights standards and principles in occupied territories of our country, first of all Armenian aggression against Azerbaijan must be ended and Armenia must withdraw its troops from the occupied territories of Azerbaijan. The Republic of Azerbaijan supports peaceful settlement of the conflict between Azerbaijan and

Armenia on the basis the principles of international law including territorial integrity, sovereignty and inviolability of internationally recognized borders of the states. Only after this it might be fully possible to ensure human rights and freedoms in the occupied territories of the Republic of Azerbaijan.

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