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Working session 1.

Ombudsman's activities in the field of access to information

Mr. Moderator
Ladies and Gentlemen,

Information has turned to vital resource for people in the modern world where establishing global information society. For this reason providing transparency information environment, lighting everything from the publicity point of view are very important.

Today society expects objectivity, professionalism, impartiality, attention to urgent problem of society from the media. Participation of journalists particularly working on human rights is very important for fulfilling such kind of significant mission.

Nowadays, all over the world, as well as in our country increasing awareness in a society, establishing information society has been priorities. Organized events in this field has been raised the role of information technologies in people's life.

According to the Article 50 of the Constitution of the Republic of Azerbaijan, "Each person has freedom to seek any kind of information legally, to obtain, to hand, to prepare and to share". Without exchange of information, people would not be able to get any news, information about processes happening around them.

It should be mention that, according to the Article 2 of the Law "Access to information", "Each person has right to inquiry holders of the information, to choose the type of information and type of access to it directly or through his/her representative".

The aim of this Law is to define the legal bases of providing access to information free, without obstacles, with equal conditions, according to the principles of democratic country and rule of law. Right for access to information provides the freedom of information and this freedom is significant aspect of society being guarantor of human rights.

I would like to mention that during her term in office the Azerbaijani Ombudsman has paid close attention to relations with mass-media and is developing these relations constantly.

This should be noted that as a result of the amendments to the Constitutional Law on the Commissioner fir Human Rights (Ombudsman) of the Republic of Azerbaijan, on 24 June 2011, the Commissioner has been mandated to implement the control over the execution of the duties by the state institutions holding

information, self-government institutions, and public authorities implied in the Law of the Azerbaijan Republic on “Access to Information”.

During investigation of the cases appearing on complaints about violations of the rights for access to information, the Commissioner clarifies if the government, local executives or the officials holding of the information has been observed the requirement of the Law “Access to information” mentioned below: registration of the request for getting information, providing this inquiry according to the rule, date and method existing on the law, rejecting of the execution of the inquiry according to the requirement of the law, realizing explanation of public information exactly and complete, creating internet information resource.

During 2012 Ombudsman has received complaints about not being answered information inquiry by different state bodies and taken appropriate measures. Connecting to extension of Ombudsman’s mandate, chain of consultations has been held with the participation of media representatives, experts on media sphere, representatives of state bodies holding information.

Ombudsman was held the conference together with European Council and United Nations on the subject of “Access to information” with the participation of chiefs of media services of state bodies and Serbian Ombudsman as an expert. Booklets named “Know your rights and benefit” were delivered among participants.

The Commissioner for Human Rights together with the Office of UN High Commissioner for Human Rights organizes awareness-raising events for different groups of population as well as for the representatives of media in the capital and different regions of the country. At those events the main attention is paid to the basis of the activities of the UN treaty-bodies, and the individual complaints procedures. In trainings the participants are informed about the essence and main principles of human rights, the international system of human rights protection, human rights protection in the framework of the UN and the Council of Europe, case laws of the European Court of Human Rights regarding the freedom of expression, legal reforms carried out in the country, international legal and national legislative acts in the filed of media rights, the activity of the Commissioner in protection of the freedom of speech and expression.

The trainings and seminars aimed at promotion of provisions of international legal acts on human rights, particularly the European Convention on Human Rights, and national legislation facilitated the raising of awareness of media representatives on human rights.

The round tables entitled “Journalism and Law”, “Behavioral Ethics of Journalists” were organized at the Ombudsman Office for supporting improvement of the professionalism and raising the legal knowledge of the journalists writing on human rights, conduction of awareness raising events, and for strengthening the cooperation with the representatives of mass-media. Conduction of those events was highly appreciated by the country journalists.

Every year traditional competitions among journalist for the best articles on “Rights-for Everybody” and among children for the best paintings on “Me and My Rights” are organized at the Ombudsman Office with the support of the UN Units in the country on the occasion of December 10-World Human Rights Day.

The announcement in this regard is published in the press beforehand, journalists and children under 18 and adolescent are involved to these competitions.

It should be mentioned that duties on protection of information freedom has also been considered on the National Program for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan. The duties could be noted as below:

Preparation of proposals improving of legislation in order to eliminate criminal responsibility for defamation; to provide government with electron service, to be given to use of electron government portal; to conduct awareness raising events for explanation of legislation on Access to information and other duties. Complex actions are being conducted for execution of these duties together with appropriate state bodies.

At present Azerbaijan steps in a new development stage. The main target of the stage is formation of effective and innovation oriented economic, ensuring leading development trend in social area, bring the welfare of population in conformity with international standards, and gaining new achievements in all directions of public life.

Globalization put new duties before all of us. For fulfilling these duties, new National Action Plans are being adopted and implemented.

Among these documents, I would like to highlight “National Plan of Action on Promotion of Open Government for the Years of 2012-2015” and National Action Plan for Combating Corruption for the Years of 2012-2015”.

The above-mentioned National Action Plans were adopted for ensuring the sustainability of the actions taken in the field of human rights, improvement of normative legal base and institutional mechanisms, conforming the activity of governmental bodies, municipalities to the principles of open government, extending the participation of public in decision-making, increasing transparency, ensuring implementation of international commitments undertaken by the Republic of Azerbaijan.

Close cooperation is built not only with governmental bodies, as well as with civil society in implementation of actions enshrined in Action Plans.

Thank you for your attention!