

2015 HUMAN DIMENSION SEMINAR**The role of national human rights institutions in promoting and protecting human rights in the OSCE area****WARSAW, 1-3 June 2015****Working group III: Co-operation between NHRIs and other actors****AYDIN SAFIKHANLI****Head of the Office of the Commissioner
for Human Rights (Ombudsman) of the Republic of Azerbaijan****COOPERATION WITH STATE BODIES AND CIVIL SOCIETY****Madam Moderator,
Ladies and gentlemen's**

Azerbaijani Ombudsman has built close relations with state bodies, municipalities, NGOs, civil society and mass media.

The cooperation of the Ombudsman with state authorities is regulated by the Constitution Law on Ombudsman of the Republic of Azerbaijan. Thus, the position of Ombudsman is set up to restore the rights violated by state, local self-employed institutions, and state officials.

The activities of the Ombudsman do not substitute or restrict the authorities of other state bodies dealing with the protection of human rights and restoring the violated rights and freedoms.

Simultaneously, the Commissioner has the right to enter the state or local executive bodies without hindrance and prior notice, to be urgently received by the head of those bodies and confiscate necessary documents, information within ten business days.

In cases, where violations of human rights take on special public importance, if the means available at the disposal of the Commissioner are not sufficient for remedying those violations, to apply to the President of the Republic of Azerbaijan, or to hold a speech before the Milli Mejlis of the Republic of Azerbaijan.

So, due to fact that the Ombudsman Office is not a decision-making body the effectiveness of its activities is determined on the base of the cooperation with state authorities. Taking into consideration all of these, since the beginning of its term of office, the Commissioner built effective cooperation with state bodies. This cooperation is mainly directed as such:

- Conducting joint investigations to ascertain facts indicated on applications addressed to Ombudsman; restoration of the violated rights and elimination of causes of those violations;
- Monitoring and conducting joint visits to prisons, temporary detention places, investigation isolators and military units;
- Organizing joint seminars, round-tables, conferences and other events on human rights;
- Preparing jointly proposals for the elimination of the gaps existed in the national laws or contradictions;
- Discussions of various human rights issues and finding the ways for their solutions and preparing relevant recommendations;
- Organizing consultations for the development of cooperation in restoration of the violated rights;
- Awareness raising activities among the population;
- Preparing analytical information, materials and other publication on human rights.

Azerbaijani Ombudsman also has built close relations with the civil society organizations. So, regularly NGOs are created opportunities to raise their voice and problems, share their views in the conferences, round tables, trainings, seminars held with the participation of state authorities and international organizations.

In order to make this cooperation more effective, Council of Independent Experts was set up at the Ombudsman in 2003. Members of civil society organizations are represented at this Council. The Council is dealing with analysis of human rights situation in the country, making proposals for improving legislation, conducting monitoring and evaluation.

I would like to mention that, national Action Plan on Protection of Human Rights in the Republic of Azerbaijan and National Program for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan were approved with the Presidential Orders on December 28, 2006 and December 27, 2011.

I'd like to note that NGOs are actively involved into the implementation process of the state programs, national action programs and plans adopted in the field of the protection of human rights. For example, the paragraph 5 of the Presidential Decree of 27 December 2011 on the approval of the National Action Program to Raise the Effectiveness of the Protection of human rights and freedoms in the Republic of Azerbaijan states that executive bodies indicated in the Program shall closely cooperate with the civil society institutions.

Simultaneously, according to some paragraphs of the NAP state authorities are obliged to build collaboration with the NGOs.

Joint programs with the NGOs are also taken into account in the program. For example, involvement of local NGOs dealing with human rights to the process of implementation of obligations under the international human rights treaties, to which Azerbaijan is a party to, involvement of public and NGOs into the correction of sentenced persons and application of public oversight procedures and study the relevant best practices, cooperation with NGOs and international

organizations in fighting homelessness and in social rehabilitation of underage children.

The implementation of duties put forward in the NAProgram is carried out without any discrimination with participation of both government and civil society organizations, including operating jointly with other law-enforcement authorities, and providing dynamically the public activity and participation of population and using of NAPlan implementation experience.

Furthermore, the Azerbaijani Ombudsman jointly with the UN OHCHR launched range of awareness events in rural and urban areas of the country in order to increase professional capacities of the NGOs in preparation of the alternative reports to the UN specialized committees.

The NGOs for which the Ombudsman regularly organized awareness training submitted the alternative reports for the UPR process as one of the most important one among the new human rights mechanism.

The Azerbaijani Ombudsman involves the NGOs to the process of drafting of UPR reports prepared jointly with the Ministry of Foreign Affairs and then into the discussion of the proposals made by the UN HRC to Azerbaijan during the UPR.

At the initiative of the Azerbaijani Ombudsman the Working group on Business and Human Rights was established in the Ombudsman Office, which contains of the representatives relevant state authorities and NGOs. At the same time, UN Business and Global Compact and Guiding Principles on Business and Human rights were translated into the Azerbaijani language by the Ombudsman Office and spread among the civil society institutions.

The Azerbaijani Ombudsman office also successfully participates in implementation of the NAPlan for 2012-2015 years on “Promotion of the Open Government” approved by the Presidential Decree of 5 September 2012 as well as the NAPlan on “Fight against Corruption for 2012-2015”.

The abovementioned national action plans were adopted with purpose of sustainability of measures taken towards human rights protection, improvement of the relevant legislative and institutional framework, compliance of the activities of state and self employment authorities with open government principles, extension the participation of the civil society in decision making processes and increasing the transparency, and fulfillment of international obligations undertaken by Azerbaijan.

Currently, Azerbaijan forwards to a new stage of development. The main goal of this step is to further effective promotion of human rights, bringing welfare of the population into compliance with decent and international standards, also getting new achievements in development of science, culture and all areas of public life.

New created situation of the world set new obligations. From the perspective of carrying out these new obligations and for determining the goals of the perspective development of the country until 2020 and their implementation, the country President approved the Order on Development Concept “Azerbaijan 2020: Look onto Future” dated 29 December 2012.

The chief aim of the Concept is to achieve the development stage characterized by sustainable economic development and high social welfare, good governance and rule of law, full promotion of human rights and freedoms and active participation of the civil society in public life of the country.

The goals of the Development Concept “Azerbaijan 2020: Look onto Future” shows once again that holding large scale measures covering all fields will further promote efficient promotion of human rights, increasing the social-economic situation of the citizens, in general.

Thank you for attention!