

AYDIN SAFIKHANLI

**Head of the Office of the Commissioner
for Human Rights (Ombudsman) of the Republic of Azerbaijan**

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The Cooperation of Ombudsman with mass-media in the field of human rights

Mr. Moderator

Ladies and Gentlemen,

It should be noted mass-media is the valid tribune of the democratic atmosphere, publicity, free and different thoughts in the society. Development of mass-media, its formation as the forth authority in a country that is interested in civil society building is the issue of attention.

Freedom of expression, speech and information is the part of domestic policy carried out in Azerbaijan and the state provides possible support in this regard regularly. The country citizens get acquainted with the national and world events via 36 daily newspapers, 100 weekly and 80 monthly newspapers, 8 TV channels, 14 regional TV channels and internet. The number of internet users is more than 40 percent. The Constitution of the Republic of Azerbaijan, the Law on Mass-Media that was adopted in 1999 and improved as a result of consultations held with international organizations in following years, as well as the Law on Access to Information adopted in 2005 are the important documents providing full guarantees for freedom of speech and information and independent activity of the press and journalists.

In recent years important actions were taken for improvement material-technical base of press agencies. "Concept of State Support for Development of Mass-Media in the Republic of Azerbaijan" approved by the Decree of the Republic of Azerbaijan on July 31, 2008 envisages comprehensive actions towards ensuring freedom of speech and information and independence of media.

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.

In her annual reports the Commissioner made a number of proposals for elimination of the problems of national press.

The proposal that media should play a role of bridge between the authority and the society, as well as proposals on improvement of the legislation on mass-media, making annexes and amendments for elimination of gaps in the existing legislation, elimination of the cases of polarization of national press and politicization of journalists, assuming respectful attitude

towards the media rights, providing assistance to press agencies in regions and local TV and Radio Channels, etc are some of them. Regular work is being carried out in this regard.

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.

During her term in office the Commissioner addressed a number of proposals to the Milli Majlis (the Parliament) of the Republic of Azerbaijan. Draft Laws on “The Freedom of Information”, “Telecommunication”, “Electronic signs” , Electronic Document” etc are some of those proposals.

The Commissioner also highly appreciated the draft Law on “Defamation” and put forward her feedbacks, opinions and proposals in support of its adoption.

The Commissioner attaches importance to protection of media rights, ill-treatment of and acts of violence against the journalist while fulfilling their job duties are the focus of the Commissioner’s attention. The Commissioner addresses to the Prosecutor General and the Minister of Interior Affairs in relation to bringing the persons who committed such offences to the responsibility and to conduction of unbiased investigation.

The Commissioner proposed to use alternative methods of punishment of the representatives of mass-media considering the offence they committed, in compliance with

relevant legislation and world practice. Moreover, the Commissioner addressed to the country President in relation to pardoning of imprisoned journalists, most of those journalists were liberated. The Commissioner also regularly meets with imprisoned journalists and their family members, keeps under control the protection of journalists from violence during imprisonment period.

In the case of arrest of the bloggers Adnan Hajizade and Emin Milli on July 8, 2009, just the next day the Ombudsman urged the Minister Internal Affairs, as they were placed in the Temporary Detention Place of the Police Station, also the Prosecutor General and asked to take under their control the fair investigation of the case, examine the lawfulness of detention, identify and to punish the persons committed the violence, as well as to find the possibility of mediation and peaceful solution of the problem before the court trial.

On September 1, 2009, the Ombudsman addressed to the Sabail District Court of Baku city asking about conciliation and application (use) of alternative methods of punishment.

The Ombudsman and/or her staff members regularly visited both of them, got acquainted with detention and imprisonment conditions and their health status during their detention and imprisonment.

Each time, the press-releases were prepared on the conducted visit, published in different newspapers and put on the website of the Ombudsman in two-Azerbaijani and English languages.

We urged the officials in relation to providing their meetings with family members, as well as the Minister of Justice to permit Emin Milli to participate in the funeral of his father. It should be noted five day permission was given to Emin Milli for participation in the funeral.

And the main efforts of the Ombudsman on November 18-19, 2010, resulted in the Court decision about their early release to replace the rest part of their sentence term, which they were supposed to spend in jail by a suspended sentence and both of them joined their families and friends.

On November 19 we were receive the call of their lawyer Mr. Isakhan Ashurov who thanked the Ombudsman for her proposals and attempts for using the alternative methods of punishment instead of imprisonment.

The daily activity of the Commissioner is published covered in the pro-government and oppositional newspapers. In general, more than 7,400 information and articles were published about the Commissioner's activity in mass-media. More than 2,200 press-releases were printed about the activity of the Commissioner; about two thousand of them were translated into English and sent to the Council of Europe.

The Commissioner's statements are read in press conferences and briefings. The texts of those Statements addressed to the influential international organizations are printed in mass media.

Thanks for your attention!