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**Information on the activities of the Commissioner for Human Rights
(Ombudsman) of the Republic of Azerbaijan in the field of combating discrimination
and promoting equality**

**Mr. Moderator
Ladies and Gentlemen,**

Azerbaijan as a multinational and poly-confessional state supports the principle of “unity and diversity”. We are proud that there was not any case of intolerance and discrimination on the ground of ethnic belonging, religion, language and culture at any stage of the century-old history of Azerbaijan.

The rights and freedoms of all nations are regulated by the Constitution of the Republic of Azerbaijan and adopted normative legal acts.

The Article 25 of the Constitution of the Republic of Azerbaijan affirms the equality of all before the law and court. The State guarantees the equality of the rights and freedoms of every person irrespective the race, nationality, religion, language, sex, origin, property status, service position, belief, belonging to political parties, trade unions and other public organizations and prohibits any kind of discrimination.

According to the Article 47 everyone has the right to protection of freedom of expression and speech. According to Law nobody can be forced to explain or change her/his thought and religion. Agitation and propaganda causing race, national, social enmity and animosity is prohibited.

It should be noted that the importance of the role Ombudsman play in the fight against discrimination is recognized worldwide.

The role of the Ombudsman in combat against discrimination in the frames of his competences was emphasized in the recommendations adopted at the third meeting of Intergovernmental Working Group for implementation of Durban Declaration and Action plan.

Eight years have passed since the establishment of the Ombudsman Institution - one of the main mechanisms in protection of human rights and freedoms in Azerbaijan. In the reviewed period one of the directions of many branched activity of the Ombudsman in protection of human rights and freedoms was fight against discrimination, elimination of such factors, and conduction of awareness-raising actions in this field.

Azerbaijan Ombudsman Institute is an independent Institute that was established by the Constitutional law. At the same time it is a National Human Rights Institute that was awarded with “A” status by International Coordinating Committee of UNHRC on 27th of October, 2006.

The Constitutional law on Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan ensures its full independence from other state bodies. According to this law neither governmental nor municipal body nor official may interfere with the activities of the Ombudsman.

As a main mechanism on human rights protection in the country the Ombudsman plays essential role in building bridge between state bodies and civil society.

According to the related provision of the Constitutional law everyone living in the country has the right to appeal to the Ombudsman irrespective their nationality, ethnicities, religion, language and other factors. Also the Ombudsman examines the complaints of the citizens of the Republic of Azerbaijan, foreigners and stateless persons, asylum seekers as well as legal entities related to the violation of the human rights.

The Constitutional law allows the Ombudsman raise the different human rights problems before the government and put forward recommendations in order to settle them. At the same time the Ombudsman analyzes the current national legislation and international treaties to which Azerbaijan is party and submits motions to the parliament to make necessary changes and amendments in respect of ensuring effective human rights protection.

With regard to implementation of the international convention “On elimination of all forms of racial discrimination” to which our country is a party the Ombudsman held several awareness-raising campaigns and put forward many proposals in respect of ensuring religious tolerance, legal and moral education and mutual relations between people having various religious views.

The protection and promotion of freedom of conscience of national and religious minorities has always been in the main focus of the Ombudsman.

During the visits to the penitentiaries the Ombudsman made proposals in order to improve the living conditions of the prisoners, who belong to different religions and national minorities, provide them with praying rooms and literature in their native language.

Effective combating discrimination requires deep examination of real conditions that should not be limited just with main cities of the country but it should cover all the regions including very far rural places of the country. Azerbaijan is housing many national and religious minorities who live in peace with their neighbors. However there may be cases of violation of their rights that requires the immediate reaction of the Ombudsman. In order to prevent such violations the Ombudsman often pays visits to different regions of the country as well as rural places and conducts meetings with population. For example the Ombudsman visited Guba region where Jewish national minorities vastly settled, also Khinalig village - the most remote settlement in this region and met local residents and got acquainted with their problems.,

The Ombudsman also held meetings with the participation of Georgian Ombudsman and representatives of Georgian Embassy in the Republic of Azerbaijan and local executive powers in Gakhingiloy settlement where national minorities Georgians by origin do live and learned the situation with provision of their rights.

The Commissioner holds regular meetings with the representatives of the Lezgin, Avar, Tatar, Jews, Georgians, Russians and other communities in Azerbaijan in her own initiative or on their invitation.

Ombudsman of Azerbaijan has taken number of measures for the ensuring of the rights of free conscience and religion of national minorities.

The religious tolerance, mutual relations of persons having different faith, religious views, peace culture by the means of religion, the role of national and religious tolerance in this sphere, improvement of intercultural dialog and interreligious cooperation, conduction of awareness-raising events at the educational institutions for explaining religious tolerance to children and the youth, participation of the specialized scientists at these events, development of international, inter-civilization cooperation, interreligious dialog serving to establishment of peace, and improvement of peace movement in Azerbaijan, introduction of tolerance policy at the national and international levels, involvement of the whole society, state bodies, civil society, religious communities (Muslim, Christian, Orthodox, Catholics, Protestants, Jewish) to these processes and other topics were discussed at the local and international events conducted in the initiative of the Ombudsman.

Regional Centers of the Commissioner for Human Rights were opened in four regions of the Republic of Azerbaijan where national minorities live more compactly: Guba (covers 6 regions), Sheki (covers 6 regions), Jalilabad (covers 9 regions) and Ganja (covers 12 regions).

It should be noted that strengthening and improvement of coordination among international, regional and local organizations as well as human rights protection mechanisms functioning in this sphere for more active and efficient application of international treaties documents reflecting the provisions on the protection of human rights, elimination and prevention of discrimination remain as a priority.

Ombudsman submitted a motion to the Parliament, the Ministries of the Foreign Affairs and Education on prevention of discrimination in the sphere of ensuring human rights and freedoms, as well as on ratification of the UNESCO Convention Against Discrimination in Education dated December 14, 1960 considering the necessity of signing this Convention and this Convention was ratified by the Parliament.

Ombudsman also addressed a proposal to the Parliament in order to speed up the process of ratification of Protocol No. 12 to the European Convention on Human Rights that were devoted to prohibition of discrimination.

During her term of activities the Ombudsman signed bilateral agreements on mutual collaboration with ten Ombudsmen Institutions (Federal Ombudsman of Russia and its oblasts, Ukraine, Georgia, Uzbekistan and Poland). In these agreements along with mutual exchange of experience, directions of joint participation of nations living in both countries in solution of existing problems, as well as in provision of human rights and freedoms reflected in international conventions were enshrined.

It should be noted that, the Ombudsman and the staff of the Office participated at a number of international conferences as well as at the meetings of OSCE on human dimensions, international conference on "Ombudsmen Network on protection of the rights of minorities" organized on the initiative of European Center for the issues of minorities, delivered speeches on civil and political rights, humanitarian problems, freedom of expression, tolerance, elimination of discrimination, promotion of peace culture and other

urgent topics, made proposals aimed at determination of action strategy that OSCE and other international organizations carry out in this sphere.

The role of State Programs, Strategies and National Action Plans in respect of increasing the efficiency of measures taken in the field of combating discrimination and promoting equality is important.

With purpose of efficient protection and promotion of human rights the President of the Republic of Azerbaijan approved National Action Plan (NAP) on Protection of Human Rights in the Republic of Azerbaijan by the Decree dated 28th December 2006.

The paragraph 11 of NAP enshrines protection and development of cultural heritage of national minorities, the paragraph 39 enshrines conduction of awareness actions in cities and regions of Azerbaijan Republic for the development of legal sense and legal culture, the elimination of discrimination, and promotion culture of peace and tolerance. Significant measures were taken by respective state bodies in this direction.

With purpose of monitoring of implementation of NAP the Ombudsman held public hearings in each of 58 districts of the country. These hearings have been attended by deputies elected from certain regions, heads of local executive powers, court and law enforcement bodies, municipalities, local NGOs, mass-media, District Electoral Commissions and representatives of local communities of national minorities and been made transparent discussions among the participants.

During her visits to those districts the Ombudsman visited the places where national minorities live compactly, met with representatives of religious communities, and people, learned their daily living conditions, provision of their rights.

As a result of Armenian aggression against Azerbaijan 20 percent of country territory was occupied, more than one million Azerbaijanis including national minorities became refugees and IDPs who suffered from ethnic cleansing.

It is noteworthy to stress that, at present ten thousands of Armenians live in Azerbaijan and they equally ensure their rights. Many Armenian people who are Azerbaijani subject appealed to the Azerbaijan Ombudsman that were taken into consideration and investigated according to the law.

As a National Human Rights Institution of the Republic of Azerbaijan guiding with international documents adopted in the sphere of combat against discrimination we consider that National Human Rights Institutions and other human rights organizations should include fight against racism, racial and other forms of discrimination based on religious grounds, nationally and culturally motivated genocides, ethnic cleansing, discrimination against migrants and refugees, migrants, discrimination against ethnic minorities should join efforts aimed at elimination of mentioned grave crimes resulting in gross violation of human rights and freedoms claiming the punishment of the states committing such criminal acts, regionally and globally.

Thanks for your attention!