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Working session 2

**Ensuring the right to access to information in the context of
experience of Azerbaijani Ombudsman**

Mr. Moderator
Ladies and Gentlemen

Thank you for giving me a floor and I would be very happy to share my opinion with regard to the ensuring freedom of expression but in the context of experience of the Commissioner of Azerbaijan.

As you better know that the right to access to information has a special place among other human rights. To have access to information about what's going in society is a basic need of a citizen. Everyone is entitled to access to information about all occurrences, facts influenced to the public life and are of interests of people, and this right is an integral part of freedom of expression of citizens.

This rights allows to citizen to have information about his/her other rights, how to apply and protect them. As well as to be able to be informed about activities of state and local self-governing bodies, to follow up the actions taken in relation to the priority and of public importance issues as well as to access all information about them.

Today, freedom of expression and the right to access to information are set forth in both, international and national legal documents.

The Constitution of Azerbaijan also protects the right of everyone to freedom of expression and speech and to access to information. Freedom of media outlets are established under the Constitution as well.

I would like to note that Azerbaijani Government has adopted relevant laws and national action plans along with the constitutional norms ensuring this right.

Among them, for example, I can highlight the Law on Access to Information and national Action Plans on Open Government and other documents.

Of course, in democratic and legal state, it is not sufficient only to declare and establish fundamental rights and freedoms whereas effective protection mechanisms should be developed and favorable condition for ensuring this right should be created accordingly.

Currently, it has been developed effective protection mechanisms in Azerbaijan in the field of human rights and freedoms that are successfully implemented. One of such a mechanism in Azerbaijan is an Ombudsman Office.

Pursuant to the Constitutional Law on Ombudsman, the position of the Commissioner is set up to restore the human rights and freedoms violations set forth in the Constitution and in the international treaties, to which Azerbaijan is a party, violated by governmental and municipal bodies and officials of the country and to prevent human rights violations in cases envisaged by this Constitutional Law.

In addition, the Ombudsman was designated to control the implementation of duties arising from the Law on Access to Information by the state, local self-government bodies and officials by expanding her mandate and authorities. Each application addressed to the Ombudsman about the right to access to information has been investigated, made requests sent to competent bodies and questions have been mainly resolved.

To be noted on the basis of the E-government and at the time when IT is developing, Ombudsman's official webpage has been improved and made information faster and accessible by applying new IT innovations in this field. The persons may also lodge an online complaint to the Ombudsman through webpage and E-Gov portal.

Set of workshops and discussions with special focus on the issues related to expansion of the Ombudsman's mandate and new competences have been held in participation of media outlets, well-known media experts, information holding public authorities, and press secretaries. The Ombudsman Office annually launches practical human rights capacity building seminars for media representatives in joint cooperation with the OHCHR, where Ombudsman's staff member participates as an expert.

Based on the CoE Project "Gender Equality and Media Freedom in Azerbaijan", in which the Commissioner also participated, the "Code of Professional Ethics for Journalists in Azerbaijan" has been amended and established new obligations for adhering to the principles of gender equality in journalism. In the frame of this Project, which was also continued in 2019, there have been delivered training sessions for local media representatives on issues of ensuring freedom of speech

and press, gender equality in the press, and the professional and legal culture for journalists in Baku and regions, where the Ombudsman's representative participated as a trainer.

The Commissioner attaches particular importance to the relations with mass media, including digital media which has a special place in modern society, and effective cooperation in this direction is being developed. Daily news releases, meetings coverage about the works, meetings, statements and proposals have been prepared and made available publicly by placing them on the official online webpage and by spreading to all media outlets of the country as well as the Commissioner and her staff members gave interviews to TV and radio channels as requested.

In general, up to date it has been published 12,490 articles and news about the activity of the institution, including 489 up to date in 2019. During these years, press service of the Commissioner has issued 4441 news releases, 95 of which belonged to 2019. After being translated into English those news briefs have been sent to the CoE and other influential international organizations. Up to date, the Commissioner has issued 125 statements on various issues.

Furthermore, in general, up to date 176 monthly information bulletins, including 8 in 2019, have been prepared and placed in the website as well as weekly brief news information bulletins in English are sending to international organizations protecting human rights.

Journalists specialized in human rights writings have been annually awarded by the Commissioner in the frame of the Writings Contest of Journalists "Rights for everyone!" for the nomination the "Best article on human rights" dedicated to the 10th December– International Human Rights Day in order to motivate journalists. This event brought together different media representatives, international organizations, consulates, state and self-governing bodies.

The Commissioner also pays special attention to the protection of the rights of detained journalists. Upon her instructions, the national preventive group members visits those persons in detention places to monitor their detention conditions, treatment, access to healthcare, nutrition and other rights; and if any concerns or complaints are raised by those detainees, the Prosecutor General and other competent authorities are immediately requested, and the results are spread to the press.

Thanks for your attention!