

THE 2009 HUMAN DIMENSION IMPLEMENTATION MEETING **Warsaw, 28 September to 9 October 2009**

AYDIN SAFIKHANLI

Head of the Legal education, scientific-analytical, information and international relations Department of the Office of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan

Working session 6.

The role of the Ombudsman in combating trafficking in human beings

Mr. Chairman

Ladies and gentlemen!

One of the international problems that results in gross violation of human rights, threatens life of human beings and contradicts human dignity is human trafficking.

Foundation of serious struggle against this problem was laid down in Azerbaijan and legislation base was created.

The first “National Action Plan on combat trafficking in human beings in the Republic of Azerbaijan” was approved by Presidential Decree from May 6, 2004, and the Law “On combating human trafficking” was adopted in June 28, 2005.

There were also adopted several legal normative acts by the Cabinet of Ministers of the Republic of Azerbaijan in connection with combating trafficking, including “Regulations for establishment, financing, activity of special institutions for victims of trafficking and on control of their activity”, “Regulations for immediately and hindrance delivering of victims of trafficking to special police structures”, “Regulations of realization of social rehabilitation of victims of trafficking”, “Order on determination of allowance paid to persons suffered from trafficking”, “Statute of Aid Fund to victims of trafficking”.

The Republic of Azerbaijan adhered to the most of international treaties in the field of struggle against trafficking, including the UN “Convention Against Transnational Organized Crime”, supplementing this Convention Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, the UN Convention On the Rights of the Child Optional Protocol on the sale of children, child prostitution and child pornography, UN Convention on Action Against Trafficking in Human Beings and Exploitation in Prostitution by the Third Parties.

The responsible person on combat human trafficking was appointed in order to ensure organizational basis of struggle against trafficking. The working group consists of

representatives of respective central executive bodies was established in order to create the system of mutual partnership among the participants of the National Action Plan and to provide exchange of information among them.

According to the Presidential Order the Office on combating Trafficking was established within the structure of the Ministry of Internal Affairs.

Moreover, "hot line" was established and is functioning within the Office on combating against trafficking according to the order of the Minister of Internal Affairs with the purpose of receiving information on trafficking, organizing effective communication among persons and police organs and urgent assistance for the persons suffering from such crimes according to the National Plan on combating trafficking in the Republic of Azerbaijan.

For information I would like to note that in compliance with the first National Action Plan on Combating Trafficking in Human Beings from May 6, 2004, and in continuation of the measures taken in the field of struggle against trafficking, being guided by the legislation of the Republic of Azerbaijan in combating trafficking, Covenants and other international documents of the UN, Council of Europe, in order to detection and prevention of all forms of human trafficking, determination of its causes and liquidation of the results, as well as to provide the protection of victims of trafficking, restoration of their rights, their rehabilitation and safety repatriation, considering the importance of international cooperation in combating trafficking and supporting initiatives in this sphere, the President of the Republic of Azerbaijan affirmed by the Decree from February 6, 2009, the new National Action Plan on Combating Trafficking.

I would like to note that the Ombudsman Institution has been functioning in Azerbaijan for 7 years as an important institution of legal state.

Azerbaijani Ombudsman from the beginning of her work was took number of actions in the direction of solving of different kind of problems, worked out package of proposals in order to achieve effective solution of problems, and most of those proposals were taken into account.

In order to coordinate her work towards the protection of rights of different categories of people, special counselors were appointed on the rights of military servants, prisoners, refugees and IDPs, elderly people, persons with disabilities, children, women and gender equality, struggle against torture, corruption, as well as the trafficking.

Trafficking was the focus of attention of the Ombudsman from the beginning of her work.

Actions in the following directions were taken in order to struggle against trafficking: improvement of legislation, legal enlightening campaigns, addressing of proposals to relevant state bodies with the purpose of preparing preventive actions, actions on protection of trafficking victims, and support in their integration into society.

Actions taken in direction of improvement of legislation include enlisting of provision on trafficking into the Criminal Law, proposals on preparing of legislative acts on the rights of women, gender equality, and elimination of violence in the family.

The Ombudsman proposed to adopt a program on the struggle against trafficking, gave recommendations in this connection, and was confident that as a result of adoption and

implementation of this program, prophylactic actions taken in order to prevent violence against women can pave the way for much effective realization of these rights.

By the way, “Republican Complex Program on combating daily violence in a democratic society” was approved and directed to execution.

Round tables and seminars are repeatedly organized with the participation of representatives of state bodies and civil society in order to discuss ways of solution of trafficking problems in the initiative of the Commissioner.

The Ombudsman proposed to organize range of trainings, courses aimed at training of professionals for asylums for trafficking victims.

At the same time, it was recommended to organize broad enlightening events, involving risk groups on combating trafficking and establish public monitoring group consisted of representatives of related state bodies and NGOs.

The Commissioner also addressed proposals to concerned state bodies to take preventive actions in combating trafficking.

The Commissioner made number of proposals on establishing of crisis centers for women and children subjected to violence, asylums for juveniles set free from prisons, aid centers for children deprived from parental care.

The Ombudsman regularly held monitoring at the asylums established for the victims of trafficking; learned the situation, met with women living placed investigated their conditions and problems.

The Commissioner also held discussions on provision of rights of those women with the administration of the center, gave concerning instructions on improvement of the condition there.

The serious work was carried out at the Child Rights Unit established at the Ombudsman Office with support of the UNICEF, as well as in the sphere of investigating of violence against children and their prevention.

The Commissioner proposed to improve the activity jointly with the Department of Migration Service and Struggle against Human Trafficking of the Ministry of Internal Affairs, State Bordering Service and other respective governmental bodies in this direction and conduct this work in the condition of mutual contacts in order to increase the efficiency of struggle against trafficking in human beings.

The Azerbaijani Ombudsman also made proposals on preparation of legal editions on human trafficking jointly with the OSCE, organization of joint training-seminars, and determination of victims of human trafficking and conducting of surveys to help them.

I would like to mention that during the last periods the public union “Clear World” within a year term held the monitoring of mass media in order to determine the role, place of women in building of civil society, participation of leader-women in solution of prior issues of our republic, as well as of problems of women, and analyzed the activity of leader-women well known in social-political life of the republic in the result of researches among 34 newspapers. As the results of these analyses the Ombudsman of Azerbaijan was the first for her social activity.

The work of the Commissioner, whose multidirectional activity is mostly elucidated in the press, and carried out in learning, solving of problems and protection of rights of people, including women and other vulnerable groups of population were reflected in these results.

I would like to inform You that the Article 18 of the National Action Plan on Protection of Human Rights was affirmed by the Presidential Decree from December 28, 2006 envisages before the concerning state bodies the task of full fulfillment and following of the provisions and demands of the Pact on Civil and Political Rights, Pact on Economical, Social and Cultural Rights, UN Conventions on the Rights of the Child and the Elimination of All Forms of Discrimination against Women, as well as UN Convention against Transnational Organized Crime and Protocol to Prevent, suppress and punish trafficking in persons, especially women and children, supplementing the UN mentioned Convention to which Azerbaijan is a party.

During the last period related event were conducted on the realization of this Article, special attention was paid to learning of international experience.

The staff members of the Ombudsman Office, as well as me as advisor on struggle against trafficking took participation at several international and regional events, including OSCE Annual Meetings on Human Dimension.

I think that for more success of the activity in struggle against trafficking there is a need to joint partnership of structures dealing in this field.

Thank You for Your attention!