

**Statement by the Deputy Minister of Foreign Affairs Mr. Khalaf Khalafov  
at the consideration of the Second Periodic Report of the  
Republic of Azerbaijan under the Universal Periodic Review of the  
UN Human Rights Council  
30 April 2013, Geneva**

Dear Mr. President,  
Dear Members of the Working Group,  
Ladies and gentlemen,

Consideration of our second periodic report under the Universal Periodic Review of the UN Human Rights Council constitutes an efficient format to submit thorough information on activities carried out and measures taken in the field of protection of human rights and fundamental freedoms, to have a dialogue and to exchange experience.

We highly appreciate the contribution provided by the Human Rights Council and the Universal Periodic Review to the cause of promotion and protection of the human rights and fundamental freedoms, and we reiterate our openness and willingness for a comprehensive cooperation with the Council and its mechanisms.

Participation in today's deliberations of a prominent delegation, established upon instruction by the head of the state and comprising senior officials from the relevant agencies, clearly demonstrates the importance that our country attaches to the UPR mechanism. In accordance with a decision by the President of Azerbaijan, a working group was established to prepare the second periodic report. The civil society representatives were also engaged into the preparation of the report. The draft report was posted at the web site of the Ministry of Foreign Affairs, in order to introduce it to a public discussion and to take a due account of opinions and suggestions from the civil society.

Provision of human rights and freedoms is proclaimed as a highest goal of the State in the Constitution of the Republic of Azerbaijan. Azerbaijan is a party to the fundamental international legal documents in the field of human rights. According to Article 148 of the Constitution, the international treaties, to which Azerbaijan is a party, constitute an inalienable integral part of Azerbaijan's legislative system. According to Article 151 of the Constitution, in case of a possible contradiction between normative legal acts of Azerbaijan on the one hand, and those international treaties to which Azerbaijan is a party, on the other hand, the norms of the international treaties shall apply. Human rights and

freedoms have direct force in the territory of the Republic of Azerbaijan. In the framework of current trends of international relations, promotion and protection of human rights are provided on the basis of the supremacy of international law. In this connection I must stress that the occupation by the Republic of Armenia of 20% of Azerbaijan's territory, including the Nagorno-Karabakh region and 7 adjacent districts, the unresolved state of the conflict and its grave consequences to this day represent one of the major obstacles for a provision of human rights in our country. In course of the armed aggression of the Republic of Armenia the Armenian side committed grave violations of the norms of international humanitarian law including numerous facts of killings and extrajudicial executions of civilians, hostages and prisoners of war from amongst citizens of Azerbaijan, use of torture and other cruel, inhuman or degrading treatment. The report contains more detailed information for your consideration about almost a million of people who became refugees and IDPs as a result of a policy of ethnic cleansings, which is being conducted by the Republic of Armenia.

Dear Mr. President,

Dear members of the Working Group,

For us the year of 2013 turned out to be quite a busy one in terms of submission of reports on human rights. Two weeks ago there has been a consideration of our country's second periodic report on International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The third periodic report of Azerbaijan in the Committee on Economic, Social and Cultural rights will be considered in 3 days. This year we also submitted our fifth periodic report on the Convention on the Elimination of all Forms of Discrimination against Women. Later this year we will submit our reports to the Committee on Civil and Political Rights, Committee on Elimination of Racial Discrimination, and Committee against Torture. On the last item I would like to note that our fourth periodic report to the Committee against Torture will be submitted in accordance with the new rules, namely the optional reporting procedure.

In 2009 the Government of Azerbaijan submitted its first report in the framework of the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

The Republic of Azerbaijan conducts an ongoing cooperation with the Special Procedures of the Human Rights Council, and this cooperation will be further continued. The Government of Azerbaijan has been receiving all Mandate Holders under the UN Special Procedures, which sent us letters requesting to visit our country. The latest visit took place on 16-23 May 2012, when the Special Rapporteur on the right of everyone to the enjoyment of the highest

attainable standard of physical and mental health visited Azerbaijan. I have an honour to declare that the Government of Azerbaijan has already sent a standing invitation to the special procedures mandate holders.

Information on measures to promote and protect human rights taken in Azerbaijan since 2009 has been sufficiently covered by the Interim report which we submitted on a voluntary basis in 2011, and in our second periodic report on UPR. In this connection I would like to focus on the most important matters.

First, I have to mention the National Action Programme on raising the efficiency of human rights protection in the Republic of Azerbaijan, adopted in 2011. This Programme covers the issues reflected in the recommendations addressed to Azerbaijan in course of consideration of the first UPR report. The Action Programme envisages such issues as improvement of the normative-legal basis (including through definition of human rights and fundamental freedoms as a major criterion for drafting the laws), improvement of activities of the state agencies, training, research and awareness-raising measures on human rights and cooperation with international organizations in the field of human rights.

In course of implementation of the National Action Programme the relevant bodies of power closely cooperate with civil society. The working group, which coordinates the implementation of the Programme, submits reports on its activities to the President of the Republic of Azerbaijan on a regular basis.

Implementation of the two State Programmes on social and economic development of the regions of Azerbaijan, adopted in 2004 and 2009 respectively, played significant role in the overall development of our country. The second State Programme on regional development is being successfully implemented at present. As a result of this Programme, more than 1 100 000 jobs were created in the country, with 30 000 jobs in the first quarter of this year. The bulk of jobs were created in the non-oil industry and agriculture.

The "State Programme on social and economic development of the regions of the Republic of Azerbaijan for the years 2009-2013" also defines major directions of the governmental activities at the next stages in the regions with compact residence of national minorities.

In course of last 7 years more than 35 000 new enterprises were created in Azerbaijan, significant portion of them created in the regions with compact settlement of national minorities. More than 77% of the new jobs were created in the regions, with more than 20% of them being created in the regions with compact settlement of national minorities.

In May 2010 the Republic of Azerbaijan acceded to the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. In a context of implementation of the provisions of the said Convention, the Government is elaborating an action plan, which envisages a project "Cultural Diversity – Cultural Unity". The project includes seminars on national and cultural solidarity in the regions of compact settlement of national minorities, training events for regional figures of culture and persons with special cultural expressions and talents, research of situation on intercultural dialogue, publication of brochures on cultural heritage and diversity of the country, exhibitions, concerts, competitions and other events.

Efficient fight against corruption constitutes a reliable guarantee of promotion and protection of human rights. Fight against corruption is one of state policy priorities and the Government continues to carry out focused and consistent measures in this field.

The "National Action Plan for 2012-2015 on fight against corruption" covers conduct of awareness-raising activities, strengthened interaction with civil society institutes, development of cooperation with international organizations, improvement of work on addressing communications and complaints, consolidation of the legislative basis.

In 2011 our country joined the Open Government Partnership with a view to raising transparency and promoting the open government practices, exchanging positive international experience and providing a contribution to global efforts in this field. The National Action Plan for 2012-2015 on promotion of the open government was adopted.

Taking into consideration the need to raise transparency in the activities of state bodies, to provide services for citizens with higher quality and comfort through the innovative methods, to adhere to the norms of ethics and polite communication with citizens, to address their needs and queries, to improve the services by the state bodies and to speed up transition to the E-services the State Agency on Services for Citizens and Social Innovations was established. A special ASAN Service with was established within this Agency. At the ASAN Service centers 9 state bodies (Ministry of Justice, Ministry of Internal Affairs, Ministry of Taxes, State Committee on Property, State Customs Committee, State Migration Service, State Committee on Land and Cartography, State Social Protection Fund and National Archive Department) offer 25 types of services. The ASAN Service centers facilitate a wider use of E-services, help to cut the costs and save time of the citizens, build up trust for the state bodies, raise transparency, contribute to the fight against corruption.

In Azerbaijan the year 2013 has been proclaimed a year of the information and communication technologies. The relevant Action Plan adopted in April 2013 envisages a greater use of such technologies in the electoral process, raising the quality of internet connection, creation of the online data base, continuation of measures on establishment of the E-government and development of the online media. There are no restrictions on the use of internet technologies in Azerbaijan and today more than half of Azerbaijan's population are internet users. We believe that internet constitutes an important tool for realization of freedom of expression in society and in state.

The Law on fight against domestic violence was passed in 2010. The Family Code was amended in accordance with this Law and the minimal age of eligibility for marriage, both for men and women, was set up at the level of 18 years. The amendments introduced into the Family Code in 2011 prohibit early and forced marriages, and strengthen punishment for such acts. In 2011 our country ratified the International Labour Organization Convention 156 concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities and the ILO Convention 183 concerning the revision of the Maternity Protection Convention (Revised), 1952.

Regarding the comments on insufficient representation of women in political and social life, reflected in the reports of the Office of the UN High Commissioner on Human Rights and the civil society institutes, I would like to state that one of the major goals of the State Programme for 2008-2015 on eradication of poverty and sustainable development is to enlarge participation of women in the decision-making process before the end of 2015. Additional measures on provision of equal representation of men and women in all state bodies are being considered at present.

An objective study and analysis of the changes in the society can be ensured by a credible statistical information. The State Programme on for 2013-2017 on development of official statistics was adopted to this end.

This Programme will provide for an application of new methods in collection of data on population's employment and unemployment, with due account of monitoring of the quality of life and living conditions, as well as international standards and recommendations.

In order to obtain information on child mortality in accordance with methodology of the World Health Organization, a statistical survey of

and started to work with its experts. In April 2013 the delegation of the Venice Commission visited Azerbaijan and held meetings on the draft law elaboration. The draft law in question envisages, in course of the court proceedings on the defamation cases, the application of principles established in the precedent law of the European Court on Human Rights.

The large-scale reforms were also conducted in the system of justice. For the first time in the history of our country the administrative-economic courts were established in the 7 regions, and the system of the military courts was reformed as well. The number of judges doubled during the reporting period.

The results of the judicial reforms attracted attention of the leading international bodies. In particular, of the European Commission for the Efficiency of Justice (CEPEJ) marked the experience of our country as a model of success.

To conclude I would like to express our gratitude for the interest shown towards our report. In my statement I tried to address the questions submitted in advance. I am looking forward to a fruitful dialogue.

Thank you for your attention.