**Speech of H.E. Mr. Samir Sharifov,**

**Deputy Minister of Foreign Affairs of the Republic of Azerbaijan**

**during the review of 4th periodic national report**

**under UPR mechanism**

**14 November 2023, Genève**

**Madam Vice-President,**

**Esteemed Members of the Working Group,**

**Ladies and Gentlemen,**

On behalf of the delegation of the Republic of Azerbaijan, I have the honor to present the 4th periodic national report prepared under the UPR mechanism. We look forward to the constructive and meaningful dialogue and rely on the collaborative spirit. We are confident that the today’s review is a good opportunity to exchange the views in a wide range of issues on promotion and protection of human rights and fundamental freedoms.

The Government has presented its interim report in 2022 and the 4th national report in 2023 that were drafted with due attention to the 3rd cycle UPR recommendations. It was prepared by the Standing Working Group established by the Decree of the President of Azerbaijan on 20 September 2018 after the review of the 3rd national periodic report. The present report had been made public and was available on the website of the MFA for comments and proposals from a civil society.

The Working Group is responsible for the preparation of all periodic reports submitted by the Government of Azerbaijan to the UN human rights treaty bodies including UPR periodic reports and consists of representatives of all related ministries and state agencies, most of them are present today. The Prosecutor General’s Office and the Ombudsman office also contribute to the work of the Working Group. It is also responsible for the monitoring of the implementation of recommendations adopted by the UN treaty bodies and the HRC UPR mechanism with regard to Azerbaijan.

Using this opportunity, I would like to reiterate once again that my Government attaches great importance to international cooperation in the field of human rights, especially to the UN human rights mechanisms. Since the last UPR review of 2018, Azerbaijan has already submitted 7 national reports to different UN human rights treaty bodies and 3 UPR mid-term reports on voluntary basis in relation to the recommendations put forward during the first, second and third cycles.

The Government also updated 4 times in 2017, 2019, 2021 and recently in October 2023, the Common Core Document initially submitted to the UN High Commissioner in 2008 in accordance with the compilation of the UN guidelines.

Azerbaijan recognizes the important role of Human Rights Council special procedure mandate-holders in promoting human rights through cooperation and dialogue. The Government of Azerbaijan extended a standing invitation to all UN special procedure mandate holders in 2013 and hosted 13 mandate holders so far.

The UN Special Rapporteur on the right to food - Ms. Hilal Elver made 10-days visit to Azerbaijan in 2019 and highly appreciated the open and constructive dialogue. She held meetings with a range of Government representatives, members of the Parliament and the head of the Ombudsman’s Office and had the opportunity to visit Guba and Ganja cities. Currently, relevant discussions are underway to prepare the visit of the Special Rapporteur on the right to a clean, safe and healthy environment Mr. David Boyd.

The Government also continues its cooperation with the Council of Europe in the field of promotion and protection of human rights and already signed and ratified 67 CoE treaties. My Government continues to undertake actions to implement decisions of the European Court of Human Rights and we can witness the positive trend in recent years. In total, from 2018 to mid-2023, 102 court’s decisions were executed and removed from the control of the Committee of Ministers of the Council of Europe. Since 2022, the government has submitted more than 50 action plans, reports and communications covering more than 150 cases.

Since its last UPR consideration, Azerbaijan has ratified and acceded to several international human rights instruments, including Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, Protocol No.16 to the European Convention on the Protection of Human Rights and Fundamental Freedoms and Fourth Additional Protocol to the European Convention on Extradition.

Azerbaijan recognizes that human rights and sustainable development are complementary and mutually reinforcing. Therefore, since the adoption of 2030 Sustainable Development Agenda, Azerbaijan has transformed its national human rights protection agenda to be in consistent with SDGs. At the international level, the country presented 3 voluntary national reports on the SDGs at the High Level Political Forums entitled “Transforming our world: the 2030 Agenda for Sustainable Development” held at the UN Headquarters in 2017, 2019 and 2021.

**Distinguished Members of the Working Group,**

The Government continues to undertake practical measures to improve the national legislation and for that purpose established in 2022, a brand new Center for Legal Examination and Legislative Initiatives that is engaged in enhancing the quality of lawmaking, improving the knowledge, skills and competencies of public servants, conducting legal examination and the review of the international best practices.

In order to eliminate the gaps, collisions and abuse factors including through comparative study of foreign countries juridical acts, the new Institute of Law and Human Rights was established under the abovementioned Center as a public legal entity. Institute’s main task is to prepare analytical materials and scientific-practical commentaries, as well as to conduct legal analysis of the normative legal acts.

During the reporting period, a number of amendments have been made to the national legislation with a view to further bringing them in line with international human rights standards and normative legal acts were adopted such as the Law "On General Education", the Law "On Media", the Law "On rights of persons with disabilities" and Law “On Political Parties”.

During the same period, the Government has started implementing “National Action Plan to Strengthen the Fight against Corruption for 2022-2026”, “National Action Plan on the Prevention of the Legalization of Criminally Obtained Property and the Financing of Terrorism for 2023-2025” and “The State Program on the Development of Azerbaijani Justice for 2019-2023”.

In 2019, the President signed Decree “On Deepening of the Reforms in the Judicial-Legal System”, which constitutes the strategic “road map” for further developing of the justice and judicial system. The Presidential Decree provides clear recommendations to ensure the transparency and the public confidence in the courts activity, aims to increase efficiency of the court procedures, including the access to the courts and execution of the courts decisions.

Bearing in mind the recommendations of the treaty-body mechanisms and as part of the reforms carried out in the judicial and legal system, in 2023, the state amended the Law “On Judicial-Legal Council”. For that purpose, the Council increased the number of judges in its composition and a simple majority of votes of the Council members elects its Chairman from among the judges-members of the Council.

During the reporting period, the Government established the Agency for state support of Non-Governmental Organizations and launched the E-government portal in order to facilitate the relevant communication between the state bodies and the citizens through the “single window”, which necessitated of making amendments in 45 legislative acts.

Realization of the National Action Plan for the promotion of open government covering 2020-2022 allowed improving the personal electronic window information system and application procedures for electronic registration of NGOs, as well as preparing the draft law on “the Public Participation”.

Azerbaijan humbly prides itself of its own anti-corruption brand - ASAN Service awarded in 2019 by the United Nations for promoting the digital transformation of public services. Within the reporting period, the centers of the ASAN Service have received more than 46 million applications and the level of satisfaction with this service among the population constitutes more than 90%. DOST Agency started its activity in the country in 2018 with the view of providing public social services on a single platform, through a “single window” and today it covers 154 services relating to the employment, labor and social protection.

Since the last review, protection and promotion of women’s rights, their active participation in public-social life and the fight against domestic violence, as well as the establishment of efficient mechanism on ensuring the children’s rights and government’s support for the children in needs continued to become the one of key pillars on the human rights agenda of my Government. For that purpose, the Government adopted National Action Plan on gender equality for 2023-2025, National Action Plan on the fight against domestic violence 2020-2023 and the Strategy on children for the years of 2020-2030. In order to raise-awareness on the issue of domestic violence on December 6-7 of this year, Azerbaijan will host international conference on “Prevention of Domestic Violence: Possibilities and Perspectives”.

Since April 2021, the Government has applied obligatory medical insurance in the whole territory of Azerbaijan and today statistics shows that the population has already received 2550 different medical services within the provided insurance package up to date. Because of strategic and practical measures taken, the maternal mortality has significantly dropped during last five years.

**Madam Vice-President,**

As a multi-ethnic country, Azerbaijan takes pride in its ethnic and religious diversity. All ethnic and religious groups live in Azerbaijan in peace and harmony. As of 2023, 993 state-registered religious communities operate in the country out of them - 956 are Muslim and 37 - non-Muslim that include Christian, Jewish, Krishna Consciousness and Bahai. There are 2,253 mosques, 16 churches, and 7 synagogues in the country.

Since 2011, the Government provides financial assistance to all religious communities regardless of their religious faith or belief. The various religious communities received 3 billion manats in 2023 from the Presidential Reserve Fund for the improvement of their financial position.

In order to preserve the religious diversity of the country, the state ensures the freedom of thoughts and expression, freedom of conscience, interreligious dialogue, tolerance and understanding. In 2021, the Law on Freedom of Religion was amended to prohibit any propaganda or campaigns calling for religious extremism, as well as the usage of inter or intra religious differences for political purposes.

Furthermore, in 2019, by the Order of the President of the Republic of Azerbaijan, a department for Inter-Ethnic, Multicultural and Religious Affairs was established under the Presidential Administration, which is in charge of determining state policy on inter-ethnic relations and freedom of religion and in preserving and developing multicultural traditions.

**Distinguished Members of the Working Group**

Azerbaijan, since the first years of independence, has been subjected to military aggression, occupation, ethnic cleansing and genocide, as well as to unprecedented vandalism, massive devastations of our cities and villages, deliberate desecration of our holy places.

The victory won by the Glorious Army led by the Victorious Supreme Commander-in-Chief in the 44-day war that ended almost 30 years of occupation of the territories of Azerbaijan created the opportunity to restore the fundamental rights of hundreds of thousands of Azerbaijani refugees and internally displaced persons, while providing the basis for peace and cooperation in the region. Azerbaijan ensured the norms and principles of international law and implemented itself four resolutions of the UN Security Council.

Unfortunately, within the last three years since the signing of the Trilateral Statement on 10 November 2020, blatantly disregarding the commitment under the mentioned document demanding the withdrawal of occupying military forces, more than ten thousand-strong armed formations equipped with heavy weaponry continued to be illegally stationed in the sovereign territory of Azerbaijan.

In response to military provocations and subversive acts by illegally present armed formations, inflicting civilian and military casualties, the armed forces of Azerbaijan launched local counter-terror measures to disarm these illegal armed formations and neutralize the imminent threat posed to safety and security of Azerbaijani civilian and military personnel. It was conducted entirely within Azerbaijan’s sovereign territory to restore the constitutional order of the Republic of Azerbaijan, and it was aimed exclusively at military targets, not the civilian population.

Being as the country with multiethnic society, the Republic of Azerbaijan on several occasions reaffirmed its determination to guarantee to all ethnic Armenian residents of the Garabagh region of Azerbaijan all rights and freedoms in line with its Constitution and relevant international human rights mechanisms.

**Madam Vice-President,**

After over three decades of unlawful, military occupation Azerbaijan finally restored full sovereignty over its internationally recognized territories and today we are in a position – for the first time to declare that the Government can guarantee the full application of all international human rights treaties in the entirely of its territory.

After the end of the war, Azerbaijan launched the peace initiative and began actively to promote the idea of normalization of relations between the two countries and the peace process. At the same time, Azerbaijan started large-scale restoration and re-construction works across the liberated territories, launched the implementation of the Great Return Program and “The Socio-economic development strategy of the Republic of Azerbaijan for the years of 2022-2026”. As the President of the Republic of Azerbaijan has recently announced, 7 billion US dollars of Azerbaijan’s budget funds have already been spent for these purposes and the allocation of at least 2.4 billion US dollars is envisaged for the following year.

Up to date the new cities and villages are being built using modern urban planning and the concepts of “smart city” and “smart village”. Two international airports in Fuzuli and Zangilan have been already put into operation. The international airport in Lachin will be commissioned by the end of 2024 - beginning of 2025.

Within the framework of the Great Return Program, starting from 2022, a total of 2,717 people, including 679 families, have already returned to the liberated territories and more than 5,300 people, including nearly 1,400 families are planned to return by the end of this year.

Azerbaijan has taken specific actions to protect cultural rights and heritage on a non-discriminatory basis, both during and after Second Garabakh War. Azerbaijan has always been and will continue to be firmly committed to the promotion and protection of human rights, including cultural rights and preservation of cultural heritage on an equal basis.

Azerbaijan has therefore been working to identify and rectify damage that was done during the 30 years of occupation undertaking massive recovery and reconstruction efforts. Instructions have been issued for the operators engaged in such reconstruction activities on the ground to minimize the risk of damage to cultural heritage sites.

The Government takes necessary measures to protect cultural monuments in Garabakh, including through putting them under the protection of law enforcement bodies. This fact has also been observed by the UN missions visited the area after the counter-terror measures.

The demining as well as clearing the liberated territories from the unexploded military ammunitions and installations remain as the main challenge affecting the above-mentioned targets and priorities. Hundreds of civilians, including women and children have become the victims of the indiscriminate mining activity. According to the initial estimation, there are more than 1.5 million landmines affected territories of Azerbaijan. About 8 250 sq.km are contaminated by landmines and other explosive devices. It is not only preventing the return of IDPs to their homes, but also hindering the reconstruction, rehabilitation and socio-economic reintegration of these areas.

Government announced humanitarian de-mining as a national SDG and actively advocates the adoption of de-mining as a new, 18th global SDG, as well as stands ready to take bold action to advance global humanitarian demining action.

The issue of missing persons is one of the most important humanitarian and human rights problems facing my country. During the First Garabakh War about 4000 persons have been missing since the beginning of 1990s. There is a irrefutable evidence that 872 of the total number of missing persons were taken as prisoners of war or remained in the previously occupied territories. The missing persons was tortured, murdered and buried in mass graves in the previously occupied territories of Azerbaijan. After the de-occupation of the territories within last two years, 10 mass graves were discovered as result of excavations. Following the urgent measures taken 25 persons previously considered as missing were identified.

**Madam Vice-President,**

I finish my introductory statement and our delegation stands ready to address the questions and recommendations that will be raised by states.

I thank you.