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**ACTIVITIES OF THE NEWLY CREATED  
OMBUDSMAN INSTITUTE IN THE INDEPENDENT  
REPUBLIC AZERBAIJAN**

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# **ACTIVITIES OF THE NEWLY CREATED OMBUDSMAN INSTITUTE IN THE INDEPENDENT REPUBLIC – AZERBAIJAN**

**Country information:** Azerbaijan is one of the new independent countries that regained sovereignty in 1991, after collapse of the Soviet Union.

On May 28, 2003 it was celebrated the 85<sup>th</sup> Anniversary of the first Azerbaijan Democratic Republic, that was in force only 20 months and then Azerbaijan has been forced to join to the Soviet Union.

The hard transition period in the country is aggravated seriously by the long-term Armenian aggression with mass violation of the civil population Human Rights.

Starting from 1988 ethnic cleansing policy had been conducted and more than 250 thousand Azerbaijanis were forcefully withdrawn from the neighbouring Armenia.

After adoption by the Supreme Soviet of Armenia the illegal Resolution on joining the Nagorny Karabakh Autonomus Oblast of Azerbaijan to Armenia, Armenian troops started occupation of Azerbaijani lands. As a result of this aggression 20% of the Azerbaijani territory have been occupied; thousands of people were killed; about 1 million of Azeris turned into refugees and IDPs; hundreds of settlements, villages and towns, education and health facilities, historical monuments have been destroyed.

On the night of February 25 to 26, 1992 when the Khojali massacre, 613 people, including 106 women, 63 children and 70 old people were killed, 1275 peaceful citizens were taken as hostages. As a result of this genocide act, some families were fully annihilated; civil population was slaughtered with unprecedented ruthlessness; hostages became a subject to cruel tortures.

According to the provisions of the international law, genocide is included into the group of crimes against peace and security of mankind as one of the most gravest international crimes

alongside with occupation, crimes against humanity, war crimes, and international terrorism. Legal basis for the crime of genocide has been determined by the Convention "On prevention and punishment of the crime of genocide" adopted by the Resolution of the UN General Assembly numbered 260 (III) from December 9, 1948. As it is prescribed by the Convention, genocide is an act committed with a purpose to fully or partly annihilate any national, ethnic, religious, or racial group. All the actions forming the act of genocide described in this document have been applied by Armenian chauvinists against Azerbaijanis.

It lasts for years that the terrorist policy of Armenian nationalists has been conducted in front of eyes of the world community. Nevertheless, according to the principles of UN and OSCE, viability of borders of all states should be respected, and violation of territorial integrity and sovereignty is inadmissible. Despite the fact that the UN Security Council adopted four Resolutions on unconditional liberation of the occupied territories of Azerbaijan, Armenia refuses to implement them. So, mass violation of the basic Human Rights of one million refugees and IDPs are still continued.

In spite of difficulties, since 1996 Azerbaijan is a country of significant economic, social and legal reforms that were initiated by the former President Heydar Aliyev and are being continued successfully by the newly elected on 15 October 2003 by the great majority (76%) of voters President Ilham Aliyev.

According to the statistics for the last 8 years, Azerbaijan is one of the leaders among the CIS countries. For this period traceable increasing of the following indexes was reached: gross domestic product - 90%, budget income - 3,9 times, total sum of the investment in fixed capital - 6,5 times, real income of the population - 3 times, average wage - 6 times and degree of inflation - 1-2% per year. Legislative acts, which provide development of private sector in the country were adopted.

The implementation of the economic-social policy of social oriented market economy which was founded by the National Leader of Azerbaijan people, former President Heydar Aliyev, focused on prosperity of the population, is being continued successfully now.

Great reforms were realized in the field of democratization, Human Rights promotion and protection.

The First Constitution of the independent Azerbaijan Republic was adopted in 1995. According to the article 7 of the Constitution, Azerbaijan shall be a democratic, secular, unitary Republic; the 12 article declare that the supreme aim of the state shall be to ensure human and civil rights and freedoms.

The new laws on protection of Human Rights and Freedoms have been adopted and realized during last years. Azerbaijan successfully integrates into the European and World Community. It is a member of the UN (since 1992), also of the Council of Europe (since 2001). Azerbaijan joined and ratified more than 220 Conventions, including European Convention on Human Rights, Convention on Elimination of all Forms Discrimination against women (CEDAW), Convention on the Rights of Child (CRC), Convention against Torture and other. The process of adaptation of the National legislation to the International and European standards is being developed.

Changes to the Country's Constitution have been provided by the Referendum in August, 2002.

These changes are relating also with creation of the Ombudsman Institute in Azerbaijan Republic.

**Establishment of the Ombudsman Institute in Azerbaijan.** On December 28, 2001 the Constitutional Law on the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan was adopted by the Country Parliament (Milli Mejlis). The first Ombudsman was elected on July 2, 2002 by 111 votes (from 112 possible) of the members of the Parliament of the Republic of Azerbaijan from among three candidates, nominated by the country President.

Ombudsman Institute have been set up to restore the Human Rights and Freedoms enshrined in the Constitution of the Republic of Azerbaijan and in the international treaties to which the Republic of Azerbaijan is a party, violated by governmental and municipal bodies and officials of the Republic of Azerbaijan.

The Office of the Ombudsman is composed of five Departments on Restoration of Human Rights, on Legal education, scientific-analytical, information and international relations issues, Department for the Control on Examination of applications, a Secretariat and other subsidiary groups.

The series of trainings have been organized for the hired staff to prepare them to work with complaints and implement their duties in an effective manner.

From October 28, 2002 Ombudsman began to receive the applications and to investigate the complaints.

A complaint may be lodged by country citizens, foreigners and stateless persons, as well as legal entities, also by a third person or a non-governmental organization (NGO), but not by the governmental bodies.

Complaints addressed by imprisoned persons shall be delivered to Commissioner within 24 hours, without any censorship.

**Activities:** In July 2003, with the support of the UN Development Program in 3 regions of the country – Guba (for 6 districts), Sheki (for 6 districts) and Jalilabad (for 9 districts) Ombudsman's Regional Centers were established. During this period the Regional Centers worked with hundreds of applicants.

On December 29, 2003 Ombudsman presented the first annual Report to the President of the Republic of Azerbaijan also to the Milli Mejlis (Parliament).

The first Annual Report of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan professor Elmira Suleymanova was heard at the session of Milli Majlis (Parliament) on March 26, 2004.

The first chapter of the 245-page Annual Report deals with the human rights protection system in Azerbaijan, legal reforms, necessity to fix requirements resulting from international agreements that Azerbaijan joined in the national legislation, meeting the commitments undertaken by Azerbaijan when joining the Council of Europe. The second and third chapters deal with history of the Ombudsman Institute, results of Ombudsman's activities on restoration of human rights, also the rights of refugees and IDPs, military servants, prisoners, women and children, elderly and disabled people. The report also envisaged the cooperation of the commissioner with governmental bodies, NGO's, mass-media and international organizations in human rights sphere, legal education of the population, provision of human rights etc.

From October 28, 2002 to December 29, 2003, 4500 applications were received by Ombudsman, 93,5 % out of which consisted of complaints. 32,7% of these complaints concerned violation of civil and political rights including the right to apply, right to liberty, right to secure life, right to protection of honor and dignity, right of detained, arrested and accused persons, and 67,3 % of them concerned the violation of the economic and social rights, including labor right, property right, social welfare right, right to housing, right to free entrepreneurship and other.

In conformity with the requirements of the legislation 53,6% of the complaints referred were rejected. In these cases reasons of the refusal of the complaints were explained and applicants were responded with appropriate legal advises by submitting of the substantiated written reply.

According to the Law, the Commissioner shall not investigate the complaint if it is beyond of his competence, or it is being examined within court proceedings, or the application is anonymous. Other grounds for refusing are if the resubmitted petition does not contain any new information, facts and evidence. Except that, a complaint may be lodged with the Commissioner within a period of

one year from the date when an alleged violation of rights of the applicant occurred or he became aware of that violation.

46,4% of the complaints referred to the Ombudsman were accepted for investigation. 45,5 % of these complaints concerned the violation of the civil and political rights, 54,5 % economic and social rights. 28,9 % of these complaints were satisfied and the violated rights and liberties were restored.

According to the resolution of the Milli Mejlis (Parliament) from 26 March 2004 on "Annual Report of the Commissioner for Human Rights of the Republic of Azerbaijan" Ombudsman Elmira Suleymanova submitted her proposals to the Parliament for adoption of Laws on promotion of people's Human Rights.

Taking into account the importance of provision of civil and political rights Ombudsman made the following proposals: making changes and additions to the Law on advocates and their activities; determining the procedure of Appeal to the Supreme Court in Administrative Offence Code for providing the right to appeal after decisions on administrative violation cases; making changes and additions to the Law about Execution of Court Decisions; making shorter the period of state registration of juridical persons; creation of legislative acts for elimination of trafficking in human and other.

Ombudsman also made proposals regarding with social and economic rights: defining the administrative responsibility of employers if they don't pay the debt to employee and allow the State Labor Inspection to apply to the court to punish such kind of employers; making corresponding changes to the Labor Code for improving of the welfare of people and etc.

Last years independent Republic of Azerbaijan that is moving by the way of democracy and progress had advanced and succeeded the policy of protection of human rights and fundamental freedoms. According to the Constitution of the Republic of Azerbaijan and the international treaties to which our republic is a party, ensuring the respect and protection of human rights and freedoms, being faithful to the principles of humanism, based on democracy ideas President Heydar Aliyev signed a few Decrees on Pardon and Amnesty Acts. Generally from 1995 President Heydar Aliyev signed 32 Pardon Decrees and 7 Amnesty Acts. 77 199 persons were released under this humanistic acts.

Five Decrees on Pardon were signed by the President Ilham Aliyev and hundreds imprisoned persons more were released under these acts of respect to the Human Rights and Freedoms.

These acts have been highly appreciated at the national and international level.

During the first six months of the 2004, 3130 applications were received by the Commissioner for Human Rights that is 93% more than at the same period of the year 2003. 3017 applicants were

citizens of the Republic of Azerbaijan, 26 – foreigners, 1 – stateless person, 13 – legal entities and 73 – different collectives. 85,3% of the applications consisted of complaints.

Total 6300 complaints were received in the year 2004.

While investigating the complaints Ombudsman sent the recommendations, tasks and propositions to appropriate agencies, demanded from state and local authorities requiring the restoration of the human rights, violated by government and municipal bodies and officials, also sent cases to the Plenum of the Supreme Court according to the additional cassation proceedings.

The Ombudsman discussed cooperation perspectives with the authorities for the solution of problems concerning protection of human rights and held joint trainings, seminars, discussions and consultations.

Ombudsman Institute's activities have been realized in close collaboration with the governmental, non-governmental organizations, both local and International, with civil society and mass media.

From the first days Special Decree on implementation of the Constitutional Law on the Commissioner for Human Rights of the Republic of Azerbaijan had been adopted and the corresponding changes were made in other National Laws and Regulations.

Special Orders have been adopted by Minister of Justice and Minister of the Internal Affairs in accordance with the Constitutional Law on the Commissioner for Human Rights to regulate the rules of collaboration with the Ombudsman Institute.

The work on restoration of the violated Human Rights was organized in close collaboration with the Ministry of Justice in the field of execution of court judgments, learning conditions in prisons and places on the detention, also violation of rights of the convicted people.

Big changes are taking place in the penitentiary system in the country from the point of view of maintenance, food and medical services, human rights promotion and protection. The new buildings for detention places are being built in the frames of the European standards in Baku and other cities.

At the same time the conditions have to be improved in a lot of regions with old detention places that are functioning from the Soviet period.

The Ombudsman visited regularly different prisons and detention facilities, verified documents approving the legality of the detention and checked the detention conditions. With the purpose of continuation of the works undertaken for improving of the living conditions in prisons and detention facilities Ombudsman presented her recommendations to the Ministry of Justice on the following issues: to take measures for pardoning of prisoners based on the principle of the individuality of

punishment and of the offender, to raise awareness on the human rights issues among prisoners, to organize their psychological rehabilitation; to determine joint monitoring rules of the prisons, to improve conditions for children living with detained mothers in prisons; to attract highly qualified professionals in this field (psychologists and nurses); to detain persons who reached age of 18 and have not already served their terms in special detention facilities with appropriate conditions; to build covered sport halls in prisons and to provide them with sportswear, to organize specialized medical control in prisons and detention facilities, etc.

During the activity prisoners and their families referred to the Ombudsman with applications for pardoning. Complaints addressed by persons held in penitentiary institutes or detention places were delivered to Ombudsman within 24 hours without being subjected to any control or censorship.

It was presented to the specialized Commission the recommendations for pardoning of 250 imprisoned persons and as a result 68 convicted persons were released by an act of amnesty or pardoning.

A workshop was held with participation of the judges of the Constitutional Court and the courts of other three instances and it was brought to the attention of the participants that big part of the complaints concerned unfair decisions rendered by the courts and judges, respect of the equality of parties in the proceedings, partiality and acts incompatible with judge's dignity, implementation of Court decisions. She urged to take serious measures to put an end to such situations, when the human rights are violated relating to red tape, loss or delayed delivery of documents in courts as well as delays in the execution of court decisions.

Ombudsman visited detention facilities of the polis departments, reception wards for adults, detention facilities for administratively detained persons. She verified documents approving the legality of their detention, at the same time she checked their detention conditions. Any cases of torture, degrading treatment or punishment were not observed during these visits. Besides, she presented the recommendations to the Ministry of Internal Affairs on the measures to be taken to put an end to any shortcoming noticed. Several polis officers held responsible for shortcomings and they were administratively punished or dismissed from their position.

According to the agreement between Commissioner for Human Rights and OSCE office in Azerbaijan the realization of the joint project on investigation of violation of law in places of detention and propagate the rule of law among policeman was started.

It was organized press conference in Ombudsman Office dedicated to announcement of the joint project of Commissioner for Human Rights and OSCE Baku Office. The aim of the project is



committing of permanent monitoring in places of detention, accelerating the process of handling the complaints, taking necessary and urgent measures upon revealing violation of law, preparing needed recommendations, informing the staff members of Ministry of Internal Affairs and policemen in the districts about the mandates of Commissioner for Human Rights and organizing educative events for the staff members of Ministry of Internal Affairs on the rights of the persons hold under custody, are being considered.

According to the project a team for emergency cases was founded in the Ombudsman Office. The procedure of activities of the team is determined by the Commissioner. Within the period of 24 hours hotline the team members respond promptly to all complaints received by telephone and immediately control the places.

According to the agreement between Commissioner for Human Rights and Ministry of Internal Affairs of the Republic of Azerbaijan on cooperation in the field of improving of protection of Human Rights training – seminars have been conducted. The training-seminar organized in the Ombudsman Office on 25 May 2004, the assistant chiefs of the police stations of the districts, chief of the divisions of the places of detention were taking part. This seminar was organized for the police staff of 11 Baku rural districts. Such kind of cooperative educational training-seminars for police staff were organized in Sumqayit, Sheki, Ganja, Guba, Jalilabad cities, covering practically 52 rural districts of the country. The primary aim of the seminar was to enlighten police staff and to ensure the implementation of the demands of internal legislation and international conventions to which our country is a party in executing the duties by policemen, provide facilities for mutual cooperation with police organs and study the causes concerning violations of the rights of citizens.

Considering education development and conduction of necessary reforms in educational system as one of key priorities in ensuring the right of free education for all ages, proposals on reviewing the draft "Law on Education" and ratification of the UNESCO Convention Against Discrimination in Education and acceleration the process of their adoption were prepared and presented to the Country Parliament.

It was proposed to develop the selection principles of new specialists by enterprises and attained their consent in providing with employment those who are graduated from vocational, secondary, professional and high schools.

The proposals were applied to the Ministry of Education also for conducting the legal educational work on Human Rights among employees of educational sector.

On July 10, 2004 the Ombudsman conducted a meeting of secondary school teachers together with the Minister of Education. Representatives of Head Education Department of Baku, chiefs of regional education departments, more than hundred teachers attended the event and exposed their complaints.

The Minister of Education explained the essence of their problems. He also stressed the importance of sending the young teachers to training courses and provide high rate of teachers' salaries.

It was also suggested to create a working-group in order to resolve completely the problem.

At the end of the meeting Ombudsman expressed her hopes that the resolution of their problems will be reached on the basic of the human rights protection.

Several events were organized in cooperation with the Ministry of Education and the UN Children Fund (UNICEF) in the field of child rights protection.

In the field of rational solution of problems of refugees and IDPs and protection of their rights, it has been proposed to the State Committee on Refugees and IDPs issues, regional executive authorities and the employers to involve refugees and IDPs into labor activities as well as to draft and fulfill action plan by relevant public authorities in order to encourage them to get into small size entrepreneurship, income generation entities.

The problems of migrants, refugees and IDPs in Azerbaijan have been discussed together with UNHCR, public and non-governmental organizations and joint events have been organized.

Special attention was paid to the protection of rights and freedoms of the most vulnerable people – women, children, elderly people, refugees and IDPs, disabled persons, families with low income who do need more care. Vast educational work on human rights protection is being carried out for them. Ombudsman cooperates closely with the resource Center for elderly people, regularly visits the Ministry of Labor and Social Protection facilities for aged and disabled persons to examine their living conditions, needs and problems.

On 15 May 2004, Round table discussion was organized at the Ombudsman Office on the occasion of International Family day. The representatives of the state Institutions, ministries, committees, NGOs, education centers, and also parliamentarians were participating at the event.

During the discussions Ombudsman pointed out that family was always under protection of the state and stressed that as specified in the article 17 of the Constitution of the Republic of Azerbaijan the bringing up the children is under the responsibility of the parents and is controlled by

the State. In the article 3 of Family Code of the Republic of Azerbaijan adopted on 28<sup>th</sup> December 1999 it is specified the necessity of free and mutual will in the marriage, upbringing children with love for own country and the obligations in protecting the interests of mother and child.

At the meeting significant points such as girls who don't attend schools, premature marriages including discrimination and violence against woman, increasing number in divorce, domestic violence, infant mortality, disorders in maternities, trafficking in persons, unemployment and intolerable life conditions of IDPs in the refugee camps were mentioned.

The proposals of establishment family institution and charitable fund by the state, publicizing of the model good families, getting immoral families to be publicly blamed, providing financial aid for young families, allocating credits, adopting special law addressed social aids, necessity of improvement of Family law and other legislation concerned and importance of schoolchildren education in the in family were put forward by the participants.

Taking into consideration the issues reflected in complaints from cities and rural districts, aiming to ensure by rational and effective means of the property, labor, free entrepreneurship and other rights defined by Constitution for those citizens, it was proposed to take measures for elimination of the bureaucracy in governance of public institutes; to select and employ new personnel skilled with new vision in the framework of the comprehensive State economic program in the field of economic and social development of rural areas; to carry out measures (loans, taxes, subsidies etc.) in the field of expansion and improving of the infrastructure in the cities and rural districts.

Summarizing the complaints of citizens on social-economic situation and their rights violated in this field, Ombudsman applied to the relevant public authorities with the corresponding proposals.

In order to protect the rights of military servants, Ombudsman visited numerous times the military units, inspected the living conditions of militaries, the situation in hospitals, mentioned positive changes in this field, at the same time she expressed her remarks and recommendations on some shortcomings and sent the corresponding proposals to the Ministry of Defense.

In order to eliminate challenges indicated in the complaints coming from military servants and their family members, as well as retired or reserved officers, it has been proposed to extend financial assistance for the military servants who build individual living houses, to provide accommodation for those who has no shelter, etc.

**Research and analytical work:** The comparative analyze was carried out between national legislation and international treaties, to which the Republic of Azerbaijan is a party, proposals have been prepared concerning the adherence to some Conventions. The activities of the Ombudsman

Institute were analyzed and for the purpose of its improving the proposals have been prepared for relevant amendments to the Constitutional Law on the "Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan" and some other legislation acts.

Taking into account different aspects of the human rights, special reports were prepared on "Protection of the rights of refugees and internally displaced persons", "Protection of the rights of the convicted persons", "Protection of the rights of military servants".

**Legal education of population:** Just from the beginning of the activities Ombudsman organized a series of educational events – workshops, round table discussions etc. in the regions of Azerbaijan on "The Role of Ombudsman in protection and restoration of human rights". Chiefs of local executive power, municipal authorities, judges, high-ranking officials of the police and prosecutors participated at these events. Legal educational work on Human Rights has been performed also in the rural districts, refugee camps and secondary schools, facilities for elderly and disabled persons.

For the first time, English-Russian-Azerbaijani Law Dictionary has been prepared and published. Also a lot of booklets and leaflets were published on the topics: "How to apply to the Ombudsman", "Your fundamental rights and freedoms", "How to apply to the European Court on Human Rights", "What you have to know if you are detained", "If you arrest somebody don't forget these rules", "No torture" and etc.

Booklets and leaflets on protection of human rights and legal literature were distributed in the people's communities in the cities and rural districts.

The specialized library mainly with the literature on human rights has been created at the Ombudsman Institute.

**The Council of Independent Experts:** In order to make this cooperation more effective the Council of Independent Experts at the Ombudsman Institute has been established in collaboration with NGOs. Alongside with state bodies, non-governmental organizations were also represented in this Council. The activities of the Council are directed to ensuring of human rights status and situation in the country, as well as analyze of international conventions, preparation of proposals for the improving of legislation and organizing of other events.

Ombudsman, in her diversity activity, pays great attention to the relations with NGOs. These views were mentioned at the round table discussion on "the cooperation of Ombudsman with NGOs in the field of protection of human rights" held at the International Press Center on 25 June 2004.

The aim of this cooperation is to ensure protection of human rights, developing civil society, strengthening the statehood and providing facilities for protection of human rights out of courts.

The proposals submitted by the participants are as follows: monitoring of the national plans of action, uniting the forces in fighting trafficking in persons, violence, protection of the rights of the citizens who work in foreign companies, making contracts on security of their life while executing their job, insuring them, committing joint controls in places of detention of Ministry of Internal Affairs, paying more attention to the problems of family and children, supervising the Commission of Medical-Social Experts and the work of the private organizations that don't pay in time pensions of the citizens, providing more extensive educative activities on human rights, organizing joint training seminars, preparing analytical reports on human rights, extending the relations between Ombudsman and community, creating workable mechanisms in these fields, providing social surveys and establishing additional regional centers.

**Specialized chief advisers:** Ombudsman of the Republic of Azerbaijan appointed chief advisers from the staff members specialized on: child rights, gender equality, rights of refugees and IDPs, rights of detained persons, rights of militaries.

**Collaboration with mass-media:** The effective cooperation has been established with journalists for better informing and public awareness about the activities of Ombudsman on Human Rights promotion and protection.

More than 1800 articles and information were published in mass media, press conferences and were organized about the activities of Ombudsman.

**International activities:** The 1<sup>st</sup> Baku International Conference of Ombudsman devoted to the "Role of Ombudsman in a State ruled by law" was organized on June 9-13, 2003 with support of the European Union and 2nd International Round Table of Ombudsmen - on November 20-21, 2003 with support of the UNDP.

On November 29, 2004 on the initiative of the Commissioner for Human Rights of the Republic of Azerbaijan with the support of UNESCO on the occasion of United Nations Decade for Human Rights Education (1995-2004) was held the third Baku International Conference of Ombudspersons entitled "Human Rights education in collaboration with the civil society, key of democratization".

The Ombudspersons from Sweden, Hungary, Lithuania, Russian Federation including Moscow, Sverdlovsk oblasts, Tatarstan Republic, as well as CIS countries such as Moldova, Kyrgyzstan, Georgia and their representatives took part at his conference which was the third international

meeting held by the Azerbaijan Ombudsman during two years of her activities. The representatives of the Ministry of Justice of the Republic of Azerbaijan, General Prosecutors' Office, Ministries of Internal and Foreign Affairs, Ministry of Education, as well as NGOs and other organizations attended at the conference.

The ombudspersons of CIS countries asked Ms. E. Suleymanova to assist in creation of Coordination Council for their Ombudsman Institutes.

The participants of the conference held a meeting at the office of the Commissioner and get acquainted with the activity and documentation of the Institute.

Chairman of Milli Maclis (Parliament) of the Republic of Azerbaijan Mr. Murtuz Alasgerov received the participants of the Third Baku International Conference of Ombudspersons.

Ombudsman participated with presentations at the 59<sup>th</sup> session of UN High Commissioner on Human Right in Geneva, Switzerland on April 13-18, 2003, also at the 47<sup>th</sup> session of UN Commission on Woman status devoted to the violence against women in New-York on March, 3-14, 2003.

Ombudsman and staff members of the office participated at more than 50 international conferences and seminars devoted to the protection of human rights, woman rights, child rights, rights of national minorities, ecological rights and other that have taken place in USA, Great Britain, Norway, Austria, Ireland, Poland, Russia, Sweden, Switzerland, France, Italy, Germany, Slovakia, Denmark, Korea, Kyrgyzstan, Georgia and other countries.

Close cooperation and contacts were created with various international organizations inside and outside the country, including UNDP, UNICEF, UNHCR, OSCE and Council of Europe as well as the Embassies of different countries accredited in Azerbaijan.

The activities of Ombudsman in the field of Human Rights protection have been awarded with International Peace Prize of the United Cultural Convention of the American Biographical Institute (2003).

We are honored to join as a member to the International Ombudsman Institute, as well as to European Ombudsman Institute and the Asian Ombudsman Association.

On 05-08 March, 2004, representatives of the Danish Parliamentary Ombudsman and Danish Human Rights Institute visited the Azerbaijan Ombudsman Institute. The aim of the visit was the acquaintance with the activity of the Ombudsman Office in Azerbaijan. During the visit they had meeting with the staff members of the Ombudsman Office. They observed the process of reception

and registration of complaints, acquainted with the computer program concerning the database on complaints and documents, etc.

According to the agenda Danish delegation had meetings with the Deputy chair of Parliament Commission on Human Rights, Deputy Minister of Justice, representatives of Council of Europe, UNDP, UNICEF and NRC Offices in Baku.

They visited also the penitentiary institutions and got acquaintance with the conditions of detention.

During the activity of the first Ombudsman Institution Commissioner for Human Rights of the Republic of Azerbaijan signed the Agreement on future cooperation with the Ombudspersons of Ukraine, Uzbekistan, Russian Federation and others.

On April 8, 2004 Secretary General of the Council of Europe met with the Commissioner for Human Rights of the Republic of Azerbaijan.

Ombudsman informed the guest about the situation in protection of Human Rights in Azerbaijan, also about activities of the newly created Ombudsman Institution, about her first Annual Report at the Parliament, proposals to the Parliament and Cabinet of Ministers of the Republic of Azerbaijan regarding with protection of Human Rights.

The guest mentioned the role of Ombudsman in promotion and protection of Human Rights and wished success in the future activities.

On invitation of the Council of Europe, the Commissioner for Human Rights of the Republic of Azerbaijan visited Strasbourg from 27 September to 1 October. The purpose of the visit was general acquaintance and discussion of the perspectives of mutual cooperation in future.

During one week visit the Ombudsman met with the Director of Strategic Planning of the Council of Europe, Deputy Secretary General, Director General of the Legal Affairs Directorate, Administrator of the Equality Division, Ambassador Roland Wegener, Permanent Representative of Germany, Chairman of the GT-SUIVI AGO, Head of the Secretariat of the Monitoring Committee, and other officials at the Headquarter of the Council of Europe.

During the meetings the situation of the ensuring of human rights in Azerbaijan was discussed and it was suggested to conduct workshops and joint projects. It was decided to hold a joint workshop on mediation and human rights in 2005.

The collaboration issues for gender equality in Caucasus Republics, including Azerbaijan, were discussed. The Commissioner informed that the draft of the first bill on gender equality was discussed at the Office of the Ombudsman with participation of the members of parliament,

governmental organizations, State Committee on Women and NGOs and the suggestions made would be sent to the Milli Mejlis (Parliament).

The work experience of the Azerbaijan Ombudsman Institute in the field of ensuring woman and child rights, rights of the groups of population in high risk including refugees and IDPs were discussed. The Commissioner's activity in the field of protection of prisoners' rights, her efforts for pardoning, as well as the importance of adoption of the law on alternative service were in the focus of attention. The information given about the works done in the penitentiaries and temporary custody places by Ombudsman, creation of the Rapid Investigation Group on the basis of the joint project with OCSE, immediate responds of the members of this Group to the complaints received via the hotline telephone which functions 24 hours, regular visits to the temporary custody places, conducting investigation on the basis of every obtained information, informing the Minister of Internal Affairs in order to take prompt measures and to punish the police officers who have broken the law for their actions roused interest.

Ombudsman's collaboration with mass media, protection of journalists' rights, steps taken in the field of realization of the freedom of expression were discussed at the meetings in the Media Division of the Council of Europe and it was suggested to conduct joint training-seminars.

During the meetings representatives of the Council of Europe stated that they follow democratic processes in Azerbaijan and they are ready to assist Azerbaijan in this direction. The state of the works carried out in order to ensure rule of the law was discussed.

The officials of the Council of Europe appreciated the work done by the Azerbaijan Ombudsman in the field of ensuring human rights and freedoms and the changes happened in a short time, at the same time it was suggested to further improve the activity of the Ombudsman's Office and new forms of cooperation were determined.

On 11-12 January 2005 the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan conducted bilateral seminar on mediation and other alternative means of dispute resolution in the frame of the Cooperation Programme of the Council of Europe on Strengthening the Rule of Law for the year 2005.

This international meeting was realized according to the agreement concluded during Ombudsman's visit to Strasbourg at invitation of the Council of Europe. During the visit it was determined to conduct joint meetings and seminars together with the Council of Europe in order to improve the provision of human rights.



During the seminar were discussed the several topics on international experience and state of current legislation and practice in Azerbaijan in the field of Alternative Dispute Resolution and Mediation.

In conclusion it was decided to ask Council of Europe about organization of the Second round of discussions on 16-19 June 2005, covering the concrete activities in Azerbaijan on the mediation in different fields.

So, during the activities the Ombudsman Institute was dealing not only with resolving of the individual problems of those who lodged the complaint to Ombudsman, but also tried to contribute and to make changes in the implementation of the basic Human Rights, sending general proposals on improving the national legislation in this field, also acting as mediator between people and the state authorities, combating the mal-administration, supporting democracy and application of the rule of Law.

At the same time only first steps are being made by Azerbaijan Ombudsman in promotion, protection and restoration of human rights also in prevention of their violation. And collaboration with the experienced Ombudspersons and their specialized organizations has crucial role in improving of the work and effectiveness of this newly created Institute.

In conclusion, I would like to thank once more the organizers of this event for the opportunity to join you in discussions of the activities of the Ombudsmen in promotion and protection of Human Rights and wish you full success.

Thank you for your attention.