

2015 HUMAN DIMENSION SEMINAR

The role of national human rights institutions in promoting and protecting human rights in the OSCE area

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Working group II: Good practices in the work of NHRIs in promotion and protection of human rights

The best practice of the Azerbaijani Ombudsman office

**Madam Moderator,
Ladies and gentlemen's**

First of all I would like to respond regarding the mentioning of Azerbaijan and especially the Ombudsman of Azerbaijan.

I would like to underline that Azerbaijani ombudsman has met several times with all the mentioned people in the prison and detention places. Within its competence has given recommendation to the relevant bodies.

Simultaneously, regarding of independence of the Ombudsman office I would like to note that the Azerbaijani Ombudsman Office has been accredited with the highest "A" status by the International Coordinating Committee on National Human Rights Institutions. This status is determined in accordance with the Paris Principles on independent activities of the NHRIs.

And it is well known that every organization or body is functioning within its competence. That's why I would like to invite you before making accusation to a body first to look through its competence and learn its activity.

Dear colleague, the Commissioner for Human Rights of the Republic of Azerbaijan has brought many innovations and best practices to the society by her innovative approach and initiatives in the field of human rights.

Considering the proposal of the Commissioner, by the Decree of the President of the Republic of Azerbaijan, the date June 18 was approved as Human Rights Day. Accordingly, each year the date from 18 May till 18 June is declared by the Commissioner as "Human Rights Month" and a range of events are carried out within the framework of this month: long campaign by the different state institutions and NGOs. In the end, the activities are summarized and delivered to the public.

The activity of the Commissioner in scientific-analytical sphere and her relations and cooperation with the Parliament in this context can be noted. This cooperation is developed in several directions. The Commissioner sends her proposals to the Parliament regarding the improvement of national legislation and ratification of international treaties to which Azerbaijan is not a party.

Many manuals, textbooks and other publications on human rights have been translated from English into Azeri on the initiative and under the general editorship of the Commissioner and with the support of UN High Commissioner for Human Rights. Some of them have been used during the trainings organized by the Office of the Commissioner. For example, on the initiative of the Commissioner, the book "Human Rights: material for parliamentarians" which was published by of the International Interparliamentary Union, was translated into Azerbaijani language. That book is used in the trainings provided both for the parliamentarians and their assistants that were held with the participation of international expert. It is planned to organize such trainings also for the newly elected parliamentarians and their assistants.

The following best practice is related to the specialized library. In 2003, the first specialized electronic library on human rights was established at the Office of the Commissioner for Human Rights which has been functioning since 2002. In the following years the library was improved in compliance with National Action Plan. Along with the staff of the Office, personnel of other state institutions, students, researchers, scientists, representatives of NGOs also have access to this library. Apart from this, many works are supposed to carry out further, including building the library with modern lines, application of international standards and automation system there, and creating electronic base.

Training of skilled workers in the field of human rights is also under consideration of the Commissioner. Thus, the students of different universities, as well as those graduated abroad basically Law and International Law faculties, have an internship at the Commissioner's Office. It plays crucial role in their specializing as lawyer and acquiring theoretical and practical knowledge in the field of human rights.

Cooperation of the Commissioner with civil society organizations should also be mentioned as a good practice. In order to ensure the sustainability of this cooperation in April, 2003, Council of Independent Experts was established at the Ombudsman. It mainly consists of NGOs dealing with human rights issues. Members of influential non-governmental organizations and civil society dealing with protection of human rights were represented at the Council of Experts. The activity of the Council is aimed at analysis of main directions of human rights in the country and at conduction of joint monitoring and taking actions in the field of human rights protection. Moreover, on the initiative of Ombudsman the network of legal clinics under different universities (both private and state) in the country was established and functions at the Ombudsman's Office to expand the human resources of the Office.

The Azerbaijani Ombudsman contributed to the efficient implementation of Universal Periodic Review (UPR) that is the recent mechanism in human rights

field. The complimentary report under UPR was prepared by Ombudsman and submitted to the Office of the UN High Commissioner for Human Rights. Moreover, the Ombudsman was involved in preparation and presentation of state official report. The Ombudsman pays close attention to follow up the recommendations under UPR. The Working Group guided by the Ombudsman coordinates the activity on follow up the recommendations under UPR. Regular meetings are held by the Ombudsman for discussion on the fulfillment process of recommendations with the participation of respective state bodies and the civil society. As a result, in accordance with the recommendations under UPR, several activities, such as amendments to the legislation are being implemented.

It is noteworthy to mention that the activities of the Azerbaijani Ombudsman in this field was assessed as the best practice in the manual entitled “Prevention of torture: training book for national institutions for human rights” published by the OHCHR.

Other good practice that can be mentioned is organization of the International Baku Conferences of Ombudsmen held each year in Baku with the participation of ombudspersons of different countries. Within the framework of these forums memorandums and declarations are adopted. These conferences were very useful in achieving goals with regard to more effective protection of human rights, created a space for exchanging of experiences. Thus, it offered all necessary facilities in developing new methods of cooperation among human rights institutions of different countries.

I would like to note that the working Group on “Business and Human Rights” was established at the Ombudsman of Azerbaijan, corresponding state bodies and civil society organizations were involved into its work. Such documents as documents on business and human rights adopted at the UN level, UN Global Agreement, Guiding Principles on Business and Human Rights affirmed by the UN Human Rights Council, Edinburgh Declaration determining the direction of activities of national human rights institutions was analyzed, the ways of practical implementation of Guiding Principles on Business and Human Rights were discussed. The Azerbaijani Commissioner also met with the UN Working Group (WG) on Business and Human Rights headed by Mr. Puvan Selvanathan and during the meeting, the WG members were given comprehensive feedback about the Ombudsman’s activities in the field of business and human rights.

Commissioner took initiative to prepare modules on child rights to realize hierarchic (peer-to-peer) child rights education in secondary schools in 3 steps (accordingly in II-IV, V-VIII, IX-X grades). Implementation of this program is considered within UN Decade on Human Rights Education and UNESCO Decade on Sustainable Development in Education. Program that is considered as best practice was signed by the Commissioner and approved by the Minister of Education. Children are provided information about their rights, also about persons with disabilities, non-discrimination against these persons. Two textbooks and manuals for teachers and children were developed by the Ombudsman Office regarding child rights education. Till now this program was realized in 110 secondary schools of the country and raised big interest in children.

Public hearing for implementation of the National Program for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan can be shown as another good practice in this regard.

As a country successfully passed the transition period, today turned to the country determining its own long-term development strategy directions and human rights are one of those directions. Namely, taking into account these factors and as a logical continuation of the reforms made, for increasing effectiveness of protection of human rights and freedoms, developing legal culture, providing sustainability of measures for improvement of legislative framework as well as legal protection system, the country President approved the National Action Program on to raise Effectiveness of Protection and Promotion of Human Rights and Freedoms in the Republic of Azerbaijan of by his Decree dated 27 December 2011. The Program provides goals on holding of complex measures of various directions through development of the concept of state human rights protection, their enforcement, coordination, and monitoring and evaluation mechanism. Furthermore, the Program provides further development of human rights and freedoms protection system, improving the national legislative framework and taking specific measures for effective promotion of the rights of various groups of population in the country. During the past period, specific measures for implementation of the provisions of the NAP were held by the corresponding public stakeholders and close cooperation with the civil society.

In order to coordinate the work on protection of human rights and freedoms of different categories of population, by the Order of Ombudsman specialized advisors were appointed on refugees and IDPs, elderly people, persons with disabilities, children, national minorities, military servants, prisoners, women's rights and gender equality, fighting against torture, corruption, human trafficking and freedom of religion and conscience and others. Specialized advisors regularly analyze national legislation and international legal acts on different issues, situation in the country, prepare recommendations on different directions.

The Ombudsman office took part in several international programs, including the Twining and TAIEX projects run by EU and the Eastern Partnership. The Ombudsman operates either as a national human rights institution (NHRI), as an NPM, UPR evaluation, monitoring and coordination functions, also as and an independent monitoring mechanism for the CRPD.

The Azerbaijani Ombudsman office also successfully participates in implementation of the NAPlan for 2012-2015 years on "Promotion of the Open Government" approved by the Presidential Decree of 5 September 2012 as well as the NAPlan on "Fight against Corruption for 2012-2015". The abovementioned national action plans were adopted with purpose of sustainability of measures taken towards human rights protection, improvement of the relevant legislative and institutional framework, compliance of the activities of state and self employment authorities with open government principles, extension the participation of the civil society in decision making processes and increasing the transparency, and fulfillment of international obligations undertaken by Azerbaijan.

And finally, the establishment of Azerbaijani brand ASAN service centers, which operates with purpose of reduction of additional costs of citizens and time waste, respect for ethic norms and kind treatment in relation to citizens, increasing the level of professionalism, strengthening entrust to the state stakeholders, increasing transparency, strengthening the fight against corruption, extension of usage of electronic services and increasing the effectiveness of the institutional reforms in the concerned area and their successful work play important role from the perspective of effective protection of human rights

Thanks for your attention!