



Promoting and strengthening
the Universal Periodic Review

Recommendations & Pledges

AZERBAIJAN

Second Review Session 16

Review in the Working Group: 30 April 2013
Adoption in the Plenary: 20 September 2013

Azerbaijan's responses to recommendations (as of 17.01.2014):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
4 recs rejected and 158 left pending	The delegation stated that the 158 pending recs were accepted "totally or partially" but without specifying which ones were totally accepted and which ones were partially accepted	No additional information provided	Accepted: 158 Rejected: 4 No clear position: 0 Pending: 0 Total: 162

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/24/13:

109. The following recommendations will be examined by Azerbaijan which will provide responses in due time, but no later than the twenty-fourth session of the Human Rights Council in September 2013:

A - 109.1. Sign and ratify the new Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Slovakia);

A - 109.2. Consider the possibility of ratifying the Convention on the Protection of All Persons from Enforced Disappearance (CPED) (Argentina);

A - 109.3. Ratify CPED (Brazil, Chile);

A - 109.4. Ratify CPED and recognize the competence of the Committee to receive and examine communications from individuals or those coming from other States (France);

A - 109.5. Ratify CPED, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Rome Statute of the International Criminal Court (ICC) (Spain);

A - 109.6. Become a party to CPED, the Rome Statute of the ICC and the Convention against Discrimination in Education (Montenegro);

A - 109.7. Take all necessary steps to fully commit to end impunity for international crimes by acceding to the Rome Statute of the ICC and to fully align its national legislation with all obligations under the Rome Statute (Sweden);

A - 109.8. Consider the possibility of ratifying the Rome Statute and fully align its national legislation with the obligations under that instrument, including by incorporating provisions to investigate and prosecute genocide, crimes against humanity and war crimes by the national courts (Uruguay);

A - 109.9. Ratify the Rome Statute of the ICC (Romania); accede to the Rome Statute of the ICC (Chad);

A - 109.10. Accede to the Rome Statute of the ICC and to the Agreement on the Privileges and Immunities of the ICC (Costa Rica);

A - 109.11. Ratify the Rome Statute of the ICC and extend an open invitation to the special procedures (Guatemala);

A - 109.12. Ratify the Rome Statute and ensure that it is fully implemented in national legislation (Switzerland);

A - 109.13. Take steps to fully implement the ratified international instruments (Kazakhstan);

A - 109.14. Continue its ongoing review of national laws to ensure that they are in line with its international human rights law obligations (Turkmenistan);

A - 109.15. Continue to harmonize its domestic legislation with the international human rights treaties to which it is a party and with the recommendations issued by the Treaty Bodies (Nicaragua);

A - 109.16. Consider reviewing its domestic legislation on migration with the aim of aligning it with the international laws and standards (Philippines);

A - 109.17. Continue the efforts made in the implementation of the recommendations made in the first UPR, as well as the current UPR (Libya);

A - 109.18. Continue its valuable contributions for the strengthening of interciviliation and inter cultural dialogue (Pakistan);

A - 109.19. Maintain its effective cooperation with the Council's special procedure mandate holders (Egypt); continue its existing fruitful cooperation with the system of United Nations human rights mechanisms (Pakistan); continue its fruitful cooperation with United Nations human rights mechanisms, including the special procedures (Russian Federation);

A - 109.20. Extend a standing invitation to all thematic special procedures (Montenegro); issue a standing invitation to United Nations rapporteurs (Hungary);

A - 109.21. Invite the Special Rapporteur on the rights to freedom of peaceful assembly and of association to visit the country (Austria);

- A - 109.22. Pursue the implementation of legislative reforms (Saudi Arabia);
- A - 109.23. Adopt the relevant legal texts and set up monitoring mechanisms to ensure their implementation (Saudi Arabia);
- A - 109.24. Continue with its adoption of relevant normative legal acts aimed at upholding the constitutional rights and liberties of the citizens of Azerbaijan, as well as the establishment of control measures for their efficient realization (Nigeria);
- A - 109.25. Continue to improve national laws and institutions, in particular in the field of protecting the human rights of women and children (Afghanistan);
- A - 109.26. Revise the Law on non-governmental organizations to comply fully with international human rights law (Austria);
- A - 109.27. Revise the 2009 Law on non-governmental organizations so as to ensure that it complies with international human rights law (Ireland);
- A - 109.28. Harmonize national legislation governing registration and funding of NGOs with the Venice Commission recommendations, with a view to ensuring a free and open space for its civil society (Slovakia);
- A - 109.29. Work with the legislature, as well as domestic and international organizations, to amend legislation in order to promote a flourishing civil society (United States of America);
- A - 109.30. Continue the efforts to strengthen the national institutions for the promotion and protection of human rights and freedoms (Uzbekistan);
- A - 109.31. Enhance the role of the Ombudsman and take measures providing for the effective implementation of its functions as a national preventive mechanism in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Bulgaria);
- A - 109.32. Continue to pay attention to the protection of political rights and civil freedoms (Yemen);
- A - 109.33. Continue to intensify its efforts in further strengthening the good governance and rule-based state with more focus on capacity-building for national agencies and law enforcement authorities on human rights protection and promotion (Viet Nam);
- A - 109.34. Continue the practice of implementing the National Action Programme aimed at improving the human rights situation on the ground (Turkmenistan);
- A - 109.35. Involve all stakeholders, including civil society in the implementation of the National Action Plan, in order to ensure its success (United Arab Emirates)
- A - 109.36. Continue its efforts to effectively implement its existing National Action Programmes and enforce legislation recently adopted (Cambodia);
- A - 109.37. Continue its efforts to effectively implement its Development Plan on Social Protection (Djibouti);
- A - 109.38. Continue efforts to increase the human rights culture in its society through the training and capacity-building of law enforcement and the judicial system in the field of human rights (Malaysia);
- A - 109.39. Continue its efforts in the field of human rights education and training (Morocco);
- A - 109.40. Continue the awareness-raising campaign on human rights education (Myanmar);
- A - 109.41. Redouble its efforts to intensify human rights education and training of law enforcement officers, teachers and civil servants (Republic of Korea);

A - 109.42. Continue to take sustained measures to incorporate elements of human rights education in the training of law enforcement agencies (Pakistan);

A - 109.43. Step up its efforts to enhance human rights education and training of law enforcement personnel, teachers and other civil servants (Philippines);

A - 109.44. Further carry out public-awareness campaigns on human rights, in particular with respect to the empowerment of women rights (Cambodia);

A - 109.45. Continue with its socio-economic actions to combat poverty (Senegal);

A - 109.46. Continue to work to ensure sustainable economic and social development, eradicate poverty and establish a solid material basis for the full enjoyment of human rights for all the population (China);

A - 109.47. Continue implementing and promoting the programme for special social assistance and other social poverty-reduction programmes (Cuba);

A - 109.48. Pursue the implementation of effective legal and practical measures to protect the rights of children (Serbia);

A - 109.49. Continue to strengthen its efforts to safeguard and advance the rights of its children (Brunei Darussalam);

A - 109.50. Adopt all types of measures to ensure universal birth registration for all children, regardless of the circumstances in which they were born or the civil or immigration status of their parents, while also facilitating the registration of children of underage mothers or mothers living in rural areas (Uruguay);

A - 109.51. Continue its ongoing efforts to fight corruption and to enhance the transparent and efficient nature of the State Agency for Public Services and Social Innovations (ASAN) (Turkey);

A - 109.52. Cooperate with civil society in the monitoring of the implementation of its anti-corruption legislation at all levels (Austria);

A - 109.53. Continue implementing measures to combat corruption (Serbia);

A - 109.54. Continue strengthening international cooperation in its fight against corruption (Angola);

A - 109.55. Further enhance gender equality, including by taking appropriate administrative or legal measures, as well as allocating adequate resources to empower women (Thailand);

A - 109.56. Take all possible measures to eliminate stereotypes and practices which contribute to discrimination against women (~~Democratic People's~~ Republic of Korea); [Wrongly attributed to Democratic Peoples' Republic of Korea in the Working Group report]

A - 109.57. Continue efforts to ensure gender equality and advancement of women, in line with national policies and laws (Sri Lanka);

A - 109.58. Adopt temporary special measures in areas which women are underrepresented and accelerate the advancement of women (Republic of Moldova);

A - 109.59. Further enhance the measures to combat discrimination against women and children in vulnerable situations (Myanmar);

A - 109.60. Intensify efforts aimed at promoting and protecting the rights of women, combating domestic violence and promoting gender equality (Nigeria);

A - 109.61. Further secure promotion and protection of the rights of women, combat against domestic violence and guarantee gender equality (Kazakhstan);

A - 109.62. Continue its efforts to guarantee equality between women and men, and ensure the empowerment of women (Egypt);

A - 109.63. Promote gender equality and combat discrimination against women (Iraq);

A - 109.64. Create public policies for equality of opportunities and affirmative action to combat the low participation of women in public life, especially in decision-making bodies, including Parliament, the Government, the diplomatic service, regional and local municipalities and the upper level of the judiciary (Ecuador);

A - 109.65. Continue its efforts to enhance its domestic framework on the protection of the rights of women and further encourage women to participate actively in the economy and public life (Singapore);

A - 109.66. Continue efforts to achieve full respect for the human rights of women, particularly those related to combating violence and segregation in the labour market, which implies differential access between men and women to occupations and jobs that play a decisive role in the quality of employment offered to women (Paraguay);

A - 109.67. Continue to take further measures to enhance women's access to education, health and employment opportunities (Pakistan);

A - 109.68. Promptly take all appropriate measures and/or public policies to eliminate all forms of discrimination against migrant workers, especially women and ensure that they can exercise and enjoy their human rights in all areas on an equal footing with nationals (Ecuador);

A - 109.69. Ensure the non-discriminatory approach, particularly in employment, education and housing as well as access to justice of the undocumented and irregular migrants (Indonesia);

A - 109.70. Provide more effective powers to the person primarily responsible for the national preventive mechanism against human rights violations and make it possible for her to monitor all State organs (Hungary);

A - 109.71. Enact a law that incorporates the obligation to carry out independent investigations and punish those who commit acts of torture (Mexico);

A - 109.72. Continue to take all necessary measures to eradicate the practice of ill-treatment of prisoners, excessive force and the use of torture in detention centres and internment centres whether these be temporary or permanent in nature (Spain);

A - 109.73. Ensure that all allegations of torture are effectively and impartially investigated and ensure that perpetrators are punished accordingly (Costa Rica);

A - 109.74. Guarantee and make systematic the use of independent and impartial investigations into alleged cases of torture (France);

A - 109.75. Establish appropriate mechanisms to ensure prompt, effective, independent and impartial investigations into all allegations of torture and other ill-treatment at remand and detention facilities, and to ensure that perpetrators are held accountable (Ireland);

A - 109.76. Ensure that all allegations of torture are promptly, impartially and effectively investigated, and similarly all incidents of death in custody are thoroughly and impartially investigated, and those found responsible are prosecuted and punished accordingly (Poland);

A - 109.77. Ensure that all allegations of ill-treatment are subject to an effective, independent and impartial investigation (Switzerland);

A - 109.78. Continue its close cooperation with the various Committees of the Council of Europe dedicated to the protection of human rights and the fight against torture (Paraguay);

A - 109.79. Take adequate measures for the safety of civil society, including political activists and journalists; conduct impartial, thorough and effective investigations into all cases of attacks,

harassment, and intimidation against them and bring perpetrators of such offenses to justice (Canada);

A - 109.80. Comprehensively implement the laws and consider formulating a national action plan to further ensure women's rights, including on combating violence against women (Indonesia);

A - 109.81. Adopt the necessary measures to ensure an adequate implementation of reforms in the area of gender violence (Spain);

A - 109.82. Strengthen measures to combat violence against women and children (Senegal);

A - 109.83. Take further measures to develop an effective implementation and monitoring mechanism for the law on domestic violence, especially to grant access to justice for women victims of violence and guarantee their protection (Italy);

A - 109.84. Further step up efforts with a view to preventing and eliminating trafficking in persons, including considering the possibility of inviting the Special Rapporteur on trafficking in persons, especially women and children (Belarus);

A - 109.85. Enforce the legislation on trafficking; implement the action plan to combat human trafficking; investigate, prosecute and punish traffickers (Republic of Moldova);

A - 109.86. Provide all the support to the Inter-Agency Council to enable it to implement the National Directive Mechanism Rules regarding victims of human trafficking (United Arab Emirates);

A - 109.87. Continue its efforts to combat human trafficking and provide assistance to victims, especially women and children (Singapore);

A - 109.88. Prevent and eliminate child sex tourism and strengthen international cooperation (Republic of Moldova);

A - 109.89. Adopt the draft Law on protection of children from corporal punishment (Brazil);

A - 109.90. Continue with its efforts through the Justice Reform Support Programme to strengthen institutions in the field of human rights (Nigeria);

A - 109.91. Implement the regulations recently adopted with regard to property rights, and ensure that they are fully implemented by the competent judicial bodies (France);

A - 109.92. Ensure that due legal process, including transparency during police investigations is afforded to all, including those critical of the Government (Australia);

A - 109.93. Establish an independent medical legal institute to ensure that investigations into allegations of ill-treatment are carried out in an objective and impartial manner (Belgium);

A - 109.94. Continue its ongoing efforts to improve prison conditions for detainees (Burundi);

A - 109.95. Give consideration to incorporating the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, also known as the "Bangkok Rules", to its internal rules and regulations for the treatment of women prisoners (Thailand);

A - 109.96. Reform the juvenile justice system in accordance with, among others, the Convention on the Rights of the Child, the Beijing Rules and Riyadh Guidelines (Uruguay);

A - 109.97. Ensure that the draft law on juvenile justice and the draft law on prohibition of corporal punishment of children is adopted and implemented in line with international standards (Hungary);

A - 109.98. Strengthen the institutional measures in the field of human rights within the framework of the National Action Programme and the Justice Reform Support Programme (Kazakhstan);

A - 109.99. Establish specialized juvenile courts and provide training to enforcement and judicial officers working on juvenile cases on international standards and guidelines on juvenile justice (Czech Republic);

A - 109.100. Adopt urgent measures to eradicate the practice of unregistered marriages, through public awareness campaigns in order to ensure that no marriage takes place before the legal age of marriage (Uruguay);

A - 109.101. Implement measures to prevent sex-selective abortions, and conduct educational campaigns about gender roles and the value of women and girls (Slovenia);

A - 109.102. Continue the realization of measures aimed at promoting tolerance, including religious tolerance, as well as continue its contribution to the dialogue among civilizations at the international level (Russian Federation);

A - 109.103. Reform its legal framework on freedom of religion by streamlining, facilitating and increasing the transparency of the registration process for religious organizations, including eliminating the obligation for religious groups to seek prior authorization to gather, and removing limitations on the printing, import and distribution of religious materials (Canada);

A - 109.104. Increase action aimed at ensuring the promotion of freedom of religion for all confessions throughout the country (Italy);

A - 109.105. Ensure the full enjoyment of the right to freedom of expression in line with country's international commitments (Slovakia);

A - 109.106. Guarantee the rights to freedom of expression, association and peaceful assembly particularly by allowing peaceful demonstrations in line with the obligations stemming from the International Covenant on Civil and Political Rights (Switzerland);

A - 109.107. Put in place additional and fitting measures to ensure respect for freedom of expression and of the media (Cyprus);

A - 109.108. Ensure that Azerbaijani media regulations uphold diversity among media outlets, as per international standards and best practices (Cyprus);

A - 109.109. Expand media freedoms across print, online and, in particular, broadcast platforms, notably by ending its ban on foreign broadcasts on FM radio frequencies and eliminating new restrictions on the broadcast of foreign language television programs (Canada);

A - 109.110. Take effective measures to ensure the full realization of the right to freedom of expression, including on the Internet, of assembly and of association as well as to ensure that all human rights defenders, lawyers and other civil society actors are able to carry out their legitimate activities without fear or threat of reprisal (Czech Republic);

A - 109.111. Ensure that human rights defenders, lawyers and other civil society actors are able to carry out their legitimate activities without fear or threat of reprisal, obstruction or legal and administrative harassment (Sweden);

A - 109.112. Put an end to direct and indirect restrictions on freedom of expression and take effective measures to ensure the full realization of the right to freedom of expression and of assembly (Poland);

A - 109.113. Ensure the full exercise of freedom of expression for independent journalists and media, inter alia, by taking into due consideration the recommendations of the Council of Europe Commissioner for Human Rights (Italy);

A - 109.114. Ensure that journalists and media workers are able to work freely and without governmental intimidation (Germany);

A - 109.115. Ensure that journalists and writers may work freely and without fear of retribution for expressing critical opinions or covering topics that the Government may find sensitive (Slovenia);

A - 109.116. Protect and guarantee freedoms of expression and association in order to enable human rights defenders, NGOs and other civil society actors to be able to conduct their activities without fear of being endangered or harassed (France);

A - 109.117. Strengthen measures to guarantee a safe and conducive environment for the free expression of civil society (Chile);

A - 109.118. Remove all legislative and practical obstacles for the registration, funding and work of NGOs in Azerbaijan (Norway);

A - 109.119. Ensure that all human rights violations against human rights defenders and journalists are investigated effectively and transparently, with perpetrators being promptly brought to justice, including pending unresolved cases requiring urgent attention (United Kingdom);

A - 109.120. Ensure prompt, transparent and impartial investigation and prosecution of all alleged attacks against independent journalists, ensuring that the media workers do not face reprisals for their publications (Slovakia);

A - 109.121. Review legal and administrative requirements for the registration of NGOs, which would simplify the process and encourage the independence of civil society representatives (Mexico);

A - 109.122. Eliminate the practice of unlawful postponement and of refusal to register NGOs, including international NGOs and those critical of the Government and defending human rights (Germany);

A - 109.123. Lift administrative restrictions on NGOs and peaceful demonstrators; refrain from imposing charges on peaceful demonstrators; refrain from acts leading to the closure of NGOs or the suspension of their peaceful activities, and instead promote a meaningful political dialogue that allows and embraces diverging views, including those of human rights defenders, NGOs, journalists, political activists and others (Netherlands);

A - 109.124. Thoroughly and transparently investigate and prosecute all alleged incidents of pressure in the form of harassment and lawsuits of journalists, editors and human rights defenders (Norway);

A - 109.125. Release individuals incarcerated for publicly expressing their opinions and ensure due process for other detainees (United States of America);

A - 109.126. Reform its defamation legislation in conformity with article 19 of the International Covenant on Civil and Political Rights (ICCPR), investigate all incidents of intimidation and violence against journalists and bring perpetrators to justice (Austria);

A - 109.127. Abolish relevant articles of the criminal code which effectively serve as defamation provisions (Norway);

A - 109.128. Refrain from initiating defamation lawsuits against civil society activists and journalists, and put an end to the practice of detaining these individuals engaging in the exercise of their legal civil and political rights (Canada);

A - 109.129. Refrain from imposing excessive fines on media outlets for defamation, while working to adopt the law on defamation, which abolishes criminal liability for defamation and insult (Netherlands);

A - 109.130. Ensure that obligations regarding freedom of assembly and freedom of expression, to which Azerbaijan committed on becoming a member of the Council of Europe, are implemented consistently and transparently (Australia);

A - 109.131. Redouble its efforts to guarantee the freedom of association, also by improving the environment for NGOs to freely carry out their activities (Italy);

A - 109.132. Review regulations, policies and practices in accordance with article 21 of the ICCPR (Uruguay);

A - 109.133. Respect in law and in practice international standards for freedom of peaceful assembly, and open a dialogue with civil society representatives to establish a list of sites, in particular in the centre of Baku, where demonstrations can take place freely (France);

A - 109.134. Alleviate administrative procedure for peaceful assemblies and adopt effective measures to prevent use of force against peaceful protestors by the law enforcement personnel (Slovakia);

A - 109.135. Guarantee the freedom of assembly and work with organizers to ensure that peaceful protests and demonstrations are allowed to take place within central Baku (United Kingdom);

A - 109.136. Permit peaceful protests to occur throughout the country, including in Baku city centre, and fully investigate the allegations of harassment of legal professionals representing peaceful demonstrators (United States of America);

A - 109.137. Allow protest actions in Baku city in accordance with Resolution 1917 of January 2013 of the Parliamentary Assembly of the Council of Europe (Germany);

A - 109.138. That any sanctions for violations be proportionate and not create undue obstacles to freedom of assembly (Hungary);

A - 109.139. Ensure the participation of the various political movements in the electoral process and put in place plural and autonomous observation mechanisms that are integrated by citizens (Mexico);

A - 109.140. Carry out free and fair elections consistent with the expectations of the international election monitoring community (Australia);

A - 109.141. Set priorities and provide adequate resources for enhancing the protection and promotion of the rights to education, health care and social welfare, especially those of vulnerable groups such as women, children, ethnic minorities, migrants and people with difficulties (Viet Nam);

A - 109.142. Take measures to further develop the health-care system, especially in rural areas (Sri Lanka);

A - 109.143. Increase its efforts and resources towards strengthening the healthcare system, especially in rural areas (Algeria);

A - 109.144. Take more effective measures in the field of health and the right to education (Iraq);

A - 109.145. Continue to further promote access to and quality of health facilities and services, particularly in providing efficient care for children and mothers (Brunei Darussalam);

A - 109.146. Make further efforts to implement the national strategy on reproductive health and set standards for maternal health (Bahrain);

A - 109.147. Further protect and promote the right to safe drinking water and sanitation (Egypt);

A - 109.148. Intensify efforts to improve and ensure access to education for all children and to include human rights subjects in the school curricula (Malaysia);

A - 109.149. Increase its investment into education and health to ensure better education and health services for the whole population in particular in rural areas (China);

A - 109.150. Establish a clear legal definition of disability (Spain);

A - 109.151. Redouble efforts to implement the National Action Plan to set up social institutions in order to create further opportunities of work for persons with disabilities to improve standards of employment and integrate them in the labour market (Bahrain);

A - 109.152. Consider strengthening measures aimed at the protection and integration of persons with disabilities, especially children with disabilities (Argentina);

A - 109.153. Strengthen measures already adopted with regard to the rights of children with disabilities (Spain);

A – 109. 154 Undertake further measures to protect social rights, including the rights of children, women and persons with disabilities (Uzbekistan);

A - 109.155. Continue the efforts aiming at further promoting the rights of persons with disabilities and increasing their employment and their integration to the labour market (Algeria);

A - 109.156. Consider setting up a mechanism to protect unaccompanied minor refugees (State of Palestine);

A - 109.157. Pursue its substantial efforts to alleviate the suffering and to improve the living conditions of IDPs and refugees (Turkey);

A - 109.158. Continue to address issues pertaining to IDPs, in line with the relevant state programmes (Sri Lanka).

110. The recommendations listed below were rejected by Azerbaijan for the following reasons: (a) they were submitted by Armenia that is occupying the territories of Azerbaijan; and (b) they are not within the scope of the UPR:

R - 110.1. Take steps for combating impunity, enacting justice and ensuring rule of law in Azerbaijan, particularly to examine the conformity of the act of pardon of cruel murderer Ramil Safarov with the national legislation and international obligations of Azerbaijan as an act that encourages murder on an ethnic base, particularly killing Armenians inside the country and abroad (Armenia);

R - 110.2. Ensure freedom of expression, including by creation of conditions for expressing opinions different from the official Government position and for realization of the right to know the truth (Armenia);

R - 110.3. Stop incitement of hatred towards Armenia and Armenians at political and public levels, as well as in mass media (Armenia);

R - 110.4. Fully respect article 1 of the ICESCR and article 1 of the ICCPR and end its policy of hostility and aggression against Nagorno-Karabakh (Armenia).

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