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## **Report of the Working Group on the Universal Periodic Review\***

### **Azerbaijan**

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\* The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its sixteenth session from 22 April to 3 May 2013. The review of Azerbaijan was held at the 14th meeting on 30 April 2013. The delegation of Azerbaijan was headed by Khalaf Khalafov, Deputy Minister of Foreign Affairs of the Republic of Azerbaijan. At its 17th meeting held on 02 May 2013, the Working Group adopted the report on Azerbaijan.

2. On 14 January 2013, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Azerbaijan: Libya, Maldives and Peru.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Azerbaijan:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/16/AZE/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/16/AZE/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/16/AZE/3).

4. A list of questions prepared in advance by Armenia, Ireland, Mexico, Montenegro, the Netherlands, Slovenia, Spain, Sweden, and the United Kingdom of Great Britain and Northern Ireland was transmitted to Azerbaijan through the troika. These questions are available on the extranet of the universal periodic review (UPR).

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The head of the Azerbaijani delegation stated that Azerbaijan highly appreciated the contribution of the Human Rights Council and the universal periodic review to the promotion and protection of the human rights and fundamental freedoms. He reiterated Azerbaijan's openness and willingness towards comprehensive cooperation with the Council and its mechanisms.

6. Azerbaijan emphasized that the guarantee of human rights and freedoms is proclaimed as the highest goal of the State in the Constitution of Azerbaijan. Azerbaijan is a party to the fundamental international human rights treaties. According to article 148 of the Constitution, the international treaties to which Azerbaijan is a party constitute an integral part of Azerbaijan's legislative system, and article 151 states that in case of a possible contradiction between normative legal acts of Azerbaijan and the international treaties to which Azerbaijan is a party, the provisions of international treaties shall apply. Human rights and freedoms have direct force in Azerbaijan. In the framework of current trends in international relations, the promotion and protection of human rights are provided on the basis of the supremacy of international law. In this connection, Azerbaijan stressed the occupation of 20 per cent of Azerbaijan's territory by the Republic of Armenia,

including the Nagorno-Karabakh<sup>1</sup> region and seven adjacent districts, and the unresolved state of the conflict.<sup>2</sup> The head of delegation, Mr. Khalafov, stated that all the remarks contained in the statement on the conflict were related to the realization of human rights within the whole territory of Azerbaijan, the territorial integrity of which has been violated by Armenia. He stated that the conflict has had grave consequences to date, and represented one of the major obstacles<sup>3</sup> to the protection of human rights in the country. In the course of the armed aggression, the Armenian side committed grave violations of international humanitarian law, including numerous killings and extrajudicial executions of Azerbaijani civilians, hostages and prisoners of war, and use of torture and other cruel, inhuman or degrading treatment. Azerbaijan noted that the national report contained more detailed information regarding the fact that almost one million of its people became refugees and internally displaced persons (IDPs) as a result of the policy of ethnic cleansing<sup>4</sup> by the Republic of Armenia. Mr. Khalafov further stated that such behaviour by Armenia was not a surprise, and that it was aimed at disrupting the review of Azerbaijan.

7. Azerbaijan conducts ongoing cooperation with the special procedures, which will be continued. Azerbaijan has been receiving visits by special procedures mandate holders. The latest visit was by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health from 16 to 23 May 2012. Azerbaijan also highlighted that it had already extended a standing invitation to all special procedures mandate holders.

8. Azerbaijan mentioned that the National Action Programme on raising the efficiency of human rights protection was adopted in 2011. It covers the issues reflected in the recommendations addressed to Azerbaijan during the first UPR. It also envisages such issues as improvement of the normative legal basis, including through the definition of human rights and fundamental freedoms as a major criterion for drafting laws, improving the activities of State agencies, training, research and awareness-raising measures on human rights and cooperation with international organizations in the field of human rights.

9. Azerbaijan stated that it had joined the Open Government Partnership in 2011 with a view to raising transparency and promoting open Government practices, exchanging

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<sup>1</sup> In accordance with General Assembly resolution 62/243, entitled “The situation in the occupied territories of Azerbaijan”, references to “Nagorno-Karabakh” in the present report should read as “the Nagorno-Karabakh region of the Republic of Azerbaijan.”

<sup>2</sup> Armenia requested the President remind the delegation of Azerbaijan that it should only use accepted language in the United Nations. Armenia requested the President to disregard the allegations made against Armenia and not to include them in the report of the Working Group. In response, the President reminded all delegations that, as per rule 113 of the rules of procedure, a point of order should focus on procedural matters. He stated that debating on territorial issues was a substantive exercise, and those issues would be more appropriately dealt with in other fora. He further stated that the UPR Working Group was not the competent body to discuss issues of a political or territorial nature. Consequently, the President invited all delegations to focus on human rights issues in the context of their statements. He reiterated that all States were entitled to their views and asked that these be voiced in a respectful and dignified manner. The President appealed to all concerned to refrain from using the UPR to deal with bilateral issues as this would ultimately undermine the principles of universality and the goals of the mechanism.

<sup>3</sup> With respect to Armenia’s request for a point of order, the President reminded the meeting that States that are not members of the Council may raise points of order under rule 113, but cannot appeal the ruling of the President.

<sup>4</sup> With respect to Armenia’s further request for a point of order, the President again reminded the meeting that States that are not members of the Council may raise points of order under rule 113, but cannot appeal the ruling of the President. The President further urged the delegation of Armenia to refrain from these reactions.

positive international experience and contributing to global efforts in the field. The National Action Plan 2012-2015 on promotion of the open Government was adopted.

10. Azerbaijan noted that, in consideration of the need to raise transparency in the activities of State bodies, the State Agency on Services for Citizens and Social Innovations (ASAN) was established to provide citizens with quality services using innovative methods; to adhere to the norms of ethics and politeness in communications with citizens; to address the needs and queries of citizens, to improve the services provided by State bodies; and to speed up the transition to E-services. A special ASAN Service was established within this Agency. Nine State bodies (Ministry of Justice, Ministry of Internal Affairs, Ministry of Taxes, State Committee on Property, State Customs Committee, State Migration Service, State Committee on Land and Cartography, State Social Protection Fund and the National Archive Department) offer 25 types of services via ASAN service centres. The centres facilitate a wider use of E-services, help to cut costs for citizens and enable them to save time, build trust for the State bodies, enhance transparency and contribute to the fight against corruption.

11. Azerbaijan stated that the Law on Freedom of Assembly of 1998 was amended in 2008 taking due account of the opinion of the Venice Commission of the Council of Europe. In its opinion, the Venice Commission confirmed that, after the introduction of additions and amendments, the Law corresponded fully to European standards. The basic principles of and rules for the realization of the freedom of assembly are defined. The relevant provisions of the International Covenant on Civil and Political Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms, as well as the principles established in the Precedent Law of the European Court on Human Rights have been taken into full consideration in this Law.

12. Azerbaijan also stated that large-scale reforms have been conducted in the justice system. For the first time in the history of the country, administrative economic courts have been established in seven regions, and the military court system was also reformed. The number of judges doubled during the reporting period. The results of the judicial reforms attracted the attention of leading international bodies. In particular, the European Commission for the Efficiency of Justice (CEPEJ) described Azerbaijan's experience as a model of success.

## **B. Interactive dialogue and responses by the State under review**

13. During the interactive dialogue, 77 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

14. Algeria noted the State Programme on Poverty Reduction and Sustainable Development, and efforts to improve living conditions and increase employment for internally displaced persons, promote women and combat gender-based violence, reduce child mortality and improve maternal health.

15. Angola commended the National Action Programme, accession to the Convention on the Rights of Persons with Disabilities (CRPD), the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT), and international and regional conventions on trafficking of human beings and diversity of cultural expression. It welcomed the establishment of national instruments and strategies, notably the Commissioner on Human Rights (Ombudsman).

16. Argentina noted Azerbaijan's presentation of its national report, and congratulated it on ratifying the Rome Statute of the International Criminal Court. It noted the adoption of the National Action Programme on human rights and freedoms.

17. Uruguay emphasized the National Action Programme on human rights and freedoms, accession to OP-CAT, and the work of the Commissioner on Human Rights. It commended progress made under strategies on eradication of poverty and social policies.
18. Australia welcomed new laws on education, domestic violence and detainees' rights, and recognized steps to implement the legislative framework against corruption and organized crime. It encouraged continued cooperation with international and European bodies. It expressed concern at reports of intimidation of civil society organizations.
19. Austria welcomed accession to OP-CAT and CRPD. It was concerned about restrictions on freedoms of expression, information and assembly, noting higher penalties for organizers and participants in "unauthorized" gatherings. It commended the legislative framework against corruption and related national institutions.
20. Bahrain commended the National Action Plans towards judicial reform, increasing the capacity of the judicial system, combating corruption and providing guarantees in detention centres. It noted the adoption of anti-corruption measures.
21. Bangladesh noted the ratification of CRPD and stated that the use of a National Action Programme to implement recommendations from the first cycle of the universal periodic review indicated Azerbaijan's ongoing commitment to working towards the implementation of recommendations that it accepted during the first cycle. It noted the many challenges that are common to developing countries.
22. Belarus commended the National Action Programme and Azerbaijan's cooperation with international mechanisms, including regular reporting to treaty bodies and accepting visits from the special procedures mandate holders. It welcomed the legislative and judicial reforms and efforts to combat corruption.
23. Belgium welcomed the ratification of OP-CAT and CRPD. It asked when the draft law on the decriminalization of defamation would be adopted, and what measures were being taken to fully implement the law to combat against impunity in detention centres, bearing in mind the limited number of lawyers in the country.
24. Brazil noted the adoption of the National Action Programme and laws on education and combating domestic violence. It welcomed the efforts to combat human trafficking, and asked about the implementation of programmes for social rehabilitation of low-income families.
25. Brunei Darussalam welcomed the adoption of legislation to protect the rights of children. It noted the measures taken towards attaining Millennium Development Goals 4 and 5 to reduce child mortality and improve maternal health.
26. Cyprus, expressed concern about reports of deterioration of human rights and called for steps to improve the freedoms of assembly, association, opinion and expression, particularly for journalists and other media. It commended Azerbaijan's accession to international human rights instruments.
27. Burundi noted that human rights were a priority and welcomed the adoption of legislation on education, domestic violence, rights and freedoms of detained persons, legal measures to promote gender equality, as well as efforts to reduce maternal mortality.
28. Cambodia welcomed the implementation of the National Action Programme and adoption of national laws to enhance human rights, as well as Azerbaijan's accession to international and regional treaties on cultural expression, trafficking and gender equality in employment.

29. Canada asked about the status of the legal review process, the progress achieved and plans to improve the right to freedom of assembly. It was concerned about the administrative burden on NGOs and excessive supervision of their activities.
30. Chad applauded the implementation of recommendations accepted during the first cycle of the universal periodic review. It commended Azerbaijan's accession to several international instruments and the creation of national human rights institutions, which demonstrate Azerbaijan's commitment to human rights.
31. Chile welcomed the National Action Programme, the adoption of the Law on combating domestic violence, Criminal Code amendments on corruption and the National Action Plan on trafficking. It asked what measures were in place to ensure torture was investigated and punished.
32. China commended the National Action Programme on poverty eradication and the promotion of sustainable development. It noted the legislation on domestic violence, improved maternal and child health, protection of the rights of persons with disabilities and measures to eradicate trafficking of human beings.
33. Costa Rica welcomed the ratification of OP-CAT and the establishment of a preventive mechanism and hoped that this would prevent torture of detained persons. It encouraged continued reform to combat the lack of independence of the judicial system and its susceptibility to political pressure.
34. Cuba noted the efforts to promote and protect women and children's rights, combat domestic violence, establish gender equality, improve maternal, child and reproductive health and reduce maternal mortality. It acknowledged Azerbaijan's cooperation with the universal periodic review process.
35. Bulgaria acknowledged Azerbaijan's prioritization of the promotion and protection of human rights. It welcomed the National Action Programme, accession to OP-CAT and the appointment of a Commissioner on Human Rights as a national preventive mechanism.
36. The Czech Republic welcomed efforts to improve the legal system, as well as the adoption of international treaties, the implementation of which would contribute to the promotion and protection of human rights.
37. Djibouti noted the presentation of the national report and commended Azerbaijan's efforts to fight poverty and promote human rights. It encouraged Azerbaijan to continue those efforts in order to guarantee a better future for its people.
38. Ecuador noted Azerbaijan's accession to OP-CAT and the appointment of an Ombudsman as the preventive mechanism. It highlighted the National Action Plans to foster an open government and to combat corruption, which were approved by Presidential Order in September 2012.
39. Egypt welcomed the enactment of laws on domestic violence and detained persons, the strengthening of efforts to combat corruption and Azerbaijan's accession to international human rights treaties. It noted the judicial reforms and requested information on how these will positively affect access to justice by juveniles and victims of trafficking.
40. France welcomed the ratification of OP-CAT and the appointment of the Ombudsman as the national prevention mechanism.
41. Germany welcomed the ratification of OP-CAT and CRPD. However, it raised concerns about reported restrictions on NGOs and civil society, violations of freedoms and intimidations. It requested information on Azerbaijan's compromise solution to allow protests in some areas of Baku city and the registration procedure for international NGOs.

42. Guatemala commended the establishment of the National Action Programme and laws on domestic violence and detainees' rights. It noted concerns by CERD regarding the hostile attitude by the population towards ethnic Armenians and urged measures to address this.
43. Hungary welcomed Azerbaijan's ratification of CRPD, OP-CRPD and OP-CAT, and the appointment of the Ombudsman as the national preventive mechanism. It noted Azerbaijan's cooperation with special procedures and its Constitutional guarantees of freedom of assembly. It reiterated the call for an improvement of children's rights.
44. Indonesia welcomed Azerbaijan's acceptance of all visit requests from special procedures mandate holders. It commended the adoption of laws on gender equality and combating domestic violence and appreciated the measures taken to combat trafficking in persons. It expressed concern about undocumented and irregular migrant workers.
45. Iraq noted Azerbaijan's commitment to promoting and protecting human rights. It applauded the measures to bring national legislation in line with international obligations, the improved legal norms and accession to international instruments.
46. Ireland noted Azerbaijan's intention to decriminalize defamation, but also noted the concerns raised by human rights treaty bodies and the special procedures on restrictions to freedoms of expression and peaceful assembly, and restrictions on the work of human rights defenders. It also had concerns about the use of torture and ill-treatment.
47. Italy welcomed the new focal point for human rights in the Ministry of Foreign Affairs. However, it noted several remaining areas of concern. It commended the initiatives to promote religious dialogue and appreciated the progress made in the area of women's rights.
48. On the issue of judicial reform, Azerbaijan recalled that two independent bodies had been established to manage judicial proceedings, namely the Judicial Council, an independent body responsible for all issues relating to the administration of justice; and the Committee to select judges. In recent years, the number of judges has doubled. The judge selection process has been accepted by the Council of Europe and is considered a model for other countries.
49. As of 2011, Administrative Courts were established to ensure the independence of the new judicial bodies. These were created according to the principle of the regional courts, and their activities have proven to be very effective. Statistics related to these courts indicate that 75 to 80 per cent of complaints lodged by citizens on the violations of their rights by officials and/or by civil servants have been found to be unfounded by these Administrative Courts. Moreover, great attention has been paid in recent years to increasing the salaries of judges, which have been raised some thirty-fold over the last few years.
50. Furthermore, Azerbaijan intends to improve the juvenile justice system. Azerbaijan has been working in cooperation with the United Nations Children Fund (UNICEF) on a draft law on juvenile justice for some time and expects to achieve a positive outcome in the near future.
51. On the issue of freedom and independence of NGOs, Azerbaijan highlighted that freedom of association is one of the key human rights recognized by the Constitution. Some 3,000 NGOs are currently registered in the country and there has been a stable growth in the number of NGOs registered over the last five years with 20 per cent additional NGOs registered each year. Regarding legislation regulating NGO registration, it is possible for NGOs to work without registering. However, NGOs that wish to receive a legal status must submit a request for registration to the Ministry of Justice. In fact, there are no restrictions on the registration of NGOs. Azerbaijan added that amendments and

modifications regarding transparency and financial activities had been made to the law on registration so as to improve the activities of NGOs.

52. Referring to allegations that the Ministry of Justice had attempted to close down NGOs, it was noted that in the course of the last 12 years, the Ministry of Justice had approached the Court in only about four cases to request that NGOs be closed down. All of these instances took place in response to grave violations of Azerbaijan's legislation. Over 300 NGOs are currently working successfully with no restrictions in the area of human rights defenders.

53. In response to questions regarding conditions of detention and living conditions in prisons, Azerbaijan stated that great efforts have been made to modernize the infrastructure of the penitentiary system. In several regions of Azerbaijan, new penitentiary establishments have been built, legislation has been amended to improve detention conditions of detainees and increase their rights. Furthermore, based on a partnership agreement with the World Bank, Azerbaijan is working to improve the whole infrastructure of the judiciary. Some 20 new buildings for the judiciary will be built in the near future. Furthermore, over the last two years, eight new court buildings have been built and modern technology, such as the Internet, has been made available to the whole judicial system. Citizens can now find out what kinds of hearings are going to be heard by whom, as well as all the necessary information through the Internet.

54. Concerning freedom of assembly, Azerbaijan stated that the amendments adopted in 2009 to the law on freedom of assembly had been prepared together with the Venice Commission of the Council of Europe. It added that the Commission considered that the final text of the law was fully in compliance with European standards in this field. The law takes into account the full range of the principles and norms of international law and case law of the European Court of Human Rights on the protection of freedom of assembly.

55. Azerbaijan also mentioned reference by one delegation to restrictions on freedom of assembly, in particular a local authorities' refusal to allow a demonstration to be held in the capital. It explained that the law provides for demonstrations to be held in certain specific places, which are published by the local authorities, as well as for the possibility of filing complaints and appealing decisions. It noted that none of the decisions by local authorities had been appealed.

56. Concerning the defamation law, the legislation of Azerbaijan is in full compliance with international standards. An analysis carried out of similar laws in European states found that sanctions provided for in the Criminal Code of Azerbaijan are in line with similar sanctions in other member states of the Council of Europe. There are still some deficiencies in the practical approach of the judiciary in the interpretation of the said law. It has therefore been decided to propose a draft text for a new law which will comprise all relevant international principles and the case law of the European Court of Human Rights. The draft text was submitted to the Venice Commission last year and comments on the text are expected soon.

57. Azerbaijan also highlighted that a new law had been adopted on the rights and freedoms of persons in prison and pretrial detention. This is an important step in the fight against ill-treatment in places of pretrial detention, as it incorporates many principles of international instruments, in particular minimum standard rules on the treatment of prisoners.

58. Azerbaijan provided detailed information on the presidential election scheduled to take place at the end of this year. It noted that relevant bodies are carrying out different projects in preparation for the forthcoming elections, including educating the different electoral actors, such as voters, co-workers, observers, mass media, among others. It stressed the participation of national and international observers in the process and provided

further details regarding, inter alia, the campaign process and the action of the electoral and local authorities. Azerbaijan also highlighted cooperation with international organizations, such as the Council of Europe, the Office for Democratic Institutions in Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) and stressed that there was a very strong political will on the part of the Government to ensure free and fair elections.

59. Kazakhstan noted Azerbaijan's close work with the treaty bodies and its ratification of several international conventions. It recognized the efforts to secure conditions for the right of freedom of religion and the registration of 730 religious communities.

60. Libya acknowledged the adoption of the National Action Programme and welcomed Azerbaijan's accession to United Nations Educational, Scientific and Cultural Organization (UNESCO) conventions, implementation of international obligations and ratification of CRPD and OP-CAT. It expressed hope for progress with regard to freedom of expression and for detainees.

61. Malaysia noted Azerbaijan's emphasis on education, health, women and children. It welcomed the reform and improvement of the judicial and legal system, noted the National Action Programme and commended the efforts to focus on human rights training and education.

62. Mauritania welcomed Azerbaijan's efforts to combat violence against women and children and the adoption of laws to protect detainees. It commended the implementation of international obligations in the field of economic, social and political rights.

63. Mexico praised the adoption of OP-CAT and commended the adoption of laws to punish domestic violence and protect the rights of detainees. It noted the presidential electoral process to be held this year.

64. Montenegro commended Azerbaijan's accession to international human rights instruments and encouraged it to address the findings of the Special Rapporteur on health. It noted that Azerbaijan had not replied to the letter sent by the Special Rapporteur on the rights to freedom of peaceful assembly and of association and requested information on steps taken to revise the 2009 law and ensure compliance with international human rights law.

65. Morocco saluted the adoption of the National Action Programme, which defines responsibility for achieving objectives and includes follow-up to the UPR recommendations, and identified it as a good practice. It welcomed Azerbaijan's promotion of human rights education and training.

66. Myanmar commended the measures taken to implement the accepted recommendations from the first UPR cycle. It noted with satisfaction the progress made in human rights education and poverty reduction.

67. The Netherlands expressed concern about reports of decreased respect for human rights, especially freedoms of speech and assembly. It called on the Azerbaijani authorities to observe international commitments on human rights and fundamental freedoms so as to enable a vibrant civil society and become a well-functioning democratic society.

68. Nicaragua congratulated the establishment of the National Action Programme and the fact that it would encourage human rights education. It commended the awareness of the diversity of the Azerbaijani people. It highlighted the progress made with regard to gender equality, rights of the child and combating trafficking in persons.

69. Nigeria commended the progress made in promoting and protecting human rights.

70. Norway commended the high level of ratification of human rights treaties and the establishment of the National Action Programme which foresees the implementation of provisions in conventions ratified by Azerbaijan. It expressed concern over the difficult conditions for journalists, editors and human rights defenders.

71. Oman noted the progress achieved and challenges faced by Azerbaijan and urged it to pursue persistent efforts in all spheres and to take further measures to improve reproductive health.

72. Pakistan welcomed the approval of the National Action Programme to protect and promote human rights. It noted the new law on domestic violence, the National Action Plan to combat human trafficking, the programme for justice reform and the strategy to fight corruption.

73. Paraguay hailed Azerbaijan's accession to CRPD and OP-CRPD, cooperation with the special procedures and the appointment of the Ombudsman. It noted the National Action Programme, the laws against domestic violence and on the protection of detainees, the strategy on reproductive health and the national plan to combat trafficking in persons.

74. The Philippines acknowledged the plan to enhance human rights education and training for law enforcement personnel and civil servants. It encouraged continued improvement of the protection of vulnerable members of society, especially women and children and noted some legal changes to improve migration management.

75. Poland was concerned about reports of torture and ill-treatment in prisons and deaths and suicides in custody. It was seriously concerned about media restrictions, and urged Azerbaijan to develop an environment conducive to freedom of expression.

76. The Republic of Korea welcomed the recent legal and institutional developments in human rights. Noting with satisfaction the recent decrease in poverty, it called on Azerbaijan to ensure the proper implementation of the State Programme on Poverty Reduction and Sustainable Development.

77. The Republic of Moldova noted Azerbaijan's efforts to improve women's participation in political and public life and to combat child sex tourism. It also acknowledged the efforts to combat human trafficking and address its root causes.

78. Romania welcomed the ratification of OP-CAT and CRPD. It noted the legislation enacted to combat domestic violence and ensure detainee rights and freedoms, and the National Action Plan to combat human trafficking for the period 2009-2013.

79. The Russian Federation noted the measures adopted to foster tolerance, particularly religious tolerance, enhance transparency in the activities of State bodies and improve the quality of public services. Commending the creation of the ASAN service centres, it suggested that Azerbaijan share its experiences in that domain.

80. Saudi Arabia commended the adoption of legislation to promote and protect human rights, especially on education, combating domestic violence and human trafficking, and the ratification of international human rights instruments.

81. Senegal welcomed the improvements to the human rights legal framework, including the adoption of new legislation, action plans and measures in support of judicial reform, and the steps taken to combat corruption and promote the employment of persons with disabilities.

82. Serbia welcomed the ratification of CRPD and OP-CRPD, the adoption of legislation on education and combating domestic violence, measures to enhance human rights' protection and provide training for public officials and the development of joint projects with United Nations specialized agencies and other international organizations.

83. Singapore noted the efforts to combat domestic violence and promote gender equality and the measures taken to combat human trafficking, provide accommodation for child victims of trafficking and ensure a coordinated approach to providing assistance to trafficking victims.

84. Slovakia noted the ratification of the CRPD, OP-CRPD and OP-CAT. It commended Azerbaijan on its Human Rights Commissioner's renewed accreditation with "A" status in accordance with the Paris Principles.

85. Slovenia requested information on the implementation of the right to conscientious objection. While welcoming the reduction in the infant mortality rate, it was nonetheless concerned at the continuing high rate and the limited health budget. It was also concerned about intimidation of journalists and writers and the rate of sex-selective abortions.

86. Spain welcomed the adoption of legislation on gender-based discrimination and on combating domestic violence and the ratification of CRPD. It acknowledged the legislative measures adopted and training provided on torture and ill-treatment in prisons, although the issue remained a concern.

87. Sri Lanka noted the emphasis placed on improving maternal and child health, the successful measures and policies to reduce poverty and enhance social well-being and the significant achievements in addressing the needs of IDPs.

88. The State of Palestine welcomed Azerbaijan's ratification of international human rights instruments, the adoption of legislation on education, combating domestic violence, intellectual property rights and protection of the rights of refugees and IDPs, judicial reforms and poverty reduction plans.

89. Expressing concern about the severe restrictions on the freedom of assembly, Sweden asked how Azerbaijan would reinforce respect for and application of article 58 of its Constitution and ensure implementation of the recommendation (para. 96.18) from the first UPR in 2009. It requested information about how Azerbaijan would prevent public authority agents from taking actions that were contrary to the freedom of expression.

90. While welcoming the ratification of OP-CAT, Switzerland remained concerned about persistent allegations of ill-treatment in prisons and the adoption of legislative amendments limiting constitutional freedoms, including respect for democratic principles in presidential and parliamentary elections.

91. Thailand welcomed Azerbaijan's accession to CRPD and OP-CAT, the adoption of new legislation on education, combating domestic violence and detainee rights and freedoms, and the efforts to improve prison conditions. It remained concerned about discrimination against women.

92. Turkey commended the adoption of national plans and programmes as well as institutional and legislative improvements. Turkey praised Azerbaijan's ratification of international human rights instruments, the establishment of ASAN, as well as efforts to provide support to IDPs and refugees.

93. Turkmenistan welcomed the steps taken to enhance the protection of human rights and freedoms and to accede to international human rights treaties, particularly those concerning equal rights for male and female workers and maternity protection.

94. United Arab Emirates welcomed the ratification of international human rights instruments and the provision of training to civil servants. It requested information on the implementation of the national plan to combat human trafficking and urged support for the national mechanism providing assistance to victims.

95. The United Kingdom of Great Britain and Northern Ireland encouraged Azerbaijan to strengthen efforts to guarantee the freedom of assembly and an environment that allows journalists and human rights defenders to operate freely without intimidation, harassment and threat of unjust prosecution.

96. The United States of America commended steps to discourage violence against women and early marriage and to release individuals imprisoned for publicly expressing opinions. It was concerned about the incarceration of journalists and democracy activists, undue Government restrictions on freedom of peaceful assembly, harassment of lawyers representing peaceful demonstrators and restrictions on civil society organizations.

97. Armenia stated that the Azerbaijan's report contained unfounded and baseless accusations against Armenia, and that the Nagorno-Karabakh conflict and its consequences were the result of Azerbaijani policy of aggression. Armenia expressed deep concern about the degradation and deterioration of the human rights situation in Azerbaijan since its first UPR.

98. Uzbekistan welcomed the adoption of the National Action Programme on enhancing efficiency of the protection of human rights and freedoms, the establishment of the Ombudsman's Office, reforms to the prison and social services system and measures to protect the rights of women and children.

99. Viet Nam appreciated Azerbaijan's efforts to enhance institutional and legislative frameworks and accede to other international human rights instruments. It agreed that, while much progress had been made, difficulties and challenges remained.

100. Yemen commended Azerbaijan's implementation of the recommendations from its first UPR. It noted the enactment of legislation to promote human rights, particularly in the areas of education, combating domestic violence and ensuring the rights of detainees, and on the ratification of several international human rights instruments.

101. Azerbaijan noted that many problems regarding the implementation of the laws were linked to the conflict, which resulted in many refugees and IDPs. For over ten years, all social divisions as well as all economic and social assistance for the refugees and IDPs have fallen purely on the shoulders of the Government of the Republic of Azerbaijan. Azerbaijan has tried to ensure their integration in society and social and economic assistance. Only once all the occupied territories are freed will all the refugees and IDPs be able to return safely to their homes.

102. It added that the issues raised, such as violence against women, freedom of assembly and association, international standards for the work of the mass media and freedom of association were all priorities for the Government. A great deal of effort has been made on human rights education, in particular training officials.

103. Azerbaijan recalled that it is party to practically all the international human rights instruments and that pursuant to its obligations, these instruments automatically become an integral part of domestic legislation. Many court rulings are now based directly on international conventions.

104. With regard to economic, social and cultural rights, Azerbaijan indicated that major achievements had been made, but that there were still some shortcomings, which it has attempted to address through its policies. It provided information on achievements in the fields of health and education.

105. Azerbaijan recalled that it fully cooperates with special procedures mandate holders and announced that it had issued a standing invitation to all special procedures mandate holders.

106. It noted that immigration was an issue and that efforts are being made to address it, particularly by bringing legislation in line with international standards, working with countries in Europe and cooperating with countries of origin. Azerbaijan highlighted that it was an open society and that it strives to create conducive conditions for people to visit the country.

107. In conclusion, Azerbaijan regretted that the Republic of Armenia had used this forum to tarnish the image and reputation of Azerbaijan. On the issue of self-determination of the Armenian minority, Azerbaijan expressed its view that international law does not allow for the Armenian minority to use the right to self-determination as a pretext for creating its own state. It stated that the issue of self-determination was a pretext to try to cover up aggression against Azerbaijan and the occupation of 20 per cent of Azerbaijan's territory.

108. Azerbaijan further stated that Armenia was not only laying claim to the territory of Azerbaijan, but also the territory of other neighbours, which would lead to its isolation in the region. Therefore, Armenia is leaving itself out of the development process in the region, although major projects have been implemented in the Southern caucuses. Azerbaijan reiterated that Armenia was putting itself on the sidelines.

## **II. Conclusions and/or recommendations\*\***

**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:**

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

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

**109.3. Ratify CPED (Brazil, Chile);**

**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);**

**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);**

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

**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);**

**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);**

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\*\* The conclusions and recommendations have not been edited.

- 109.9. **Ratify the Rome Statute of the ICC (Romania); accede to the Rome Statute of the ICC (Chad);**
- 109.10. **Accede to the Rome Statute of the ICC and to the Agreement on the Privileges and Immunities of the ICC (Costa Rica);**
- 109.11. **Ratify the Rome Statute of the ICC and extend an open invitation to the special procedures (Guatemala);**
- 109.12. **Ratify the Rome Statute and ensure that it is fully implemented in national legislation (Switzerland);**
- 109.13. **Take steps to fully implement the ratified international instruments (Kazakhstan);**
- 109.14. **Continue its ongoing review of national laws to ensure that they are in line with its international human rights law obligations (Turkmenistan);**
- 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);**
- 109.16. **Consider reviewing its domestic legislation on migration with the aim of aligning it with the international laws and standards (Philippines);**
- 109.17. **Continue the efforts made in the implementation of the recommendations made in the first UPR, as well as the current UPR (Libya);**
- 109.18. **Continue its valuable contributions for the strengthening of inter-civilization and inter-cultural dialogue (Pakistan);**
- 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);**
- 109.20. **Extend a standing invitation to all thematic special procedures (Montenegro); issue a standing invitation to United Nations rapporteurs (Hungary);**
- 109.21. **Invite the Special Rapporteur on the rights to freedom of peaceful assembly and of association to visit the country (Austria);**
- 109.22. **Pursue the implementation of legislative reforms (Saudi Arabia);**
- 109.23. **Adopt the relevant legal texts and set up monitoring mechanisms to ensure their implementation (Saudi Arabia);**
- 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);**
- 109.25. **Continue to improve national laws and institutions, in particular in the field of protecting the human rights of women and children (Afghanistan);**
- 109.26. **Revise the Law on non-governmental organizations to comply fully with international human rights law (Austria);**
- 109.27. **Revise the 2009 Law on non-governmental organizations so as to ensure that it complies with international human rights law (Ireland);**

- 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);**
- 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);**
- 109.30. **Continue the efforts to strengthen the national institutions for the promotion and protection of human rights and freedoms (Uzbekistan);**
- 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);**
- 109.32. **Continue to pay attention to the protection of political rights and civil freedoms (Yemen);**
- 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);**
- 109.34. **Continue the practice of implementing the National Action Programme aimed at improving the human rights situation on the ground (Turkmenistan);**
- 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)**
- 109.36. **Continue its efforts to effectively implement its existing National Action Programmes and enforce legislation recently adopted (Cambodia);**
- 109.37. **Continue its efforts to effectively implement its Development Plan on Social Protection (Djibouti);**
- 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);**
- 109.39. **Continue its efforts in the field of human rights education and training (Morocco);**
- 109.40. **Continue the awareness-raising campaign on human rights education (Myanmar);**
- 109.41. **Redouble its efforts to intensify human rights education and training of law enforcement officers, teachers and civil servants (Republic of Korea);**
- 109.42. **Continue to take sustained measures to incorporate elements of human rights education in the training of law enforcement agencies (Pakistan);**
- 109.43. **Step up its efforts to enhance human rights education and training of law enforcement personnel, teachers and other civil servants (Philippines);**
- 109.44. **Further carry out public-awareness campaigns on human rights, in particular with respect to the empowerment of women rights (Cambodia);**

- 109.45. Continue with its socio-economic actions to combat poverty (Senegal);
- 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);
- 109.47. Continue implementing and promoting the programme for special social assistance and other social poverty-reduction programmes (Cuba);
- 109.48. Pursue the implementation of effective legal and practical measures to protect the rights of children (Serbia);
- 109.49. Continue to strengthen its efforts to safeguard and advance the rights of its children (Brunei Darussalam);
- 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);
- 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);
- 109.52. Cooperate with civil society in the monitoring of the implementation of its anti-corruption legislation at all levels (Austria);
- 109.53. Continue implementing measures to combat corruption (Serbia);
- 109.54. Continue strengthening international cooperation in its fight against corruption (Angola);
- 109.55. Further enhance gender equality, including by taking appropriate administrative or legal measures, as well as allocating adequate resources to empower women (Thailand);
- 109.56. Take all possible measures to eliminate stereotypes and practices which contribute to discrimination against women (Democratic People's Republic of Korea);
- 109.57. Continue efforts to ensure gender equality and advancement of women, in line with national policies and laws (Sri Lanka);
- 109.58. Adopt temporary special measures in areas which women are underrepresented and accelerate the advancement of women (Republic of Moldova);
- 109.59. Further enhance the measures to combat discrimination against women and children in vulnerable situations (Myanmar);
- 109.60. Intensify efforts aimed at promoting and protecting the rights of women, combating domestic violence and promoting gender equality (Nigeria);
- 109.61. Further secure promotion and protection of the rights of women, combat against domestic violence and guarantee gender equality (Kazakhstan);
- 109.62. Continue its efforts to guarantee equality between women and men, and ensure the empowerment of women (Egypt);

- 109.63. **Promote gender equality and combat discrimination against women (Iraq);**
- 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);**
- 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);**
- 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);**
- 109.67. **Continue to take further measures to enhance women's access to education, health and employment opportunities (Pakistan);**
- 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);**
- 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);**
- 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);**
- 109.71. **Enact a law that incorporates the obligation to carry out independent investigations and punish those who commit acts of torture (Mexico);**
- 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);**
- 109.73. **Ensure that all allegations of torture are effectively and impartially investigated and ensure that perpetrators are punished accordingly (Costa Rica);**
- 109.74. **Guarantee and make systematic the use of independent and impartial investigations into alleged cases of torture (France);**
- 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);**
- 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);**

- 109.77. **Ensure that all allegations of ill-treatment are subject to an effective, independent and impartial investigation (Switzerland);**
- 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);**
- 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);**
- 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);**
- 109.81. **Adopt the necessary measures to ensure an adequate implementation of reforms in the area of gender violence (Spain);**
- 109.82. **Strengthen measures to combat violence against women and children (Senegal);**
- 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);**
- 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);**
- 109.85. **Enforce the legislation on trafficking; implement the action plan to combat human trafficking; investigate, prosecute and punish traffickers (Republic of Moldova);**
- 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);**
- 109.87. **Continue its efforts to combat human trafficking and provide assistance to victims, especially women and children (Singapore);**
- 109.88. **Prevent and eliminate child sex tourism and strengthen international cooperation (Republic of Moldova);**
- 109.89. **Adopt the draft Law on protection of children from corporal punishment (Brazil);**
- 109.90. **Continue with its efforts through the Justice Reform Support Programme to strengthen institutions in the field of human rights (Nigeria);**
- 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);**
- 109.92. **Ensure that due legal process, including transparency during police investigations is afforded to all, including those critical of the Government (Australia);**

- 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);
- 109.94. Continue its ongoing efforts to improve prison conditions for detainees (Burundi);
- 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);
- 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);
- 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);
- 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);
- 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);
- 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);
- 109.101. Implement measures to prevent sex-selective abortions, and conduct educational campaigns about gender roles and the value of women and girls (Slovenia);
- 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);
- 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);
- 109.104. Increase action aimed at ensuring the promotion of freedom of religion for all confessions throughout the country (Italy);
- 109.105. Ensure the full enjoyment of the right to freedom of expression in line with country’s international commitments (Slovakia);
- 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);
- 109.107. Put in place additional and fitting measures to ensure respect for freedom of expression and of the media (Cyprus);

- 109.108. Ensure that Azerbaijani media regulations uphold diversity among media outlets, as per international standards and best practices (Cyprus);
- 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);
- 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);
- 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);
- 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);
- 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);
- 109.114. Ensure that journalists and media workers are able to work freely and without governmental intimidation (Germany);
- 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);
- 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);
- 109.117. Strengthen measures to guarantee a safe and conducive environment for the free expression of civil society (Chile);
- 109.118. Remove all legislative and practical obstacles for the registration, funding and work of NGOs in Azerbaijan (Norway);
- 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);
- 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);
- 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);

- 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);
- 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);
- 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);
- 109.125. Release individuals incarcerated for publicly expressing their opinions and ensure due process for other detainees (United States of America);
- 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);
- 109.127. Abolish relevant articles of the criminal code which effectively serve as defamation provisions (Norway);
- 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);
- 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);
- 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);
- 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);
- 109.132. Review regulations, policies and practices in accordance with article 21 of the ICCPR (Uruguay);
- 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);
- 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);
- 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);

- 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);**
- 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);**
- 109.138. **That any sanctions for violations be proportionate and not create undue obstacles to freedom of assembly (Hungary);**
- 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);**
- 109.140. **Carry out free and fair elections consistent with the expectations of the international election monitoring community (Australia);**
- 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);**
- 109.142. **Take measures to further develop the health-care system, especially in rural areas (Sri Lanka);**
- 109.143. **Increase its efforts and resources towards strengthening the health-care system, especially in rural areas (Algeria);**
- 109.144. **Take more effective measures in the field of health and the right to education (Iraq);**
- 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);**
- 109.146. **Make further efforts to implement the national strategy on reproductive health and set standards for maternal health (Bahrain);**
- 109.147. **Further protect and promote the right to safe drinking water and sanitation (Egypt);**
- 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);**
- 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);**
- 109.150. **Establish a clear legal definition of disability (Spain);**
- 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);**
- 109.152. **Consider strengthening measures aimed at the protection and integration of persons with disabilities, especially children with disabilities (Argentina);**

- 109.153. Strengthen measures already adopted with regard to the rights of children with disabilities (Spain);
- 109.154. Undertake further measures to protect social rights, including the rights of children, women and persons with disabilities (Uzbekistan);
- 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);
- 109.156. Consider setting up a mechanism to protect unaccompanied minor refugees (State of Palestine);
- 109.157. Pursue its substantial efforts to alleviate the suffering and to improve the living conditions of IDPs and refugees (Turkey);
- 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:
- 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);
- 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);
- 110.3. Stop incitement of hatred towards Armenia and Armenians at political and public levels, as well as in mass media (Armenia);
- 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).
111. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

## Annex

*[English only]*

### Composition of the delegation

The delegation of Azerbaijan was headed by H.E. Mr. Khalaf Khalafov, Deputy Minister of Foreign Affairs of the Republic of Azerbaijan, and composed of the following members:

- H.E. Dr. Murad N. Najafbayli, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of the Republic of Azerbaijan to the United Nations Office and other international organizations at Geneva;
- Mr. Oruj Zalov, Deputy Minister of Internal Affairs of the Republic of Azerbaijan;
- Mr. Toghrul Musayev, Deputy Minister of Justice of the Republic of Azerbaijan;
- Mr. Natig Mammadov, Deputy Minister of Labour and Social Protection of Population of the Republic of Azerbaijan;
- Mr. Adalat Valiyev, Deputy Minister of Culture and Tourism of the Republic of Azerbaijan;
- Mr. Gulu Novruzov, Deputy Minister of Education of the Republic of Azerbaijan;
- Mr. Elsavar Aghavev, Deputy Minister of Health of the Republic of Azerbaijan;
- Ms. Aynur Sofiyeva, Deputy Chair of State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan;
- Mr. Chingiz Asgarov, Chief of Division of Human Rights Protection Affairs of Department on Work with Law-Enforcement Bodies of Administration of the President of the Republic of Azerbaijan;
- Mr. Fuad Huseynov, Deputy Chairman of State Committee of the Republic on Affairs of Refugees and Internally Displaced Persons;
- Mr. Nijat Mammadli, Head of Division of Foreign Relations, Publishing and Editing of the State Committee of the Republic of Azerbaijan for Work with Religious Organizations;
- Mr. Elchin Nasibov, Head of Department of Administrative and Military Normative Acts of the Ministry of Justice of the Republic of Azerbaijan;
- Mr. Rovzat Gasimov, Head of Secretariat of the Central Election Commission of the Republic of Azerbaijan;
- Mr. Ramin Hasanov, Acting Head of Department of International Law and Treaties of the Ministry of Foreign Affairs of the Republic of Azerbaijan;
- Mr. Ismayil Asadov, Counselor of the Permanent Mission;
- Ms. Samira Safarova, Third Secretary of the Ministry of Foreign Affairs of the Republic of Azerbaijan;
- Mr. Rashad Shirinov, Third Secretary of the Permanent Mission;
- Mr. Khalig Ilyasov, Head of Department of International Relations of the Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan;
- Mr. Fariz Rzayev, Interpreter.