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**Azerbaijan\* \*\***

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\*\* The annex to the present document may be accessed on the website of the Office of the United Nations High Commissioner for Human Rights.



## I. General information about the reporting State

Azerbaijan lies at the crossroads of Asia and Europe. Located in the south-east of the southern Caucasus, it is bordered to the north by the Russian Federation, to the south by the Islamic Republic of Iran and to the west by Turkey, Georgia and Armenia, with Kazakhstan and Turkmenistan to the east across the Caspian Sea. The Nakhichevan Autonomous Republic is part of Azerbaijan.

Official name: Republic of Azerbaijan (Azərbaycan Respublikası).

Form of government: democratic, legal, secular, unitary republic with a unicameral parliament, the Milli Mejlis, composed of 125 deputies.

Head of State: President.

Capital city: Baku.

Monetary unit: manat.

Total land area of the country: 86,600 km<sup>2</sup>.

The Republic of Azerbaijan is a multi-ethnic and multi-faith State, where members of all ethnic groups and religions have lived in peace, harmony and friendship for centuries, and this tradition is supported by State policy.

Approximately 96 per cent of the population are Muslims, and 4 per cent belong to other religions (Judaism, Christianity, Baha'i and Krishna Consciousness). As at 31 March 2021, the country had 969 religious communities registered with the State. Of these, 932 were Muslim religious communities and 37 were non-Muslim (26 Christian, 8 Jewish, 1 Krishna consciousness and 2 Baha'i). Under article 8 of the Freedom of Religion Act, religious Islamic communities are subject to the Caucasus Muslim Board in organizational matters, and non-Muslim communities have the right to be subordinate to religious centres or institutions operating in the Republic of Azerbaijan and abroad. There are currently 2,251 mosques, 16 churches and 7 synagogues in the Republic.

### A. Demographic, economic, social and cultural characteristics of the State

#### Historical background

1. Azerbaijan is one of the most ancient centres of civilization in the world. Its historical borders cover the eastern part of the southern Caucasus and the north-west of Iran. Archaeological excavations conducted in Azerbaijan show that human beings were living here more than 1.5 million years ago. A study of the Guruchai archaeological culture, the most ancient culture in the territory of the former Soviet Union, and the similar Oldowan culture in Africa confirms that the territory of Azerbaijan was part of the ancestral homeland of humankind. In 1968, a fragment of a lower mandible of an Azykhantrop, an ancient hominid who lived between 350,000 and 400,000 years ago, was discovered in the Middle Acheulian layer in a cave at Azikh, on the left bank of the Guruchai River. A series of rock carvings created 12,000 years ago by inhabitants of Gobustan (60 km from the city of Baku) is an outstanding monument of the Mesolithic and subsequent eras, an art gallery of its time. With the collapse of the Kura-Aras culture, a new phase began in the history of its people, including the ancient ancestors of today's Azerbaijanis.

2. The well-known Norwegian explorer, Thor Heyerdahl, who made special visits to the country between 1979 and 1994 to study the rock carvings considered that the shores of the Caspian Sea were the cradle of a civilization that then spread southwards and northwards across the water.

3. Indications can be found dating from the end of the fourth and beginning of the third millennium BCE of the first class-based societies, early urban civilization and early State institutions. It was at that time that the clan-based societies of the Kuti and Lullubi peoples appeared in Aratta.

4. Ancient cuneiform sources have been found showing that the first Azerbaijani State, Aratta, was created in the first half of the third millennium BCE, in the area to the south and south-east of Lake Urmia.
5. In 2300 BCE, the second ancient Azerbaijani State, Lullubi, arose to the south of Lake Urmia. The ancient State of Kuti formed to the west and south-west of Lake Urmia in the second half of the third millennium BCE.
6. The ancient States of Azerbaijan maintained political, economic and cultural links with the Sumerians and the Akkadians. The dynasties of ancient Turkic descent that ruled in Mesopotamia played an active role in its cultural formation. Since ancient times, the Turkic-speaking peoples in the territory of Azerbaijan have been fire-worshippers and followers of one of the world's oldest religions, Zoroastrianism.
7. From the mid-ninth to the seventh centuries BCE, another ancient Azerbaijani State, Manna, ruled in the area of Lake Urmia. The Cimmerian-Scythian-Saka Kingdom prospered in the south-west of Azerbaijan in the seventh and sixth centuries BCE. At the end of the seventh–beginning of the sixth centuries BCE, having defeated the Assyrians, the State of Media brought the kingdoms of Mannea and Urartu and the Scythians under its rule. However, those States retained their system of self-governance for some time, acting as “junior” allies of Media.
8. With the fall of Media in the mid-sixth century BCE (550 BCE), the historical territory of Azerbaijan was occupied by the newly formed Achaemenid Persian State. Around 430 BCE, Graeco-Macedonian troops led by Alexander the Great defeated that State. A new phase in the history of Azerbaijani statehood began. The early 420s BCE saw the appearance of a newly independent State which was at first officially called Media Atropatene and a little later Atropatene (Atrpatakan, Adurbadagan and hence Azerbaijan). Appearing on the historical stage two and a half centuries after the fall of Manna, Atropatene became the first eastern State that was politically independent from the Graeco-Macedonian conquerors.
9. At the end of the fourth–beginning of the third millennium BCE, the ancient State of Caucasian Albania was established in the north of Azerbaijan, with the Araz River forming its southern border. Coins, an important attribute of a state, were first produced in Caucasian Albania in the second half of the third century BCE, the aim being to strengthen the domestic market.
10. The people of Caucasian Albania included a number of different ethnic groups, most of whom spoke Turkic languages. Christianity was adopted in Caucasian Albania from 313.
11. Between the first and the fourth centuries, politically, Caucasian Albania remained a single independent State. Along with political independence came the flourishing of education, language and culture. The Albanian Church was independent from other Christian churches and promoted Christianity among the north Caucasian and Turkic-speaking peoples.
12. At the beginning of the first century BCE, the Arsacids, who succeeded the Atropatene ruling dynasty, also took over power in Caucasian Albania, overthrowing the local Arranshakhid dynasty. In the first centuries CE, as a result of a crisis in the slave-owning system, the beginnings of a more modern socioeconomic formation emerged throughout the Mediterranean lands and the countries of Western Asia.
13. Under Javanshir (642–681), the most outstanding representative of this dynasty, despite the Arab conquest that began in 643 and the complete annexation of southern Azerbaijan-Adurbadagan by the Arabs, Caucasian Albania was still able to maintain relative independence for some time. However, as a result of attacks from three sides (the Khazars, the Arabs and the Byzantines), all the territory of Azerbaijan was conquered and, in 705, having lost even its vassal status, Caucasian Albania joined the Arab Caliphate.
14. In the second half of the ninth century, the strengthening of local emirs and the popular liberation movement in the Arab Caliphate were decisive in the creation of new feudal States in the territory of Azerbaijan.
15. A number of new States arose on the territory of Azerbaijan in the ninth century, the most powerful of them being the State of Shirvan, with its capital in Shamakhi. The State,

which existed until the sixteenth century, played a significant role in the history of medieval Azerbaijan.

16. The population of the towns of Shirvan had a complex social structure, characteristic of a feudal society. After the earthquake in 1192, the capital was transferred temporarily to Baku. Falling at various times under the influence of other states, the Shirvanshahs included the names of other overlords on their coins.

17. In the eighth and beginning of the ninth centuries, another Azerbaijani State arose in the north-west of the territory: the dominion of Shaki.

18. From the ninth to the eleventh century, the territory of Azerbaijan saw the appearance of the independent States of the Sajids, the Sallarids, the Ravvadids (with Maraga, Ardabil and Tabriz as their capitals) and the Shaddadids (with Ganja as the capital).

19. One exceptional representative of the Sajid dynasty was Yusuf ibn Abi'l Saj, who first united all the lands of Azerbaijan into a single State.

20. Towards the end of the eleventh century, power in Azerbaijan moved to the Seljuks. Between 1136 and 1225, the Ildenizid Atabegs ruled in Azerbaijan.

21. This period is considered as a time of cultural flourishing in Azerbaijan, which gave the world many eminent philosophers, architects, poets and scientists. The work of the poet and philosopher Nizami Ganjavi is a treasure of the world's cultural heritage.

22. In the 1220s and 1230s, with the devastating campaigns of the Mongols, many local dynasties in Azerbaijan ceased to exist. Between 1239 and 1256, these areas were ruled by governors under the Mongol Empire. In 1258, Azerbaijan became part of the fifth Mongol Ulus – the Ilkhanid State, which covered territory from Egypt to the Amu Darya and from Derbent to the Strait of Hormuz. In 1359, after the fall of the Ilkhanid State in 1357, Azerbaijan joined the Jalairid sultanate. The Azerbaijani town of Tabriz became the capital of the State, which included Arabic Iraq, Persian Iraq and Georgia.

23. At the end of the fourteenth century, forces under the Central Asian Emir Timur (Tamerlane) and Tokhtamysh, Khan of the Golden Horde, attacked Azerbaijan by turns. All the attempts by the Jalairids from 1386 to 1405 (the death of Emir Timur) to win back political power in Azerbaijan failed.

24. The unifying policy of Shirvanshah Ibrahim I (1382–1417) was an important factor in the history of the statehood of Azerbaijan. But the victory of the Garagoyunlus over the Timurids and the Jalairids, as well as internal rivalries between feudal lords, hindered that policy.

25. In 1410, along with the territory of Azerbaijan south of the Kura River, the new State of Qara Qoyunlu conquered Eastern Anatolia and Arabic Iraq, including Baghdad. Qara Yusuf ruled Azerbaijan, with Tabriz as the State capital, while his sons ruled other areas. The Qara Qoyunlu State flourished under the rule of Qara Yusuf's son Jahan Shah (1435–1467). In 1441, the tolerant religious policy of Jahan Shah allowed the Armenian Gregorian Catholicosate to move to Etchmiadzin. In 1468, the Aq Qoyunlu State was formed of Azerbaijan, Eastern Anatolia, Arabic Iraq and almost all the territory of Iran. The State, which had Azerbaijan at its centre and Tabriz as its capital, was founded by the prominent statesman Uzun Hasan. Under his rule, Azerbaijan entered European and world politics for the first time.

26. In 1501, the Safavid empire was established in Azerbaijan, with its capital at Tabriz. It was named in honour of the ruling Azerbaijani dynasty which traced its origins to Sheikh Safi-ad-din (1252–1334).

27. Under this dynasty, for the first time in its history, all lands of Azerbaijan were merged into a single Azerbaijani State. The territory of the Safavid State extended from the Amu Darya River to the Euphrates and from Derbent city to the shores of the Persian Gulf. It was established and developed as an essentially Azerbaijani State and all political power remained in the hands of the Azerbaijani feudal nobility. Senior judicial officers, military generals and provincial governors were appointed from among the Azerbaijani nobility. The army was drawn from the militias of the most powerful Azerbaijani clans. Azerbaijani was the official

language of the Safavid State. At the end of the sixteenth century, the capital of the Safavid State was transferred to Isfahan, and the Shah drew support primarily from the Persian nobility. Researchers consider the Safavid period as a new phase of renaissance in Azerbaijani culture.

28. At the end of the seventeenth and beginning of the eighteenth century, a political and economic crisis in the Safavid State weakened Azerbaijan. In 1736, Nadr Qolī Beg, a talented commander in the Safavid army, declared himself Shah, bringing an end to the rule of the Safavid dynasty. By means of expansionist wars, Nadir Shah, as he became, established an empire that included Azerbaijan. Abolishing the Azerbaijani provinces (Shirvan, Karabakh, Tabriz and Chokhur-e Sa'd), Nadir Shah formed the province of Azerbaijan, which included Yerevan and Derbent.

29. After the death of Nadir in 1747, the State fell apart. A number of independent khanates grew up on the territory of Azerbaijan: Nakhichevan, Yerevan, Ganja, Karabakh, Shamakhi, Shaki, Derbent, Quba, Baku, Javad and Lankaran. In the South, the khanates of Tabriz, Urmia, Ardabil, Khoy, Karadagh, Maragheh, Maku and Sarab were formed. The sultanates of Qazakh, Borchali, Qabala, Aresh, Shamshadin and Elislu were created. The Djaro-Belokani *jamaat* (community) was to the north-east. The *melikdoms*, or principalities, of Varanda, Khachen, Gulistan, Dizak and Jraberd lay in the mountainous parts of the Karabakh khanate.

30. On 14 May 1805, the Azerbaijani khan, Ibrahim Khalil, signed the Kurekchai Treaty under which the independent Azerbaijani khanate of Karabakh came under the patronage of Russia, thereby confirming the vassal dependence of the Karabakh khanate on the Russian Empire.

31. Between 1805 and 1806, the Shaki, Shirvan, Derbent, Baku and Quba khanates also came under the control of Russia. On 13 October 1813, the Treaty of Gulistan was signed, bringing an end to the Russian-Iranian war that had begun in 1804. Under the Treaty, the territory of the Azerbaijani khanates to the north of the river Araz (except Yerevan and Nakhichevan) were incorporated into the Russian Empire. Subsequently, the khanates were abolished, becoming eponymous provinces. Under the 1828 Treaty of Turkmenchay between Russia and Qajar Iran, Russian troops left the territory they had occupied in southern Azerbaijan, transferring it to the Iranian State. The Nakhichevan and Yerevan khanates became part of Russia. With the conquest of northern Azerbaijan by Russia, the Azerbaijani khanates definitively lost their independence. A single people was pulled apart. The northern part of Azerbaijan became a colony of Russia.

32. A policy of colonization was implemented in Azerbaijan, with Germans, Armenians and Russians resettled in the area. Under tsarist rule, everything possible was done to prevent the establishment of local self-government in Azerbaijan, and supreme authority in the Caucasus was placed in the hands of the governors. The repeated administrative redrawing of the maps of the Caucasus was aimed at consolidating the region's inclusion in the empire and weakening the dominance of one part of its population over any other. Pursuant to a decree signed by Tsar Nicholas I on 21 March 1828, territory was taken from the former Nakhichevan and Yerevan khanates, with their predominantly Turkic Azerbaijani populations, to create an Armenian province and thus, by resettling Armenians from Iran and Turkey there, weaken the dominance of Azerbaijanis in that part of Azerbaijan. Armenians were encouraged to resettle not only in the towns but also in villages with predominantly Caucasian Turkic populations, thus creating an artificial strip of Armenian settlements in Nagorno-Karabakh. As a result of the tsarist administrative reforms and resettlement policy, the territorial integrity of the historic lands of Azerbaijan was violated and the foundations were laid for the Armenian-Azerbaijani inter-ethnic conflict of the twentieth century.

33. With the overthrow of tsarism and its colonial system in February 1917, the political and security situation in Azerbaijan changed. Bolshevik-Dashnak armed units under the leadership of Stepan Shaumyan, who were opposed to Azerbaijani independence, began the mass slaughter of Azerbaijanis in Baku, Shamakhi, Quba, Lankaran, Yerevan, Zangezur, Nakhichevan and other regions of Azerbaijan. More than 700,000 Azerbaijanis were victims of the genocide on the territory of Azerbaijan.

34. On 28 May 1918, at a meeting of the Azerbaijani Interim National Council, a decision was adopted on the establishment of an independent Democratic Republic of Azerbaijan.
35. On 29 May 1918, the National Council of the Democratic Republic of Azerbaijan was forced by circumstances to adopt a decision ceding to the Armenians the city of Yerevan and a total of 9 km<sup>2</sup> of the surrounding areas, on which the so-called first Armenian Republic was established.
36. In the period 1918–1920, the Azerbaijani Democratic Republic established diplomatic relations with a number of States. Agreements on the principles of relations were signed with several of them, and 16 States set up embassies in Baku.
37. On 28 December 1918, the Government of Azerbaijan sent a delegation to the Paris Peace Conference to seek admission to the League of Nations. As a result of the efforts of the Azerbaijani delegation and in the face of the growing threat of Soviet Russia occupying the Caucasus, on 12 January 1920, the Supreme Council of the Allied Powers at the Paris Peace Conference decided to recognize de facto the independence of the Democratic Republic of Azerbaijan.
38. The political decision of the Bolshevik Government of the Russian Socialist Federal Republic not to recognize the Democratic Republic of Azerbaijan, the deployment of the Eleventh Red Army on the borders of the Republic of Azerbaijan in spring 1920, aggression by the Dashnak Government of Armenia against Azerbaijan in Karabakh and Zangezur, terrorist attacks by Armenians and Bolsheviks on the peaceful Azerbaijani population within Azerbaijan and the socioeconomic crisis that hit the country were the factors that led to the weakening of the Democratic Republic of Azerbaijan and its occupation by the Soviet Army on 27 and 28 April 1920.
39. On 28 April 1920, it was announced that the Soviet Socialist Republic of Azerbaijan (Azerbaijan SSR) had been created on the territory of the Democratic Republic of Azerbaijan. The convening of the First Congress of Soviets of the Azerbaijan SSR on 6 March 1921 completed the sovietization of Northern Azerbaijan. The first Constitution of the Azerbaijan SSR was adopted on 19 May that year.
40. The Azerbaijani people played an active part in the Second World War. Between 1941 and 1945, more than 600,000 young men and women left for the battle front. Azerbaijani military divisions fought all the way from the Caucasus to Berlin. Around 130 of our compatriots were awarded the title of Hero of the Soviet Union and a further 30 were awarded the Order of Glory, third class. More than 170,000 Azerbaijani soldiers and officers were awarded medals and decorations of the Union of Soviet Socialist Republics (USSR). During the war years, Azerbaijani oil workers supplied the front with about 80 per cent of the petroleum and petroleum products produced at that time in the USSR.
41. Between 1970 and 1985, Azerbaijan established its State sovereignty and economic independence, systematically expanding its foreign economic ties and gradually becoming integrated into the global economy on the basis of its domestic economic capacity. It was at that time that new progressive industries such as electronic engineering, radio manufacturing and the production of machinery and equipment for light industry and food processing developed in Azerbaijan. In total, 213 major industrial enterprises came into operation. In many industries, Azerbaijan held the leading position in the USSR.
42. Compulsory secondary education was introduced in the Azerbaijan SSR, and a network of educational institutions, including universities, was developed, together with the Academy of Sciences; women's rights were protected and their active participation in social and economic life was encouraged; dozens of theatres opened, film production developed, and thousands of newspapers and magazines began to be published.
43. On 18 October 1991, Azerbaijan declared its independence with the Constitutional Act on the State Independence of the Republic of Azerbaijan.
44. In May 1992, the Milli Mejlis adopted the national anthem of the Republic of Azerbaijan and, sometime later, the national flag and the State emblem of an eight-pointed star with a tongue of flame in the centre.

45. In June 1993, at the insistence of the people, a change of power took place and the second historical period in the country's independent statehood began. The country needed to be saved from the disasters awaiting it, from interference by anti-Azerbaijani forces, both internal and external, from civil war, the continued occupation of our lands and, finally, from the destruction of government independence and the dismemberment of Azerbaijan.

46. The return of Heydar Aliyev to power in Azerbaijan in 1993 was the point at which the revival of Azerbaijani statehood and the Azerbaijani people truly began. Standing at the helm of the young State, he strengthened its independence, making it irreversible, launched a comprehensive reform and brought Azerbaijan to an advanced position in the global arena.

47. Beginning in November 1993, firstly, emergency measures were implemented in respect of the formation of the national army, the establishment of regular armed forces and the defence of our lands and, secondly, all political and diplomatic means were brought into play to achieve a ceasefire. As a result, in May 1994, a ceasefire was agreed in the Armenian-Azerbaijani war.

48. The ceasefire, the normalization of the internal situation, the strengthening of social and political stability and the elimination of tension in the region between Azerbaijan and its neighbouring States were all conditional on the existence of Azerbaijan as an independent State and its further development.

49. As a result of intense and exhaustive work at the Budapest Summit in 1994, the Organization for Security and Cooperation in Europe (OSCE) adopted a decision on the settlement of the Nagorno-Karabakh conflict in accordance with international law.

50. In September 1994, taking advantage of the relative peace in Azerbaijan and increased confidence and interest in our country from the international community, the first oil contract, the "contract of the century", was signed.

51. In proclaiming its national independence, Azerbaijan made a statement that it would work to build a democratic, secular State governed by the rule of law. In 1995, the process of establishing the necessary independent State institutions in Azerbaijan and the construction of the State came to fruition. The legal framework for this, adopted by nationwide referendum on 12 November 1995, is the Constitution of Azerbaijan.

52. Over the subsequent period, the country's statehood became stronger and democratic principles became firmly established. The process of building a democratic, secular State based on the rule of law was conducted successfully and rapidly.

53. The country's wealth of expertise, its precious natural resources and its unique geographical position on the path from Europe to Asia allow it to take its rightful place in the international community.

#### **Armed aggression by the Republic of Armenia against the Republic of Azerbaijan**

54. The conflict between Armenia and Azerbaijan began in late 1987, in the period of the Union of Soviet Socialist Republics (USSR), with illegitimate and baseless claims of Armenia to the Karabakh region of Azerbaijan, which were in fact part of a long-standing plan to annex Azerbaijani ancestral lands. The assertion of territorial claims was accompanied by the systematic use of violence against Azerbaijanis and their expulsion both from the Karabakh region of Azerbaijan and from Armenia itself.

55. Already in November 1987, carefully planned attacks on the peaceful Azerbaijani population began in the Gafan and Meghri districts of Armenia. As a result of the policy of ethnic cleansing carried out by Armenia between 1988 and 1992, more than 250,000 Azerbaijanis living in Armenia were forcibly expelled from their historical lands, 216 of whom were brutally killed and 1,154 injured.

56. Late 1987–early 1988 were also marked by attacks on Azerbaijanis in Azerbaijani territory, particularly in the town of Khankendi. On 22 February 1988, in Azerbaijan, two young Azerbaijanis were killed by Armenian extremists on the Khankendi-Aghdam highway.

57. In late 1991–early 1992, Armenia unleashed a full-scale war against Azerbaijan. The active military phase of the conflict had continued until the establishment of the ceasefire in

May 1994. By that time, Armenia had occupied about 20 per cent of the territory of Azerbaijan.

58. Serious violations of international humanitarian law, including war crimes, crimes against humanity and acts of genocide, were committed by armed forces of Armenia in the course of the aggression, resulting in the killing of tens of thousands of people, ethnic cleansing of all captured areas of more than 700,000 Azerbaijanis and the destruction and plunder of hundreds of cities, towns and villages in Azerbaijan.

59. The genocide against Azerbaijanis in the town of Khojaly in February 1992, where 613 civilians, including 106 women, 63 children and 70 older persons, were killed with particular brutality, was the most tragic episode of the war unleashed by Armenia against Azerbaijan. The crimes committed in Khojaly were not isolated or random acts. They were part of large-scale, systematic and carefully planned policies and practices of Armenia towards Azerbaijani civilians both before and after the tragedy in Khojaly. In this context, mention should also be made of the massacres of Azerbaijani civilians in the settlement of K rkicahan, the villages of Gushchular, Malybeyli, Garadagli, Balligaya, Aghdaban, Bashlibel and other communities in Azerbaijan.

60. During its aggression against Azerbaijan, the Armenian side widely used extrajudicial executions and mass shootings, punishment, torture and other forms of cruel and inhuman treatment against Azerbaijani civilians, hostages and prisoners of war.

61. As a result of the armed aggression of Armenia against Azerbaijan in the early 1990s, 3,890 persons are still missing (information as of early 2021).

62. Between 1992 and 1995, the Security Council of the United Nations was actively addressing the armed conflict between Armenia and Azerbaijan.

63. In 1993, in response to the continued acts of aggression, the Security Council adopted four resolutions – 822 (1993), 853 (1993), 874 (1993) and 884 (1993) – condemning the use of force against Azerbaijan, the occupation of its territories and attacks on civilians and bombardment of inhabited areas, reaffirming respect for the sovereignty and territorial integrity of Azerbaijan, the inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory. In response to territorial claims and forcible actions, the Security Council confirmed that the Nagorno-Karabakh region is an integral part of Azerbaijan and demanded the immediate, complete and unconditional withdrawal of Armenian occupying forces from all the occupied territories of Azerbaijan. Numerous decisions and documents adopted by other international organizations were framed along the same lines.

64. However, the main demands of the Security Council were not met by Armenia, while the mediation efforts conducted within the framework of OSCE did not yield any results because of the hostile position taken by Armenia.

65. Having used military force to occupy the territories of Azerbaijan, Armenia never negotiated in good faith and focused all its efforts on consolidating the results of the occupation with a view to annexing the seized territories. As a means of implementing its annexation policy, Armenia has relocated thousands of settlers from Armenia and abroad to the occupied territories and extensively exploited the natural resources and other wealth in those territories. Armenia has also systematically destroyed or appropriated the cultural heritage of the Azerbaijani people in those territories, organized or carried out illegal archaeological excavations and changed geographical names and toponyms. The main purpose of the actions of Armenia was to erase everything that would attest to the cultural and historical attachment of these territories to the Azerbaijani people. All of this constituted a clear and blatant violation of international law, including international humanitarian law, and fundamentally ran counter to the objectives of a political settlement of the conflict.

66. In an attempt to disguise its role and circumvent its responsibility as the aggressor, Armenia has installed and sustained the existence of the ethnically constructed puppet regime in the seized territories of Azerbaijan, in blatant and gross violation of international law and Security Council resolutions. Moreover, the leadership of Armenia has regarded and publicized the armed aggression against Azerbaijan as a “glorious victory”, “celebrated” the seizure of the city of Shusha in a provocative manner, venerated war criminals and convicted

terrorists as “national heroes” and overtly promoted the Nazi ideas of so-called ethnic incompatibility.

67. On 16 June 2015, the Grand Chamber of the European Court of Human Rights adopted a decision in the case of *Elkhan Chiragov and others v. Armenia*. The case, dating from 6 April 2005, was based on a claim by six citizens of Azerbaijan against Armenia; they were unable to return to their homes and had been deprived of their property in the Lachin district of Azerbaijan, having been expelled in 1992 as a result of the aggression of Armenia against Azerbaijan. In its judgment, the Court found continuing violations of the right to property, the right to respect for private and family life and the right to an effective remedy. The Court affirmed the right of internally displaced persons to property and to return to their homes. The Court concluded that Armenia, through its military presence and the provision of military equipment and expertise, had been significantly involved in the conflict from an early date and was responsible for violations of the rights of Azerbaijani displaced persons.

68. Illegal activities in the occupied territories have been accompanied by political and military provocations, which have become particularly frequent in recent years.

69. Armed provocations have resulted in casualties not only among military personnel but also civilians. For example, in April 2016, Armenia provoked large-scale hostilities along the front line in the territory of Azerbaijan, killing six Azerbaijani civilians and causing serious damage to civilian infrastructure and private and public property, including residential buildings, schools and kindergartens. On 4 July 2017, a targeted and deliberate attack by the Armenian armed forces on the village of Alkhanly in the Fizuli district of Azerbaijan killed a 2-year-old girl and her grandmother and injured another woman.

70. The Armenian leadership has systematically undermined the peace process by claiming that “Karabakh is Armenia, full stop”, demanding changes in the format of the talks and attaching other absurd conditions. It carried out massive purchases of weapons, conducted illegal military exercises in the occupied territories of Azerbaijan and called for “a new war for new territories”. In addition, in July 2020, there was an attack on Azerbaijani army positions on the State border between Armenia and Azerbaijan, killing and wounding dozens of soldiers, as well as killing one Azerbaijani civilian. In August 2020 Armenia sent a sabotage and reconnaissance force to the Goranboy district of Azerbaijan, which was neutralized. All this points to the preparation of a new phase of military aggression by Armenia against Azerbaijan.

71. On 27 September 2020, Armenia perpetrated yet another act of aggression, subjecting the positions of the armed forces of Azerbaijan along the front line and the adjacent populated areas of Azerbaijan to intensive fire with the use of artillery, mortars and other large-calibre weapons. The combat actions that followed lasted 44 days.

72. Following the barbaric methods of warfare it employed in early 1990s, Armenia, with the direct participation of mercenaries and foreign terrorist fighters, again mobilized its forces to attack civilians and cause deliberate maximum harm to cities, towns and villages in Azerbaijan. The armed forces of Armenia have repeatedly used cluster munitions in their attacks on densely populated areas, involved child soldiers in combat operations, deliberately targeted medical facilities and ambulances and used kindergartens and schools for military purposes. There have also been multiple instances of extrajudicial executions and mistreatment of Azerbaijani prisoners of war, as well as the mutilation of dead bodies by Armenian military personnel.

73. Ganja, the second largest city in Azerbaijan located outside the conflict zone, has been hit by missile strikes by the armed forces of Armenia three times. Two strikes, on 11 and 17 October, with the use of Scud ballistic missiles were launched from the territory of Armenia, claiming the lives of 25 civilians and injuring more than 84 others.

74. On 28 October, the city centre of Barda, which also lies outside the conflict zone, came under the massive fire with Smerch multiple-launch rocket systems, causing the death of 21 civilians and injuring more than 70 civilians.

75. A total of 101 Azerbaijani civilians, including 12 children, were killed as a result of direct and indiscriminate attacks by the armed forces of Armenia between 27 September and 9 November 2020. Some 423 civilians were injured. Almost 84,000 people were forced to

leave their homes and over 4,300 private houses and apartment buildings and 548 other civilian objects were either destroyed or severely damaged. Hospitals, other medical facilities, schools, kindergartens, places of religious worship and cemeteries were also affected.

76. In order to deter the armed aggression of Armenia and ensure the safety of its civilian population, Azerbaijan carried out a counter-offensive operation in exercise of its inherent right to self-defence in accordance with the Charter of the United Nations. The Azerbaijani side acted solely on its sovereign land within internationally recognized borders. As a result of a counteroffensive operation of the armed forces of Azerbaijan, more than 300 cities, towns and villages of Azerbaijan that for years had been under occupation of the armed forces of Armenia were liberated, and Armenia was compelled to make peace.

77. The statement of the President of the Republic of Azerbaijan, the Prime Minister of the Republic of Armenia and the President of the Russian Federation, signed on 10 November 2020, has put an end to the almost three-decades-old conflict between Armenia and Azerbaijan. The fulfilment of this statement also ensured, on the part of Armenia, the de-occupation of the Aghdam, Kalbajar and Lachyn districts of Azerbaijan.

78. The end of the occupation has become a triumph of justice and international law, including the Charter of the United Nations, and underlined again the necessity of strict compliance by States with their international obligations.

79. On visiting the liberated territories, it was once again recorded that, during the many years of occupation, Armenia systematically and methodically pursued a “scorched earth” policy there. The scale of destruction, vandalism, plunder and looting evidenced after their liberation is unprecedented. Virtually all civilian infrastructure, private homes, cultural and religious sites that existed there prior to occupation have been looted and razed to the ground in all the territories of Azerbaijan under occupation (except those inhabited by illegal settlers from Armenia). Almost all mosques and Islamic religious shrines in these territories have been destroyed, severely damaged and desecrated. Azerbaijani cemeteries have also been destroyed and vandalized.

80. Moreover, most of the liberated territories, including even cemeteries and historical sites, had previously been subjected to massive minelaying by the armed forces of Armenia. Particularly noteworthy is the fact that the armed forces of Armenia continued the intensive laying of mines in the districts of Aghdam, Kalbajar and Lachyn even after the signing of the trilateral statement, in gross violation of that document, which provides, inter alia, for the cessation of all hostilities. To date, the Armenian side has refused to hand over all maps of minefields to Azerbaijan, in violation of international humanitarian law, with the result that soldiers and civilians continue to be killed by mines in the liberated territories. This has created serious obstacles for the rehabilitation and reconstruction of these territories and for the return of hundreds of thousands of Azerbaijani internally displaced persons to their places of residence.

81. As a result of consistent efforts by the Azerbaijani side, in accordance with the agreements reached, on 12 June 2021 Armenia presented to the Azerbaijani side maps of anti-personnel and anti-tank mines laid in the Aghdam district. It should be noted that the map of mines laid in this district alone represents 97,000 mines, which reveals the essence of the aggressive and unconstructive policy of Armenia towards Azerbaijan.

82. In addition, on 3 July 2021, Armenia submitted to the Azerbaijani side maps of approximately 92,000 anti-tank and anti-personnel mines laid in the districts of Fuzuli and Zangilan during the occupation.

83. The Armenian side, leaving the territories of Azerbaijan that were being returned to its control under the terms of the statement of 10 November 2020, burned houses, schools and other civilian infrastructure, removed cultural property, including archaeological artefacts, severed electric cables and poles, destroyed hydraulic power stations and cut down trees and set forests on fire, thereby causing serious environmental damage.

84. Armenia is responsible for numerous war crimes committed by its armed forces, agents and officials and by mercenaries and terrorists under its control in the territories of Azerbaijan since the beginning of the conflict.

85. After the end of the 44-day Patriotic War, Azerbaijan announced its plans for the rehabilitation, reconstruction and reintegration of the conflict-affected territories. Reconstruction work has already begun in the territories liberated from occupation. Given the scale of devastation caused by decades-long occupation, international assistance to Azerbaijan in this regard would help ensure the inalienable right of Azerbaijani internally displaced persons to return to their lands in conditions of safety and dignity as soon as possible.

86. The Republic of Azerbaijan is a multi-ethnic and multi-faith State, where representatives of all ethnic groups and religions live together as one family. The Azerbaijani side will take all necessary measures to ensure that its citizens of Armenian origin are integrated into its political, social and economic framework, guaranteeing them the same rights and freedoms as other citizens of Azerbaijan, in accordance with the Constitution of the Republic of Azerbaijan.

## **B. Constitutional, political and legal structure of the State**

87. The constitutional, political and legal structure of the State is described in the Constitution of 12 November 1995. State power in the Republic of Azerbaijan is based on the principle of the separation of powers: legislative power is exercised by the Milli Mejlis, executive power by the President of the Republic and judicial power by the courts.

88. The Constitution provides that no one but the elected representatives of the people may represent the people, speak on behalf of the people or make appeals on behalf of the people.

89. The people of Azerbaijan exercise their sovereign right directly by means of nationwide referendums and through representatives elected by free, secret and personal ballot on the basis of universal, equal and direct suffrage.

90. The rules for the organization and conduct of elections of deputies of the Milli Mejlis, the President and the municipalities, and also of general referendums, are laid out in the Electoral Code of the Republic of Azerbaijan.

91. Deputies are elected to the Milli Mejlis on the basis of the “first past the post” electoral system and universal, equal and direct suffrage by free, secret and personal ballot. They serve five-year terms of office. The Milli Mejlis meets for two regular sessions each year, in spring and autumn. Extraordinary sessions are convened by the Chair of the Milli Mejlis at the request of the President or of 42 deputies.

92. The country’s legislative body establishes its own procedures and forms any relevant bodies, selecting its chair and vice-chairs, organizing committees and commissions and setting up the Court of Audit. The Milli Mejlis adopts constitutional laws, ordinary laws and regulations related to matters within its competence.

93. The President is elected for a period of seven years on the basis of universal, equal and direct suffrage by free, secret and personal ballot, by a majority of more than half of the votes of those participating.

94. Any citizen who has been permanently resident in the country for more than 10 years, who has the right to vote and stand for election, including having no previous convictions for a serious offence, and who has no obligations towards other States, has higher education and does not hold dual citizenship may be elected President of the Republic of Azerbaijan. The President has the right to immunity and his honour and dignity are protected by law.

95. In accordance with the changes made to the Constitution on the basis of the referendum held on 26 September 2016, the President may delegate the right to conclude inter-State and intergovernmental international treaties to the Vice-President, members of the Cabinet of Ministers or other persons appointed by the President.

96. Pursuant to the recent changes to the Constitution, the President appoints and dismisses the first vice-president and the vice-presidents. A vice-president must be a citizen

of Azerbaijan who has the right to vote, has higher education and has no obligations towards other States. A vice-president has the right to immunity during his or her term of office.

97. To organize the implementation of executive power, the President establishes a Cabinet of Ministers, which is the highest executive body in the country and is accountable to the President. The Cabinet consists of the Prime Minister, deputy prime ministers, ministers and other heads of central executive bodies. The Prime Minister is appointed by the President with the approval of the Milli Mejlis; he or she enjoys personal immunity while in office.

98. In the municipalities, executive power is held by the heads of local authorities, who are appointed and dismissed by the President.

99. In accordance with article 125 of the Constitution, judicial power in Azerbaijan is exercised only through the courts. Judicial power is exercised by the Constitutional Court, the Supreme Court, the courts of appeal, and the general and specialized courts. The judicial system and procedures thereof are laid down in the Courts and Judges Act of 10 June 1997.

100. Judicial power is exercised through constitutional, civil and criminal legal proceedings and other forms provided for by the law. The Procurator's Office and defence counsel take part in criminal proceedings. The organization of the courts and their rules of procedure are established by law.

101. Judges must be citizens of the Republic of Azerbaijan who have the right to vote, higher legal education and at least five years' experience in the legal profession; they are independent and inviolable. The courts render judgments in the name of the State and execution of such judgments is mandatory.

102. Citizens of Azerbaijan have the right to vote and be elected to State bodies, and to participate in referendums. The Constitution places restrictions on the right to participate in elections and referendums for persons recognized by a court decision as lacking legal capacity. In addition, the right to be elected may, by law, be restricted in respect of members of the military, judges, civil servants, religious leaders, persons deprived of their liberty in accordance with a court sentence that has come into force and other persons as specified in the Constitution and the law.

103. Citizens may participate in elections and referendums on a free and voluntary basis. No one may put pressure on citizens for the purpose of compelling them to participate or not to participate in elections or referendums, and no one may obstruct the free expression of their will. Citizens participate in elections and referendums on an equal footing.

104. Electoral legislation guarantees the electoral rights of representatives of all peoples and ethnic groups who are citizens of the Republic of Azerbaijan.

105. Under the Electoral Code, elections and referendums are organized and conducted by electoral commissions. The electoral commissions are responsible for the preparation and holding of elections, for determining and confirming the results of the voting and the outcome of elections, and for upholding and protecting the electoral rights of citizens; they also monitor compliance with those rights.

106. The parties represented in the Milli Mejlis as a result of the elections held in 2020 are:

<i>Party</i>	<i>Number of deputies</i>
New Azerbaijan Party (Yeni Azərbaycan Partiyası)	70
Independents (Bitərəflər)	38
Civic Solidarity Party (Vətəndaş Həmrəyliyi Partiyası)	3
The Motherland Party ("Ana Vətən" Partiyası)	1
Democratic Enlightenment of Azerbaijan Party (Azərbaycan Demokratik Maarifçilik Partiyası)	1
Unity Party (Vəhdət Partiyası)	1
Democratic Reforms Party of Azerbaijan (Azərbaycan Demokratik İslahatlar Partiyası)	1

<i>Party</i>	<i>Number of deputies</i>
Great Creation Party (Böyük Quruluş Partiyası)	1
Civic Unity Party (Vətəndaş Həmrəyliyi Partiyası)	1
Popular Front of United Azerbaijan Party (Bütov Azərbaycan Xalq Cəbhəsi Partiyası)	1
National Front Party (Milli Cəbhə Partiyası)	1
Republican Alternative Party (REAL Partiyası)	1

107. Azerbaijan has a single electoral system. All elections and referendums held in Azerbaijan are organized in accordance with electoral legislation by local and district electoral commissions that form part of the system and whose activities are managed by the Central Electoral Commission.

108. The electoral commissions operate for a period of five years, in line with the Electoral Code. There are currently 125 district electoral commissions and more than 5,400 local commissions operating in the country. In line with electoral legislation, the Central Electoral Commission has 18 members, the district commissions have 9 members and the local commissions have 6 members each.

109. The establishment, operation, rules for reorganization and closure of non-governmental organizations (NGOs) as legal entities and their activities, management and relations with the authorities are governed by the Non-Governmental Organizations (Voluntary Associations and Foundations) Act of 13 June 2000.

110. NGOs are registered with the relevant executive authority (the Ministry of Justice) in accordance with the State Registration and State Register of Legal Entities Act. They receive legal status only after they are officially registered.

111. As at 1 January 2021, the following organizations were registered in Azerbaijan:

<i>Legal structure</i>	<i>Number of organizations</i>
Non-profit organizations	4 765
Voluntary organizations	7 026
Foundations	155

112. On the basis of a presidential decree of 20 November 2013 on improving the provision of e-services for NGOs, the Ministry of Justice established the “personal electronic window” information system. The system is a base for information exchange among NGOs, and between NGOs and government bodies, as well as for the provision of e-services.

113. The Framework for State Support for NGOs in Azerbaijan was approved by presidential decree on 27 July 2007. The Framework outlines the main principles and forms of State support for NGOs, the main means of providing that support and the conditions for the allocation of State funding for programmes, projects and activities that address the substantive issues of importance to the State and society.

114. In accordance with a presidential decree of 19 April 2021 on improving the administration of State support for NGOs and the repeal of the decree of 13 December 2007 on the establishment of the Presidential Council for State Support of Non-Governmental Organizations, the Agency for State Support of Non-Governmental Organizations, a public legal entity, was established to succeed the Council, and its statute was approved.

115. In accordance with its statute, the Agency works to develop NGOs, improve and promote mechanisms for the involvement of NGOs in public-private partnerships as well as NGO initiatives on issues of importance to the State and society, evaluate the topics of programmes and projects and give opinions on them, and foster international cooperation among NGOs.

116. Funds such as the Science Fund and the Youth Fund operate successfully in Azerbaijan and provide financial support to civil society institutions and NGOs.

117. According to the Courts and Judges Act of 10 June 1997, the following courts in the judicial system are responsible for the administration of justice in Azerbaijan:

- District (municipal) courts
- Serious crimes courts
- Military courts
- Administrative courts
- Commercial courts
- The Supreme Court of the Nakhichevan Autonomous Republic
- Courts of appeal
- The Supreme Court of Azerbaijan

118. The presidential decree of 3 April 2019 on deepening reforms in the legal system laid the groundwork for comprehensive reforms of the judiciary and serves as a strategic road map. The decree includes provisions on increasing the number of court judges, strengthening the social protection of judges, expanding the use of information technology to improve the work of the courts, the electronic enforcement of judicial decisions, establishing new specialized courts (for the adequate protection of the rights of entrepreneurs) and other fundamental issues.

119. As a result of this decree, up to 400 amendments were introduced to the Criminal Code, the Code of Criminal Procedure, the Administrative Code and the Penalties Enforcement Code with a view to continuing measures to make legislation more humane, abolish offences and further improve the accessibility and transparency of justice.

120. The State Programme for the Development of the Judicial System 2019–2023 was approved by an order of the Head of State on 18 December 2018 in order to ensure the sustainability of reforms in the administration of justice and to improve the activity of judicial bodies and the courts. The Programme identifies transparency, upholding human rights and freedoms in the activities of judicial bodies and strengthening cooperation with civil society institutions as core issues for the development of justice.

121. Other courts may also be established in the legal system in accordance with the law. The number of judges in the country’s judicial system is determined in accordance with article 109 (32) of the Constitution.

122. The Supreme Court is the highest judicial authority for civil, criminal and other cases heard in the general and specialized courts; it administers justice in cassation and provides clarifications on judicial practice. The courts of appeal are courts of second instance for cases within their competence.

## **II. General framework for the protection and promotion of human rights**

### **A. Acceptance of international human rights norms**

123. The Republic of Azerbaijan has acceded to all the major multilateral human rights treaties and regularly submits reports on their implementation to the relevant committees.

124. The provisions of international treaties may be cited in the courts and other administrative bodies within the framework of the national legal system. Under article 12 (II) of the Constitution, “the human and civil rights and freedoms enumerated in the Constitution shall be exercised in conformity with the international treaties to which Azerbaijan is a party”.

125. Article 148 (II) of the Constitution provides that “the international treaties to which the Republic of Azerbaijan is a party form an integral part of the legislative system of the Republic of Azerbaijan”.

126. Article 151 of the Constitution contains the provision that, “in the event of a conflict between laws and regulations forming part of the country’s legislative system (except for the Constitution and legislation adopted by referendum) and inter-State treaties to which Azerbaijan is a party, the international treaties shall apply”.

## **B. Legal framework for the protection of human rights at the national level**

127. Chapter III of the Constitution concerns fundamental human and civil rights and freedoms.

128. The Constitution lays out the rights and freedom of each person, from birth, and guarantees: the right to equality; the right to protection of human and civil rights and freedoms (everyone has the right to protect his or her rights and freedoms by any method or means not prohibited by law); the right to life and liberty; the right to property; the right to intellectual property; the right to live in safety; the right to personal inviolability; the right to inviolability of the home; the right to marry; the right to work, to strike and to enjoy leisure; the right to social security; the right to live in a healthy environment; the right to culture; the right to health protection; the right to education; the right to a home; the right to ethnic identity; the right to use one’s native language; the right to protection of honour and dignity; freedom of thought and speech; freedom of conscience; freedom of assembly; freedom of information; freedom of creativity; the right to citizenship and the guarantee of the right to citizenship; the right to participate in the political life of society and the State; the right to participate in government; the right of suffrage; the right of appeal; the right of association; the right to free enterprise; the right to legal assistance; the presumption of innocence; and many other rights and freedoms.

129. In accordance with article 60 of the Constitution, everyone is guaranteed the protection of his or her rights and freedoms, both through administrative channels and in court. All persons have the right to fair treatment in cases involving them and to consideration of their case within a reasonable time in administrative or judicial proceedings. Everyone has the right to be heard in administrative and judicial proceedings. Anyone may appeal through administrative channels and in court against actions or omissions of the public authorities, political parties, legal entities, municipal authorities or officials.

130. Under article 26 of the Constitution, everyone has the right to protect his or her rights and freedoms by any method or means not prohibited by law. In accordance with article 68 of the Constitution, everyone has the right to be treated with respect and without arbitrariness by the public authorities. The rights of victims of a crime or an abuse of power are protected by law. Victims have the right to participate in the administration of justice and to claim redress for harm suffered. Everyone has the right to compensation from the State for harm caused by the unlawful acts or omissions of public authorities or their officials. The State, together with public officials, bears civil liability for harm caused to human rights and freedoms as a result of unlawful acts or omissions, or violation of the guarantees of the rights and freedoms, by public officials.

131. The position of Commissioner for Human Rights (Ombudsman) is enshrined in the Constitution and international instruments supported by Azerbaijan; it was established to ensure the restoration of human rights and freedoms violated by State bodies, local government bodies or public officials, and the prevention of human rights violations. The status and activities of the Ombudsman are governed by the Constitutional Act on the Commissioner for Human Rights (Ombudsman).

132. The Ombudsman draws up an annual report on the situation of human rights and freedoms in the country and submits it to the President. The Ombudsman also makes annual reports to the Milli Mejlis.

133. To coordinate the protection of the rights and freedoms of various categories of the population, the Office of the Ombudsman has a number of specialized advisers working on the rights of military personnel, prisoners, refugees and internally displaced persons, older persons, persons with disabilities, children and women, as well as on combating torture and

corruption. The specialized advisers regularly examine national legislation and international legal instruments pertaining to their areas of activities and the situation in the country with regard to those areas and prepare relevant proposals and plans of action.

134. The Office of the Ombudsman collaborates actively with ethnic minority communities in the country, conducting monitoring in the places where they are concentrated. The Ombudsman holds regular meetings in regions that have high proportions of specific ethnic minorities, to find out about and resolve their problems.

135. Education in the Republic of Azerbaijan is secular and continuous and is a priority area of strategic importance that reflects the interests of citizens, society and the State. Education in the Republic of Azerbaijan is based on international human rights conventions and other international treaties to which the Republic of Azerbaijan is a party, with national, spiritual and universal human values as its foundation, through its integration into the global education system.

136. State education policy ensures a high level of literacy in the country. All citizens of the country receive free primary and secondary education. The General Education Act adopted on 29 March 2019 sets out the basic principles of public policy and the organizational, legal and economic basis for general education in Azerbaijan. The Act also regulates the State's responsibilities in the area of general education, the organization of general education, governance of the general education system, the rights, duties and social protection of education actors, the economics of general education and other matters.

137. On 24 April 2018, the Vocational Education Act was adopted. The Act reflects the relevant public policy, which provides for respect for the fundamental rights of citizens to allow all sectors of the population to receive vocational education, regardless of race, ethnicity, religion, language, sex, origin, property or official status, beliefs or membership of political parties, trade unions or other voluntary associations.

138. Article 45 of the Constitution provides for the right to use one's mother tongue and also to receive an education and engage in creative activity in that language. No one may be deprived of the right to use his or her mother tongue.

139. To ensure the effective organization of the teaching of ethnic minority languages, considerable attention is paid to the preparation and publication of curricula, textbooks and teaching aids, teaching materials, guidelines, recommendations, etc. In Azerbaijan, complete general education is provided in six languages – Azerbaijani, Russian, Georgian, Turkish, English and French. Higher education is provided in four languages – Azerbaijani and Russian and also English and Turkish for certain subjects.

140. The main objective of the country's youth policy is to create the conditions for the physical, intellectual and spiritual development of young people, and to realize their capacities and skills.

141. In accordance with the Youth Policy Act of 9 April 2002, the policy is a system of measures by which the State creates the sociopolitical, socioeconomic, organizational and legal conditions and guarantees to ensure the comprehensive development of the young people of the country and their active participation in society.

142. The Strategy for the Development of Azerbaijani Youth, 2015–2025, which identified goals, objectives, modalities and expected outcomes for the development of the country's youth until 2025, was approved by a presidential order of 26 January 2015.

143. The Presidential Youth Fund was set up pursuant to a presidential decree of 19 December 2011. The Fund provides grants for public and socially important programmes for the development of science, culture and other areas relating to the youth policy, and supports projects at the international level.

144. On 7 March 2018, the legal status of the Fund was changed, and a new charter was approved, providing that, in addition to funding the individual projects of young persons and youth organizations, the Fund is also to cover the costs of education for young persons in need of social protection and fund the participation of young people in international events, carry out youth employment promotion programmes and fund innovative projects and start-ups in the form of subsidized loans.

145. Under a presidential order of 1 June 2017, a Division on Youth and Sports was established within the Presidential Administration.

146. The State Youth Programme for 2017–2021 was approved by a presidential order of 15 September 2017. The Programme is the main operational document in State youth policy and sets forth its main areas of focus.

147. Currently, there are over 300 registered voluntary youth organizations in the country.

148. The country's successful socially oriented policy has made it possible to resolve problems related to health-care development and public health protection.

149. Significant work has been carried out in recent years to strengthen the financial and technical base of health provision, construct, renovate and reconstruct new health facilities and provide them with modern equipment; the amount of the State budget allocated to health increases every year.

150. Since 2020, the country has had a system of compulsory health insurance, which has established a new source of funding for health care and is mobilizing new resources for the health-care system.

151. As a result of the achievement of State programmes in priority areas of health care, such as diabetes, hereditary blood disorders, chronic renal insufficiency, tuberculosis and immunization against infectious diseases, the quality of public health care and the level of services has increased, and the prevention and early identification of disease has improved. The State Programme on the Protection of Maternal and Child Health is intended to improve women's reproductive health and family planning, fulfil safe maternity objectives, reduce disease, disability and mortality among children, improve the quality of perinatal services and ensure timely genetic diagnosis of congenital conditions during pregnancy. The measures taken have resulted in a steady decrease in infant mortality, which stood at 9.8 in 2020, when the maternal mortality rate was 15.8.

152. To speed up the socioeconomic development of the regions, including the improvement of infrastructure and social services, the State Programme for Socioeconomic Development of the Regions of the Republic of Azerbaijan for the period 2019–2023 was approved by a presidential decree of 29 January 2019. The National Priorities for Socioeconomic Development: Azerbaijan 2030, in which the main priorities for national development for the near future were set out, were approved by an order of 2 February 2021.

153. On 7 July 2021, a presidential decree on a new division of the country into economic districts was signed with a view to implementation of the State Programme for Socioeconomic Development of the Regions of the Republic of Azerbaijan for the period 2019–2023. By this decree, the division of the country into the following economic districts was approved: Baku, Nakhichevan, Absheron-Khizi, Mountainous-Shirvan, Ganja-Dashkesan, Karabakh, Gazakh-Tovuz, Quba-Khachmaz, Lankaran-Astara, Central-Aran, Mil-Mughan, Shaki-Zaqatala, Eastern-Zangezur and Shirvan-Salyan.

154. The National Plan of Action for the Promotion of Open Government for the period 2020–2022 was approved by a presidential order of 27 February 2020, to ensure broader application of the principles of openness, transparency and accountability, improve financial transparency, ensure more resources to uphold the right to information, support civil society institutions and improve public oversight. A draft State programme to strengthen anti-corruption measures entitled the National Plan of Action to Strengthen the Fight against Corruption for the period 2021–2025 has also been prepared.

### **C. Framework within which human rights are promoted at the national level**

155. A national programme of action to ensure better protection of human rights and freedoms in the country was approved by a presidential order of 27 December 2011. Under the programme, efforts have been made to improve the legal framework, enhance the activities of State bodies, protect the rights of different groups of the population and organize training, research, analysis and awareness-raising in the area of human rights.

156. In recent years, a number of important instruments have been adopted to guarantee citizens' constitutional rights and freedoms; they include the Citizens' Appeals Act, the Public Participation Act, the Companies Inspections and Business Owners' Rights Act and the Act on the Rights and Freedoms of Persons held in Places of Detention.

157. The State Agency for Services and Social Innovations under the Office of the President was established in 2012, with a view to improving the provision of high-quality services to citizens using innovative methods.

158. The work of the Azerbaijan Service and Assessment Network (ASAN) service centres attached to the State Agency is considered a symbol of innovation in public administration. The ASAN service, which operates on a one-stop-shop basis, is a centralized platform providing public services to citizens in a comprehensive manner. These services cover practically all areas of citizens' lives. The establishment of the ASAN service has helped to reduce additional expense and lost time for many citizens, raise the level of professionalism among public sector employees, ensure wider use of e-services and increase transparency. An E-Government Development Centre has also been established under the State Agency.

159. The 21 ASAN centres in Azerbaijan along with a mobile system comprising 10 buses and a train provide citizens with over 320 types of services. More than 46 million citizen requests to receive different types of services have been processed to date. Social surveys show that over 90 per cent of the population is satisfied.

160. In 2015, the State Agency received a United Nations Public Service Award for its ASAN service project. In 2019, the State Agency won a United Nations special award for promoting digital transformation in public sector institutions.

161. The Agency for Sustainable and Operative Social Provision (DOST) was established in accordance with a presidential decree of 9 August 2018 on additional measures to improve governance in the area of employment, labour, social protection and public services, to provide State social services on a single platform, through a one-stop shop, and to ensure complete transparency, convenience and public satisfaction with social services.

162. The strategic aims for DOST include the establishment of 17 regional DOST centres and 55 district branches by 2025.

163. The DOST centres provide citizens with 154 services related to employment, labour and social protection. Five DOST centres, whose services have already been used by 530,000 citizens, are currently operating in Baku and the Absheron district.

164. An e-government portal has been set up with a view to protecting human rights and providing the public with a system for the effective and efficient use of public services. The main goals in setting up the portal included protecting human rights and freedoms, combating corruption and ensuring transparency. The e-government portal ([www.e-gov.az](http://www.e-gov.az)) facilitates communication between the public and the authorities through a one-stop shop.

165. The myGov portal ([www.my.gov.az](http://www.my.gov.az)) has been made available with the aim of transitioning from reactive to proactive e-government, easing the burden on citizens through e-services and ensuring transparency and efficiency. Through the myGov portal, citizens can find the information provided by government agencies, check its accuracy, make electronic service requests, receive electronic certificates and other documents, and manage the process of transmitting information to other agencies.

166. The Office of the Ombudsman organizes awareness-raising events at the Academy of Public Administration under the Office of the President, the Police Academy, the Academy of Justice, the Academy of Labour and Social Relations, the training centre of the Office of the Procurator General and military training institutions, based on the curricula of the educational establishments concerned, for students, persons taking specialized courses, judges, lawyers and public officials, which have increased knowledge through the teaching of human rights.

167. Every year, the Committee on the Family, Women and Children works with State bodies and non-governmental organizations on activities aimed at raising human rights awareness, both among public officials and professionals and through the media.

168. The Training and Education Centre of the State Migration Service and international partners regularly organize courses on the topics of human rights and freedoms, the rights of migrants in the context of human rights, the prohibition of torture, violence and inhuman treatment and the measures to be taken in this regard, the worst forms of child labour and ways to eradicate them, the identification of victims of trafficking, including persons engaged in forced labour, the prevention and combating of illegal migration and asylum and readmission, which are attended by the staff of the Service's various units and the entities within its system. Between 2015 and 2018, Service staff members participated in approximately 400 training courses. The Training and Education Centre also organizes free classes for foreign nationals and stateless persons. Some 3,000 foreign nationals and stateless persons have taken part since the classes were launched.

169. Pursuant to a presidential order of 1 October 2009, a Research and Training Centre was set up under the Office of the Procurator General. The Centre has several organizational units, including a faculty of human rights and freedoms, the primary objective of which is to ensure the provision of appropriate teaching and training on human rights for staff of the procuratorial services.

170. The Ministry of Internal Affairs periodically drafts curricula and teaching materials on human rights and freedoms and distributes them to the relevant bodies and units for teaching purposes. More than 80 per cent of the vocational training conducted in the field on specific days of the week concerns human rights and freedoms.

171. The activities of the 102 emergency call service and the "Safe City" system, which carry out urgent operations to prevent unlawful acts against persons and provide constant monitoring of respect for the rule of law, take the individual as their most important point of reference.

172. The Central Electoral Commission pays special attention in its outreach programme to transmitting information to young people and first-time voters and, in order to encourage more active participation in elections, it organizes various seminars, discussions and meetings in collaboration with relevant State bodies and civil society institutions.

173. Extensive use is made of the media during electoral or referendum campaigns to explain electoral legislation, to improve the legal knowledge of those involved and to give the voters information about the candidates or referendum questions during the pre-election or pre-referendum campaigns, through presentations, interviews, round-table discussions and websites and the use of visual aids such as videos, posters and booklets.

174. The official web page of the Central Electoral Commission plays a special role in raising the awareness of voters, other persons involved in elections or referendums and the media. The web page, which is regularly updated, offers all the information about the elections and referendums conducted in different years. Throughout the electoral process and beyond, users of the active web page can find all the information of interest to them. In addition to the web page, e-services provided by the Commission in 10 different areas have been integrated into the e-government portal and made accessible to voters.

175. Pursuant to a presidential order of 13 January 2009, the functions of the national preventive mechanism, as provided for under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, are assigned to the Ombudsman.

176. The National Preventive Group was established in the Office of the Ombudsman pursuant to the Constitutional Act of 24 June 2011 amending the Constitutional Act on the Commissioner for Human Rights (Ombudsman).

177. On the basis of the Constitutional Act, the Group may make unannounced visits without hindrance to places where persons are or may be deprived of their liberty, meet and speak in private with persons held there, and consult documents confirming the validity of the detention and regarding the treatment of persons and conditions of detention. The necessary amendments have been made to laws and regulations, including the Penalties Enforcement Code, the Act on the Rights and Freedoms of Persons Held in Places of Detention and the internal regulations of remand centres and correctional institutions.

Together with the Ombudsman, members of the group may at any time and without hindrance make unannounced visits to places of detention of persons who cannot leave voluntarily.

178. The Public Committee, which comprises prominent human rights defenders and representatives of civil society institutions, has been functioning successfully for more than 12 years. The members of the Committee have made around 735 visits to correctional facilities and provided legal assistance to approximately 2,800 convicted persons.

179. The adoption of the Public Participation Act served to further expand cooperation with civil society institutions. In 2014, in accordance with the Act, the rules governing the activities of the Public Committee to monitor penal institutions were amended in order to further expand its powers. The amendments included an increase in the Committee's period of operation (from one to two years) and provision for the Committee's active participation in areas of the justice system beyond the prison system.

180. Pursuant to a presidential decree of 17 August 2006 on the development of the judiciary, an Academy of Justice has been set up under the Ministry of Justice. The Academy is a research and methodological institution, which offers professional development for persons with higher legal education in view of their appointment to posts in their area of specialization and professional training for judicial and procuratorial officials and other legal professionals and serves to meet the needs of society for qualified legal staff.

181. On 29 March 2019, the Mediation Act, which regulates alternative dispute settlement procedures involving a mediator, was adopted. In February 2020, the Mediation Council was established, and the Academy of Justice was registered as an educational institution in the field of mediation. On 30 June 2021, the general meeting of the Mediation Council was held, at which the Council's composition was established and its chair was elected. Approximately 200 persons have now been certified as mediators.

182. The Academy of Justice, the Judicial Council and the Judicial Selection Committee organize the judicial selection process in the country. The Academy of Justice attached to the Ministry of Justice is a leading academic institution with a broad mandate for the training of legal staff. The Academy is a structural unit of the Ministry of Justice with general directorate status.

183. The agreement signed in 2000 between the Government of Azerbaijan and the International Committee of the Red Cross (ICRC) has given ICRC representatives broad latitude to make unimpeded visits to convicted prisoners in places of detention.

#### **D. Reporting process at the national level**

184. Reports on the international human rights treaties to which Azerbaijan is a party are prepared in accordance with a presidential decree of 20 September 2018 on improving cooperation with United Nations human rights bodies.

185. A working group has been established to prepare periodic reports for the United Nations human rights treaty bodies and the universal periodic review mechanism of the Human Rights Council and to monitor the implementation of the recommendations issued to Azerbaijan. The working group consists of representatives of the relevant public entities and its activities are led by the Ministry of Foreign Affairs.

186. The media provide coverage of the preparation of reports and their submission by government delegations to the United Nations treaty bodies.

#### **E. Other related human rights information**

187. Measures are being taken to further improve national legislation in the area of migration. National legislation on migration is based on the principles of respect for human and civil rights and freedoms, the rule of law, equality before the law and the courts, the conformity of migration legislation with the generally accepted rules of international law and the application of innovative methods to ensure transparency.

188. The State Migration Service, set up pursuant to a presidential decree of 19 March 2007, implements government policy on migration, develops the system for the governance, management and forecasting of migration processes and coordinates the activities of the relevant State bodies in this area.

189. The Migration Code defines government policy on migration and regulates migration processes and the legal status of foreign nationals and stateless persons in the country.

190. In accordance with a presidential decree of 4 March 2009, the principle of a one-stop shop in the management of migratory processes has become a key feature in the development of a migration management system; taking international practice into account, it has helped to regulate migration processes in the country on the basis of more flexible and effective mechanisms, improve and simplify the migration management mechanism and ensure responsiveness and transparency in the area.

191. The network of services provided by the State Migration Service has expanded. Eight regional offices have begun operating and the work of the Service is carried out in the 22 ASAN service centres of the State Agency for Services and Social Innovations under the Office of the President. Migration units providing 24-hour services have begun operating at border crossing points, the Service's call centre now operates round the clock and the services provided to foreign nationals are now provided in electronic form. In addition, the official mobile application MIGAZ has been launched, to simplify access to e-services and reduce the time taken to submit requests to the Service.

192. Applications from persons wishing to obtain refugee status are examined in accordance with the Status of Refugees and Forcibly (Internally) Displaced Persons Act of 21 May 1999 and the procedure for the consideration of applications for refugee status, approved by a presidential decree of 13 November 2000.

193. In accordance with the Citizenship Act, foreign nationals and stateless persons who obtain refugee status in Azerbaijan may be granted Azerbaijani citizenship upon application. In such cases, the duration of their permanent residence in the national territory is calculated from the date on which they obtained refugee status. On 23 February 2017, amendments were made to the procedure for consideration of applications for refugee status, relating to the procedure for unaccompanied children to apply for refugee status. In accordance with the amendments, unaccompanied children are treated on an equal footing with children in Azerbaijan who have lost their parents or are deprived of parental care. Their social protection is guaranteed by the State and their rights and interests are protected in accordance with the law.

194. Pursuant to the amendments introduced to the Population Registry Act in 28 December 2018, foreign nationals and stateless persons who have obtained refugee status are now included in the "population" category.

195. The new Code of Administrative Offences entered into force on 1 March 2016.

196. The Government of Azerbaijan continues to implement a series of comprehensive measures to improve the socioeconomic conditions of refugees and internally displaced persons and their temporary integration into society, taking account of their right to return safely to their homes in the future.

197. A State programme to improve living conditions and increase employment for refugees and internally displaced persons has been approved by presidential order. Under the programme, new settlements for refugees and internally displaced persons have been built, along with the necessary social infrastructure, funds have been allocated for their social protection and jobs have been made available.

198. Forcibly displaced persons are exempt from paying for utilities and other fee-based services. In addition, internally displaced persons studying in State-run fee-paying higher and secondary educational institutions are exempted from tuition fees.

199. There are national laws and regulations that govern the right to free, unhindered and equitable access to information, the legal framework for information processing, storage, retrieval and distribution and the creation and use of information systems, technologies and support resources, based on the principles of an open society and a democratic State governed

by the rule of law, and the relations arising in connection with the protection of information and determination of the rights of those involved in information processes.

200. A policy framework on the “government cloud” was approved by a presidential decree of 3 June 2019 on the creation of a government cloud (G-cloud) and measures related to the provision of cloud services. A plan for the transition of State information systems and resources to the government cloud was approved by Cabinet of Ministers Decision No. 428 of 29 October 2020. In accordance with the transition plan, the gradual transfer to the cloud of government agencies’ information systems has begun.

201. Current national legislation does not contain any provisions on the termination or restriction of access to the Internet, telecommunications networks or websites.

202. In accordance with article 6.3 of the Civil Code, civil rights may be restricted only by law and if this is necessary to protect public safety, order, health or morals or the rights and freedoms, dignity and reputation of others.

203. In recent years, major steps have been taken in the area of employment, social security and protection of vulnerable groups.

204. The Strategy for Employment in the Republic of Azerbaijan for the period 2019–2030 was approved by a presidential order. Large-scale action to support more than 4.8 million citizens has been taken with a view to facilitating employment and social welfare. In 2020, the funds allocated to payments for pensions, allowances, grants and targeted social assistance were 20 per cent higher than in 2019.

205. In 2020, in order to expand employment opportunities, 90,000 jobs involving paid community service were created and over 12,500 persons were engaged in the self-employment programme.

206. In 2019, the President took a number of important decisions to strengthen social protection for the population. Social benefits and pensions were raised by an average of 92 per cent, the minimum pension by 72 per cent and the minimum wage by 92 per cent. In addition, the salaries of persons working in organizations funded from the State budget or receiving financial support from the budget increased by an average of 50 per cent. These increases had a monetary value of 2.3 billion manats and covered 4.2 million persons.

207. In accordance with the Act on the Subsistence Level in the Republic of Azerbaijan for 2021, the national subsistence level was set at 196 manats and the minimum wage (250 manats) is 27.6 per cent higher than the subsistence level in the country. Currently, the average monthly wage is 729 manats, the average pension is 330 manats and the old-age pension is around 360 manats.

208. The Act on the Rights of Persons with Disabilities was adopted on 31 May 2018. The Act covers all matters relating to the rights and freedoms of persons with disabilities provided for in the Convention on the Rights of Persons with Disabilities.

209. Some 20 new laws and regulations intended to better protect the rights of persons with disabilities have been adopted in application of the Act.

210. In 2021, prosthetic and orthopaedic rehabilitation centres in various regions of Azerbaijan provided 7,000 persons with disabilities with 34,756 appropriate assistive technology devices. The list of such technology, provided free of charge by the State, was supplemented with 23 new devices, bringing the total number of assistive technology devices on the list to 57.

211. Since 2020, persons with disabilities have been offered electric wheelchairs and high-tech prostheses.

212. Thirteen rehabilitation centres have been opened to expand the coverage of rehabilitation services.

213. Major efforts have now been made regarding social protection for the families of fallen soldiers or disabled war veterans. Based on the decisions made, the level of benefits paid to the families of those who died in the Patriotic War was increased by 67 per cent, from

300 to 500 manats. Apartments and houses have been provided to 11,000 beneficiaries in this category and private cars have been provided to more than 7,300 persons.

214. Pursuant to a presidential order of 25 February 2019 on additional measures to strengthen social protection, the level of social payments made to war veterans and persons with disabilities has doubled on average.

215. The measures taken under State programmes to improve housing conditions and increase the employment rate for refugees and internally displaced persons have led to improved housing and living conditions for 315,000 internally displaced persons and, over the past 20 years, a fall in the poverty rate for this vulnerable group, from 75 per cent to 12 per cent. Of the 380,000 who are of working age, 210,000 have been given employment in the public sector and 160,000 recruited for seasonal work. Over the past three years, the level of the single monthly benefit has increased by almost 70 per cent. The State pays for the children of internally displaced persons to study in State-run fee-paying higher educational institutions.

### **III. Information on non-discrimination and equality and effective remedies**

216. The Constitution establishes the basic principles for the country's national policies, ensuring the full equality of all its citizens, regardless of their ethnicity, religion or race. At the same time, as a result of its historical, economic and cultural specificities, the outlook of the country's population is based on the principles of tolerance and respect for the culture, religious beliefs, customs and traditions of other ethnic groups and national minorities.

217. The Government uses the existing legislative framework as a basis for the country's policy aimed at ensuring that the different peoples living there, of different ethnic origins, maintain relations of mutual trust, understanding and friendship. No manifestation of ethnic, national, racial or other forms of discrimination in the country is tolerated.

218. In meeting the provisions of international conventions aimed at eliminating and preventing all forms of discrimination, the Government focuses particularly on strengthening the traditions of religious tolerance and ensuring a sustainable living situation in conditions of understanding, peace, prosperity and dialogue for ethnic minorities.

219. Article 25 of the Constitution states that all persons are equal before the law and the courts. Men and women have equal rights and freedoms. The State guarantees equality of rights and freedoms for everyone, regardless of race, ethnicity, religion, language, sex, origin, wealth or official status, beliefs or membership of political parties, trade unions or other voluntary associations.

220. Human and civil rights and freedoms may not be restricted on the grounds of race, ethnicity, religion, language, sex, origin, beliefs or political or social affiliation.

221. In its article 47, the Constitution prohibits campaigns and propaganda that incite racial, ethnic, religious, social or any other form of discord or hatred.

222. Article 69 provides that foreign nationals and stateless persons in Azerbaijan may enjoy all the same rights and are subject to the same obligations as Azerbaijani citizens, unless otherwise provided by law or an international treaty to which Azerbaijan is a party.

223. The rights and freedoms of foreign nationals and stateless persons who are permanently or temporarily resident in the country may be restricted only in accordance with rules of international law or the laws of the Republic of Azerbaijan.

224. Article 70 of the Constitution states that, in accordance with generally recognized rules of international law, Azerbaijan grants political asylum to foreign nationals and stateless persons.

225. The Act of 20 April 2012 amending the Political Parties Act sets forth provisions prohibiting any restrictions on membership of political parties based on professional, racial, political, ethnic or religious grounds, and bans the establishment and operation of political parties whose activities are aimed at the violent overthrow of the constitutional order or the

secular nature of the State, violation of its territorial integrity, propaganda for war, violence and cruelty or incitement to racial, national and religious hatred.

226. Article 2.1.6 of the Personal Data Act of 11 May 2010 provides that information relating to racial or ethnic origin, family life, religion and beliefs, health or individual legal records is classed as personal data of a specific category.

227. In its article 6.2, the Culture Act of 21 December 2012 provides that the State guarantees every individual's enjoyment of rights and freedoms in the field of culture, irrespective of sex, race, language, religious or political beliefs, ethnicity, social status, social origin, health or membership of voluntary associations, while article 43 provides that cultural events which include calls promoting or advocating war or superiority based on social, racial or ethnic origin, religion, class or birth, or the restriction of human and civil rights and fundamental freedoms in the area of culture, irrespective of race, ethnic origin, religion, language, social status, social affiliation, official status, beliefs or membership of voluntary associations, are not tolerated.

228. Article 1 of the Act of 8 May 2009 amending the Freedom of Religious Beliefs Act introduced provisions to the Freedom of Religious Beliefs Act to ban advocacy for religious beliefs or religious lifestyles that involve violence or threats of violence or are aimed at establishing racial, ethnic, religious or social discord or hatred; and article 12.1 introduced provisions to ban the promotion of religious beliefs or lifestyles that involve violence or threats of violence, or are aimed at establishing racial, ethnic, religious or social discord and hatred, coercion to express or demonstrate religious beliefs, the conduct of or participation in religious ceremonies of, or dissemination of or propaganda for, a religion or religious movement that diminishes human dignity or contradicts the principles of humanism, and religious extremist activities are considered a basis for the dissolution of the religious organization according to court procedure.

229. In accordance with article 5.2 of the Education Act of 19 June 2009, the State guarantees access to education for every citizen, regardless of sex, race, language, religion, political opinion, ethnicity, social status, origin or health, and the prohibition of discrimination.

230. In accordance with article 23.2 of the Act on the Rights and Freedoms of Persons Held in Places of Detention, of 22 May 2012, detained persons may not acquire, possess or disseminate publications that advocate war, violence, extremism, terrorism and brutality or that incite racial, ethnic, religious or social discord and hatred or are pornographic in nature, and persons under arrest may not subscribe to such publications.

231. Under the Act of 28 April 2015 amending the Physical Culture and Sports Act, in order to prevent violence and ensure public safety and public order during the holding of mass sports events and sports competitions, the promotion of violence, racial, ethnic or religious discrimination or war through the use of posters or other media is prohibited in the grounds of sports facilities and places for spectators at mass sports events.

232. Article 11 of the Code of Criminal Procedure states that criminal proceedings are conducted on the basis of the equality of all before the law and the courts.

233. The authorities conducting criminal proceedings shall not accord any participant in the criminal process any advantage for reasons of citizenship, social status, sex, race, ethnicity, political or religious affiliation, language, origin, wealth or official status, beliefs, place of residence, location or other considerations not founded in law.

234. Article 61.1.6 of the Criminal Code provides that, where the commission of an offence is motivated by ethnic, racial or religious hatred or fanaticism, such motives shall be considered to constitute aggravating circumstances.

235. Article 109 of the Criminal Code establishes criminal responsibility for the persecution of any group or organization on political, racial, national, ethnic, cultural or religious grounds, or on the grounds of sex or other grounds prohibited under the rules of international law; that is, a gross violation of people's fundamental rights on the grounds of their membership of such groups or organizations, where the act is linked to other crimes against the security of humankind, is to be considered a criminal offence.

236. Article 154 of the Criminal Code provides for criminal punishment in the case of violation of the equality of individuals on grounds of their race, ethnicity, religion, language, sex, origin, wealth or official status, beliefs or membership of political parties, trade unions or other civil society associations, whereby their rights and legitimate interests have been harmed.

237. Under the Criminal Code, crimes such as racial discrimination (apartheid) (art. 111), genocide (art. 103), incitement to commit genocide (art. 104), destruction of a population (art. 105), slavery (art. 106), deportation or forcible resettlement of a population (art. 107), persecution (art. 109) and enforced extermination (art. 110) are considered as criminal offences.

238. The court treats all persons participating in a case equally, regardless of their race or ethnicity, religion, language, sex, origin, wealth or social status, personal beliefs, membership of political parties, trade unions or other voluntary organizations, the location, reporting line or form of ownership of a legal person or other circumstances not provided for in law.

239. Under article 16 of the Labour Code, no discrimination may be tolerated between workers in privileges and benefits awarded or restrictions imposed on rights, whether directly or indirectly, on grounds of citizenship, sex, race, religion, ethnic origin, language, place of residence, wealth, social origin, age, family status, beliefs, political views, membership of trade unions or other voluntary associations, official status or other factors unrelated to the professional qualities, professional skills and job performance of employees.

240. The Gender (Men and Women) Equality Act of 10 October 2006 contains provisions on the elimination of gender inequality and the conducting of gender analysis and establishes basic guidelines for State policy on gender equality and the promotion of equity in education and entrepreneurship, in obtaining equal wages and work choices, etc.

241. In addition to the provisions mentioned, others relating to the prohibition of racial discrimination are also enshrined in individual regulations governing judges and public officials, including codes of conduct.

242. Thus, in line with article 8 of the Code of Ethical Conduct of Judges, approved by a Judicial Council decision of 22 June 2007, judges must treat all persons involved in proceedings (including the parties, lawyers, public officials, witnesses, etc.) equally. A judge may not give preference to any of the participants in proceedings. A judge shall not show any view in respect of race, sex, religion or ethnicity, nor allow any form of discrimination.

243. Given the religious diversity that exists in society, State policy on religion is based on freedom of thought and expression, freedom of conscience, interreligious dialogue, tolerance and understanding. At the same time, the State policy in the field of religion is based on the principles and rules of international law, international treaties to which Azerbaijan is a party, the Constitution and other laws and regulations.

244. On 30 May 2017, the Department of Inter-Ethnic, Multicultural and Religious Affairs under the Office of the President was established by presidential order. This department is directly involved in determining State policy on inter-ethnic relations and freedom of religion, and in preserving and developing multicultural traditions.

245. By presidential decree of 10 October 2017, the Foundation for the Promotion of Spiritual Values attached to the State Committee for Work with Religious Associations was established. The main purpose of the Foundation is to provide State support for the implementation of educational activities in Azerbaijan in the field of religion, the protection and development of spiritual values and the preparation and implementation of targeted programmes involving relations between religion and the State, to ensure that citizens and religious organizations enjoyed religious freedom and to implement social projects in this area.

246. In accordance with an order by President Ilham Aliyev of 2 June 2020, a sum of 3,150,000 manats was allocated from the President's reserve fund to further strengthen religious education and promote ethnic cultural values, support religious faiths in the country and improve their financial situation. Of this amount, 1,150,000 manats was allocated to non-

Islamic religious communities in the country. It should be noted that it was considered essential for these funds to be distributed to a certain number of members of non-Islamic religious organizations. In addition, 100,000 manats was allocated to the Fund for the Promotion of Moral Values, which operates under the State Committee for Work with Religious Organizations.

247. The Baku International Multiculturalism Centre was established by presidential decree on 15 May 2014. The Centre's statutes identify it as a legal person, a non-profit entity that protects tolerance and cultural, religious and linguistic diversity, in accordance with the idea of Azerbaijanism, which has brought the country worldwide fame as a centre of multiculturalism, researching and developing existing models of multiculturalism.

248. In 2008, Azerbaijan put forward the Baku Process for the establishment of a dialogue among cultures. As part of this process, over the past 11 years, the World Forum on Intercultural Dialogue has been held every two years since 2011, and the Baku International Humanitarian Forum has been held on six occasions. The seventh United Nations Alliance of Civilizations Forum (25–27 April 2016), the fourth World Forum on Intercultural Dialogue (4–6 May 2017), on the theme “Advancing Intercultural Dialogue – New avenues for human security, peace and sustainable development”, and the fifth World Forum on Intercultural Dialogue (2–3 May 2019), on the theme “Building dialogue into action against discrimination, inequality and violent conflict”, were all held in Baku in recent years.

249. In the report of the Secretary-General on the promotion of a culture of peace and interreligious and intercultural dialogue, understanding and cooperation for peace, submitted at the seventy-second session of the General Assembly in September 2017, the particular emphasis placed on the successful implementation of the Baku Process since 2008 should be seen as a recognition at the international level of the contribution that Azerbaijan has made to intercultural dialogue in recent times and the role it has played as a bridge between civilizations since ancient times.

250. In this connection, the President signed an order on 17 November 2017 to hold celebrations marking the tenth anniversary of the Baku Process. Pursuant to this order, the Baku International Humanitarian Forum was successfully held in Baku on 25 and 26 October 2018.

251. Real qualitative changes have been achieved as a result of the comprehensive legislative, organizational and other measures adopted by the Government in recent years to extend the prison system reform in order to meet international standards on respecting the rights, freedoms and legal interests of persons under investigation and convicted prisoners.

252. A new Act on the Rights and Freedoms of Persons in Detention was adopted on 22 May 2012, significantly changing and making more humane the legal situation of detainees and remand prisoners.

253. It should be noted in particular that, on 10 February 2017, the President signed an order on improving the prison sector, humanizing penal policy and expanding the use of alternative forms of punishment and non-custodial measures. The purpose of the order was to modernize the approach to penal policy, criminal legislation and ways of ensuring the rights of convicted persons, and to improve the prison system, making use of global best practice in the area.

254. The Government of Azerbaijan continues to take the necessary measures to combat domestic violence. On 27 November 2020, the National Action Plan to Combat Domestic Violence for the period 2020–2023 was adopted.

255. To ensure the implementation of the measures provided for in the National Action Plan, the State Committee for the Family, Women and Children, in cooperation with the United Nations Population Fund, opened a domestic violence hotline on 1 December 2020.

256. In 2013, the Ministry of Labour and Social Protection established the first Commission for the Accreditation of Non-State Support Centres for Victims of Domestic Violence. To date, the Commission has accredited 11 non-governmental support centres and provided assistance for their activities. Of these, two operate as shelters.

257. In accordance with a presidential decree of 2019, a shelter and rehabilitation centre for vulnerable groups was established under the Social Service Agency of the Ministry of Labour and Social Protection. This institution is a public legal entity that provides social services to vulnerable groups. It should be noted that a department for the social rehabilitation of victims of domestic violence has been operational at this institution since 1 August 2021.

258. In addition, 11 family and child support centres operate under the State Committee for the Family, Women and Children. These centres play an important role in the individual development of children and adolescents and provide legal, psychological, and social support services to protect the rights of at-risk women and children in the regions. Since November 2020, the employees at the centres have been implementing a psychosocial support project to help families affected by war.

259. In the regions, local authorities have established monitoring groups, with local authority representatives, to look at gender-based violence and violence against children. The main objective of the groups is to analyse and assess the situation, to verify the effectiveness of measures taken, to identify families at risk and provide them with assistance, to examine and analyse the causes of specific cases, including by discussing serious cases, and to take prompt and urgent measures to protect victims of violence.

260. The procedure for State monitoring of children's rights was approved under a presidential decree of 8 May 2012. In line with the procedure and article 51.7 of the Family Code, the State Committee for the Family, Women and Children, the Ministry of Internal Affairs, the Ministry of Education, the Ministry of Health, the Ministry of Labour and Social Protection, the Ministry of Youth and Sport, the Youth Affairs and Youth Rights Commission and local tutorship or guardianship agencies are responsible for monitoring respect for children's rights and interests.

261. The Act on the Protection of Children from Harmful Information was approved by presidential decree on 30 October 2018. The Act prohibits the promotion of violence, cruelty, narcotic drugs and psychotropic substances, alcohol and tobacco products and pornographic content and provides for the development of international cooperation in this area. The types of harmful information specified in the Act include information harmful to the institution of the family or containing profanity or erotic or disturbing material. The Act contains a paragraph requiring the manufacturer or distributor of information products to indicate the appropriate age category on the product or packaging.

262. The National Action Plan for the Early Prevention and Treatment of Childhood-specific Disabilities for the period 2018–2020 was approved by presidential order on 10 May 2018.

263. The State Programme on Mandatory Childhood Health Checks for the period 2018–2022 was approved by order of the Head of State on 9 August 2018. The aim of the State Programme is to reduce morbidity, disability and mortality among children by improving the quality of medical services.

264. The Children's Strategy 2020–2030 was approved by presidential order on 2 June 2020. The main goal of the Strategy is to bring the child protection system in Azerbaijan fully into line with the Constitution and the principles of the Convention on the Rights of the Child, create equal opportunities for all children in Azerbaijan, protect their interests, improve the protection of the rights of children in need of State care and provide them with social support services in accordance with modern requirements. An action plan for the implementation of the Children's Strategy was approved for the period 2020–2025.

265. On 27 April 2020, a document on the rights of the child and the development of juvenile justice was approved; it is based on the relevant provisions of the Convention on the Rights of the Child.

266. On 14 December 2017, the President signed an order approving the State Programme for the Development of Inclusive Education for Persons with Disabilities for the period 2018–2024. In the 2017/18 school year, 17 special classes were opened at eight upper secondary schools. In total, 889 children with disabilities were enrolled in special classes at general education institutions in the country. At the same time, one residential school for children with disabilities was closed.

267. On 22 October 2019, the Act on the Approval of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) was passed.

268. The State Programme to Combat Drug Abuse and the Illicit Trafficking of Narcotic Drugs, Psychotropic Substances and their Precursors for the period 2019–2024 has been adopted and is being successfully implemented. The Programme is aimed at improving the quality of care, diagnosis and treatment measures, setting up rehabilitation centres for drug addicts, organizing extensive educational activities, and carrying out anti-drug campaigns among the population and health-care workers and at educational institutions, media outlets and so forth.

269. In order to protect individuals and society from any manifestation of trafficking in persons, prevent any form of exploitation, especially of women, children and other high-risk groups, protect victims of human trafficking, ensure their social rehabilitation and restore all their rights, the National Plan of Action to Combat Trafficking in Persons for 2020–2024 was approved by presidential order on 22 June 2020.

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