

United Nations



GENERAL ASSEMBLY

A/HRC/39/14
Distr.: General
11 July 2018
Original: English

Human Rights Council
Thirty-ninth session
10–28 September 2018
Agenda item 6
Universal periodic review

Report of the Working Group on the Universal Periodic Review Azerbaijan

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its thirtieth session from 7 to 18 May 2018. The review of Azerbaijan was held at the 13th meeting, on 15 May 2018. The delegation of Azerbaijan was headed by the Deputy Minister of Foreign Affairs, Khalaf Khalafov. At its 17th meeting, held on 17 May 2018, the Working Group adopted the report on Azerbaijan.

2. On 10 January 2018, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Azerbaijan: Ecuador, Slovenia and United Arab Emirates.

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

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/30/AZE/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/30/AZE/2 and Corr.1);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/30/AZE/3).

4. A list of questions prepared in advance by Armenia, Bangladesh, Belgium, Brazil, Germany, Liechtenstein, Portugal, Slovenia, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay was transmitted to Azerbaijan through the troika. These questions are available on the website of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. Azerbaijan noted that the universal periodic review was an effective format for consideration of the third national report of Azerbaijan, enabling the country to provide full information on the activities carried out and measures taken for the protection of human rights and fundamental freedoms, the promotion of dialogue and the sharing of experience.

6. Azerbaijan was a party to the main international legal instruments in the field of human rights and regularly submitted reports to the relevant United Nations treaty bodies on their implementation. At the Council's thirty-fifth session, the United Nations High Commissioner for Human Rights had cited Azerbaijan among the 34 countries that had fulfilled their reporting obligations in a timely manner. Azerbaijan was also among the 15 countries that had submitted midterm reports on the first two cycles of the universal periodic review.

7. Azerbaijan had sent a standing invitation to all special procedure mandate holders, recognizing their important role in facilitating cooperation and dialogue with Member States.

8. As a result of a referendum held in 2016, amendments had been made to the Constitution aimed at further strengthening the protection of human rights and fundamental freedoms, the formation of an effective and flexible mechanism of public administration and ensuring the effectiveness of economic reforms.

9. In 2017, the Presidential decree on improving the efficiency of the penitentiary system had been signed. The decree aimed at developing the penitentiary system through the humanization of penal policy and also ensured the application of complex institutional, legislative and practical measures for the liberalization of criminal law policy, including the restriction of arrests and deprivations of liberty and the decriminalization of a number of crimes.

10. The institutions of pardon and amnesty had also been widely used in Azerbaijan during the reporting period. In total, the President had issued nine acts of pardon, which had been applied to 1,378 convicts, and the parliament had approved two Acts of Amnesty, which had been applied to about 21,000 people.

11. In order to support the development of the legal profession, on 22 February 2018 the President had signed a decree on additional measures to develop legal practice in the country. The decree envisaged measures to improve material and technical support for lawyers' organizations throughout the country, the admission of new members through regular bar exams and the development of professional training and qualifications for lawyers with a view to improving the quality of legal services.

12. The fight against corruption was one of the Government's priorities. The National Action Plan for Open Government 2016–2018 had been approved by Presidential decree on 27 April 2016. The Plan sought to improve anti-corruption legislation, raise awareness of citizens in the fight against corruption, enhance the engagement of civil society organizations and develop proposals for establishing corruption-related crimes.

13. The State Agency for Services and Social Innovations continued to widen the scope of its activities in the efficient delivery of public services and social innovations to citizens. From 2013 to the present, the centres in the Agency's network had received more than 20 million applications, with a satisfaction rate of 98 to 100 per cent among the population. A number of States had expressed interest in learning from the experience of the State Agency and applying that model in their countries.

14. There were currently more than 5,000 media outlets in the country. About 80 per cent of the Azerbaijani population had unhindered access to the Internet, which had become the most popular and practical means of information and media communication. The Presidential State Fund to Support the Development of the Media continued to carry out its activities effectively.

15. The State worked in partnership with representatives of civil society. More than 3,254 non-governmental organizations (NGOs) had been registered in Azerbaijan, 500 of which were dedicated to human rights protection. In 2017, the Presidential Council on State Support for NGOs had financed 484 NGO projects at a cost of over 3 million manats.

16. The International Forum on Intercultural Dialogue, also known as the "Baku Process", had been established by the President in 2008 as a platform for coordinating international efforts to strengthen tolerance and mutual understanding and combat discrimination, extremism and xenophobia in society. The Heydar Aliyev Foundation was also making a major contribution to the development of multiculturalism and tolerance in the country.

17. As a result of the successful implementation of measures envisaged in socioeconomic development policy documents adopted in the reporting period, including “Azerbaijan 2020: A Look into the Future” and the strategic road maps for the national economy and the main sectors of the economy adopted in 2016, a noticeable reduction in the unemployment rate had been achieved, social protection for the unemployed had been strengthened, favourable conditions had been created for improving the labour market and competitiveness had been enhanced.

18. Over the past five years, the gross domestic product (GDP) had increased by 1.1 times, including an increase of 2.2 times in the non-oil sector, and 1.4 times for household incomes. During the period the non-oil industry had increased 2.2 times, agriculture 1.2 times, trade 1.4 times, tourism 1.7 times, transport 1.2 times and communication 1.5 times.

19. Azerbaijan supported the 2030 Agenda for Sustainable Development. Most of the guidelines and directions of the development concept “Azerbaijan 2020: A Look into the Future” and the strategic road maps for the national economy and the main sectors of the economy were identical to those in the 2030 Agenda. The National Coordinating Council on Sustainable Development had been established in 2016.

20. The Government of Azerbaijan continued to implement a number of comprehensive measures aimed at improving the socioeconomic situation of refugees and internally displaced persons and their temporary integration into society, bearing in mind the necessity of the future realization of their right to a safe and dignified return to their native lands.

21. Over the past 24 years, about 6.6 billion manats had been allocated for the social protection of refugees and internally displaced persons. Some 2,000 internally displaced persons had received preferential loans totalling 44 million manats to fund businesses through the National Entrepreneurship Support Fund. As a result, the poverty level among refugees and internally displaced persons had decreased from 75 to 12 per cent.

22. Internally displaced persons were exempted from paying communal and other utility services and tuition fees were waived for those studying in State higher and secondary educational institutions.

23. Occupation by Armenia of 20 per cent of the territory of Azerbaijan, including the Nagorno-Karabakh region and seven adjacent regions, was one of the main obstacles to the full-fledged realization of human rights in the country. During the armed aggression, Armenia had committed grave violations of international

humanitarian law, including extrajudicial executions of Azerbaijani civilians, hostages and prisoners of war, subjecting them to torture and other cruel, inhuman or degrading treatment. The material damage caused to Azerbaijan as a result of the occupation was estimated at \$818 billion.

24. Armenia raised four points of order, in which it stated that the information and specific facts provided by Azerbaijan were incorrect and did not meet the review requirements. The Working Group was not competent to discuss political or conflict-related issues. Azerbaijan was trying to use the review procedure to voice its own perception of the conflict with the aim of undermining the rights of the people of Nagorno-Karabakh to self-determination, which Azerbaijan falsely presented as an issue of the restoration of its territorial integrity. The international community, including the United Nations, recognized that the only internationally mandated format for the settlement of the Nagorno-Karabakh conflict was the Minsk Group of the Organization for Security and Cooperation in Europe. Armenia therefore rejected any reference to the Nagorno-Karabakh conflict and misinterpretations contained in the national report and during the oral presentation by Azerbaijan. Attempts to present Armenia as an aggressor by referring to United Nations Security Council resolutions were completely false and constituted a blatant manipulation of their content.

25. The President of the Human Rights Council ruled that it was appropriate for all delegations to make comments and observations and to voice their opinion on human rights issues; the State under review was entitled to express its views. The universal periodic review process did not, however, aim to discuss or settle disputes among Member States. Bilateral issues should not interfere in discussions, and such issues should not be raised in the Working Group.

26. In response to the points of order raised by Armenia, Azerbaijan stated that it was not engaging in polemical discussion; rather, it emphasized the historical facts, namely the occupation of Azerbaijani territories by Armenia accompanied by ethnic cleansing of Azerbaijanis from the occupied territories, which had led to the mass violation of the human rights of Azerbaijanis and had impeded the full realization of human rights within the country. There were still some Azerbaijani nationals in Armenia who had been taken hostage by that country when they were visiting the graves of their ancestors in the occupied territories. The wounds of genocide committed by Armenia in the Khojaly district of Azerbaijan, which had resulted in the killing of around 700 Azerbaijanis, including children, women and elderly people, had not yet healed. Azerbaijan urged Armenia to comply with Security Council resolutions, which called for the complete liberation of Azerbaijani territories and the safe and dignified return of internally displaced persons to their native lands. Azerbaijan called on Armenia to abide by

international humanitarian law and to stop ceasefire violations that had caused an increased number of casualties among the civilian population of Azerbaijan living in settlements adjacent to the line of contact. The only solution to the conflict would be the withdrawal of Armenian forces from the occupied territories of Azerbaijan. Azerbaijan hoped that the international community would exert pressure on Armenia to liberate the occupied territories and to bring to justice the perpetrators of war crimes against Azerbaijanis.

27. Azerbaijan further stressed that it was in a particular situation, with 20 per cent of its territories under the occupation of Armenia. Armenia as an aggressor State had to be held accountable for its aggression against Azerbaijan. Azerbaijan was a peace-loving nation and, unlike Armenia, it did not have any territorial claims against any of its neighbours. Azerbaijan would never allow the creation of the second Armenian state in the territory of Azerbaijan.

I. Summary of the proceedings of the review process

B. Interactive dialogue and responses by the State under review

28. During the interactive dialogue, 105 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

29. The Russian Federation noted efforts to support the independence of the media and to strengthen intercultural dialogue, especially through the Heydar Aliyev Foundation.

30. Rwanda encouraged Azerbaijan to enhance measures and policies to address discrimination on all grounds, including through strengthened implementation of existing legislation.

31. Saudi Arabia commended efforts to improve anti-corruption legislation and to strengthen the work of civil society.

32. Serbia welcomed the National Action Plan for Open Government 2016–2018, and the National Action Plan to Combat Human Trafficking 2014–2018.

33. Singapore welcomed the National Action Plan for Open Government 2016–2018, and the increasing State spending on education and the active promotion of good governance.

34. Slovakia expressed concern about reports of the torture and ill-treatment of journalists and human rights defenders.

35. Slovenia regretted the alleged lack of independence of the Bar Association, and noted reports of harassment and threats against independent lawyers.

36. Spain expressed concern about limitations on the effective enjoyment of freedom of religion for “non-traditional” religious organizations.

37. Sri Lanka welcomed measures related to the right to health, and the steps taken to promote dialogue with civil society.

38. The State of Palestine remained concerned at persisting poverty. It acknowledged measures to protect human rights defenders and journalists.

39. The Sudan welcomed the National Action Plan for Open Government 2016–2018 and anti-corruption legislation.
40. Sweden wished Azerbaijan success in implementing the review recommendations.
41. Switzerland expressed concern about reports of harassment, intimidation and prosecution of opposition representatives, journalists and human rights defenders.
42. Tajikistan made recommendations.
43. Thailand welcomed steps to promote gender equality and efforts to improve prison conditions and the treatment of prisoners.
44. Togo welcomed efforts to strengthen the protection of human rights, particularly through the 2016 constitutional reform.
45. Tunisia welcomed efforts to enhance the legal framework, modernize the prison system and combat human trafficking.
46. Turkey welcomed efforts to support internally displaced persons and refugees.
47. Turkmenistan welcomed improvements in the quality of public services through innovative methods and the establishment of the State Agency for Services and Social Innovations network.
48. Ukraine noted that the ability of Azerbaijan to implement human rights treaties had been impeded since some of its territories were not under its control.
49. The United Arab Emirates welcomed reforms introduced by the 2016 constitutional amendment, particularly measures aimed at bolstering the institutional and legal framework.
50. The United Kingdom expressed concern about restrictions on freedoms of the press and of assembly, the independence of the judiciary and the harassment of human rights defenders.
51. The United States stated that, as a result of restrictions on freedoms of expression, association and assembly, political and civic spaces were severely constrained.
52. Uruguay welcomed the cooperation of Azerbaijan with treaty bodies and special procedures, and the process to reform legislation on children’s rights.

53. Uzbekistan praised consistent efforts to protect human rights and to cooperate with the United Nations human rights mechanisms.
54. The Bolivarian Republic of Venezuela welcomed the cooperation of Azerbaijan with treaty bodies and the reforms to improve the standard of living of its population.
55. Viet Nam recognized the progress achieved through the constitutional amendment, which aimed at providing more effective protection of human rights.
56. Yemen welcomed the standing invitation of Azerbaijan to all special procedure mandate holders, and steps to harmonize domestic legislation with international obligations.
57. Zimbabwe highlighted measures aimed at guaranteeing the rights and freedoms of different categories of the population, such as prisoners, refugees and internally displaced persons.
58. Afghanistan welcomed the standing invitation to all special procedure mandate holders.
59. Algeria welcomed measures to promote the values of tolerance and multiculturalism in society, and to guarantee the independence of the judiciary.
60. Angola welcomed the improvements made in bringing national legislation into line with international human rights standards.
61. Argentina welcomed the standing invitation to all special procedure mandate holders.
62. Armenia shared the concerns raised by different human rights mechanisms about the deteriorating human rights situation since the previous review.
63. Australia welcomed efforts to strengthen legal protection of human rights, including through laws to combat human trafficking and forced marriage.
64. Austria urged Azerbaijan to continue collaborating with the Special Rapporteur on the rights to freedom of peaceful assembly and of association to organize a country visit in the near future.
65. Bahrain welcomed efforts to improve human rights, including a “one-stop” model for public service delivery.
66. Bangladesh appreciated the implementation of the National Action Plan to Combat Human Trafficking 2014–2018 and initiatives to promote multiculturalism and the country’s commitment to ensure gender equality.

67. Belarus welcomed the active cooperation of Azerbaijan with the treaty bodies and the adoption of laws and regulations to strengthen human rights protection.
68. Belgium welcomed the country's tradition of religious tolerance.
69. The Plurinational State of Bolivia welcomed advances in drinking water supply and the increase in public investment in health and education.
70. Bosnia and Herzegovina welcomed the standing invitation to special procedures. It expressed concern about the underrepresentation of women in political and public life.
71. Brazil expressed concern about the alleged violations of the rights to freedom of expression, peaceful assembly and association.
72. Brunei Darussalam commended Azerbaijan on the programme for the development of inclusive education for persons with disabilities, and acknowledged measures to improve the health-care system.
73. Bulgaria noted consistent policy measures to guarantee equality between women and men, the rights of the child and the rights of persons with disabilities.
74. Burundi welcomed the National Action Plan for the Improvement of the Protection of Human Rights and Fundamental Freedoms.
75. Cambodia welcomed the achievements of the socioeconomic development plan.
76. Canada encouraged Azerbaijan to strengthen protections for civil society, women and lesbian, gay, bisexual, transgender and intersex persons, and expressed concern about the administrative burden on NGOs.
77. Chile welcomed the ratification of treaties by Azerbaijan. It expressed concern about limitations on the freedom of association, despite recommendations accepted during the previous review cycle.
78. China welcomed the efforts and achievements of Azerbaijan with regard to improving the living standards of its people, fighting against corruption, promoting gender equality, combating human trafficking and protecting the rights of women, children and persons with disabilities.
79. Côte d'Ivoire urged Azerbaijan to strengthen its legislative framework to ensure the full enjoyment of human rights, especially for women, children, persons with disabilities and migrants.

80. Croatia welcomed the approval of the State Programme for the Development of Inclusive Education for Persons with Disabilities 2018–2024.
81. Cuba highlighted measures to guarantee the independence of the judiciary and to improve the functioning of the courts and the judicial infrastructure.
82. Cyprus remained deeply concerned about the challenges and restrictions faced by journalists, human rights defenders and youth activists.
83. Czechia acknowledged the religious tolerance and cooperative approach towards international observers during the 2018 presidential elections.
84. The Democratic People’s Republic of Korea commended Azerbaijan on its progress in international cooperation and the promotion of the human rights of its citizens.
85. Djibouti welcomed the ratification of Protocol No. 14 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending the control system of the Convention, and the Additional Protocol to the Criminal Law Convention on Corruption.
86. Ecuador welcomed the excellent record of Azerbaijan in reporting to treaty bodies, and its leadership in the promotion of transparent, accountable and efficient public services.
87. Egypt welcomed the cooperation of Azerbaijan with international human rights mechanisms and its efforts to enhance the independence of the judiciary.
88. Estonia acknowledged the increased cooperation of Azerbaijan with the United Nations human rights system and encouraged it to take further steps to promote free expression.
89. France made recommendations.
90. Gabon welcomed efforts to promote gender equality, to combat domestic violence and to create assistance centres for victims of domestic violence.
91. Georgia welcomed the ratification of international legal instruments and steps to issue standing invitations to all special procedure mandate holders.
92. Germany welcomed efforts to improve the socioeconomic conditions of internally displaced persons, and remained concerned about the ongoing repression of civil society.
93. Ghana welcomed efforts to promote and protect human rights and fundamental freedoms and encouraged Azerbaijan to continue with its positive initiatives.

94. Greece noted some positive steps taken by Azerbaijan, including the country visits of special rapporteurs during the period under review.
95. Honduras welcomed actions to reduce poverty and progress in the area of education, in particular for women and girls.
96. Hungary called upon the Government to continue to combat human trafficking.
97. Iceland welcomed the reform of the education system and took positive note of the growth in the literacy rate.
98. India appreciated measures to improve health-care facilities, and welcomed efforts to ensure gender parity in secondary and tertiary education.
99. Indonesia welcomed initiatives to ensure employment, housing and education for all, and efforts to address domestic violence and protect children's rights.
100. The Islamic Republic of Iran welcomed the raising of public awareness and the launching of training courses on human rights for officials and professionals.
101. Iraq praised efforts to harmonize national laws with international obligations, and welcomed the standing invitation for special procedure mandate holders.
102. Ireland remained concerned about unduly restrictive legislation governing the functioning of civil society and reports of the ill-treatment of human rights defenders and journalists.
103. Italy welcomed the commitment of Azerbaijan to promoting the peaceful coexistence of persons belonging to different religions or beliefs.
104. Jordan welcomed the efforts of Azerbaijan to achieve the Sustainable Development Goals and to align its national reporting with the Sustainable Development Goal process.
105. Kazakhstan appreciated measures to combat human trafficking, to strengthen social policies and to modernize the judicial and penitentiary systems.
106. Kenya called on Azerbaijan to improve the situation of migrants, asylum seekers, internally displaced persons and minorities by facilitating access to education, labour, housing and health care, and to improve children's rights by eradicating child marriage.
107. Kuwait welcomed the commitment of Azerbaijan to the promotion of human rights and sustainable development.

108. Kyrgyzstan praised achievements in the socioeconomic area and legislative measures, including changes in the Constitution.
109. The Lao People's Democratic Republic welcomed efforts to support the Women's Association for Rational Development.
110. Lebanon welcomed the efforts of Azerbaijan to comply with its international obligations, and its cooperation with international human rights mechanisms.
111. Libya positively noted the achievements made, particularly the ratification of a number of international treaties.
112. Malaysia welcomed the efforts of Azerbaijan to incorporate the provisions of the human rights conventions to which it was a party into its national legislation and to combat human trafficking.
113. Maldives welcomed efforts for the socioeconomic development of the country.
114. Mexico acknowledged progress in implementing universal periodic review recommendations, in particular the constitutional amendments and the Law on Public Participation.
115. Montenegro called upon Azerbaijan to take additional measures to introduce a human rights-based model of disability.
116. Morocco welcomed efforts to fight corruption, including the establishment of the National Action Plan for Open Government 2016–2018.
117. Myanmar welcomed steps to fulfil international human rights obligations. It expressed concern about reports of the repression of civil society.
118. Namibia commended Azerbaijan on the referendum, which had led to the strengthening of constitutional protection for human rights and fundamental freedoms.
119. Nepal welcomed the achievement of economic development and the subsequent promotion of social and economic rights.
120. The Netherlands encouraged Azerbaijan to take additional steps to strengthen human rights and the rule of law, including ensuring freedom of expression by enhancing the protection of journalists and human rights defenders.
121. Nigeria welcomed efforts to improve anti-corruption legislation and the National Action Plan to Combat Human Trafficking.

122. Norway expressed deep concerns about additional restrictions placed on civil society since the previous review.
123. Pakistan appreciated efforts to ensure the welfare of refugees and persons that had been internally displaced as a result of the Azerbaijan-Armenia conflict.
124. Panama highlighted the establishment of an intergovernmental group with civil society participation to draft the third national report.
125. Paraguay welcomed the record of Azerbaijan in ratifying and reporting on international treaties and the law on domestic violence. It expressed concern about the use of the terminology “illegal migrants”.
126. Peru recognized advances in the fight against poverty and efforts to modernize the judicial system and to change the approach of the authorities towards children in conflict with the law.
127. The Philippines welcomed the Migration Code and the Preschool Education Act. It also appreciated efforts to institutionalize a centralized national child database.
128. Portugal welcomed efforts to combat human trafficking and the establishment of a protection mechanism for unaccompanied children seeking asylum.
129. Qatar appreciated legislative measures to enhance the national legal framework and the cooperation with special procedure mandate holders.
130. The Republic of Korea welcomed initiatives aimed at enhancing access to courts and the efficiency of the administration of justice.
131. The Republic of Moldova noted the progress made in the reform of the justice system, the increased public spending on education and to ensure access to health care and investment in capacity-building, human rights education and training.
132. Romania welcomed the standing invitation to all special procedure mandate holders.
133. Costa Rica highlighted a number of advances, including cooperation with the treaty bodies and special procedure mandate holders.
134. Azerbaijan reiterated its commitment to democracy, human rights and fundamental freedoms. It provided details on the electronic court system, which was in the process of development. The Bar Association had been reformed to ensure the independence and quality of legal services. Azerbaijan actively co-

operated with the Council of Europe and the United Nations on combating torture, and applied a zero-tolerance policy to torture, which was criminally liable.

135. Azerbaijan respected its commitments under the European Court of Human Rights. If the Court found a violation of an individual's human rights by virtue of a final decision of the national courts, those decisions were reviewed in accordance with national legislation. In 2015 the European Court had delivered a judgment against Armenia in a case involving Azerbaijani internally displaced persons, confirming the fact of the ongoing occupation of a significant part of the territory of Azerbaijan by Armenia. The judgment had not been executed yet. Promotion of the rights of national minorities was also among the main priorities of the Government. Among other measures, there were television and radio programmes in minority languages, including Armenian.

136. Azerbaijan emphasized that over the past 15 years extreme poverty had been eliminated and absolute poverty had decreased to 5.4 per cent. GDP had grown by 3.2 times, the gross income of the population by 9.8 times and unemployment had been reduced to 5 per cent. Regional development programmes concentrated mainly on rural areas, including the construction and renovation of 8,000 km of roads, 300 bridges and tunnels, 52 km of gas pipelines for households, 8,000 schools, 300 kindergartens and 451 hospitals. About 700,000 persons in 487 rural settlements had gained access to clean water.

137. Azerbaijan noted that the draft law on disabilities was expected to be adopted by the parliament in the near future. Azerbaijan used the international classification of diseases in the identification of disabilities.

138. Azerbaijan stated that all necessary steps had been taken to ensure that persons in detention could communicate unhindered with human rights defenders. The State guaranteed the right to peaceful assembly and association and had not interfered in any lawful demonstrations.

139. Azerbaijan also noted that in 2017, 148 cases of human trafficking had been identified. The 47 children in detention were constantly monitored and computer-based learning opportunities were organized for them with a view to assisting their future reintegration into society.

II. Conclusions and/or recommendations

140. The recommendations formulated during the interactive dialogue/listed below have been examined by Azerbaijan and enjoy the support of Azerbaijan:

140.1. Maintain the positive dynamics of ratifying international human rights treaties (Bangladesh);

140.2. Continue to align national human rights legislation with international human rights standards (Cuba);

140.3. Harmonize national legislation in conformity with the international treaties that Azerbaijan has acceded to (Egypt);

140.4. Continue to bring national human rights legislation in line with international human rights standards (Jordan);

140.5. Establish a national mechanism for coordination, implementation, reporting and follow-up of human rights issues in line with elements identified in the 2016 OHCHR guide on national mechanisms for reporting and follow-up (Portugal);

140.6. Strengthen national mechanisms for follow-up on the implementation of international human rights recommendations received by the State, through the establishment of a broad inter-institutional mechanism (Paraguay);

140.7. Adopt an open, merit-based process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);

140.8. Extend an invitation to the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment (Costa Rica);

140.9. Continue efforts to implement accepted recommendations relating to combating torture and other forms of cruel treatment (Lebanon);

140.10. Continue cooperating with the Human Rights Council mechanisms (Sudan);

140.11. Continue its efforts to promote and protect human rights in collaboration with the Human Rights Council and OHCHR, on the basis of the needs identified by Azerbaijan (Tajikistan);

140.12. Continue active engagement with United Nations human rights mechanisms (Viet Nam);

140.13. Fully cooperate with, respond to, and follow the recommendations of the United Nations High Commissioner for Human Rights, the Human Rights Council, the Committee against Torture and all Human Rights Council special procedure mandate holders (Greece);

140.14. Share with others national best practices for peaceful coexistence (Islamic Republic of Iran);

140.15. Share best national practices of the peaceful coexistence of different religions and confessions (Iraq);

140.16. Maintain and further continue its valuable contributions for the strengthening of inter-civilizational and intercultural dialogue (Kazakhstan);

140.17. Continue measures to strengthen the capacity of national human rights protection mechanisms (Uzbekistan);

140.18. Increase and extend to all public service sectors training on the protection of the rights of persons in situations of human mobility (Ecuador);

140.19. Continue to improve national legislation and to strengthen corresponding institutions, ensuring the rights of women and children (Belarus);

140.20. Continue taking effective measures to better promote and protect the rights of women and children in the country (Kazakhstan);

140.21. Create the conditions and secure adequate resources for the Ombudsman's Office to develop its full capacity and fulfil its mandate (Slovakia);

140.22. Reform the Ombudsman institution to maintain a status according to the Paris Principles relating to the status of national institutions (Germany);

140.23. Continue to strengthen the Office of the Commissioner for Human Rights, including enhanced resource allocation (Sri Lanka);

140.24. Craft a comprehensive, long-term national action plan that would encompass all government efforts to promote and protect the human rights of its people (Philippines);

140.25. Consider adopting a national action plan to promote all women's rights (Namibia);

140.26. Continue efforts to develop an education system on human rights (Uzbekistan);

140.27. Continue efforts in the field of human rights education and training (Morocco);

140.28. Provide training to law enforcement, the judiciary and other stakeholders on handling cases of violence against women and ensure that all cases are promptly and thoroughly investigated (Canada);

140.29. Continue making available professional training programmes for government employees and legal workers to increase human rights education (Egypt);

140.30. Continue efforts to achieve gender equality, particularly in the labour market (Tunisia);

140.31. Comprehensively implement the existing national legislation prohibiting gender discrimination (India);

140.32. Maintain the positive dynamics of gender equality in the public service recruitment process (Pakistan);

140.33. Strengthen the national legal framework against all forms of discrimination based on disability (Algeria);

140.34. Take appropriate steps to counter racial discrimination, including by introducing a definition of racial discrimination in national legislation (Namibia);

140.35. Continue promoting capacity-building activities aimed at harmonizing national institutions in line with the Sustainable Development Goals, particularly Goal 16 (United Arab Emirates);

140.36. Further the Sustainable Development Goal-centred approach deployed by the Government in taking measures designed to advance the promotion and protection of human rights (Viet Nam);

140.37. Enhance the role of women in strengthening democracy and ensuring sustainable development (Bahrain);

140.38. Continue enhancing the role of women in strengthening democracy and ensuring sustainable development (Bangladesh);

140.39. Further the Sustainable Development Goal-centred approach deployed by the Government in taking the measures designed to advance the promotion and protection of human rights (Bangladesh);

140.40. Further the Sustainable Development Goal-centred approach in taking measures to advance the realization of the right to education for its people (Indonesia);

140.41. Maintain economic development dynamics with a view to improving the well-being of the population (Islamic Republic of Iran);

140.42. Continue efforts to promote human rights through programmes aimed at achieving the Sustainable Development Goals (Kuwait);

140.43. Further the Sustainable Development Goal-centred approach deployed by the Government in taking the measures designed to advance the promotion and protection of human rights (Maldives);

140.44. Further the Sustainable Development Goal-centred approach deployed by the Government in taking the measures designed to advance the promotion and protection of human rights (Pakistan);

140.45. Continue efforts to improve the quality of education in public schools while implementing the Sustainable Development Goals (Bolivarian Republic of Venezuela);

140.46. Take further steps to implement the United Nations Guiding Principles on Business and Human Rights, taking into account therecommendations from the Working Group on business and human rights (Thailand);

140.47. Prohibit corporal punishment of children and promote non-violent alternatives as disciplinary measures (Uruguay);

140.48. Revise current legislation in order to explicitly prohibit corporal punishment of children in all settings, including at home (Montenegro);

140.49. Ensure the implementation of the Presidential decree on the improvement of the penitentiary system, in particular the parts on the renovation of infrastructure, the enhancement of control over conditions of detention and the prevention of potential cases of corruption (Russian Federation);

140.50. Improve conditions in prisons and detention centres, and ensure necessary access to medical care for inmates (Czechia);

140.51. Continue efforts to combat human trafficking and to protect and support victims, particularly women and children (Tunisia);

140.52. Carry on efforts to enable tangible progress in combating trafficking in persons (Turkmenistan);

140.53. Pay special attention to women and children in terms of trafficking (Ukraine);

140.54. Work towards ending all forms of human trafficking, including by developing a new national action plan for combating trafficking in human beings (United Kingdom of Great Britain and Northern Ireland);

140.55. Intensify actions to prevent and fight trafficking for the purpose of labour exploitation (Angola);

140.56. Continue efforts to combat trafficking in human beings, particularly the exploitation of children and women, by strengthening the fight against traffickers (Djibouti);

140.57. Continue with ongoing efforts to combat trafficking of women and girls for sexual exploitation and forced labour (Ghana);

140.58. Continue efforts to prevent and combat trafficking of persons for the purpose of labour exploitation (Islamic Republic of Iran);

140.59. Continue efforts to combat human trafficking (Iraq);

140.60. Strengthen efforts to combat human trafficking and to protect and assist the victims of human trafficking, particularly children (Lebanon);

140.61. Take all necessary steps to eliminate human trafficking and strengthen measures to provide necessary assistance to victims of trafficking by facilitating their reintegration into society (Malaysia);

140.62. Continue to intensify efforts to combat and address human trafficking, including by revising the legal definition of “vulnerable individuals” under the Law on Trafficking in Persons and increasing the number of shelters available to victims of trafficking (Namibia);

140.63. Sustain its efforts to combat human trafficking and safeguard the rights of migrant workers (Nigeria);

140.64. Apply all legislative, administrative and other measures to combat trafficking in persons (Panama);

140.65. Continue and intensify its efforts on behalf of children and women generally, to ensure their safety in the domestic environment and to remove any obstacles to their education, development and access to equal opportunities (Tajikistan);

140.66. Take further steps to afford all persons deprived of their liberty all the fundamental legal safeguards from the very outset of their detention (Hungary);

140.67. Further increase action aimed at ensuring the promotion of freedom of religion for all confessions throughout the country (Italy);

140.68. Continue its work to develop freedom of speech, support the independence of the media and boost the professionalism of journalists and strengthen their social protection (Russian Federation);

140.69. Continue to take measures to grantee freedom of association and to engage closely with civil society in upholding human rights protection (Myanmar);

140.70. Respect the rights of lawyers (France);

140.71. Continue taking further steps to strengthen the juridical system (Tajikistan);

140.72. Expand the application of modern information technologies and innovations in the justice system (Belarus);

140.73. Ensure the independence, impartiality and transparency of the judicial system, and improve access to justice (France);

140.74. Increase the use of technological and electronic innovations in the provision of government services (Qatar);

140.75. Continue efforts to implement the national plan to eradicate corruption 2016–2018 (Tunisia);

140.76. Continue its ongoing efforts to enhance the transparent and efficient nature of the State Agency for Services and Social Innovations (Turkey);

140.77. Continue progress in combating corruption through the use of innovative approaches (United Arab Emirates);

140.78. Intensify efforts to eradicate corruption (Bahrain);

140.79. Continue to enhance transparency in public entities and to strengthen its legal and policy framework to eradicate corruption in the public sector (Singapore);

140.80. Continue to share best national practices for the provision of public services through a single window model, in order for them to be subsequently replicated (Cuba);

140.81. Maintain the progress achieved in eliminating corruption at the national level (Iraq);

- 140.82. Continue to use technological innovation to promote public legal services (Kuwait);**
- 140.83. Continue with its efforts to combat corruption and other related economic crimes (Nigeria);**
- 140.84. Further strengthen its ongoing judicial reform process through smart technology and an awareness programme for law enforcement staff (Myanmar);**
- 140.85. Ensure that any allegations of torture are investigated effectively, independently and impartially (Switzerland);**
- 140.86. Continue efforts to fight corruption at the national level (Morocco);**
- 140.87. In line with the Human Rights Committee, take specific measures for the exercise of political participation in plural and competitive elections (Costa Rica);**
- 140.88. Continue efforts to promote and protect civil, economic and cultural rights (Yemen);**
- 140.89. Strengthen ongoing initiatives aimed at improving the economic and social welfare of its citizens, in particular their health and education (Sri Lanka);**
- 140.90. Continue measures to improve the equitable enjoyment of socio-economic rights by vulnerable and marginalized communities (Nepal);**
- 140.91. Continue to promote sustainable economic and social development, raise people's standard of living and lay a solid foundation for the enjoyment of all human rights by its people (China);**
- 140.92. Continue efforts to implement the national programme for social and economic development (Libya);**
- 140.93. Continue to strengthen social security measures to provide assistance for low-income families (China);**
- 140.94. Continue its efforts to combat poverty, especially among the most disadvantaged and marginalized members of the population, and reduce disparities between the capital and rural areas (State of Palestine);**
- 140.95. Continue to strengthen its successful social programmes in the fight against poverty and social exclusion (Bolivarian Republic of Venezuela);**
- 140.96. Continue efforts aimed at strengthening social policy and poverty eradication (Saudi Arabia);**

140.97. Continue strengthening poverty reduction policies for rural areas, including through measures to strengthen small sustainable agriculture (Plurinational State of Bolivia);

140.98. Adopt a national policy on employment for young people, in particular for young people in rural areas (Honduras);

140.99. Reinforce the implementation of the action programme on the protection of mother and child health to ensure a reduction of the high prevalence of maternal and infant deaths (Angola);

140.100. Continue its efforts to further improve access to, and the quality of, health-care services (Brunei Darussalam);

140.101. Continue its efforts to improve health-care facilities in rural areas in collaboration with relevant United Nations agencies (Democratic People's Republic of Korea);

140.102. Increase easy access to health-care services, ensure an adequate budget for health expenditures, improve the health-care infrastructure and promote the skills of health service providers (India);

140.103. Continue to implement the programme of action on the protection of women's and children's health and ensure that all programmes related to maternal and child health are extended to rural areas (Kyrgyzstan);

140.104. Promptly adopt the bill on reproductive health and family planning (Uruguay);

140.105. Ensure women's decision-making powers concerning their health status and the use of abortion for family planning (Iceland);

140.106. Ensure that school-age children, including foreigners, have the right to education (Algeria);

140.107. Continue to invest in State spending on public education, in particular in rural areas, to promote equal access to education (Singapore);

140.108. Continue efforts aimed at the protection and promotion of women's rights through relevant strategies, action plans and campaigns (Georgia);

140.109. Continue enhancing the role of women in strengthening democracy and ensuring sustainable development (Turkmenistan);

140.110. Continue assistance for and promotion of women's empowerment both in the public and private sectors (Lao People's Democratic Republic);

- 140.111. Continue to take systematic and coherent measures to raise awareness of and combat discrimination against women (Romania);**
- 140.112. Enhance efforts to address patriarchal attitudes and gender stereotypes through strengthened implementation of relevant laws and policies (Rwanda);**
- 140.113. Increase efforts to eliminate violent and discriminatory practices against women, specially addressing the issue of selective abortions based on the sex of the fetus (Uruguay);**
- 140.114. Strengthen existing measures to raise awareness of and combat discrimination against women (Zimbabwe);**
- 140.115. Continue to take systematic and coherent measures to raise awareness of and combat discrimination against women (Lao People's Democratic Republic);**
- 140.116. Continue efforts to enhance gender parity and promote non-discrimination against women in all spheres (Sri Lanka);**
- 140.117. Continue taking measures to combat violence against women, including by conducting awareness-raising campaigns on the negative impact of gender-based stereotypes with a view to eliminating them (Republic of Moldova);**
- 140.118. Continue and intensify efforts to promote gender equality and reduce violence against women through systematic and coherent measures (Malaysia);**
- 140.119. Take additional measures to promote and protect women's rights, combat domestic violence and promote gender equality, including legal reforms on gender violence and the development of a national action plan (Brazil);**
- 140.120. Increase its efforts to promote and protect the rights of women, fight against domestic violence and promote gender equality (Togo);**
- 140.121. Strengthen measures to combat domestic violence and violence against women, including through the implementation of legislation to ensure justice for victims (Rwanda);**
- 140.122. Continue efforts to ensure women's rights by completing the adoption and implementation of gender equality measures and the fight against domestic violence (Gabon);**
- 140.123. Intensify efforts to promote and protect women's rights, with a specific focus on the fight against domestic violence (Italy);**

- 140.124. Continue efforts to promote and protect the rights of women, to combat domestic violence and to achieve gender equality (Kyrgyzstan);**
- 140.125. Involve women more actively in the decision-making process and ensure their full and equal participation in political and public life (Ukraine);**
- 140.126. Strengthen mechanisms to promote the full and effective participation of women in different spheres, thus guaranteeing their effective incorporation into public life (Bosnia and Herzegovina);**
- 140.127. Step up efforts to strengthen the role of women in the political and socioeconomic development of the country (Bulgaria);**
- 140.128. Continue with the work that has allowed greater political participation of women in decision-making positions in recent years (Ecuador);**
- 140.129. Strengthen the full participation of women, on an equal footing with men, in political and public life (Peru);**
- 140.130. Promote more integrated youth and adolescent services, involving multiple agencies, to improve the availability of and access to complementary services, with a particular focus on access to such services for girls and young women (Republic of Moldova);**
- 140.131. Implement the action programme on the protection of mother and child health, and ensure that all maternal and child health programmes cover rural areas (Togo);**
- 140.132. Accelerate its legislative reform process aimed at protecting the rights of the child (Zimbabwe);**
- 140.133. Include in the Criminal Code provisions expressly prohibiting child pornography (Côte d'Ivoire);**
- 140.134. Ensure the adoption and effective implementation of the draft law on the rights of persons with disabilities (Russian Federation);**
- 140.135. Consider adopting laws on the rights of persons with disabilities in line with the general principles of the policies of the Government (Sudan);**
- 140.136. Expedite the formulation of the law on the rights of persons with disabilities, based on the recommendations from the Committee on the Rights of Persons with Disabilities and with civil society participation (Thailand);**
- 140.137. Invest additional efforts to comprehensively improve the situation of persons with disabilities and their social inclusion (Serbia);**

140.138. Ensure that the State Programme for the Development of Inclusive Education for Persons with Disabilities is successfully implemented and share experience and best practices with other Member States (Brunei Darussalam);

140.139. Continue to implement policies to support the inclusion of all persons with disabilities in society and their active participation in community life, and allocate adequate financial resources for this purpose (Djibouti);

140.140. Complete the elaboration and adoption of all legislative and institutional measures for persons with disabilities (Gabon);

140.141. Continue its institutional reforms for strengthening the protection of human rights, including by intensifying measures to adopt the bill on the rights of persons with disabilities (Indonesia);

140.142. Continue to promote and protect the rights of persons with disabilities (Lao People's Democratic Republic);

140.143. Explicitly include in its legislation the prohibition of discrimination on the grounds of disability (Panama);

140.144. Continue implementing programmes and projects aimed at ensuring access to inclusive education for all children with disabilities (Bulgaria);

140.145. Disseminate successful national experience to promote intercultural and interreligious dialogue (Belarus);

140.146. Continue to strengthen intercultural dialogues (Islamic Republic of Iran);

140.147. Continue its constructive engagement in ensuring the rights of Azerbaijani internally displaced persons forcefully expelled from the Nagorno- Karabakh region of Azerbaijan to return to their native lands (Turkey);

140.148. Maintain the positive experience of allocating adequate funds for welfare programmes for internally displaced persons (Bangladesh);

140.149. Maintain the positive experience of allocating adequate funds for the welfare programme for internally displaced persons (Jordan);

140.150. Raise awareness of the efforts taken to ensure the rights of internally displaced persons to return to their native lands in safety and dignity (Maldives);

140.151. Continue to make every effort to ensure the rights of internally displaced persons to return to their native lands in safety and dignity (Pakistan);

140.152. Continue efforts to guarantee equality of access to education with the continuation of the provision of academic scholarships for internally displaced persons (Qatar).

141. The following recommendations will be examined by Azerbaijan, which will provide responses in due time, but no later than the thirty-ninth session of the Human Rights Council:

141.1. Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal) (Spain);

141.2. Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and ensure its full implementation (Slovakia);

141.3. Intensify internal coordination related to accession to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Georgia);

141.4. Consider the possibility of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Bosnia and Herzegovina);

141.5. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Burundi) (Portugal);

141.6. Take into consideration the ratification of the Rome Statute of the International Criminal Court (Romania); Consider ratifying the Rome Statute of the International Criminal Court (Uruguay);

141.7. Ratify the Rome Statute of the International Criminal Court (Austria) (Spain);

141.8. Ratify the Rome Statute of the International Criminal Court and align its national legislation (Cyprus);

141.9. Ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Côte d'Ivoire) (Cyprus) (Spain);

141.10. Ratify the Council of Europe Istanbul Convention (Estonia);

141.11. Ratify the human rights instruments to which it is not a party yet, in particular the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Honduras);

141.12. Extend a standing invitation to the Special Rapporteur on the independence of judges and lawyers to undertake fact-finding country visits with respect to the situation of the judiciary and legal professions in the country (Greece);

141.13. Establish independent and transparent mechanisms for disciplinary proceedings against lawyers in conformity with the Basic Principles on the Role of Lawyers and Recommendation No. R(2000)21 of the Council of Europe on the freedom of exercise of the profession of lawyer (Austria);

141.14. Comply with decisions of the European Court of Human Rights concerning illegal imprisonments on politically motivated charges (Cyprus);

141.15. Respect its obligations as a member of the Organization for Security and Cooperation in Europe and the Council of Europe, and implement all decisions of the European Court of Human Rights (France);

141.16. Take the necessary measures to combat acts of violence and discrimination, such as stigmatization, against persons pertaining to the lesbian, gay, bisexual, transgender and intersex community, and encourage Azerbaijan to deepen the measures to ensure the investigation and sanctioning of those acts (Argentina);

141.17. Ensure that lesbian, gay, bisexual, transgender and intersex people are protected against all forms of discrimination and violence in both law and practice (Canada);

141.18. Adopt a comprehensive legal framework against discrimination based on sexual orientation and gender identity (Chile);

141.19. Thoroughly review its applicable legislation, in line with its international obligations and commitments, in order to eliminate and combat discrimination based on any ground, including sexual orientation and gender identity (Honduras);

141.20. Ensure that the existing anti-discrimination legal framework explicitly prohibits discrimination based on sexual orientation and gender identity (Iceland);

141.21. Take steps to intensify the fight against all forms of discrimination, in full compliance with international obligations (Italy);

141.22. Incorporate the prohibition of discrimination on the grounds of sexual orientation and gender identity in the current legal framework (Mexico);

141.23. Implement a comprehensive awareness-raising campaign on the elimination of existing sex-based stereotypes (Montenegro);

141.24. Ensure that article 283 of the Criminal Code on incitement to racial hatred is not misused to persecute or intimidate individuals for their political beliefs (Republic of Korea);

141.25. Continue measures to ensure that ethnic minorities, including the Lezghui and Talysh populations, enjoy all their rights (Peru);

141.26. Adopt a draft law on the protection of children from all forms of corporal punishment (Kyrgyzstan);

141.27. Safeguard children's rights by enacting the draft Law on the Protection of Children against All Forms of Corporal Punishment (Namibia);

141.28. Investigate all allegations of torture and ill-treatment of journalists, human rights defenders and activists, and bring perpetrators to justice (Slovakia);

141.29. Take measures to eradicate torture, ill-treatment and arbitrary arrests in line with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In addition, strengthen public policies and education to combat discrimination and violations of the rights of the lesbian, gay, bisexual and transgender community (Costa Rica);

141.30. Protect persons from arbitrary detentions and ill-treatment that they face for any personal consideration, including their sexual orientation and gender identity, ensuring their full social integration on the same footing (Spain);

141.31. Immediately and unconditionally release all prisoners arrested on political grounds, including Mr. Ilgar Mammadov, and adopt safeguards against arbitrary or politically motivated detention (Norway);

141.32. Release all activists, journalists and bloggers held on politically motivated charges, and dismiss the criminal charges against those individuals that have already been released (Australia);

141.33. Ensure that human rights defenders, lawyers and civil society actors are able to carry out their activities without fear or threat of reprisal, ob-

struction or legal or administrative harassment, as previously recommended (Sweden);

141.34. Stop all politically motivated legal proceedings against independent civil society actors (Sweden);

141.35. Amend the Code of Administrative Offences, the Law on Grants and the Law on NGOs to eliminate requirements for re-registration and to simplify regulations on access to funding (Sweden);

141.36. Ensure the right to freedom of expression, including by revoking its decision from 2017 to block the websites of several independent and opposition media (Sweden);

141.37. Guarantee the rights to freedom of expression, both online and offline, freedom of association and peaceful assembly (Switzerland);

141.38. Immediately and unconditionally release all individuals in custody for exercising their fundamental freedoms, including the rights to freedom of expression, association, assembly and religion (United States of America);

141.39. Amend the Law on Advocates and Advocates' Activities to remove executive and judicial representatives from the Qualification Commission of the Bar Association, to prevent the use of punitive measures against lawyers for their human rights work, and to ensure transparent criteria and procedures for admission (United States of America);

141.40. Take the necessary measures to guarantee that all persons can exercise peacefully their right to freedom of expression in conformity with international standards, in particular regarding human rights defenders (Argentina);

141.41. Remove libel and defamation as criminal offences and take further steps to ensure journalists may work freely and without fear of retribution (Australia);

141.42. Review administrative and legislative provisions and projects, including on defamation, to fully guarantee the enjoyment of freedom of expression, assembly and association (Austria);

141.43. Take steps to implement its international obligations on freedom of expression, including the decriminalization of defamation (Belgium);

141.44. Create the environment for a free and independent media and take effective measures to ensure that the press and media can work free from oppression, intimidation or reprisals (Slovakia);

141.45. Take steps to cease restrictions on the right to freedom of opinion and expression, and ensure that the right to manifest one's religion in private or in public is fully protected and realized (Ghana);

141.46. Ensure full respect for freedom of expression in line with its international commitments, including by ensuring that all journalists may work freely and without fear of retribution, allowing foreign media broadcasts without undue restrictions, ensuring unfettered access to the country for journalists and ending the travel restrictions against independent journalists, NGO leaders and opposition members (Greece);

141.47. Immediately and unconditionally release all persons arbitrarily detained for exercising their rights to freedom of expression, including Ilgar Mammadov, in order to respect the decision of the European Court of Human Rights (Slovenia);

141.48. Let the Internet remain an area for free speech, particularly by unblocking the opposition websites closed in the spring of 2017, and stopping the persecution of people voicing critical opinions online (Norway);

141.49. Guarantee the rights to freedom of expression and peaceful assembly (Peru);

141.50. Strengthen the legal framework for the protection of human rights and basic freedoms, including freedom of expression as included in the national plan (Lebanon);

141.51. Continue ensuring that human rights defenders and journalists are protected from any act of intimidation or reprisal or any other impediment to their work (State of Palestine);

141.52. Permit peaceful civic activity by ending cases against NGOs and independent media, removing undue restrictions to accessing foreign grants and amending laws regarding the registration, operation, and funding of NGOs, in accordance with the recommendations of multilateral institutions, and ending the blocking of independent and opposition websites (United States of America);

141.53. Repeal the recent legislation that restricts freedoms of expression, peaceful assembly and association, and ensure a safe environment for journalists, activists and human rights defenders (Spain);

141.54. Take measures to guarantee the safety of journalists, in conformity with resolution 33/2 of the Human Rights Council, and ensure prompt, impartial and thorough investigations (Chile);

141.55. Ensure freedom of expression and media freedom, including by promptly and thoroughly investigating all allegations of the torture and ill-treatment of journalists, human rights defenders and youth activists, and prosecute perpetrators (Estonia);

141.56. Decriminalize defamation, and include it in the Civil Code in accordance with international standards (Estonia);

141.57. Ensure freedom of expression and the press, in particular by reviewing the Law on Defamation and ceasing the blocking of opposition sites (France);

141.58. Bring administrative and legal practices regarding the freedom of assembly into line with article 49 of the Constitution and article 5 of the Law on Freedom of Assembly (Germany);

141.59. Guarantee the full exercise of the rights to freedom of assembly, expression and association, also by improving the environment for NGOs to freely carry out their activities (Italy);

141.60. End all interference in the work of lawyers through disbarment or other disciplinary measures on improper grounds such as expressing critical views (United Kingdom of Great Britain and Northern Ireland);

141.61. Remove legislative and practical obstacles to the registration, funding and operation of NGOs (Australia);

141.62. Take all necessary measures to support the development of a vibrant civil society, in particular by simplifying the rules on the financing of NGOs (Belgium);

141.63. Revise legislation requiring civil society organizations to register activities to better protect the effective operation of civil society and the media, consistent with international law (Canada);

141.64. Remove legislative and practical obstacles to the functioning of civil society (Croatia);

141.65. Ensure that all civil society organizations and activists can operate without undue hindrance or fear of persecution (Cyprus);

141.66. Amend laws restricting the activities of civil society, including the Code of Administrative Offences and the law on grants and amend the law on NGOs in order to simplify NGO registration and their access to funding (Czechia);

141.67. Ensure that human rights lawyers are not disbarred for political reasons and remain entitled to represent clients in courts (Czechia);

141.68. Ensure that all defendants have access to appropriate legal representation, including by increasing the number of qualified lawyers (Estonia);

141.69. Revise the Law on NGOs in order to promote the development of civil society (France);

141.70. Revise restrictive NGO and grant legislation from early 2014 and bring it into line with international standards (Germany);

141.71. Ensure that all governmental authorities, in cooperation and consultation with the Bar Association and with lawyers themselves, take steps to ensure that lawyers are protected from intimidation and harassment or other improper interference in their work (Slovenia);

141.72. Revise all laws, regulations and practices concerning freedom of association, to bring them into full compliance with international human rights standards (Ireland);

141.73. Review and amend legislation related to the registration of NGOs and their financial means, with a view to guaranteeing the independence of civil society representatives (Mexico);

141.74. Enhance the protection of journalists, human rights defenders and NGOs by removing undue restrictions to access foreign grants and amending NGO legislation, particularly regarding the registration, operation and funding of NGOs (Netherlands);

141.75. Review its legislation regarding NGOs in order to ensure a safe and enabling environment for them to operate and have free access to funding (Norway);

141.76. Refrain from any undue interference in the work of lawyers and ensure the effective independence of the Bar Association of Azerbaijan (Germany);

141.77. Revise the selection process for the bar of lawyers, ensuring the use of objective, transparent and independent criteria, which will promote the legal protection of all persons (Mexico);

141.78. Investigate all allegations and prosecute perpetrators of torture and ill-treatment of journalists and political opponents, and strengthen the training of relevant public authorities and staff on human rights (Republic of Korea);

141.79. Investigate thoroughly allegations of ill-treatment of individuals in police custody with perpetrators being held to account (Australia);

141.80. Ensure effective, prompt and independent investigations of all cases of harassment and violence against journalists and human rights defenders and bring perpetrators to justice (Austria);

141.81. Enhance efforts to investigate all allegations of torture and ill-treatment, in particular against human rights defenders, journalists and members of religious groups, and hold perpetrators accountable (Brazil);

141.82. Investigate promptly and impartially all allegations of arbitrary arrest and detention of civil society actors and develop transparent processes to ensure ready access to legal representation (Canada);

141.83. Thoroughly investigate all allegations of torture and ill-treatment against detainees and sanction the perpetrators of such acts (Chile);

141.84. Investigate allegations of arbitrary arrests of human rights defenders and journalists, and ensure that freedom of opinion and expression is not unduly restricted on grounds of extremism, defamation or “humiliation of honour” (Czechia);

141.85. Thoroughly investigate all allegations of torture and ill-treatment of detainees and hold perpetrators accountable (Greece);

141.86. Ensure prompt, effective, independent and impartial investigations into all allegations of arbitrary detention, torture and ill-treatment of human rights defenders, civil society activists and journalists (Ireland);

141.87. Make the necessary adjustments to ensure access of women to employment by eliminating wage inequalities between men and women, and promote collective bargaining between trade unions and employers by acting as mediators during dialogues and agreements concluded between the parties (Panama);

141.88. Establish a robust legal framework to eliminate all forms of discrimination and violence against women (Nepal);

141.89. Adopt without delay a national strategy for the prevention of gender-based violence, including domestic violence, and allocate the necessary resources for these policies to ensure their effectiveness (Belgium);

141.90. Carry out policies aimed at ensuring the application of the Law on the Prevention of Domestic Violence (Paraguay);

141.91. Redouble its efforts to ensure access to inclusive and quality education for girls and women in rural areas (Honduras);

141.92. Take measures to ensure that the secondary school attendance rate among girls in rural areas is raised to the commendably high level of attendance of girls in urban areas (Hungary);

141.93. Continue and strengthen ongoing efforts to eliminate child marriage and ensure that girls complete secondary education before getting married (Togo);

141.94. Continue efforts to eliminate child marriage and to ensure that girls go through secondary education before marriage (Kyrgyzstan);

141.95. Pursue efforts to preserve cultural and linguistic diversity including through the education system (Russian Federation);

141.96. Facilitate the procedure of compulsory registration for minority communities and do not unnecessarily obstruct their religious freedom (Spain);

141.97. Use the terminology “migrants in an irregular situation” for those who enter into the country and have not yet completed the entry formalities (Paraguay);

141.98. Implement a non-discriminatory asylum policy (Switzerland);

141.99. Grant all asylum seekers access to the asylum system, by ensuring that the definition of refugees is compatible with article 1 of the 1951 Convention relating to the Status of Refugees (Netherlands);

141.100. Take the necessary measures to ensure the access of all children, in particular internally displaced children, to the education system (Afghanistan);

141.101. Guarantee all the rights of freed activists (France).

142. In the view of Azerbaijan, the recommendations listed below are not relevant since they are not factually correct, are a unilateral interpretation of the respective matters and do not comply with the bases of the review stipulated in Human Rights Council resolutions 5/1 and 16/21, and therefore will not be considered by Azerbaijan:

142.1. Stop the use of corruptive means to foster Azerbaijan’s conflict perception in different international organizations (Armenia);

142.2. Collaborate fully with the European Court of Human Rights regarding the application on the case of Hayk Makuchyan and Samvel Minasyanv. Azerbaijan and Hungary (Armenia);

142.3. Condemn the repeated and unpunished use of inflammatory war-mongering language by high-level politicians speaking about Armenia and the Armenians and its adverse impact on public views (Armenia);

142.4. Ensure that foreigners with Armenian surnames are not denied access to the country on arbitrary and discriminatory bases (Armenia);

142.5. Preserve and protect the cultural and archaeological heritage in its jurisdiction, without altering their cultural and ethnic identity, including the medieval Armenian cemetery in Julfa (Armenia);

142.6. Stop falsifying statistics on internally displaced persons and refugees by applying a misleading methodology of accounting (Armenia).

143. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

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

- Amb. Vaqif Sadiqov, Permanent Representative of the Republic of Azerbaijan to the United Nations Office and other international organizations in Geneva;
- Mr. Toghrul Musayev, Deputy Minister of Justice;
- Mr. Ismat Aliyev, Deputy Minister of Internal Affairs;
- Mrs. Sevinj Hasanova, Deputy Minister of Economy;
- Mr. Natiq Mammadov, Deputy Minister of Labour and Social Protection of Population;
- Mrs. Sadagat Gahramanova, Deputy Chairman of the State Committee for Family, Women and Children Affairs;
- Mr. Chingiz Asgarov, Chief of Section, Presidential Administration;
- Mr. Vahid Gahramanov, Deputy Head of Directorate, State Migration Service;
- Mr. Faig Gurbanov, Head of Human Rights and Public Relations Department, Ministry of Justice;
- Mr. Ismayil Asadov, Chief of Division, Ministry of Foreign Affairs;
- Mr. Rafi Gurbanov, Deputy Chief of Division, State Committee on Religious Associations;
- Mr. Rashad Hasanov, First Secretary, Ministry of Foreign Affairs;
- Mr. Emil Hasanov, Deputy Permanent Representative of the Republic of Azerbaijan to the United Nations Office and other international organizations in Geneva;
- Mr. Seymur Mardaliyev, Counsellor, Permanent Mission of the Republic of Azerbaijan to the UN Office and other international organizations in Geneva;
- Mr. Yalchin Rafiyev, First Secretary, Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other international organizations in Geneva;
- Mr. Emin Aslanov, Second Secretary, Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other international organizations in Geneva.

United Nations



GENERAL ASSEMBLY

A/HRC/39/14/Add.1

Distr.: General

11 July 2018

Original: English

Human Rights Council

Thirty-ninth session

10–28 September 2018

Agenda item 6

Universal periodic review

Report of the Working Group on the Universal Periodic Review Azerbaijan ADDENDUM

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

The position of the Government of the Republic of Azerbaijan on the 101 recommendations given within the framework of the 30th session of the Working Group on Universal Periodic Review mechanism of the Human Rights Council of the United Nations

1. Azerbaijan carefully reviewed the 259 recommendations made during the third cycle of the universal periodic review in May 2018. Azerbaijan supported most of the recommendations while taking note of the rest.
2. Support for a recommendation means that it has been implemented, that it is currently being implemented or that it can be implemented. Many of the recommendations have in fact been implemented and Azerbaijan will strive to implement the others.
3. Taking note of a recommendation means that it requires further study.

The position of Azerbaijan on the outstanding recommendations

Take note of 141.1

4. The ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights requires interstate approval.

Take note of 141.2 and 141.3

5. Currently legal and institutional reforms are being carried out aimed at improving protection of the rights of a child in Azerbaijan. Drafts of Code on a child and the National Strategy on a Child are being finalised. After the adoption and implementation of these documents, it might be possible for our country to become a party to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

Take note of 141.4 and 141.5

6. Accession of Azerbaijan to the International Convention for the Protection of All Persons from Enforced Disappearance requires further internal coordination.

Take note of 141.6, 141.7 and 141.8

7. The information regarding the issue of the ratification of the Rome Statute of the International Criminal Court has been provided in the Paragraph 11 and 12 of the third periodic report of the Government of the Republic of Azerbaijan on Universal Periodic Review.

Take note of 141.9, 141.10 and 141.11

8. Azerbaijan has participated in the drafting process of the Council of Europe Convention

on preventing and combating violence against women and domestic violence. The relevant national legislation of Azerbaijan is being examined in order to implement the articles of the Convention and establish new mechanisms as stipulated in the Convention. After conclusion of that process Azerbaijan will formulate its legal stance.

Support of 141.12

9. Azerbaijan has granted a standing invitation to all Special Procedure Mandate Holders of the Human Rights Council of the United Nations.

Support of 141.13

10. The Law of Azerbaijan on “Advocates and legal profession” corresponds to the requirements of the both two international instruments that are indicated in recommendation. As such, advocates are involved in disciplinary responsibility in cases of finding of violations of requirements of legislative acts, the Statute on the rules regarding advocates’ behaviour, including the cases with regard to violation of norms of advocate ethics based on requirements of the both of two international instruments and in accordance with national legislation.

Support of 141.71, 141.77

Take note of 141.39; 141.76

11. Currently, there are more than 1200 advocates in the country. A number of complaints directed to the Bar Association have been 152 in last 6 months. Disciplinary measures have been chosen for 10 of advocates and regarding only 1 person, application has been sent to the court for expulsion from advocacy profession. Among them, 18 of complaints are received from the state institutions, 5 of them are received from non-governmental organizations and 129 of them are received from citizens.

12. This kind of decisions of the Bar Association of Azerbaijan can be noted to be as one of the lowest rates when comparing to the statistics of organization of advocates in the whole world. When it comes to the selected disciplinary measures, most of them have been applied on the basis of complaints by citizens, not on the basis of the complaints sent by office of prosecutor, a court and state bodies. For this reason, none of the chosen decisions can be characterized as politically motivated; also advocates to whom disciplinary measure have been chosen have no political tie, and do not protect the rights of politicians. Implicitly, all disciplinary measures have been chosen in relation to the violation of the legislation and ethics of advocacy.

13. “New statute on rules regarding behaviour of advocates” has been accepted based on the “Code regarding behaviour of the European advocates” adopted by the European Bar Association and Legal Communities (CCBE).

Support of 141.68

14. Rules on admission to advocacy and on holding of exams, program of preparation to examination, sample questions for test examination stage have been displayed in the

official website of the Bar Association. The Bar Association is also interested to applying more advanced standards in admission process in future and will take necessary measures to this end.

15. After compulsory trainings held on May 2, 23 and on 6 June of current year oath ceremony has been held for successful candidates. They have been admitted to the membership of the Bar Association according to the decision of the governing body, as a result, the number of the members of the Bar Association have exceeded 1200 in the first time of the history of Advocacy of Azerbaijan. Furthermore, oath ceremony for admission of 300 new advocates to the membership of the Association has been held during July of the current year. Consequently, the number of the advocates has increased from 944 to 1535 persons, and has been more than 62.6% comparing to previous years in Azerbaijan.

Support of 141.21

16. According to the Article 25 of the Constitution of Azerbaijan, everyone is equal before the law and court. The State guarantees the equality of rights and freedoms to everyone, irrespective of race, ethnicity, religion, language, sex, origin, property status, occupation, belief or affiliation with political parties, trade union organizations or other public associations. Restrictions of rights and freedoms on the grounds of race, ethnicity, religion, language, sex, origin, belief, or political or social affiliation are prohibited.

17. The principle of prohibition of restriction of human and citizen rights and freedoms based on racial, ethnic origin, religion, sex and other bases has been determined in the Criminal, Criminal-Procedural, Civil Procedural, Labour codes and in other legislative acts.

Support of 141.25

Take note of 141.16; 141.17, 141.18, 141.19, 141.20, 141.22, 141.23, 141.29, 141.30

Support of 141.26, 141.27

18. After adoption of the Law on the protection of children from all forms of corporal punishment, control mechanisms in relation to its fulfilment will demand to implement the strict reforms in the field of a child protection in local level. For this reason, adoption of such law will be considered in the future.

Support of 141.28

Take note of 141.78, 141.80, 141.81, 141.83, 141.85, 141.86

19. Azerbaijan closely cooperates with the relevant international organizations as well as the European Committee for the Prevention of Torture (CPT), the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment of the United Nations (SPT) and the Working Group on Arbitrary Detention. The reports by the CPT (together with comments of the Government of the Republic of Azerbaijan) on the conclusion of its visit to our country in different years have been published

recently by the CPT with the initiative of the state. This decision of the Azerbaijani side regarding providing full transparency has been regarded by the CPT as a devoted expression of the Government.

20. International instruments in the field of protection of human rights, as well as the United Nations and Council of Europe Conventions, the case-law of the European Court of Human Rights, and topics regarding developments in the national legislation have been included in the programs of training courses for the employees of the Ministry of Justice, as well as, judges, candidates for a judge, advocates and other lawyers in the Academy of the Ministry of Justice.

Support of 141.40, 141.51

Take note of 141.14, 141.15, 141.24, 141.33, 141.36, 141.41, 141.43, 141.46, 141.55, 141.58, 141.59, 141.64, 141.65, 141.67, 141.79, 141.82, 141.84, 141.101

Not to support of 141.31, 141.32, 141.34, 141.38, 141.47, 141.48, 141.57, 141.60

21. In the view of the Republic of Azerbaijan, the recommendations listed above are not relevant since they are not factually correct, are unilateral interpretation of respective matters and do not comply with the bases of the review stipulated in the Human Rights Council resolutions 5/1 and 16/21, and therefore are not supported by the Republic of Azerbaijan.

22. It should be underlined that, only suspected persons for committing the concrete crime are held accountable for criminal liability in accordance with the rule determined in the law and the principle of equal rights of everyone before the law is guided in the Republic of Azerbaijan.

23. The opportunities have been created for human rights defenders, representatives of civil society and representatives of NGOs to operate freely and without legal and administrative burden, stable and effective system of partnership relations has been formed between state institutions and public organizations in Azerbaijan. An example can be illustrated as the Public Committee that has acted under the auspices of the minister of justice of Azerbaijan since 2006 and its structure consists of human rights defenders and representatives of the society.

24. Approximately, 3300 non-governmental organizations have been registered in the state registration.

Support of 141.50

Take note of 141.52, 141.53, 141.61 and 141.70

25. Proposals have been prepared on the legislation, for the opportunities getting on state registration and receiving finance by NGOs in accordance with the implemented "Dialogue of Azerbaijan Civil Society" project within the framework of the Council of Europe-Azerbaijan Action Plan. Some of the recommendations given during the 30th session of the Working Group on Universal Periodic Review mechanism are covered in

these proposals. Currently, these proposals are being reviewed and their discussion with experts is to be considered.

26. Meanwhile, NGOs defending human rights, including defenders of fundamental rights and freedoms, also NGOs functioning in the field of gender equality, against domestic violence, human trafficking and drugs have opportunities of access to grants from the state and private organizations. Specialized NGOs can receive financial aids with the option of transparent competitions and tenders. The entire amount of donated grants by local donors has exceeded 100 million AZN in 2017.

Take note of 141.35, 141.37, 141.44, 141.45, 141.49, 141.54, 141.56, 141.62, 141.63, 141.66, 141.69, 141.72, 141.73, 141.74 and 141.75

27. Freedom of thought and speech, freedom of assembly, and right to association have been guaranteed in the Articles 47, 49, 58 of the Constitution, as well as, in other legislative acts. According to the “National Action Program on increasing efficiency in the field of protection of human rights and freedoms in the Republic of Azerbaijan” approved by the Order of 27 December 2011 of the President, during the preparation of draft laws, human rights and freedoms stipulated in the Constitution and in other international instruments to which our country is party are guided as a core criterion.

28. According to the Article 50 of the Constitution, freedom of mass information is guaranteed. State censorship in mass media, including the press is prohibited. Freedom of mass media is guaranteed by state in terms of the right that everyone can legally seek, receive, produce, impart and disseminate any information. Establishment, ownership, utilization, administration, seeking, receiving, preparing, conveying, producing and disseminating mass media cannot be constrained with the exception of cases that are determined in the legislation of the Republic of Azerbaijan.

Support of 141.42 and 141.87

Support of 141.88

29. The draft proposals to improve the Law of the Republic of Azerbaijan on “Guarantees of gender equality” have been agreed with relevant state authorities and sent to the Cabinet of Ministers. The draft contains provisions with regard to improve control mechanisms for ensuring gender equality, definitions of conceptions such as “gender stereotype”, “gender examination” “temporary special measures” and etc.

Support of 141.89

30. The National Action Plan on the prevention of domestic violence in the Republic of Azerbaijan has been prepared with the support of the Population Fund of the United Nations.

Support of 141.90, 141.91 and 141.92

31. Increasing the efforts for providing access to inclusive and qualitative education for girls in rural areas has been supported and it is considered that this kind of measures

can contribute to the reduction of cases of early marriages in the regions and to the rise in the results of girls' entrance to the higher education. In this direction, the Government has planned to reinforce the monitoring-control measures, especially in the regions, together with non-governmental organizations.

Support of 141.93 and 141.94

Support of 141.95

32. 2016 was announced as “The year of the Multiculturalism” in the country. The existence of various religious communities, national-ethnic groups and rich cultural diversity in our country is the basis of the initiative of “Baku Process” proposed by the Republic of Azerbaijan in 2008 in order to establish effective and efficient dialogue between cultures and civilizations and turned to the global movement.

Take note of 141.96

33. State bodies protect the rights of all citizens including the members of religious communities. State registration of the operation of religious communities in our country is implemented on the basis of requirements of the Law of the Republic of Azerbaijan on “Freedom of religious belief”. There is no bureaucracy in the process of state registration of the religious agencies. 835 religious communities have been granted with state registration as of 07.03.2018. 804 of them are Islamic and 31 are non-Islamic (20 Christian, 8 Jewish, 2 Baha’i and 1 Krishna) communities. .

Support of 141.97

34. Expression of either “an illegal migrant” or “a migrant in an illegal situation” is not stipulated in the legislation.

Support 141.98 and 141.99

35. Discrimination based on any indicator or criteria is not tolerated in relation to the migrants and only the requirements of the legislation are considered while implementing the migration policy in the country.

36. The definition of “a refugee” is in fully conformity with the United Nations Convention of 1951 Relating to the Status of Refugees, and access to shelter system has been provided for persons who are seeking for asylum.

Support 141.100

37. IDP students are exempt from tuition fees at state higher educational institutions and specialized secondary schools. Based on the Decree of the President of the Republic of Azerbaijan on “Giving uniform monthly aid”, monthly uniform aid is delivered to the every internally displaced child in order to improve their prosperity. At the same time, new school building with 96 seats has been constructed in the Cocuq Marjanli village of Jabrayil district that was liberated from the occupation of the Republic of Armenia.

NOTE

