



**THE COMMISSIONER FOR HUMAN RIGHTS
(OMBUDSMAN)
OF THE REPUBLIC OF AZERBAIJAN**

SUMMARY

**of the Annual report
of the Commissioner for Human Rights (Ombudsman) of the Republic of
Azerbaijan
on the activities in promotion and protection
of human rights in Azerbaijan for 2018**

BAKU – 2019

FOREWORD

The key purpose of the Report is to provide information about the activity of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan on examination and analysis of the status of ensuring and protecting human and civil rights and freedoms, restoration of violated rights and prevention of their infringement.

The Report was developed on the basis of the summarized analyses of the appeals, complaints; as well as the visits by the Commissioner and upon her instruction, by the staff members of the Office and regional centers, members of the National Preventive Group to the penitentiary facilities, investigation facilities, temporary detention places, detention centers for illegal migrants, military units, social service establishments for children, people with retirement age and persons with disabilities, boarding schools, also to healthcare and education institutions; different circumstances, problems, shortcomings found out during the meetings and conducted researches in the regions, as well as in the settlements for IDPs; at the same time, official responses of the state bodies and authorized persons; proposals and recommendations submitted to the state authorities; materials of the national and international seminars or conferences on human rights; activities carried out within the framework of the cooperation with non-governmental organizations; as well as the information presented in the mass media.

The Report reflects the Commissioner's activity in the field of the protection of civil and political, economic, social and cultural rights, including the rights and freedoms of different groups of population, as well as the events directed at awareness-raising on human rights, scientific-analytical work, relations with public and mass media, issues of international cooperation, at the same time proposals and recommendations aimed at effectively ensuring human rights and solving the problems of different groups of population.

According to the Article 14 of the Constitutional Law of the Republic of Azerbaijan "On the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan", the annual report was prepared to be submitted to the President of the Republic of Azerbaijan, presented before the Milli Mejlis (Parliament) of the Republic of Azerbaijan, as well as addressed to the Cabinet of Ministers, Constitutional Court, Supreme Court and Prosecutor General of the Republic of Azerbaijan.

The annual report is delivered through mass media with the purpose of making it available to the public.

This Report of the Commissioner will shape certain image of the state of ensuring human rights and freedoms in our country.

Your valuable opinions and recommendations would help to improve the Commissioner's activity on ensuring human rights and freedoms for the future in our country.

Elmira Suleymanova

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INTRODUCTION

Ensuring human and civil rights and freedoms, proper standard of living for the citizens of the Republic of Azerbaijan compose the highest objective of our state that implements measures for raising social prosperity of the people and every citizen.

Actions have been taken towards further improvement of the welfare of people, as well as successful implementation of social infrastructure projects, practical fulfillment of the duties by state bodies, gradual decrease of the bureaucratic obstacles, strengthening the relations between the state and citizen in our country, and the dialogue of trust has moved to a new stage.

The re-election of Ilham Aliyev as the President of the Republic of Azerbaijan in the presidential elections of 2018 with the vast majority of votes guarantees further drastic improvement of our republic through continuous development.

The series of visits by the country President and the First Vice-president Mrs. Mehriban Aliyeva to the regions, close connection with local community, getting acquainted with the problems on site, personal participation in the inaugurations of numerous industrial, energy, agricultural, as well as educational, healthcare and social establishments supplied with new and most modern equipment, also the sincere meetings with Karabakh war veterans, martyr and IDP families have been welcomed.

Existing political stability create conditions for the realization of new projects, involvement of financial funding and successful implementation of the reforms.

The growing respect to the human rights and rule of law, involvement of the civil society in decision-making process, creation of equal opportunities for every citizen in different areas and provision of equality of rights, great reforms carried out in state administration system, as well as improvement of the management, personnel changes responding modern development and appointment of new staff to higher positions assume special importance. In this regard, also the approval of the “Strategy on Improvement of Civil Service in Azerbaijan for 2019-2025” aimed at increasing efficiency in the activity of state bodies by the country President is the next significant step in shaping state-citizen relations adequate to contemporary calls.

Pardoning of several convicted persons on the occasion of the centenary of the Azerbaijan Democratic Republic, being faithful to the humanism policy of the National Leader, is the expression of belief that those released people will serve to the development of our state after joining the society and their families, also the respect to the right to freedom of human beings.

Public control is expanding with the purpose of provision of legality and transparency in all spheres of social-economic life; the struggle against unfair competition, monopoly and corruption is gaining strength.

Decrees and Orders aimed at resolving social problems from 2018, the year of profound reforms, the instructions given in the meeting on economic and social issues under the country President held in early 2019, when the revolutionary reforms were founded, including solution of problem loans serve the guaranteeing of human and civil rights and freedoms, adequate standard of living of citizens by covering all the groups of population. Those decisions are distinct for both the number of population covered and the volume of considered budget funds, which will resolve social problems of up to three million people, allocating more than two billion funds from the state budget.

The measures carried out by the state either in the political or in legal and socio-economic fields, as well as the successfully implemented third State Program on Social and Economic Development of the Regions had special importance in reliable protection and effective provision of human rights in the country.

The establishment of “DOST” (Sustainable and Operative Social Security) centers for improving the quality of services provided in the employment, labour, social protection and security spheres within the framework of reforms implemented in a complex way, raising the amount of minimum monthly wage to the level of minimum cost of living per capita, increasing the amount of social allowances and minimum labour pensions have created great turn in the solution of social problems and improving the welfare state of the population, reliable provision of the human rights accompanied by increase of salaries of tens of thousands people.

Growth of the non-oil sector, launch of new production areas and service establishments as a result of the allocation of preferential loans by the state, modernization of the industry in accordance with the contemporary challenges played an important role in opening permanent jobs and providing employment.

Thus, the state budget has increased several times, profound reforms in different areas opened up wide opportunities. 118 000 new workplaces were created in 2018, unemployment rate decreased to 5, poverty rate to 4.9 percent, tax legislation was improved, the activity of entrepreneurs was encouraged, development in the non-oil sector has been accelerated, implementation of social support programs addressed to population groups has been continued.

By the way, the position of Azerbaijan was ranked the 25th among 190 countries in the “Doing Business 2019” Report, rising from the 57th place according to the conditions established for business, thus, our republic became the leader among CIS countries prevailing over others.

Measures have been implemented on reinforcing the social protection and increasing the care of state to the vulnerable population groups with special needs, especially the martyr families and Karabakh war veterans, as well the families of military servicemen died during performing international duties in Afghanistan.

In order to meet the demands of population to various agricultural products and improving the employment rate and welfare of the population in rural areas, state programs were approved on development of particular fields; actions were implemented for strengthening the technical development of the agricultural area.

Creating necessary conditions for reliable protection and effective provision of the human rights is a significant factor. During the year, socially-oriented infrastructure projects of great importance in ensuring human rights have been implemented, new secondary schools and pre-school education institutions were built or renovated, hospitals and out-patient clinics, treatment-diagnostics centers, Olympic-sports complexes, buildings for persons with disabilities, martyr families and IDPs, ASAN Service centers were built and put into exploitation. ASAN Support to Family Business-“ABAD” run by the State Agency for Public Service and Social Innovations under the President of the Republic of Azerbaijan, “Shebeke” service centers under the Ministry of Transport, Communication and High Technologies, “DAIM” State Agrarian Development centers under the Ministry of Agriculture and Agency for Small and Medium-Sized Entrepreneurship Development under the Ministry of Economics and its SME (Small and Medium-sized Enterprise) houses, as well as Property Services Space for conducting property-related activities in one unit were established. Construction or overhaul of new buildings with the purpose of improvement of housing-living condition of the residents of apartments in emergency, also changing roofing materials was provided, historical-cultural monuments were renovated, and natural reserves were reconstructed.

Along with the above-mentioned, the actions for reconstruction of water supply systems in-town and inner apartments, installation of domestic water counters, improvement of population’s supply with water, gasification of settlements were conducted, large-scale renovation and construction work was carried out. Bus fleet in Baku city has been continuously renovated for convenience of passengers, suburban railways were constructed and railway network was improved, construction of Baku-Gabala railway line was continued, Baku-Sumgait and Baku-Ganja speed trains were opened.

Construction or renovation of different-purpose highways enables not only ensuring safety and convenience of population, but also their free and unimpeded movement. Therefore, it is no coincidence that Azerbaijan is the leader country in the post-Soviet space holding the 34th place among 140 world countries for the quality index of road infrastructure in the “Global Competitiveness Report” of the World Economic Forum.

The launch of the Southern Gas Corridor and its integral part Trans-Anatolian Natural Gas Pipeline (TANAP) in which our country is also the main participant, the start to operation of Baku International Sea Trade Port Complex in Alat, the opening of the “Star” oil refinery owned by SOCAR, launching the third “Azerspace-2” satellite into orbit, managing international exhibitions and

conferences on tourism, food, oil and gas, power engineering and alternative energy, transportation, transit and logistics assume particular importance as an integral part of socio-economic development.

One of the most important events in the year has been the signing of the Convention on the legal status of the Caspian Sea achieved as a result of intense efforts of the country President.

The events held in our republic in 2018 at international level, also those of mass character having significant impact on development of human rights and freedoms, raising legal culture, assuming public and political importance, as well as series of events within the framework of the centenary of the Azerbaijan Democratic Republic, dedicated to the 100th anniversary of the Genocide against Azerbaijanis committed in 1918. There were also conducted the parades on the occasion of the centenaries of Azerbaijan National Army and liberation of Baku, Ministerial Meeting of the Non-Aligned Movement, the 6th Baku International Humanitarian Forum, Formula 1 Azerbaijan Grand Prix race, consistent international competitions on various sports that have special importance in terms of strengthening the reputation and positive image in the international arena.

There has also been progress in the field of cooperation with the state bodies in the direction of the protection of human and civil rights and freedoms, ensuring their effectiveness, restoring violated rights and preventing their infringement.

During the term in office, the Commissioner has conducted regular events using the wide opportunities available, with the purpose of extra-judicial protection of human and civil rights and freedoms and restoration of violated rights.

The Commissioner has worked in collaboration with the state bodies, civil society institutions, international organizations and foreign colleagues for the purpose of restoring the human rights and freedoms enshrined in the Constitution of the Republic of Azerbaijan and in the international treaties to which the Republic of Azerbaijan is a party and violated by governmental and municipal bodies and officials of the Republic of Azerbaijan.

During this period, the Commissioner carried out her activity based on the principles of independence, publicity, transparency, legality, justice and impartiality complementing existing means for legal protection without restricting the competences of other state bodies or substituting them.

Monitoring on ensuring human rights was regularly conducted in Baku city and regions; problems and difficulties faced by citizens, the reasons for their emergence were investigated; appeals were addressed to relevant state bodies; proposals, recommendations, measures were made for their solution; in many cases restoration of violated rights was attained; the rights and freedoms, duties of the applicants were explained to them, advice was provided in the direction of resolving disputes.

The Commissioner rendered assistance for the solution of problems with the purpose of setting up mediation traditions in the society in a new form on simplifying the management, answering the appeals of the citizens addressed to the state bodies, treating them in a proper way, preventing cases of misuse of competences by the officials by following publicity and impartiality.

In order to investigate the appeals, addressed to the Commissioner from people residing in different regions of the country, Guba, Sheki, Jalilabad and Ganja regional centers covering 35 surrounding districts, the hotline service receiving information on violation of law active for 24 hours, as well as “Hotline for Children’s rights” numbered 916 continued to operate.

During the term of office, totally 187, 350 appeals were addressed to the Commissioner, including 20,400 in 2018. 66,8 % of them consisted of complaints, 33,2% were applications.

Individuals submitted their appeals to the Commissioner through different means; including post and email, online complaint form, reception room in the Office, regional centers, via hotline services, as well as in course of the meetings of the Commissioner and staff members with the population in different cities and rayons of the country, also in the IDP settlements, during the visits to the penitentiary facilities, investigation facilities, temporary detention places, military units, social service establishments for children, for people reached pension age, also for persons with disabilities, boarding schools, healthcare, educational and social protection institutions. Those applications were accepted to proceeding, investigated and accordingly answered.

Because of the reasons like the complaint was beyond the competences of the Commissioner, more than one year passed from the date on which an alleged violation of rights of the applicant occurred, the complaint was anonymous, court proceeding regarding complaint was proceeded, no new information, facts and evidences were contained in the re-submitted complaint, 55 % of them were refused to be investigated. 45 % of the complaints were accepted to proceeding, and 63, 5 % of them were provided.

The Commissioner managed broad awareness-raising activities, including those held within the month-long campaigns on human rights, for raising legal culture in the society that helps citizens to understand the forms and means of the protection of their rights better, as well as serving dissemination and improvement of the legal knowledge.

The Commissioner and staff members of the institution participated as observers during the Presidential Elections of the Republic of Azerbaijan in order to study the situation of ensuring voting rights. For this purpose series of events were organized with the Central Election Commission in Baku city and the regions of the republic among population groups with the representatives of relevant state authorities, as well as local executive power and police bodies, constituency and precinct election commissions, civil society institutions for

raising voters' legal culture and conduct of election in a democratic, free and transparent way.

On the eve of the "June 18 - Human Rights Day in the Republic of Azerbaijan" events dedicated to the Human Rights Month-long campaign were held. In these events, wide space was given to the implementation, promotion and application of the National Program for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan (*hereinafter* NAPr) approved by the Order of the President of the Republic of Azerbaijan dated December 27, 2011.

The 15th Baku International Conference of Ombudsmen dedicated to the 100th anniversary of the Azerbaijan Democratic Republic, the 95th birth anniversary of the National leader Heydar Aliyev and the 70th anniversary of the Universal Declaration of Human Rights (UDHR), on the topic of "The role of National Human Rights institutions in ensuring and promotion of equal rights" was held by the Commissioner on June 20-21, 2018, with support of the UNDP Office in the country, also the National Commission of the Republic of Azerbaijan for UNESCO, where she is a member of, and Baku Declaration was adopted.

Representatives of the Institution delivered awareness-raising lectures for the staff of different state bodies, organized events involving civil society institutions. The programs regarding peace and human rights were broadcasted through television and radio channels, articles and information were published within the framework of the Peace Month-Long campaign declared for the purpose of raising peace culture in the society.

There has been organized exhibition consisting of handmade works of persons with disabilities, their art pieces about peace and thematic entertainment corners were viewed within the event held in the National Seaside Park that was dedicated to the International Peace Day, organized by the Commissioner and the Ministry of Labour and Social Protection of Population, with the participation of the Vice-President of the Heydar Aliyev Foundation Leyla Aliyeva.

Within the framework of the Child Rights Month-Long campaign, competitions and exhibitions were organized at the secondary schools and children facilities in the cities and regions of the republic with the participation of representatives from the regional centers, central and local executive authorities, civil society institutions, students who successfully completed the peer-to-peer Hierarchic Education Program on Child Rights were awarded certificates.

Regular joint consultations were conducted with the participation of state bodies and civil society institutions, as a result, the Commissioner's recommendations were submitted; implementation of most of them was realized.

The efficient cooperation continued with the UN and its specialized agencies, as well as with the Office of High Commissioner for Human Rights (OHCHR), UNHCR, UNICEF, the European Union (EU), Council of Europe (CoE), Organization for Security and Co-operation in Europe (OSCE),

International Committee of the Red Cross (ICRC), International and European Ombudsman Institutes, Asian Ombudsman Association (AOA) and other intergovernmental and non-governmental international organizations.

During different times of the year, official representatives of foreign countries or international organizations, including the ambassadors of Russia, India, Netherlands and Finland, the political affairs officer of the US ambassador, the second secretary of the ambassador of Canada accredited in our country on the political affairs, representative of the International Organization for Migration (IOM) Regional Office in Vienna for South-Eastern Europe, Eastern Europe and Central Asia and the chief of the mission of this organization to our country, representatives of the UN Office of High Commissioner for Refugees (UNHCR) and UNICEF to Azerbaijan, the head of the Department of European Social Charter of the CoE, the head of Cooperation Unit at the Media and Internet Division of this organization and the Head of the CoE Office in our country, the chief adviser on human rights at the South Caucasus Office of the OHCHR and the representative of the OHCHR Country Office, also the deputy of the regional director of the Swiss Cooperation Office for South Caucasus were received in the Institution, mutual exchange of ideas on the issues related to the protection of human and civil rights and freedoms in our country was conducted, international and existing national practice in field, as well as cooperation perspectives were discussed.

The activity of the Institution carried out in the international relations area has been significant as well. The Commissioner and staff members attended different international events in 2018, broad exchange of views and practices was conducted.

In the international events attended, the Commissioner brought to the attention of the world community the Azerbaijan realities, importance of the measures implemented and continued by the state regarding more effective provision and reliable protection of the human and citizen rights and freedoms in the country, the achieved results. Within those events the Commissioner applied to the world community, reputable international institutions and colleagues to take resolute steps for ending the long-lasting Armenian aggression against Azerbaijan, massive violation of human rights, at the same time continuous falsifications misleading international community and for supporting the justified work of Azerbaijan, she urged international organizations to take concrete measures for peaceful resolution of the Armenia-Azerbaijan Nagorno-Karabakh conflict in a just way, withdrawal of the Armenian armed forces from the occupied territories of Azerbaijan, restoring the territorial integrity of Azerbaijan recognized by the UN and world community, returning the IDPs to their native homes, restoration and provision of the rights violated for many years, reinstating coexistence in a peaceful condition.

In the 21st session of the Advisory Committee of the UN Human Rights Council, the Commissioner emphasized suffering of our country from ethnic

cleansing policy, noted the issue of rights of more than one million compatriots driven out of their homeland as a result of occupation of more than 20 percent of our lands, living refugee and IDP life, and ensuring their rights, also stated the refugee and IDP problem as the priority for our country, presented proposals on implementation of the principles of Durban Declaration and Action Program including the ethnic cleansing issues as well, highlighted the importance of the Azerbaijani practice of “Baku Process” in the organization of efficient and effective dialogue among civilizations on the basis of multicultural values.

Within the General Assembly of the Global Alliance of National Human Rights Institutions (GANHRI), the Commissioner also held discussions with the delegates from GANHRI, European Network of National Human Rights Institutions (ENHRI), as well as from national human rights institutions acting in America, Europe and Asia regions, also Turkey and Central Asia, broadly informed them about the work carried out regarding the protection of human rights.

During the 21st meeting of the Board of Directors of the AOA held in Baku on October 30, 2018, besides other issues, the topic of “Reduce inequalities within and among countries” defined as the Goal 10 in the Sustainable Development Goals (SDGs) was discussed upon the motion of the Commissioner who is the vice-President of this Association, and relevant decisions were adopted. The Commissioner mentioned in her speech the necessity of building future relations of the states on the basis of close partnership by introducing the successful activity of Azerbaijan as an example for the implementation of the SDGs based on close cooperation with the interested parties at the national and international level.

The Commissioner, conducting implementation, as well as monitoring of several plans and programs implemented at state level, put forward her recommendations, assessed them from the point of ensuring human rights and freedoms and participated in the process of improving legislation and drafting several programs, applied to the authorized state bodies with various information on the infringement cases of human and civil rights and freedoms, also with the recommendations about resolution of problems, as well as submitted her proposals regarding effective provision and reliable protection of the human rights and freedoms, rights of citizens, including the vulnerable groups of population considering the provisions of SDGs and “Azerbaijan 2020: Look into the Future” Development Concept.

CHAPTER I

THE ACTIVITY IN THE FIELD OF PROTECTION OF HUMAN AND CIVIL RIGHTS AND FREEDOMS

1.1. Protection of Civil and Political Rights

Right to liberty. For the purpose of more reliable protection of this right, the measures aimed at consideration of appeals in the state bodies and solution of problems in a timely manner were continued, at the same time free movement of persons without obstacles was guaranteed.

The flexible and orderly activity of ASAN Service centers based on the principles of promptness, transparency and convenience assumes great importance in timely solution of applications in this field.

As such, these service centers, which providing more than 200 services, registered 27 million applications, have timely fulfilled issuance of identification cards, passports of citizens, also the operations on registration by the place of residence. The aforementioned have also been implemented by local police offices in the specified manner.

Only 73 appeals were lodged to the Commissioner's address on these issues, and the rights of the citizens were ensured as a result of the carried out investigation.

As it's known, according to the Article 2.12 of the Statute on application of the Law of the Republic of Azerbaijan "On the Identity Card of the Citizen of Azerbaijan Republic" approved by the Presidential Decree No.3 dated October 23, 2013, a photo is placed on the mentioned document in accordance with the requirements of the International Civil Aviation Organization (ICAO). In the guidelines of the organization regarding passport photographs, photos with head coverings are permitted in case of not closing the face. However, there have been cases where taking photographs with head coverings was not permitted.

Hence after the interference of the Commissioner, restrictions applied to the citizens for leaving the country was removed in several cases.

Speeding up issuing addresses to the newly built residential areas for the purpose of elimination of problems faced by a number of citizens and allowing them to adequately enjoying their rights are the issues necessary to resolve.

The Commissioner also paid attention to the protection of rights and freedoms of foreigners and stateless persons residing in the country, as well as the citizens of the Republic of Azerbaijan temporarily being in other countries, whose rights were violated. As a result of the measures taken upon several appeals, the infringed rights were restored.

This should be mentioned to the point that the official registration of online visas with the "ASAN Visa" system in Baku, Ganja, Gabala and Lankaran international airports of our country also serves to more effectively ensuring the right to free and unrestricted movement of the foreigners and stateless persons.

Rights of persons detained in temporary detention places (TDPs) and investigation facilities. Freedom of a person is closely related to inviolability of the person. Freedom and personal inviolability embody inadmissibility of arrest and detention without a relevant court decision.

During the year, a number of visits were conducted by the Commissioner on a regular basis, also upon her instruction by the staff members to the places of detention- TDPs of the City and District Police Offices, Departments and Stations of the Ministry of Internal Affairs, also the Main Organized Crime Department of this Ministry, Detention Station of Administratively Arrested Persons, Temporary Detention Place and Investigation Isolator of the State Security Service, investigation facilities of the Penitentiary Service of the Ministry of Justice.

Meetings were held in private with detainees in the relevant places of detention, as well as TDPs and investigation facilities, discussions were conducted, cells were monitored, their detention conditions and treatment of the staff of the service with them, access to lawyer and medical assistance, food provision, walking, meeting, phone conversations, ensuring other rights as an arrested or detained person, as well as the documentation proving the legality of detention were investigated.

Such persons noted that during the term served in the TDP and investigation facility they were not subjected to ill treatment degrading human dignity and had no complaints on the detention conditions, as well as treatment of the staff members of detention places with them, but some of the detainees expressed dissatisfaction with the course of investigation.

The rights, requirements of the relevant legislation, competences of the Commissioner were explained to the received persons, legal advice was provided to those persons during private hearings on the issues related to the investigation conducted about them, a number of appeals were provided on the spot or relevant authorities were applied. At the end of the visits discussions were held with the administration of the detention places on the activities carried out in the facilities, recommendations were given in accordance with the national and international legislation.

Monitoring of the information on the Commissioner's two hot-line services, operating for 24 hours, was conducted in the Police Offices, Departments and Stations of all the cities and districts of the country, penitentiary facilities, places which persons cannot leave on their own will, and their hanging up was provided in case of absence.

Besides the scheduled visits, a range of visits were managed on the information addressed by different persons, as well as reflected in the complaints, also those provided during reception and delivered through hot-line to the TDPs, investigation facilities. This hot-line, being the main communication aid for detainees, their family members, lawyers, allows prompt

reaction ensuring the protection of received persons, bringing the problems concerning them to the attention. Consequently, an infringement of human rights was prevented; inevitable measures were taken for their restoration when found out, at the same time news were regularly disseminated through mass media.

Persons brought to the police and detained in TDPs were entitled to get acquainted with their rights and freedoms set out in the Constitution of the Republic of Azerbaijan, as well their rights and duties developed on the basis of the international norms and normative documents regulating the relations of the Ministry of Internal Affairs in this field through the boards installed in the administrative buildings.

The appeals were addressed to the heads of police offices and departments, in necessary cases to the Prosecutor General of the Republic of Azerbaijan, as well as to the Minister of Internal Affairs or Minister of Justice with remarks and proposals regarding the elimination of defects and shortcomings found out during the visits, also implementation of lawful measures; steps were taken for avoiding the identified deficiencies.

As a result of the visits, considering the proposals of the Commissioner, numerous TDPs were reconstructed in compliance with modern standards; supplied with interrogation, meeting, prayer and other complementary rooms, as well as with modern SOS and security alarm system; video surveillance tools were installed to conduct service and to strengthen control over the behavior of detainees; observance of the staff members on duty and how they treat in cells were strengthened; detention conditions were improved in compliance with modern requirements.

Alongside the above-mentioned, complaints received by the Commissioner were also investigated, measures were taken within the competences; appeals were ensured.

Right to protection of honor and dignity. The protection of this right by the state bodies implementing coercive measures set out in the law within their competences and duties, as well as authorized persons and staff members of the law enforcement bodies in relation to persons has always been in the focus of attention of the Commissioner.

429 appeals were addressed to the Commissioner regarding the violation of the right to protection of honor and dignity in 2018. Relevant authorities were given fact-finding tasks, on-site investigations were conducted, measures were taken, and guilty persons were imposed disciplinary punishment.

The responses, sent to the Commissioner regarding the results of investigation conducted upon the tasks given to the relevant state bodies about fact-finding verification for the circumstances reflected in the appeals, reported as a rule that cases of rude or degrading treatment were not confirmed. In addition to the above-mentioned, continuous awareness raising events were

organized for the officials in order to prevent violation of the right to protect honor and dignity of citizens existing or possible to occur of by the staff members of the relevant state authorities owning coercive powers, especially the law enforcement bodies. These events assume special importance in the improvement of relations between the citizen and official.

Activity of the Commissioner as the National Preventive Mechanism for prevention of torture and other cruel, inhuman or degrading treatment or punishment. Acting as the National Preventive Mechanism (NPM), the Commissioner continued her activity in collaboration with the relevant state authorities and civil society for the purpose of elimination of cases of torture, cruel, inhuman or degrading treatment and punishment, at the same time preventing them when can occur, guaranteeing punishment of the persons, who committed such kind of deeds.

The Commissioner and National Preventive Group (NPG) defined the list of up to 240 institutions which persons cannot leave on their own will, including TDPs, investigation facilities, penitentiary institutions, education, healthcare, social, migration and state-run child institutions located in different cities and rayons of the country under the Ministries of Internal Affairs, Justice, Defence, Education, Health, Labour and Social Protection of Population, State Security and State Migration Services, also under district (city) executive powers.

In 2018, totally 343 visits were held without prior notice, including 220 planned, 123 ad-hoc visits to the above-mentioned institutions. 186 visits were conducted to the TDPs of the Ministry of Internal Affairs, 56 visits to the investigation facilities, penitentiary facilities, prisons and treatment facilities under the Penitentiary Service of the Ministry of Justice, 4 visits to the TDP and Investigation Isolator of the State Security Service, 3 visits to the Detention Center for Illegal Migrants, 44 visits to the special education and boarding institutions, as well as special vocational schools of the Ministry of Education, 7 visits to the boarding houses, social service establishments for the people reached pension age and persons with disabilities of the Ministry of Labour and Social Protection of Population, 29 visits to the psychiatric hospitals, neuropsychiatric dispensaries and orphanages of the Ministry of Health, 14 visits to the children's homes under the local executive power bodies.

The situation of treatment with detainees, detention conditions, ration and quality of nutrition, organization of medical service and leisure time were monitored, meetings were held in private with 570 persons in TDPs, 430 persons in investigation facilities and penitentiary facilities, 2,114 persons in other institutions which persons cannot leave on their own will, their appeals were investigated on the spot and relevant measures were taken. In addition, legal awareness discussions were managed with about 600 employees of service in these facilities. Necessary condition was created for the members of the NPG

by the administration of facilities and relevant officials, recommendations given for the elimination of infringements were considered.

The Commissioner conducted “Open door” receptions in the penitentiary facility No.4 for women convicts and the correctional facility under the Penitentiary Service of the Ministry of Justice with the purpose of receiving and 15 effectively investigating the appeals of citizens, and all of the convicts were invited. Within the “Open door” reception held in the penitentiary facility No.4, many women convicts were received in private, their appeals and complaints were reviewed, some of them were provided on the spot. At the end, discussions were conducted with the administration of the facility; several recommendations were given regarding the improvement of detention conditions.

Investigations were conducted on the basis of the detainees’ appeals, Prosecutor General’s Office, Ministry of Internal Affairs, Ministry of Justice and other relevant state authorities were addressed in necessary cases. Persons, who applied for the result of investigation, were officially informed on time in written.

Within the framework of the activity as NPM, written appeals were addressed to relevant state authorities based on recommendations aimed at strengthening the measures for elimination of ill treatment cases. The cooperation with the Public Committee under the Ministry of Justice and other authorities was continued within this activity.

Visits were conducted to several boarding schools in the republic; the Ministry of Education was addressed on the relevant issues.

The regular visits were also conducted to the psychiatric institutions of the Ministry of Health. During monitoring of the wards and corps, meeting places, canteen and other sites, current situation related to organization of medical assistance, nutrition, hot and cold drinking water supply, parcels, walking, meeting and phone conversations, also the documentation was investigated, deficiencies were determined about the detention conditions. In order to investigate the treatment issues patients were received in a confidential manner, status of ensuring their rights, raised issues, documentation work was investigated on site, and several appeals on medical assistance were provided on the spot.

At the end of the visits, legal awareness work was conducted with the administration and authorized staff members, appropriate recommendations in accordance with the national and international legislation were made for the elimination of shortcomings related to the detention conditions, medical service and documentation, as well as on the issues possible to remove on the spot; identified deficiencies were addressed to the Ministry of Health.

Breaches on the time periods of transferring the persons detained in TDPs to the investigation facilities in some cases and problems in the field of realization of the right to confidential correspondence for the persons deprived of liberty in the penitentiary institutions should also be mentioned. Within the

scope of activity, investigations were also conducted on the appeals addressed to the Commissioner by lawyers of the detainees via the hotline, which were provided. Wide-ranging awareness-raising meetings were held in the facilities of the Ministry of Internal Affairs and Ministry of Justice for the staff members, the arrested, detained and convicted persons, also the essence and importance of the Order of the President of the Republic of Azerbaijan signed on February 10, 2017, “On improving work in the penitentiary system, humanization of the punishment policy and expansion of alternative punishments and procedural enforcement measures not associated with isolation from society” was promoted from human rights perspective.

The analysis of the appeals addressed to the Commissioner, meetings with the persons received during the visits and the calls to the hotline shows that there were encountered cases of infringement of the rights of the persons deprived of liberty regarding the use of meeting with family members and relatives, parcels, phone conversations. The control should be further strengthened for the elimination of such kind of cases.

The training-seminars conducted by the NPG on the basis of international standards and national legislation and targeted the staff members of justice, police, education, healthcare, migration authorities assumed great importance in terms of improving skills of the service staff and their legal awareness, as well as the promotion and implementation of the recommendations given within the NPM activity.

In 2018, 94 official press summaries on the activity of the Commissioner as NPM were published in Azerbaijani and English languages and posted on the official website of the Office, widely publicized, disseminated through mass media, also were sent to international organizations.

Also, the Commissioner’s Reports “On the activity as the National Preventive Mechanism for prevention of torture and other cruel, inhuman or degrading treatment and punishment” for 2009-2017 were published and disseminated, posted on the official website, the 9th annual report for 2018 has also been prepared.

Meetings were held with the official representatives of the international organizations aimed at effective organization and improvement of the activity in the field of NPM against torture, cooperation with the UN and its treaty bodies, the Sub-Committee on Prevention of Torture (SPT), also with the CoE, Committee for Prevention of Torture (CPT), EU, Penal Reform International and other organizations, NPMs of different countries continued, exchange of practices was carried out.

There have been 250 proposals and recommendations in the Commissioner’s Reports, including 51 in 2018, more than half of them were either resolved or directed to implementation, which is evaluated as a positive country experience.

The work is being continued for the study of the requirements of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol by the staff members of the law enforcement bodies and other relevant authorities, as well as facilities on deprivation and restriction of liberty.

Freedom of thought and speech. The measures have been continued in the field of development and support of the freedom of press, speech and expression, increasing the material-technical opportunities of media, strengthening the social protection of journalists. However, some problems in the protection of freedom of thought and speech draw attention.

Sometimes the officials answer the questions of journalists in an unethical, non-professional, incompatible, incomplete way or meet the addressed question rudely in contrary to the service behavior, and this issue is criticized since it concerns the public. Dealing with the journalists and addressed questions in a tolerant, more careful, patient and respectful way by the state officials is their owed duty, as well as faithfulness to the values of a democratic legal state.

On the other side, each person, including journalists should respect persons' right to honor and dignity, business reputation, analyze every happened event objectively and present the obtained information impartially and correctly.

It is necessary to prevent the information and articles insulting or slanderous character that cause damage to the persons' honor and dignity, business and professional reputation in the manner prescribed by law.

Freedom of thought and speech should be implemented in the spirit of respect to the rights of other people.

Publishing not only false, but even blackmailing, humiliating and slandering information on the press by some journalists that threaten citizens for different aims, acts with non-professional attitude to their job and bear no responsibility, is contrary to professional ethics, moreover, infringes the requirements of legislation.

It is unacceptable to use information that displays violence, especially the "visible" content about the children and women, which in many cases includes fake news in the media, mass media and social networks.

The above-noted information triggers violence besides causing public censure. Dissemination of such kind of information by electron information resources aimed at attracting more readers, as well as being the discussion topic in the social networks result in degrading honor and dignity of persons, intervention to the personal and family life, dissolving families, domestic violence concluded with crime, infringement of human rights and freedoms.

Amendments were made to the "Guidelines on journalists' professional behavior in Azerbaijan", new obligations were determined for following the principle of gender equality in the course of journalistic activity on the basis of the project of the CoE on "Gender equality and freedom of media", which the

Commissioner also took part in. Within the framework of this project to be continued in 2019, awareness-raising trainings were carried out in Baku city and regions with the participation of representatives of mass media on ensuring freedom of speech and press, gender equality in press, professional legal culture of journalists, and a staff member of the Office participated as the trainee-expert in these trainings.

The Commissioner calls the journalists to obey the requirements of law; not to interfere the personal and family life of citizens in their writings; to avoid writings causing damage to their business reputation, as well as dissemination of information about the personal life of the citizens without their consent, at the same time false information.

The Commissioner, keeping the focus on the protection of press representatives, provision of freedom of speech and expression, called upon the representatives of mass media to be more active in resolution of crucial issues of our people, shaping healthy moral values, bringing Azerbaijani realities to the attention of the world community and acting for the implementation of human rights, protection of national moral values, raising the reputation of our country.

The writing competition of journalists titled “Rights for everyone!” was finalized; the winners were awarded within the conference, held on the occasion of December 10 – International Human Rights Day and attended by the members of Parliament, as well as representatives of the state authorities, civil society institutions, mass media and international organizations.

The problems arising from the press-citizen relations once again show that the measures, which are necessary to be implemented to increase the professionalism and responsibility, to comply with the journalistic ethics, are important means for elimination of existing deficiencies. From this point of view, there is a need to expand the steps on the involvement of relevant state authorities and civil society institutions in the trainings and seminars aimed at improving professionalism of journalists.

Freedom to get information. Important steps have been taken towards ensuring the rights to get information more effectively in our republic where the digital system is widely applied, the role of internet increases, more than 80 percent of population use internet. The expansion of the activities of ASAN Service centers providing implementation of services of the State Agency on Public Service and Social Innovations under the President of the Republic of Azerbaijan and state bodies, as well as improvement of E-government carry special importance in terms of efficiently ensuring the freedom to get information.

It should be mentioned once again that the improvement of the structure of the Ombudsman Office, involvement of relevant staff members in the specialized trainings were reflected in the clause 1.3 of the National Action Plan

for the Promotion of Open Government for 2012-2015, in addition, the clause 2.1 of the National Action Plan for the Promotion Open Government for 2016-2018 implied to take action for strengthening the abilities to oversight the fulfillment of the duties of the Commissioner arising from the requirements of the Law on Access to Information of the Republic of Azerbaijan, recommended to inform about the resources provided with the execution of plan and carried out reinforcement activities. The Commissioner has applied to the Cabinet of Ministers and the Ministry of Finance for several times regarding acceleration of implementation of relevant measures.

The Commissioner continued to cooperate with those authorities for the purpose of organizing control over the fulfillment of duties arising from the requirements of the abovementioned Law by the state bodies, municipalities and authorized officials holding information.

39 appeals were addressed to the Commissioner for the freedom to get information. They were analyzed, requests were sent to relevant bodies, and in most cases the appeals were resolved.

In many cases, the appeals submitted as information requests in violation of the requirements of the Law on Access to Information of the Republic of Azerbaijan were answered appropriately, at the same time, it was explained to them that pursuant to Article 4.2 of that Law, it does not entail to the proposals, applications and complaints regulated by the Law on Appeals of Citizens of the Republic of Azerbaijan.

Sometimes the state authorities, which information requests are addressed to, either do not respond to citizens as they had no information or refuse to investigate the information requests. However, it should be considered that according to the Article 23 of the Law on Access to Information, when state bodies or municipalities do not own any information, they should determine the relevant information holder and send the information request to that subject no later than 5 working days, also should inform the applicant about it.

The legal data about private entities, firms and enterprises providing work and services, which the citizen is constantly in contact with, is one of the information necessary to obtain. In many cases, absence or impossibility of access to it creates serious difficulties for the protection of the rights of citizens as consumers. Taking into account the above-mentioned, it is appropriate to define in the legislation the accessibility of the registration data about physical and legal persons that operate (provide services) on the contractual basis and to make relevant amendments and additions to the Law on Commercial Secret of the Republic of Azerbaijan.

The Commissioner recommended to the staff members of the relevant structural units of the state authorities which hold information to study thoroughly and apply properly the provisions of the Law on Access to Information, as well as the relevant Constitutional law; to improve consistently the executive mechanisms for ensuring information requests; to respond

completely, objectively and operatively to the requests addressed to the information holder state authorities; to improve further the work of the corresponding information units, as well as the electronic resources.

Right to vote. On the occasion of the elections of the President of the Republic of Azerbaijan the Commissioner held broad awareness-raising events on the right to vote.

Regional seminar-consultations were held on the eve of the elections with participation of the Commissioner, Central Election Commission and Ministry of Internal Affairs in Ganja, Shirvan and Sheki cities, lastly in Baku, involving the chairmen of 118 constituency election commissions, authorized representatives of 76 institutions over 55 city and districts, including the city and district police offices and departments, for the purpose of further improvement of the service activity of police officers.

Within the visits to the Ganja, Shirvan and Sheki cities, the Commissioner monitored the buildings of several constituency election commissions and polling stations, meeting halls, computer rooms and other sides that were overhauled, supplied with electricity, information-communication technologies; got familiar with the activity of the relevant election commissions; observed the voters' lists, movable and immovable ballot-boxes, polling booths, publications, aids and posters, surveillance web-cameras installed in some of the stations; reviewed the squares and stadiums allocated as open sites for pre-election campaign, as well as the large halls considered as close spaces provided with necessary conditions; determined that there were equal opportunities for the presidential candidates and gave her recommendations.

During the elections, tactile ballots reflecting the information with Braille alphabet for the visually impaired voters were prepared, at the same time the use of movable ramps was intended for securing the entry of voters with limited mobility capacities to the polling stations without any obstacles.

The Commissioner and 38 employees, including the representatives of Ganja, Sheki, Jalilabad and Guba regional centers observed the voting procedure at 371 polling stations under 103 constituencies in Baku and 53 cities and districts of the country, settlements of IDPs, also in Jojug-Merjanly, military units, penitentiary facilities as the observers independently registered on their own initiative.

The Commissioner observed the elections at numerous polling stations under the number of election constituencies in the rayons of the capital, including the stations organized at the penitentiary facility for women convicts of the Penitentiary Service of the Ministry of Justice, Training-Education Centre and military units of the Ministry of Internal Affairs. The Commissioner directly met with both the members of precinct election commissions and observers, voters; got acquainted with the impressions of the observers representing international

organizations, and summarizing the results of observance delivered them to the attention of wide public through the mass media at the Election Information Center of the Central Election Commission.

It should be noted as the result of the observance that the elections were held with high activity of the population, in a democratic, independent, transparent, fair manner, in accordance with the election legislation and international standards, disciplined, voting rights of the citizens were ensured, conditions were created for monitoring the elections, infringement or intervention by representatives of local executive power bodies, police officers was not encountered.

The observers representing political parties, public unions, NGOs, at the same time the independent and neutral observers took part in this process with discipline, respect to each other, performed their tasks within the scope of the competences.

In general, the Presidential election was held with active participation of population in compliance with the Constitution of the country, Election Code and international standards as a continuation of the positive experience obtained in the previous elections.

These elections once again confirmed that the Republic of Azerbaijan is developing on the way of strengthening legal, democratic state building and national statehood traditions being devoted to the principles of civil society.

Right to administrative and judicial guarantee of rights and freedoms.

The application of modern information technologies as an integral part of the carried out reforms in judicial system assumed significant importance for widening the appeal opportunities to the courts, prevention of bureaucracy and other negative circumstances in administration of justice, ensuring transparency and promptness, raising effectiveness of control over execution of court decisions.

The measures for formation of the judges' composition with highly trained lawyers was proceeded within the framework of raising effectiveness of justice; as a result of applying transparent selection rule, the candidates for judge position that succeeded in the exams held with test method, as well as in written and oral, completed the theoretical and practical course in the Academy of Justice were nominated as court judges with the relevant Order of the country President.

The Judicial-Legal Council has conducted disciplinary proceedings about some of the judges because of infringing human rights, creating obstacles for their implementation, allowing bureaucracy and such kind of deficiencies; those cases were handled in the stipulated way. The essence of punishments imposed by the Judicial-Legal Council does not only bear the character of administrative measure, but also serves to promote the trust of people in the judiciary.

In 2018, powers of 14 judges were terminated upon evaluation of their activity as dissatisfactory, 4 chairmen were passed to lower positions, 6 judges were brought to disciplinary responsibility, 2 persons were dismissed, and powers of one person were terminated earlier for the infringements causing justified resentment of the citizens.

The cooperation with the Ministry of Justice and courts were developed, steps were taken in the direction of restoration when certain cases of human rights violations were revealed during the investigation of complaints.

With regard to the administrative and judicial guarantee of rights, 1,442 appeals were received. These appeals mainly concerned the circumstances as not notifying the parties in accordance with the requirements of procedural legislation, as well as not timely issuing the relevant notifications to the parties of the court case on the time and venue of the court procedure, failure to present the copies of court decisions in due time, to direct the court decisions to execution, to respond the appeals.

The analysis of the appeals addressed to the Commissioner shows that in some cases, failure to send the court decision to the case parties in due time resulted in infringement of the right to appeal to the higher instance court arising from that judgment.

Failure to inform citizens on non-submission of appeal from the decision of the first instance court to the appeal instance or not to inform on time also caused complaints.

Analyses give ground to conclude that the actions on revealing deficiencies made by judges and their prevention should be constantly proceeded.

The mutual, efficient cooperation relations between the Commissioner Institution and the Academy of Justice were developed; the Commissioner and the staff members of the Office delivered speeches in different times before the listeners of that Academy.

Noting the establishment of enhanced juvenile justice system in Azerbaijan to be adequate to the international standards as one of the priority issues, the Commissioner once again suggests the adoption of Law on Juvenile Justice as in previous years, in order to eliminate problems arising in the course of criminal proceedings of juveniles, as well as determining its execution mechanisms in the relevant law.

There is also need to found regularly operating legal consultation offices on human rights in each of the cities and districts at the expense of the state budget.

One of the components of the right to fair trial is the execution of court decisions. Timely and complete execution of court decisions has crucial importance in raising effectiveness of administration of justice and increasing reputation of judicial power.

In 2018 the Commissioner received totally 1, 414 appeals regarding the execution of court decisions, including 552 applications on payment of alimony.

Appeals reflected circumstances like non-execution of court decisions or failure to execute them for long time, bureaucracy, breach of ethical conduct rules by the executive officers, majority of appeals were related to the payment of debt, especially the alimony.

Also the cases, in which the executive officers didn't use their statutory competences sufficiently, returned the case to court without taking measures for the search of debtor or due execution, caused violation of rights. Non-professional or indifferent attitude of some of the executive officers to the fulfillment of their duties resulted in infringement of the rights of citizens.

Complaints related to non-execution of court decisions on alimony requests are increasing. This situation is going to become a serious problem in the society.

Difficulties arise in payment of alimony or provision of payment becomes impossible since the debtor party does not work; has no official workplace; no property or other income is found which the claim can be directed to; debtor is unable to work; does not get pension (allowance) or its amount is low; evades from paying debt with different illegal ways or hides; leaves the borders of the country.

In cases of failure to pay alimony by the debtor or ineffectiveness of the undertaken measures, decisions on warning, mandatory bringing, administrative arrest, temporary limitation of the right to leave country are adopted in administrative order with respect to debtor upon the presentations of executive officers; interstate search is launched in separate cases; presentations are issued on involving to criminal responsibility or the competent bodies of the country is addressed in which the person is.

In addition to this, the debtors that evaded from execution of court decisions in a biased way were sentenced to imprisonment for a certain time, but implementation of such kind of measures yields almost no positive results, at the same time cause unnecessary expenses from the state budget.

In many cases, although the payment of alimony was restored in the process of investigation conducted on the basis of complaints of citizens addressed to the Commissioner, payments were again suspended after several months that caused repeated complaints, unnecessary correspondence and different measures that require time and resources. Another problem is about registering the property that in fact belongs to the debtor, including the houses and apartments, business objects and transportation vehicles, as private ownership under the name of other persons, which is aimed at evasion from payment of alimony.

Imposing fine as a punishment to the person who does not pay the debt with bias or is not able to pay complicates the general situation much more. It is interesting that the payment of the amount of fine determined by court is

achieved in a short period of time, despite the payment of debts on alimony could not be guaranteed for months or years. That amount of fine is sufficient to pay the debts of several months. Thus, it would more appropriate to transfer this fine amount to the claimant's account.

The problem of non-payment of alimony by the debtor should be considered as a priority matter necessary to solve. So that, establishing Alimony Foundation assumes significant importance also for the state from both the material and moral point of view. If this proposal finds its solution, execution of numerous court decisions on alimony request will be provided. By the way, this problem was considered in the annual reports of the Commissioner for 2006 and further years, as well as in the proposals addressed to the relevant state authorities. However, divorces increasing year by year, growing number of unregistered marriages or incomplete families, also the circumstances arising from them result in much more hardening of the problem.

It should also taken into consideration that the persons with no pension or allowance, as well as persons with disabilities, prisoners, those exempted from punishment and in rehabilitation, also people with no permanent place of residence or workplace cannot afford payment of alimony.

Undoubtedly, implementation of measures in this direction requires relevant preparation and evaluation activities. Besides that, a mechanism for returning back the problematic alimonies from the debtor without delay should be developed by the alimony foundation, establishment of which is necessary as an efficient mean.

Comprehensively using the opportunities of employment agencies in causing to reimburse the alimony and first of all, ensuring the employment of people owing alimony debts should form the basis of the mandatory payment mechanism.

Non-execution or delaying the execution of the court decisions by relevant state authorities involved as debtor has caused justified concern of citizens.

Within the execution process of court decisions, allowing bureaucracy and rudeness, showing indifferent, sometimes biased attitude towards executive activity, unreasonably delaying the execution of court decisions, as well as not fulfilling the authorities to the extent prescribed by law, unlawful actions and deficiencies by some of the executive officers do not allow the solution of problem along with influencing negatively to the effectiveness and reputation of administration of justice.

That's why, the executive officers should not stay out of responsibility in such cases, control over their activity should be reinforced; the measures against the executive officers that fail to manage their duties, show non-professionalism and indifference, violate the ethical conduct rules should be made more strict.

By the way, according to the information of the Ministry of Justice, for the purpose of strengthening the executive discipline, 33 employees, that

allowed gross deficiencies in their activity, were subjected to disciplinary reprimand in 2018.

With the purpose of preventing infringements of human rights, drafting and applying especially new conceptual approaches and efficient mechanisms, as well as strengthening of discipline in the execution field, punishing the executive officers who allowed bureaucracy, violated ethical conduct rules, exhibited non-professional and indifferent attitude towards their duties would serve to increase their responsibility and elimination the aforementioned violations.

Cooperation with the law enforcement bodies in the field of protection of human rights

Cooperation with prosecutors' offices. Prosecutors' offices developed their activity in the field of protection of human and civil rights and freedoms in conformity with the principles of equality of everyone before the law in our country; compliance and respect to the rights and freedoms of physical persons, the rights of legal entities; basing on objectivity, impartiality and facts; unity and centralization; subjectivity and political neutrality.

Prosecutors' offices implemented practical measures in the human rights field within the competences prescribed by the Constitution and laws of the Republic of Azerbaijan.

According to the information, for the purpose of improving the data of "Attestation" information system, conducting attestation of the employees of prosecutor's office was provided in the Prosecutor General's Office, in compliance with the newly adopted amendments to the legislation on the basis of new questions compiled on the issues reflecting human rights protection, as well as The European Convention for the Protection of Human Rights and Fundamental Freedoms, case-law practice of the European Court of Human Rights.

In addition, the topics related to protection of human rights and freedoms, regarding international conventions were given wide space within the organization of compulsory trainings in the Academy of Justice for launching the professional activity of 85 candidates who were recruited for the first time in the prosecutors' offices.

677 appeals were addressed to the Commissioner related to the prosecutors' offices in 2018. Such kind of appeals mainly reflected the circumstances like failure to objectively conduct investigation, to respond the appeals, to inform the citizen on the course of investigation, to issue the copies of decisions.

Upon those appeals, requests were sent to prosecutors' offices, proposals were put forward on solution of problems, many appeals were investigated in

mutual collaboration with the Prosecutor General's Office, and necessary measures were taken in the direction of restoration of violated rights.

Thus, when it was decided that there had been no *corpus delicti*, the legality of decisions rejecting initiation of criminal case were examined in the Prosecutor General's Office; in case of determining that no complete and comprehensive investigation was conducted, those decisions were cancelled and relevant instructions were given for additional investigation on the material. In several cases, decisions were cancelled, the case was sent back to inquiry and investigation bodies.

Strengthening the control over the inquiry or investigation processes has both prevented the infringement cases of criminal-procedural legislation and created condition for more effectively ensuring human rights and freedoms during the conduct of criminal prosecution.

Sometimes addressing written recommendations or instructions to local prosecutors' offices, timely solution of problems in the process of investigation process, carried out by the Commissioner, aimed at ensuring objectivity of consideration of case and protection of human rights are resulting in increase of the citizens' trust in the prosecutors' offices and reduce in the number of complaints.

The appeals reflecting corruption circumstances addressed to the Commissioner were sent to the Prosecutor General's Office, decisions were adopted in compliance with law and measures were taken as a result of conducting relevant investigations.

In addition to the above-mentioned, according to the official data, as a result of the service surveillance conducted by the Prosecutor General's Office in 2018, 31 employees of prosecutors' offices were subjected to disciplinary responsibility for allowing different deficiencies and shortcomings.

Along with strengthening the fight against crime, including corruption, broadening awareness-raising events has special importance for establishing the principle of respect to the rule of law in the society.

The control in areas should be more strengthened in the direction of taking all the necessary measures for the protection of human and civil rights and freedoms, including consideration of appeals and reception of applicants, informing the victim, civil plaintiff, suspected or accused persons, their legal representatives, defender, civil defendant by the prosecutors' offices on the course of investigation of criminal cases.

Cooperation with internal affairs bodies. The efficient cooperation with internal affairs bodies has been continued in the fields of protection of human rights, as well as restoration of violated rights and awareness-raising.

2,667 appeals, received in regard of the internal affairs bodies, mainly, reflected the circumstances like non-objective conduct of preliminary inquiry and investigation, failure to inform about the course of inquiry and

investigation, rejection of initiation of criminal case, failure to initiate criminal case upon the fact, unreasonable termination or suspension of criminal case, bureaucracy, failure to adopt procedural decision upon appeal, failure to answer the appeal, ill treatment of police officers.

Materials of several inquiry or criminal cases were studied again by the prosecutors carrying out procedural guidance to the inquiry and investigation upon the appeals of both the Commissioner and citizens whose rights had been violated.

Prosecutors' offices were addressed upon the complaints alleging non-objective conduct of inquiry in the police offices; consequently, some decisions on rejection of initiation, as well as termination of criminal cases were cancelled and sent for re-investigation.

During the study of justification of the decision on criminal case for the verification of circumstances indicated in the appeals, in some occasions the relevant decision on termination of case was cancelled and the criminal case was returned back to the investigation body to conduct additional investigation after revealing failure to fully execute instructions considered in the decision, that was adopted in additional investigation.

In any case, when information was obtained about crime committed or in preparation, the inquirer, investigator or prosecutor carrying out guidance on preliminary inquiry adopts one of the following decisions, such as initiation of criminal case, rejection of initiation of criminal case, sending information on privately prosecuted crime respectively to the court.

When the inquiry was not conducted fully and comprehensively, with respect to the plaintiff's request for objective investigation, criminal case was taken by prosecutor office and entrusted to other investigator or investigation body.

As a result, the necessary materials were required and analyzed, collected material was addressed to investigation body, and criminal case was initiated.

In circumstances about evasion of the debtor from execution of decision, failure to obey the requirements of executive officer and hiding for the purpose of non-fulfillment of the obligation during execution procedure of court decisions, the location of those persons were determined, they were duly handed over to the executive or probation departments and divisions, search warrant about them were terminated as a result of the measures taken on the debtor's search, initiated in police stations according to the executive officer's decision On the search of debtor.

Lawful measures were also implemented on the investigations conducted for examination of circumstances reflected in the complaints related to state traffic police department. Analysis of complaints requires taking effective measures aimed at prevention of numerous problems existing in this sphere.

It was mentioned in previous annual reports that there was a serious need for prevention of law breaches in that field, especially holding trainings for

police officers devoted to ethical conduct with citizens targeting reliable protection of pedestrians' rights, application of technical review programs guaranteeing the safety of transportation vehicles and persons, conducting analyses for reducing traffic accidents through considering the location, time of the day and the season of year it happened; developing and implementing complex plan of actions were proposed. In this regard, the implementation of "State Program on Road Traffic Safety for 2019-2023" , approved by the Order of the country President dated December 27, 2018, assumes great importance.

At the initiative of the Commissioner, awareness-raising events were organized consistently for the police staff in the Police Academy, at the same time in Baku city and other regions, mainly on the eve of election, mutual relations were developed in the field of human rights.

Upon the investigations conducted on the basis of the Commissioner's appeals to the Ministry of Internal Affairs, police officers that committed breaches of law and actions damaging the police reputation, failed to obey ethical conduct rules in the relations with citizens, including those infringed the requirements of "Ethical Conduct Code of the staff members of internal affairs bodies", demonstrated disrespect towards citizens, exceeded service powers, as well as the staff members, who violated ethical norms and allowed deficiencies, were subjected to disciplinary punishments; measures regarding the improvement in the existing field were carried out.

According to the official information of the MIA, important issues as following the rule of law strictly, provision of human rights and freedoms were kept in focus during the execution process of bringing to police, arrest and responsibility measures. 297 facts revealed during internal control order included 84 facts on infringement of drivers' rights, 79 facts on unjustified bringing to police and detention, 67 facts on ill treatment with citizens, 9 facts on violation of the rights of foreigners and stateless persons, 8 facts on unjustified involvement to criminal responsibility, one fact on illegal search, 49 other cases. On the basis of these facts, 399 employees were involved to disciplinary responsibility, as such 27 of them were removed from the duty in internal affairs, 43 were dismissed, 3 persons' special ranks were lowered, and 326 were subjected to other disciplinary measures.

1.2. Protection of economic, social and cultural rights

Right to work. Actions directed at improving the legislation in the relevant area, as well as strengthening the social protection of the employees working at state enterprises and organizations have been essential. The Law on Employment of the Republic of Azerbaijan dated June 29, 2018, responding to the new challenges in this field and the "Employment Strategy of the Republic of Azerbaijan for 2019-2030", approved by the relevant Order of

the country President with the purpose of shaping long-term state employment policy, assume significant importance.

Founding the Sustainable and Operative Social Security Agency under the Ministry of Labour and Social Protection of Population and its “DOST” centers with the purpose of improving the quality of services provided in the labor, employment, social protection and security fields are especially significant in the implementation of services on the basis of “single-window”, as well as promptness, citizen satisfaction, transparency, courtesy, liability and convenience principles.

The involvement of more families in the self-employment program by that Ministry, as well as the establishment of “ABAD” and “DAIM” centers, increasing the support to women entrepreneurs are necessary measures aimed at solving the employment problem and strengthening the social protection of the population.

As a result of implementation of relevant state programs, during previous 15 years, 1.96 million jobs, including 118, 000 new workplaces were created, unemployment rate decreased to 5 percent, poverty level decreased to 4.9 percent, population income increased by 5.2 times, minimum wage by 3.5 times, average monthly nominal wage by 3.8 times.

In accordance with the order of the country President, the increase in the amount of minimum wage by 50 manats and bringing it to the minimum cost of living per capita defined as 180 manats have been a turning point in fostering the welfare of population, increasing the wages of more than 600, 000 people, thus in reliable provision of human rights and freedoms.

In relevant decrees of the President of the Republic of Azerbaijan concerning the optimization and improvement of the management of a number of state bodies, special attention was paid to the issues of prevention of unemployment and protection of labour rights, and it was ordered to take actions with regard to assigning the employees working in the liquidated state bodies and their structural units to the vacant positions in the other subordinated authorities or divisions.

917 appeals were addressed to the Commissioner regarding labour rights. These appeals mainly reflected the circumstances such as dismissal in private enterprises with violation of requirements of the legislation, failure to compensate the damage on restoring to work and work injury, delaying the wages and vacation pay, non-payment of wage arrears, taxation of final bill and work-book, as well as some payments defined for the wage or non-calculation of certain additions.

During the investigation of appeals, different measures were implemented in collaboration with the State Labour Inspection Service under the Ministry of Labour and Social Protection of Population for the purpose of restoration of violated human rights. Cases of non-payment of wage arrears were investigated and the violated rights of employees were ensured.

In several cases, employers violating employees' labour rights were subjected to disciplinary responsibility, fines were imposed or they were given orders to be executed mandatorily, payment of wages and final bills was provided.

In some cases, dismissed people's restoration to work was provided as a result of the Commissioner's efforts.

In addition to the aforementioned, it is visible from the analysis of the answers given to addressed requests to the State Employment Service under the Ministry of Labour and Social Protection of Population on received applications for rendering assistance to be provided with work that the main reason for refusal from suggested work, service or positions was the less wage or non-compliance with specialty. However, in several cases, it was achieved to provide citizens with work both in result of collaboration with relevant service and the Commissioner's initiative, effort and due intervention.

Unreasonable reductions during the improvement of management and optimization of structure cause increase in unemployment on one side and much more hardening of the workload of other people remained in office on the other side, hereby the infringement of labour rights.

One of the most serious issues not considered during the reduction of employees is dismissal of the person at least 5-7 prior to the retirement age. Providing persons, mainly women, with work in that age is a serious problem. Therefore, it is necessary to prohibit unjustified cancellation of labour contract with women 10 years prior to the retirement age and with men 7 years prior to the retirement age; to make relevant amendment to the Article 79 of the Labour Code, at the same time to the Article 192 of the Administrative Offences Code with the purpose of defining disciplinary responsibility for unjustified refusal from recruitment by employer in certain circumstances.

In several areas, especially in the construction companies labour protection and technical safety norms and rules are not followed. According to observations, it is possible to tell that workers still work at unsafe conditions in numerous new buildings under construction. Taking this into account, it is needed to establish healthy and safe work conditions to comply with labour protection, technical safety and production sanitation rules, as well as increasing supervision on guaranteeing safety around the building zone by construction companies.

Failure to pay allowances for Saturday and Sunday, also for holiday days to the insured persons, who lost ability to work, in several authorities financed by state budget, contradicts the requirements of legislation. Thus, allowance is to be paid upon calendar dates, not for workdays. Considering that, calculation of allowance upon actual calendar days shall be ensured according to the Article 1.1 of the "Statute on calculation and payment of refunds of mandatory state social insurance and allowance paid with the resource of insurer to the

employees temporarily lost ability to work” approved by Decision No.189 of the Cabinet of Ministers dated September 15, 1998.

Right to social security. One of the most important and core directions of the social security policy implemented in our republic is the pension insurance system.

In her annual reports the Commissioner has proposed to bring the Law “On Labour Pensions” that stipulates the basis for emergence of right to labour pension, rules of executing these rights and labour pension system, as well as the Law on Social allowances of the Republic of Azerbaijan that regulates the basis for determination and issuance of social allowances in line with renewing contemporary requirements.

By the way, planning the increase of 110 manats amount, defined from July 1, 2017 by the Article 6-1 of the Law of the Republic of Azerbaijan “On Labour Pensions”, up to 160 in 2019 is a rather significant progression in the field of pension insurance.

As for information, in 2018 the number of pensioners were 1,384,434, including 778,057 for age, 389,791 for disability and 150,586 for loss of head of family.

Learning the situation of population groups being in need of social security and conducting relative amendments to the legislation is both necessary and a continuous process. Proposals put forward by the Commissioner are being implemented step-by-step.

As a result of the special attention to the population group in need of social security during drawing up the expenses section of state budget, amounts allocated for low-income families, pensioners, persons with disabilities, IDPs were increased.

One-time allowances were determined to the people, who suffered from radiation accident as 237 manats for treatment each year, for child birth as 109 manats, for burial as 146 manats.

In 2018, martyr families and Karabakh war veterans were provided with 626 apartments.

Actions directed at raising social welfare of population groups that need attention more, especially the martyr families and Karabakh war veterans, as well as the families of military servicemen, died during performing international duty in Afghanistan, including the decision on providing a lump sum to amount of 11,000 manats to heirs of persons deceased for the sake of territorial integrity of republic, military servicemen died or declared dead because of missing related to military operations until August 2, 1997, according to the Decree of the country President dated April 19, 2018, assume great importance.

1,889 appeals were addressed to the Commissioner regarding right to social security, measures for restoration of violated rights were taken in the course of conducted investigations.

The issues on appeals related to the amount determined during the appointment or recalculation of pensions as well as the problems arising in the pension payment was resolved after the investigations conducted in collaboration with the State Social Protection Fund under the Ministry of Labour and Social Protection of Population.

Taking into account the Commissioner's appeals, in some cases the needy persons were provided with one-time benefits, disability levels were determined, also the pensioners who needed sanatorium and spa treatment were provided with referrals.

Continuous measures are being conducted on elimination of the deficiencies on securing the right to get targeted state social assistance which were identified in the process of implementation of the relevant legislative acts. Family representatives have the opportunity to contact using personal communication means and info tours. Nevertheless, the analysis of complaints about bureaucracy and infringements shows that some problems still exist in this area.

Under the Commissioner's instruction, the NPG members conducted visits to the social service establishments of the Ministry of Labour and Social Protection of Population for children with limited health capacities, persons reached retirement age, also persons with disabilities; investigated the issues on detention and nutrition; met with residents; as a rule, treatment and conditions were evaluated as satisfactory, and several recommendations were given.

As a result of analyzing complaints, proposals were submitted by the Commissioner on improvement of legislation for the purpose of more effective provision of this right.

Taking into account that there are not so many circumstances on payment of one-time allowances, it is appropriate to increase the amount of allowances considered for the occasion of childbirth, on annual treatment of people suffered from radiation accident, also on burial, as well as for age, loss of head of family, martyr children and low-income families having child up to the age of one.

It is necessary to remove loan from the list of family expenses taking into account its assignment, as it is an amount that can be used only temporarily by family and returning it with calculated interest rates is important, when defined as mandatory by contract, also to make relevant amendment to the clause 5.9 of "Guidelines on applying for targeted state social assistance, its assignment, provision and refusal from its provision" approved by the decision of Cabinet of Ministers No.37, dated February 5, 2016, in this regard.

It should be noted that the problem with insurance period and pension provision of people serving both persons born with disability - children with limited health capacities under 18 and persons with I group disability has not yet been resolved.

It is proposed that the men aged 60, taking care of persons with group I disability and children with limited health capacities under the age of 18 for

minimum period of 30 years in total, and women aged 55 served for not less than 25 years in accordance with legislation, to be included to the group of persons entitled to labour pension on favorable terms and to make additions to the Article 9 of the Law of the Republic of Azerbaijan “On labour pensions”.

There is a need to make amendments to the laws of the Republic of Azerbaijan "On labour pensions", "On civil service" and "On social allowances" related to the reduction of minimum level of civil service years established for the civil service as the period of 15 years to 10 years for effectively ensuring the civil servants' social security rights.

Right to protection of health. The measures aimed at improving the quality of healthcare and medical services are serving to protect the health of the population. In accordance with the instructions of the President of the country keeping in attention the health of the citizens, a medical examination of the population is held twice a year in Baku and in the regions of the country. More than 5 million people underwent free medical examination in 2018.

454 appeals were received by the Commissioner's address on protection of health. Upon the Commissioner's requests mainly directed to the Ministry of Health, as well as the State Agency on Mandatory Health Insurance, the treatment and examination of citizens, including persons from low-income families, were provided, in necessary circumstances they were rendered specialized medical care and provided with medicines.

Incidentally, application of mandatory health insurance in the whole country from the next year will open up broad opportunities for the population.

Treatment and examination of several applicant citizens were organized at the Center for Scientific Surgery named after M.Topchubashov, Scientific Research Institute of Traumatology and Orthopedics, National Oncology Center, Republican Clinical Urology Hospital named after M.Javadzade, National Ophthalmology Center named after academician Z.Aliyeva, Scientific Research Institute of Obstetrics and Gynecology and other specialized clinics.

The increase in the number of patients in need of kidney transplantation necessitates the creation of new centers, their regular medication supply and continuous treatment. In order to determine whether there is a medical prescription for the kidney transplantation, appeals regarding a number of citizens and their medical documents have been submitted to the relevant special commission after the Commissioner's request.

Complaints by the citizens, who are provided with medicines at state expense being from privileged groups, are about the less amount or lack of types or substitutes of medicines on treatment of certain diseases. That's why, according to the demand and considering particularly hepatitis, diabetes, hemophilia and thalassemia, as well as other diseases, it is necessary to replace those withdrawn from circulation with new, recommended medicines in the “List of medications provided upon drug prescriptions free of charge” described

in the clause 2 of the decision No.38 of the Cabinet of Ministers of March 7, 2005, and approved by the Ministry of Health.

Development, approval and community-level implementation of national strategy on reproductive health and family planning assume significant importance.

For the aim of preserving national gene pool and health of future generations, nutrition of infants and those in early childhood with breast milk that carries properties of national affiliation and culture, genetic code in itself, transmitting from generation to generation, it is necessary to rebuild “breast milk kitchen” (bank) with the purpose of its effective arrangement in compliance with the Law “On Nutrition of infants and children of early age” of the Republic of Azerbaijan dated June 17, 2003, No.475-IIQ.

The Commissioner recommends to the Food Safety Agency, that exercises state control over the quality and safety of artificial food products within its competence in accordance with the legislation according to Article 9 of the Law of the Republic of Azerbaijan “On Nutrition of infants and children of early age”, further strengthening the control over the relevant area, taking control of those products both produced in the country and those imported.

Another serious issue in the protection of maternal and infant health is the provision of caesarean section operation in most health care centers, especially in private healthcare facilities. Being spread and growing in our country, even in regions, this surgical intervention is used as an easy way of choice and a method of earning in many other cases, except when there is vital medical instruction for it. It also causes the health of mothers and babies to face the dangers whether directly or in perspective. Therefore, there is a need to define legal responsibility for doctors to prevent such cases and to enhance the awareness on the problem among population.

Fight against tuberculosis, hepatitis, cancer and other diseases, drug addiction which causes mental disorders, loss of ability to work and reproduction, as well as HIV/AIDS which increases probability to be infected with viral diseases, alcoholism, toxicomania and smoking should be reinforced.

It is necessary to take actions on strengthening the effectiveness of public healthcare for raising the effectiveness of medical services, preventing child and youth addiction to harmful habits, increasing programs on instilling healthy lifestyles, informative broadcasts, broadening health, sports and other preventive measures, especially conducting awareness-raising from early ages and organizing leisure time.

Appeals received on rendering treatment of hepatitis B and C diseases, which are included to dangerous infectious illnesses, were sent to the commission of the Ministry of Health on prophylaxis, diagnosis and organizing treatment of those diseases, such persons were involved in treatment. Expanding the relevant list is appropriate for providing these patients with medications.

Within the framework of state programs, great progress has been made in combating genetic blood diseases. In recent years, mortality indication from this disease has decreased for several times, due to the guaranteeing normal life functioning of patients at the Republic Thalassemia Center built and put into use at the initiative of the First Vice-President of the Republic of Azerbaijan, the President of Heydar Aliyev Foundation, Mehriban Aliyeva.

As a result of the taken measures, the problems existing in the providing treatment-prophylaxis institutions, patients of thalassemia and hemophilia, also patients taking hemodialysis treatment with blood and its components have almost found its solution.

Certain progress has also been made in diagnosis and treatment of malignant blood diseases as a result of consolidation of material-technical base of medical facilities rendering hematological assistance in the republic, improvement of supply with modern medical equipments, strengthening personnel potential.

There should be paid special attention again to that the diabetes disease, which is accompanied with serious complications, making big problems for families and country, besides being chronic, as well as severe, has “rejuvenated” as widely spread also among children, causing deep concern, creating medical, social, economic, psychological and other problems.

The mandatory health insurance system put forward in the previous annual reports of the Commissioner, implemented within the reforms carried out in social sphere in Mingachevir, Yevlakh and Agdash regions is gradually expanding, which creates great opportunities for improving the quality of medical services further, raising the level of medical services provided to citizens, protecting the rights of patients more reliably.

Visits were conducted by the Commissioner, who keeps in focus the state of ensuring the rights of mental patients, and the NPG to psychiatric facilities of the republic, behaviour, detention conditions, state of nutrition and medical assistance, documents verifying legality of placement and maintenance were investigated, examination and treatment procedures were studied, recommendations were given to the facility administration regarding elimination of revealed deficiencies. As an outcome of visits, the Ministry of Health were addressed proposals on reconstruction or capital repair of buildings of the neuropsychiatric facilities not responding to international standards, improvement of food and medical provision of patients receiving treatment in those facilities, enhancing social protection of the personnel.

Right to education. During recent years, there has been conducted building, major repair-renovation and reconstruction work at more than 3, 200 schools in different cities and rayons; teaching and learning materials, modern equipments were supplied; application of information and communication technologies in educational institutions has significantly expanded.

In 2018, more than 140 module type schools with 8,120 students were set up in 43 regions at the instruction of the country President.

181 appeals were received in regard of the right to education. According to the analysis of complaints, it should be noted that non-healthy environment, disruption of relationships between teachers, biased attitude towards students and parents by school administration and teachers, circumstances sometimes accompanied with threats and insults existing in a number of secondary schools adversely affect the teaching process. Therefore, responsibility should be increased for tolerating rude and degrading actions against students at schools. Besides that, the reasons why pupils are left out of education should be substantially analyzed.

Knowledge and skills obtained in the educational process, ethical-moral norms and values should create the necessary conditions for each student to become a worthy member of the society, and should allow them to become an example for others, through the knowledge and behavior they acquire. However, sometimes failing to organize training and education properly, not conducting psychological, as well as explanatory work among students cause to deepen the problems.

Instead of preventing occurred events, eliminating unhealthy conditions, taking preventive measures based on socio-moral aspects, the school administration, responsible for the state of teaching and training-education, themselves causes a variety of adverse situations in many cases not perceiving the moral and legal responsibility.

In the process of verifying the complaints, circumstances on discrimination against teachers and students by some of the school principals, mutual tensing relationships in the pedagogical staff, allowing infringements of law were identified, investigations were carried out in collaboration with the Ministry of Education, monitoring was held when necessary, recommendations were given for elimination of deficiencies or relevant appeals were made; violated rights were restored in some cases.

As a result of the monitoring, also the complaints regarding training-education and teaching arrangement in schools were investigated, deficiencies and shortcomings were eliminated, teaching staff members found guilty were punished.

Although the registration of electronic applications for admission to the first-grade schools were conducted on the basis of selection whether by admission commission or alternative documents admission commissions operating in the districts of Baku, there have been reflected problems of the mentioned area in some of the complaints.

The appeals regarding admission to secondary schools considering the family's living place were provided.

Failure to timely and properly apply educational measures by both parents and teachers towards children, who try evasion from primary and

secondary education; not conducting control; non-appropriate level of work despite existence of psychologist at schools, result in inclination of children and teenagers to misdemeanors and law breaches and even their increase, as well as commitment of criminal deeds.

Every person, working with or implementing actions addressed to children and teenagers, especially teachers, mass media representatives should consider that the information, circulation of which whether prohibited or restricted among children are harmful for them.

The Commissioner has yet to propose administrative responsibility for those who are guilty of evicting a child from compulsory education, alongside raising the responsibility of parents and teachers, improving the regulatory normative-legal framework for parental duties.

Along with the large-scale repair and construction works, a number of school and kindergarten buildings in rural areas of the republic are still unsuitable for the teaching process and some are even in emergency condition. On the basis of aforementioned, especially her personal observations during the visits to the regions of the country, as well as the results of her meetings with the staff and population groups, the Commissioner proposes that monitoring to be conducted by the Ministry of Education and local executive power bodies jointly with the Ministry of Emergency Situations in the regions, including places densely populated by IDPs for identifying schools and kindergartens still in an emergency and their reconstruction or overhaul, at the same time returning pre-school institutions to the subordination of the Ministry of Education and financing them from budget.

Data on results of final assessments held for secondary and full education at secondary schools requires to think deeply about the real situation of education once again and to take inevitable measures.

The final assessment should not be complicated by dividing this process to stages, but should rather serve to its simplification; at the same time should also correspond to the real level of education provided to the relevant contingent. On the other hand, the final examination composed of open and closed questions, the discrepancy between the number of exam questions and time allocated for their solution interferes with the objective evaluation of the education given to secondary school students. Failure to consider the mentioned reality results in choosing tutors by the students enrolled in the 10th and 11th grades.

For the purpose of getting objective results and establishing a working mechanism, it would be more expedient to hold broad nationwide discussions with the active participation of leading teachers and parents of the republic, instead of conducting discussions with teachers, specialists and experts during the decision-making of such crucial decisions. In general, the education sphere should not be transformed into an experiment landfill.

It is also important to involve children with poor development related to speech capacity, hearing impairment, autism syndrome and other similar reasons, but with rehabilitation potential in the recovery process and creating the necessary conditions for the inclusive education at general education institutions with other peers.

The NPG members made further visits without prior notice to Guba Special Vocational School of the Ministry of Education and Full Boarding School for Children deprived of parental protection, investigated the conditions of detention of children and the issues on treatment by employees of the institution, as well as the status of ensuring child rights.

Classrooms, educational and recreation rooms, library, kitchen, canteen, bathroom, administrative rooms and common area were reviewed at Guba Special Vocational School, and it was observed that the infrastructure is not suitable for children, at the same time opportunities for children to get quality education, efficient organization of leisure time, getting used to professional skills were at very poor level.

In order to ensure the sustainable development of the country, the training of staff that meets modern requirements is a matter of priority. Considering the growing interest of young people in science, new technologies and advanced knowledge, it is necessary to develop and implement educational programs that meet modern challenges.

Appeals related to the determination of a scholarship, issuing diploma, and releasing from tuition fee were examined and had results.

The renovation or construction of new student dormitories for higher school students taking into account the needs, as well as the acceleration of the relocation of IDPs settled in such dormitories to the apartments built for them or to other new one, are among the issues necessary to resolve.

Right to housing. Formation of housing policy that meets the real **wants** of people in need of house, relocation of those from old and emergency conditioned apartments, simplifying the conditions for granting mortgages, applying social mortgages allow ensuring this right effectively.

The meetings of the country President with the citizens whose houses were damaged as a result of the natural disaster in Shamakhi, as well as the instructions to the relevant bodies on elimination of the harm done, restoration of social infrastructure in Shamakhi, Ismayilli and Aghsu rayons have been welcomed with gratitude.

Funds were allocated at different times with the orders of the country President within the framework of measures to improve the housing-living conditions of the population, for the purpose of improving the living conditions of residents of multi-storey buildings, both in Baku and in the cities and rayons of the republic, as well as for the construction of multi-apartment residential buildings.

Under the relevant Decree of the President of the country, defining the approval by the local executive authorities on the permit for construction only in case of existence of the opinion of the State Committee for Urban Planning and Architecture on the conformity of the construction project to urban planning documents can prevent buildings which were allowed for construction with violation of urban planning and architectural requirements in Baku.

Purchase and sale of some of the social houses put on sale at Yasamal Residential Complex were completed by the State Agency for Housing Construction with the "Affordable Housing" system to provide citizens with the affordable housing price, and relevant discounts were applied for both citizens purchased the apartments at the expense of their own funds and also on preferential mortgage loans.

In addition to this, applying privileges to mortgage lenders who worked at least 15 years at a general education school or as a doctor in a medical facilities, for this purpose adding the relevant paragraph to the "Rule of granting mortgage loans, including preferential mortgages at the expense of the Mortgage and Credit Guarantee Fund" approved by the Decree of the President of the Republic of Azerbaijan dated June 22, 2016, No.940.

422 appeals were received regarding the right to housing. These appeals mainly reflected the cases, where local executive authorities have not responded to requests for individual housing construction, bureaucracy, eliminating the damage caused by natural disasters, providing material assistance for renovating the living space, damaging of homes and apartments by construction work around, allocation of plot of land for construction of individual house, sale of apartments to several citizens in multi-apartment buildings by being cheated by fraud.

A number of investigations were conducted on the complaints of people who are dissatisfied with the amount of compensation paid for the purchase of apartments for public needs, some of them have been resolved.

One of the major problems faced by certain part of the country population in recent years was related to happened natural disasters, including floods, landslides, earthquakes, particularly in the floods in the Kur and Araz rivers, wholly or partly disintegration of homes and farms, resulting in their useless situation. However, due to the fact that the necessary financial resources were not fully allocated, the measures were not completed. Therefore, the Commissioner proposes to allocate necessary funds to eliminate the damage caused to individual living homes as a result of natural disasters.

The sale of the same apartment to several people in multi-storey residential buildings built by a number of construction companies has continued to violate housing and property rights of many people.

Appeals addressed to the Commissioner by low-income families, also by citizens whose houses were fallen into despair because of financial needs were

sensitively handled, some citizens were rendered assistance after relevant appeals, as well as were provided with land side for building individual house.

Safety rules are almost not followed in high-rise buildings established on the roadsides, as well as places intended for pedestrian move by construction companies, and it endangers the lives of residents or pedestrians living nearby.

Construction of modern high-rise residential buildings which gained wide scope over past fifteen years in Baku is being continued. However, it is a serious concern on failure to control the quality of construction materials not meeting the established standards brought from foreign countries to our country by some “businesslike” persons, as well as their use by some construction companies for erecting high-rise buildings. This problem must be investigated by the State Agency for Control over Construction Safety of the Ministry of Emergency Situations, construction materials not complying with existing standards should be removed from selling and use; guilty persons should be subjected to serious measures in accordance with law.

The situation created by construction companies permitting unlawful settlement cause very different problems faced by citizens. Numerous high-rise buildings, most parts of which have already been settled, have been supplied with energy and water, but still have not been gasified. The Commissioner proposes that, in order to prevent such cases, the sale of apartments in multi-storied buildings, which are not permitted for operation by State admission commission in accordance with legislation, not registered in the state registry of real estate and have no insurance, should be prohibited by law.

By the way, the Decree of the country President “On Simplification of permitting exploitation of some multi-apartment buildings” dated February 19, 2019, assumes great importance from the point of optimization of permission procedure and period of exploitation of multi-apartment buildings not allowed before, providing interests of residents and citizen satisfaction, as well as resolving many problems existing in this sphere, including the residents’ documentation issues.

Under the Urban Planning and Construction Code, it is not required to obtain a permit for the construction of residential houses, about which informative proceeding is applied. In case of failure to submit remarks to the customer with regard to building objects considered in that Code, the customer can initiate to construction work. However, it was mentioned in several appeals that documents sent to district executive authorities for building individual houses were either not responded in most cases or were given negative answer. Exactly because of this fact, citizens who are keen to improve housing and living conditions by building private houses are not allowed to realize this right.

It is necessary to ensure the right to live in safety and right to housing of the persons residing at houses located in Bayil and Chambarakand slopes of Baku city, where landslides occurred and are going on.

Failure to install drainage system for discharge of groundwater, to lay sewage lines for water, to prevent arbitrary constructions by responsible state authorities and organizations in that territory, where mainly unauthorized and unplanned houses have been built, led to emergence of serious problems. For this purpose, rigorous measures must be taken on elimination of complications caused by landslides occurred in Baku city and different territories of the republic and ensuring safety of residents.

A number of persons are entitled to preferential mortgage loan under the “Rule of granting mortgage loans, including preferential mortgages at the expense of the Mortgage and Credit Guarantee Fund” approved by Presidential Decree No. 940 dated June 22, 2016. It is proposed once again to make amendments to the above-mentioned Rules, with the purpose of applying concessions in granting mortgage loans to the persons who worked as a teacher in general education schools or as a doctor in medical facilities at least for 15 years, as well as adjusting 15 years’ work experience to the level for other privileged profession owners’ experience term (reduce to at least 5 or 7 years), which is determined for persons serving at civil service, including special type of civil service, in regard of entitling the right to use preferential mortgage.

Business and human rights. The activity of the Working Group on “Business and Human Rights”, operating at the initiative of the Commissioner and consisting of representatives of relevant government agencies and mass media, was continued and its events on relevant topics were organized.

Labour protection, norms and rules of safety in construction, as well as other essential problems on ensuring the right to live in safety were discussed at the round table devoted to the topic “Safety in Construction within the context of Business and Human Rights”.

A range of aim-oriented state-level events targeting provision of safety in construction have been managed in such a condition, where the construction area also rapidly develops in our country along with other areas, and the legislative base has been improved.

In spite of that, there are still remaining problems. Especially, as the existing communication networks overloaded with the layout of new habitation settlements, hence, various areas of the city fall under water during rainfall; construction of some buildings close to each other results in violation of air conditioning and insolation (natural falling of sunlight to apartments) norms.

It is also encountered that fencing of the construction site in contrary to the norms, causing danger for the lives and health of people, including their property, by not complying with the safety rules; use of low-quality construction materials by construction companies; in order to save costs, involvement of non-professional persons into the construction process by several construction companies; failure to take necessary measures in ensuring labour safety; not leaving the area for the rest of residents, including the absence

of children's playgrounds, due to the construction of buildings on a "land-saving" principle and other such kind of circumstances; thus, it is an essential condition to reinforce the struggle against them all.

During the event, coordinating the activities of relevant authorities in construction field and centralization of management, simplification of procedural rules, to give preference to the national architectural style in during implementation of construction projects, much wider use of local architects' potential and other such proposals were sounded, and the above-mentioned proposals were taken into consideration in the Decree No.226 of the President "On additional measures for improvement of management in urban planning" dated August 1, 2018.

Strengthening the activity in the field of ensuring safe and healthy labour conditions defined in "Azerbaijan 2020: Look into the future" Development Concept and accelerating the process of adoption of State Program on Labour Protection and Improvement of Labour Conditions are among the issues necessary to solve.

The next meeting of the Working Group was dedicated to the topic of "Food safety issues in the context of Business and Human rights".

Provision of population with safe food products is one of the socio-economic issues, which assumes crucial importance for the state, being an integral part of the economic and national security of the country, and its solution is significant. This sphere covers wide spectrum of national, economic, social, demographic, ecological factors and conditions the mobilization of available resources, elaboration of strategy on economic reforms, application of effective legal norms.

Dangerous food for the life and health of people creates serious obstacles for the economic development, significantly damages the tourism and trade sectors, besides being an extra burden on state health system. It is not a coincidence that ensuring food security, promoting sustainable agriculture, issues on securing healthy living of everyone regardless of their age, clean water and sanitation are reflected as separate goals in the UN Sustainable Development Goals.

Fundamental work was carried out on ensuring food safety in the country, Food Safety Agency was established and started operation. Moreover, founding Food Safety Institute supplied with modern equipment, for conducting scientific-practical research in the field of food safety, providing services on lab analysis and expertise of food products, preparing food safety specialists and implementing other functions defined by the legislation is one of the significant measures undertaken in this sphere.

For the purpose of ensuring food safety, the Commissioner proposes to strengthen public control, to establish close cooperation in form of network and operative coordination among the relevant state bodies, NGOs and civil society, to promote joint cooperation of business entities with civil society institutions,

to conduct joint monitoring in regions using the opportunities of the regional centers of the Commissioner, to hold broad legal awareness events with the participation of consumers, to draft print materials, information booklets.

Reducing loss and emissions in food chain and increasing recycling potential were considered on strategic roadmaps for major sectors of the national economy. Within the framework of these actions, it is essential to take measures against food waste in wedding palaces, cafes and restaurants, recreation places, hotels and ultimately large wasteful food products created in result of it, to conduct awareness-raising work regarding this

Sale of energy drinks to teenagers must be prohibited, relevant notes should be made on the products; control to the sales of fat and other dairy products under the name of agricultural products without phytosanitary inspection need should be strengthened; note on the product should be shown to distinguish organic products in selling places; special attention should be paid to the safety and rationing of food in educational institutions; all of these and other issues should be monitored.

Along with the above-mentioned, it would be appropriate to learn international experience on corporate social responsibility and expanding its application at local level; to inform entrepreneurs on human rights; to report periodically on the situation about compliance with human rights by enterprises, also to develop and implement mechanisms on requesting information from them if necessary; to apply tax and other discounts to the business companies which distinguished in presenting such reports and ensuring human rights.

Reformative measures implemented by the Ministry of Taxes towards improvement of tax legislation, including principles of work with business subjects assume great importance in more reliable protection of rights and legitimate interests of taxpayers.

The Ministry of Taxes was addressed on the application of simplified tax calculations after deducting expenditures spent for implementation of priority state objectives for protection of free entrepreneurship, mainly the interests of small and medium business subjects, promotion of actions aimed at expanding state support to this area.

1.3. Protection of population groups

Protection of the rights of refugees and internally displaced persons.

The problem of refugees and IDPs remains as priority issue for the Azerbaijani state. Azerbaijan is one of the countries mostly suffered from severe consequences caused by the problem of refugees and IDPs. In our country, people were forced to leave their native lands as a result of military aggression and occupation of our territories, almost all fundamental human rights and freedoms of Azerbaijani citizens who became IDPs- life, freedom, property, private inviolability, inviolability of home, labour, resting, living in healthy

environment, culture, protection of health, education, protection of honor and dignity, freedom of conscience etc, were violated.

In recent years, numerous legislative acts have been adopted in the field of human rights protection of these people, and various measures have been taken in the direction of its implementation. Actions for the solution of social problems of IDPs also are being continued by the state.

During the years 2001-2018, 55,064 IDP families, including 5, 900 just in 2018, with a total of 275, 219 people, were provided with individual houses and apartments, and relocation of up to 7, 000 families to the new apartments is considered for 2019.

In order to ensure the IDPs' employment, 994 workplaces in 141 enterprises, involved in job fairs held on July 22 and October 26, 2018, were provided to IDPs.

On the basis of the loan agreement signed between the World Bank and the Azerbaijani Government, 950 community micro projects have been executed at a cost of 125 million manats, which 630,000 people benefited from.

For the purpose of development of entrepreneurship, the Social Development Fund of IDPs issued 14.8 million manat micro loans to 24 thousand people and the National Fund for Support to Entrepreneurship provided soft loans to 2,074 people totaling 44.3 million manats , most of which were allocated for agriculture, livestock, beekeeping and greenhouse farming. Furthermore, the IDP farmers were given technical equipment by leasing.

The total number of internally displaced IDPs able to work consisted of 366,889 people; at present 161,000 are employed in budgetary organizations and 174,000 working in the agrarian sector.

The Commissioner's meeting with IDPs, direct communication with them, learning about their concerns or problems and taking relevant measures assumed great importance in the lives of our compatriots from this category. All this once again shows that the Azerbaijani state is constantly interested in the fate, standard of living of its citizens, and is employing the available opportunities to improve their social living conditions.

Generally, the analysis of complaints addressed by IDPs, also on sites, including those submitted during regular visits to new settlements, suggests that problems of IDPs, temporarily settled in different regions, in the fields of access to preferential loans to engage in education, health, employment, entrepreneurial activity; involvement in self-employment programs; allocation of land for planting in sown areas; water, gas and electricity supply have been gradually eliminated.

Efficient cooperation relations developed with different structural units of UN, including the Office of UN High Commissioner for Refugees (UNHCR), also Parliamentary Assembly of CoE Committee on Migration, Refugees and Displaced Persons, International Center for Development of Migration Policy and other organizations allowed the Commissioner and her staff members to

conduct exchange of experience and apply obtained progressive and innovative skills to their activity.

The Commissioner has proposed strengthening the work on providing legal, psychological and other assistance to refugees and IDPs; conducting monitoring to determine their socio-economic and legal status; conducting extensive discussions in form of public hearings by involving civil society in the preparation of government reports; organizing trainings and seminars in the regions; developing specialized modules, legal publications, posters on their development in order to expand legal awareness activities.

Protection of the rights of migrants. For the purpose of improving state policy in migration area, regulating migration management system, as well as migration processes, necessary additions and amendments were made to the legislative acts, new normative acts were adopted.

Along with the rights of the citizens of the country, the protection of the rights of foreigners, stateless persons and other participants of migration processes, the Commissioner also paid attention to the prevention of illegal migration and the creation of favorable conditions for labour activity of migrant workers that got work permission. It also acted in the field of protection and promotion of the rights of these persons, as well as prevention of offenses, and continued the measures within the framework of cooperation with the State Migration Service, applying advanced experience in this area. Hence, there was also activity on protection and promotion of the rights of people from this group, also on prevention of law infringements, and the events in the framework of the cooperation with State Migration Service have been continued through implementation of advanced practices in this field.

The Commissioner has provided comments and proposals to the relevant draft laws. Thus, with the aim of the comprehensive protection of the rights of foreigners and stateless persons living in Azerbaijan, as well as the rights of the citizens of the Republic of Azerbaijan living abroad, fulfillment of obligations under international documents to which our country is a party, as well as regulation of internal migration, organizing activities in compliance with the requirements of modern standards by also considering new challenges, draft of the “National Migration Strategy of the Republic of Azerbaijan for 2019-2024” was prepared. Proposals to this Strategy, as well as to the “Migration Management Strategy of the Republic of Azerbaijan for 2019-2023” prepared by the IOM, were sent to the State Migration Service.

Besides that, proposals regarding “National Action Plan on Combating Trafficking in Human beings in the Republic of Azerbaijan for 2019-2023” were sent to the Ministry of Internal Affairs.

Upon the instruction of the Commissioner, monitoring was held in the State Migration Service Detention Centers for Illegal Migrants located in Baku and Yevlakh cities by the NPG members. The purpose of the visit was to

investigate detention conditions and treatment in these facilities, as well as appeals addressed on legalization of their stay in the country, learning proper filing. During conversations with migrants who were settled there on voluntary basis, they did not complain about conditions and treatment. The results of those visits were deemed satisfactory, and the recommendations made during previous visits to the facilities have been realized. Some recommendations were given to the management of facilities on detention conditions and treatments issues in accordance with national and international legislation.

In general, during the examination of appeals addressed to the Commissioner in 2018, unjustified restriction of the right to leave country was prevented; in some cases issuance of return certificates for the citizens of the Republic of Azerbaijan, who lived in foreign countries with invalid documents or had no documents confirming their identity, was accelerated; decisions on expelling from country with administrative grounds were annulled in several cases and entry of foreigner to the Republic of Azerbaijan was provided; foreigners residing in our country without documents at different times and stateless persons were provided with relevant documents in a short period of time and their return to own countries was ensured.

As a result of the measures taken for foreigners, stateless persons and asylum-seekers regarding their appeals addressed to the Commissioner in 2018, actions were implemented towards expansion of access to social, educational, medical and other services, as well as the migration registration of foreigners and stateless persons, ensuring their rights to free movement, to be in the territory of country and to choose place of residence and other rights.

The Commissioner has proposed to organize trainings and seminars in borderline and other regions; to enhance the work on providing legal, psychological and other assistance to these persons; to develop specialized modules and legal publications on their linguistic and cultural development for the purpose of expanding legal awareness activities for different groups of migrants; to manage joint monitoring for the determination of their socio-economic, legal status; to strengthen control over the fulfillment of obligations under the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; to form a broad statistical database of migrants, at the same time reflecting their composition (women, children, persons able to work, persons with disabilities, elderly etc.) and to bring the national legislation in line with international norms in this sphere.

Protection of the rights of military servicemen. Achievements made in building up army, including enhancement of material-technical base of the Armed Forces, increasing supply with modern weapons and military technical installations, conducting large scale military trainings for maintaining the fight readiness in high level, strengthening the discipline of personnel, implementing significant reforms for the purpose of developing defence potential, work

carried out for improvement of housing and living conditions of military servicemen resulted in raising fighting spirit.

The construction of modular barracks for military personnel of military units subordinated to the Ministry of Defence settled at difficult natural conditions and in contact line with the enemy, reforms on removal of military personnel from economic activities and the involvement of civilians in these actions serve to eliminate non-statutory relations between military servicemen and to use the time distributed for combat readiness.

The decrees and orders signed by the country President for the purpose of taking necessary steps to improve the social protection of the servicemen, as well as the improvement of their housing living conditions, to further strengthen social protection of their family members and to increase state care for them are especially noteworthy. The importance of the Decree of the President of the Republic of Azerbaijan of April 19, 2018 “On additional measures to improve the social protection of family members of the military servicemen who were killed for the territorial integrity of the Republic of Azerbaijan, died or declared dead for unknowingly missing due to military operations” and the Decree dated January 28, 2019 on amending the mentioned Decree is of particular relevance.

By the decree of the country President, 1,229 servicemen who served impeccably for 20 years or more in the Armed Forces since 1992, were given 629 apartments in Baku, 632 in Ganja and 18 in Nakhchivan by the state.

Failure to complete the payout for vacation days and property items, not used during the years of service, to some reserve or retired servicemen caused such persons’ reasonable dissatisfaction. Another problem clarified from the appeals was related to the labor, education and other rights of family members of servicemen, war veterans.

The existence of bureaucracy on responding to the appeals addressed by reserve and retired military servicemen to the Central Archive of Ministry of Defence obstructed realization of several rights of those persons or using them adequately.

Another important issue is the provision of housing for military servicemen, compensation for housing rent.

One of the key directions in the Commissioner’s activities regarding the protection of the rights of military servicemen was about their legal awareness.

In 2018, the Commissioner, her specialized adviser on military issues and other staff members visited military units, educational and medical facilities together with the authorized representatives of these authorities on a regular basis in accordance with the plan of actions jointly confirmed with the Minister of Defence, the Commanders of the Internal Troops under the Ministry of Internal Affairs and the Civil Defence Troops under the Ministry of Emergency Situations and carried out relevant activities for enhancing legal-awareness work with the personnel. They also visited military unit on the contact line with enemy and other units; made speeches before the officers and soldiers; got

familiar with the living conditions of the military servicemen on site; conducted monitoring; got acquainted with the provision of arranging service in line with legislation and statutes, conditions of service and social living, ensuring health protection, quality of meals and other foods; conducted review of barracks, resting places, library, kitchen, bathroom, sanitary sites; held conversations with the parents that came for meeting with soldiers; as well as managed necessary legal awareness events. Practice shows that such activities have been important in terms of protecting the rights of military servicemen, strengthening legal awareness and training in the Armed Forces.

In 2018, such meetings were held in 24 military units of the Ministry of Defence, 10 military units of the Internal Troops of the Ministry of Internal Affairs, nine military units of the Civil Defence Troops of the Ministry of Emergency Situations, totally in 43 military units, educational and medical facilities. During events, appeals were examined on site, questions of military servicemen were answered, and necessary recommendations were communicated to some commanders of military units and heads of facilities.

As a continuation of these meetings, the plan of actions considered and agreed to be held in 2019 was approved by the Commissioner, the Ministry of Defence, Commanders of the Internal Troops of the Ministry of Internal Affairs, as well as the Civil Defence Troops of the Ministry of Emergency Situations.

Joint measures are being proceeded with the Ministry of Defence, Internal Troops of the Ministry of Internal Affairs and the Civil Defence Troops of the Ministry of Emergency Situations in the direction of holding regular meetings with the personnel in military units aimed at legal awareness and learning the social living conditions of the military personnel.

Taking into account the increase in the rent of apartments, the Commissioner has proposed to increase the amount of compensation paid to military servicemen for the rent of temporary apartments and the amount of money paid for the military rank, as well as exemption of their salaries and other revenues from income taxes, establishment of distinctive (incentive) badges for military servicemen fulfilling the warranty obligations under the military units on contact line, as well as determining the second subsequent vacation during the service of term active duty military servicemen on those positions, as the reason for premature termination of the initial service contract with military service personnel is shown as discharge of person for service mismatch, thus trial period could be applied before the relevant contract was concluded, given that it created serious difficulties for finding employment in future.

Protection of the rights of convicted persons. The Commissioner continued the activity in the direction of ensuring the rights of the convicted persons. Ensuring the rights of persons in this category to the protection of honor and dignity, religious freedom, protection of health, appeal, access to

quality legal assistance and other rights determined with the laws, as well as international norms was kept under control during both investigation of received appeals and held visits.

Measures aimed at re-organizing penitentiary system in line with modern requirements and European standards, reliably ensuring human rights in detention facilities, including TDPs, investigation facilities, guardhouses, as well as prisons, improving detention conditions and rehabilitating convicted persons.

Legal advice was provided in accordance with legislation for the issues raised by the persons, received during visits held at facilities, concerning the investigation on their cases; applications were called into question before the relevant investigation bodies; as well as appeals on meeting, phone conversations medical assistance were provided through on-site examinations; they were explained about their rights and requirements of relevant legislation; their applications and appeals addressed to the Commissioner were received.

Outcomes of the conducted visits were analyzed, motions were addressed to the corresponding state authorities with respect to the improvement of activity in certain facilities with proposals and recommendations, also the status of execution of recommendations given within the framework of the previous visits were monitored on site.

Within the framework of the Presidential Order dated February 10, 2017, measures have been proceeded in the directions of liberalization of the criminal-law policy, restriction of the application of arrest and imprisonment for crimes not representing big public danger and less serious crimes, decriminalization of crimes, elimination of circumstances conceding corruption in criminal prosecution and execution of punishments and provision of taking complex institutional, legislative and practical actions for the application of modern information communication technologies.

With regard to the humanization of penal policy and application of alternative punishments, courts reviewed the documents on nearly 6, 000 convicts and provided them, more than 4, 200 persons were released from sentence or their term of sentence was reduced, over 900 convicts were applied electronic bracelets. According to that Order, a range of deeds were decriminalized as for the amendments made to the Criminal Code, sentences of nearly 5,700 convicted persons falling under the new law were mitigated, including 1,700 persons were released from imprisonment and other punishments. As a result of the execution of the Order, the number of arrested persons sent to investigation isolators decreased by 25 percent, as well as the cases of applying imprisonment sentence by courts reduced. At the same time, presentations by prosecutors on arrest measure decreased by 22, appeals concerning extension of period on arrest detention by 37 percent.

Successive measures were taken with regard to increasing the effectiveness of execution of sentences alternative to imprisonment, application

of electronic control means through using modern information communication technologies in execution of sentences by the Probation Service of the Ministry of Justice that was established for this purpose. As well as, Electronic Monitoring Center supplied with modern equipments is operating in the mentioned Service.

Applying electronic bracelets for the persons subjected to restriction of liberty, conditional sentence or released from sentence conditionally earlier when courts decide so, allowed organizing control over effective execution of those sentences. Hence, constant effective control is managed by Electronic Monitoring Center on convicted persons who were applied electronic bracelet, as serving certain sentences.

The involvement of convicts in labour activity at prisons can serve to their rehabilitation, improvement of professional training and management mechanisms in the institution and convict's subsequent adaptation to the community after imprisonment. In this regard, the Commissioner delivered proposals to relevant authorities on investigating the issue of establishing new production facilities in order to solve the problem of unemployment and involve the majority of convicts in the socially useful labor, holding joint events with involvement of businessmen and entrepreneurs, thus directing prisoners' physical power to healthy labour, considering it proper for their correction. To encourage entrepreneurs' interest and engagement in the activity on delivering products made in prison production facilities by prisoners to the domestic and foreign markets, it is also advisable to apply tax and other concessions with respect to them in such cases.

The process of re-establishment of existing production areas and creation of new vacancies aimed at organizing socially useful labour which entails both material and moral-psychological importance for the convicted persons, has been accelerated in recent times. For this purpose, essential measures have been carried out on establishing new production areas in those facilities and involving entrepreneurs in this activity. Installing new loom machine-tools in the penitentiary facility No. 4 for women convicts of the Penitentiary Service by also taking into account the Commissioner's proposals for the development of various production areas on knitting, sewing and carpet-weaving and raising the number of working prisoners is an evident example for that.

At the initiative of the Penitentiary Service and with support of the Azerbaijan State Academy of Fine Arts, teaching on sculpture classes has also been launched in the penitentiary facilities for having convicts to master professional skills.

In 2018, on the occasion of the 100th anniversary of the Judiciary in Azerbaijan, an exhibition consisting of products made in penitentiary facilities and convicts' handicrafts was held at the penitentiary facility No.6 of the Penitentiary Service. The exhibition will play an essential role in increasing the interest for the convicts' handmade works much more, at the same time

involving local and foreign entrepreneurs in reestablishment of production areas at penitentiary facilities and in the creation of new workplaces.

As a result of the state policy based on the principles of humanism and justice founded by the National leader Heydar Aliyev and successfully continued by the country President Ilham Aliyev, as well as the respect and esteem to the human and civil rights and freedoms, 11 amnesty acts have been adopted, 64 decrees and orders on pardoning were signed in our country in a short period of time, consequently, thousands of persons were released from sentences and joined the society and their families.

During the Commissioner's term in office, totally 638 prisoners were pardoned with her motions, including 72 convicted persons in 2018.

The Commissioner has proposed creating new production sectors for correction of convicts, providing their financial needs and involving in socially useful labour; adopting and implementing targeted state program on "Correction, socialization of convicts serving sentence in penitentiary facilities and application of probation" for rehabilitating the convicted persons in penitentiary facilities, development of personality, elimination of moral isolation and adapting to society after release without obstacles; increasing the number of social adaptation centers as preventive measures, for socialization of people released from serving sentence encompassing also the regions, expanding socio-psychological assistance services, also providing their employment; at the same time, speeding up the construction of new buildings of treatment facility, prison, penitentiary facility for women, correctional facility for juveniles and Investigation facility No. 2 of the Penitentiary Service.

Protection of women's rights and ensuring gender equality. Promoting and ensuring gender equality, as well as restoration of the women's violated rights has always been in the focus of the Commissioner's attention.

Empowerment of women is the main requisite for reliable protection of women's rights and freedoms. Taking into consideration that 2019 is the year of municipal elections, 2020 is of parliamentary elections, the Commissioner promotes representation of women in the decision-making positions in the administration, holds numerous events aimed at more effective protection of women's rights and implementing gender equality.

The Commissioner has carried out several actions for providing women's employment, widening economic opportunities, conducted awareness-raising activities, addressed appeals to corresponding bodies with regard to entrepreneur women in cities and villages engaging in small and large business; hence, the difficulties of dozens of businesswomen were removed, workplaces were opened for numerous women. Development of women entrepreneurship helps to reduce poverty, to increase women's economic and social influence and mainly, to prevent exploitation of women, to eliminate gender inequality.

Subjects of “Human Rights” and “Introduction to Gender” is being taught in law and other faculties of Baku State University for several years at the initiative of the Commissioner, who implements broad measures and awareness-raising projects on forming gender-sensitive environment in education, increasing the number and attendance of girls going to school, arranging support mechanisms to young mothers, widening informal education opportunities and involving more girls in education on technically oriented jobs and proceeding their secondary and higher education.

During the campaign of 16 Days of Activism Against Gender-Based Violence, declared by the UN General Assembly in 1999, starting from November 25, the International Day for the Elimination of Violence against Women and continuing till December 10, International Human Rights Day, the Commissioner organized a range of awareness-raising events with the participation of representatives from courts, prosecutors’ offices and police bodies, healthcare and educational institutions, as well as wide public, including women and teenagers, also submitted proposals to the “National Action Plan on Eliminating and Combating Domestic Violence in the Republic of Azerbaijan for 2019-2023” project.

The Commissioner had broad activity in conducting awareness-raising and teaching work at secondary schools, universities in Baku city and surroundings, as well as in the regions.

For the purpose of prevention of early marriage, events and informative activities were conducted with participation of the Azerbaijan Women and Development Center in different places of our republic, including remote villages, on reproductive health, family planning at community level and in a complex manner by using positive experience on community-based service.

In general, conducting necessary awareness-raising work among parents and youth all over the country, especially in rural areas, settlements and villages by representations of the city and district executive authorities for territorial units, municipalities, local and educational institutions, police area inspectors for preventing early marriages and problems possible to occur in this sphere, assumes particular importance.

The Commissioner has regularly visited the areas where IDPs settled, learned their situation and needs, at the same time held a range of events in the capital and regions with the UNICEF, UNHCR and IOM missions to our country.

In 2018, the appeals addressed to the Commissioner were mainly based on the issues on payment of alimony, provision of martyr families with apartments, determining social benefits, labour rights, domestic violence, property, health, education. Applications were investigated within the scope of competences, and many of them were provided.

There is a need to establish a network of regional shelters for women and children as victims of violence considering the recommendations of the UN

Committee on the Elimination of Discrimination against Women (CEDAW) to the Azerbaijani Government.

In order to widen the political rights and economic potentials of women, the Commissioner has proposed to include issues on gender quota and gender budget to the relevant legislation by bringing them into agenda; to train social workers, professional psychologists dealing with gender issues in the secondary and higher educational institutions; to conduct broad, systemized and mass awareness-raising measures regarding violence; to establish shelters for women that were subjected to domestic violence or human trafficking and for their children; to reveal and cancel brothels; to punish persons who safeguard such places; to develop, approve and implement strategic program on reproductive health and family planning at community-level; to hold extensive awareness work aimed at prevention of abortion of female fetus in mother womb, as well as to determine responsibility for that; to conduct investigations and monitoring in corresponding local units, communities, families, institutions, establishments and organizations for learning the situation with gender equality, and to prepare final reports on the basis of these.

Protection of the rights of the child. In 2018, the appeals addressed to the Commissioner with regard to the rights of the child included violation of the right to education and health, treatment of children, non-acceptance to pre-school educational institutions, non-provision of meeting between the divorced parent and child, parent irresponsibility, targeted social assistance, social allowance, trusteeship, failure to issue birth certificate and to execute court decisions, domestic violence, neglect and other issues; legal advice was provided on them, and on-spot investigations were conducted, if necessary.

On ensuring the right to education the Commissioner received appeals about issues emerged in failure to pass the first-grade class exam because of school administration and non-acceptance to school, unreasonable refusal for entry into school, dismissal from school, admission to the first-grade at an early age, involvement in individual education, admission to secondary and pre-school educational institutions, obstruction of class attendance because of parents from hostile families, placing children with limited health capacities to special educational institutions, teacher-student relations, as well as student enrollment procedure in the first-grade of schools carried out via electronic system, and corresponding measures were taken upon investigations.

The Commissioner deems that out-of-school facilities assume importance for efficiently organizing the children's leisure time and development of their creative abilities. It is desirable to improve the work of such educational institutions under the Ministry of Education and to develop further the knowledge and skills of the staff.

Appeals related to examination and treatment of children at state expense on ensuring the rights of the child to health, doctors' negligence, conceding

bureaucracy in determining disability in children, rendering assistance in training professional staff and raising awareness in society and other issues, relevant measures were carried out.

Appeals regarding low level of financial supply, payment of alimony and targeted social assistance, objective assessment of disability, children's right to housing, resolution of social problems were sent to authorized state authorities, and relevant actions were taken.

The Commissioner considers it necessary to establish state-funded special Alimony Foundation on payment of alimony decided by court for child maintenance, strengthening the application of privileges in the existing legislation for concession with regard to multi-child families.

It is advisable to implement awareness-raising measures for low-income families on the family planning field in terms of strengthening their social security.

There is a need for conducting awareness-raising on electronic application rules for targeted state social assistance, as well as creating special services for that.

The Commissioner always keeps focus on children with special need (children with limited health capacities, deprived of parental care, from low-income, migrant, refugee and IDP families, in socially dangerous situation, in conflict with law etc.).

As a result of the global migration crisis, thousands of children are subjected to exploitation, abuse and harassment, so it is crucial to adopt standards meeting modern international challenges to ensure the safety of children exposed to forced displacement.

At the initiative of the Commissioner, a range of awareness activities, including events for children from refugee families and their parents, have been organized jointly with the State Migration Service in the country.

In accordance with the Article 22 of the UN Convention on the Rights of the Child (UNCRC), the Commissioner cooperates with the UN and other international organizations on expanding cooperation for supporting and enhancing the coordination in protection and humanitarian assistance of a child seeking refugee status or is considered a refugee, as well as children permanently or temporarily deprived of his or her family environment for any reason, including assisting such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family.

Monitoring is held on a regular basis regarding the status of protection and rehabilitation of the rights of children with limited health capacities, the detention conditions in their facilities, necessary measures are taken to ensure their rights. Thus, the Commissioner permanently keeps the rights of children with Down syndrome and other children in need of care, learns their situation through meetings and gives recommendations.

The Commissioner and NPG members regularly visited state-run child institutions, managed reviews; the situation on conditions created for children, their opportunities on access to medical services, existing documentation were investigated, and monitoring directed at prevention and elimination of ill-treatment towards them was conducted.

Members of the NPG have conducted a visit without prior notice to the social service establishment No. 2 of State Social Protection Fund under the Ministry of Labour and Social Protection of Population for the children with limited health capacities for investigating the status of the detention conditions of children involved in the habilitation and rehabilitation in this facility and the treatment of employees with them, as well as ensuring the children's rights. Such visits have also been carried out at institutions existing in a number of regions.

Employees of Ganja, Sheki, Jalilabad and Guba regional centers also continued monitoring at children's homes and boarding schools functioning in the respective regions, the status of preparation for the forthcoming academic year, the current situation and treatment towards children held there, repair and renovation work, state of providing children with manuals were kept in focus.

Appeals received with regard to determination of trusteeship and guardianship of children who are deprived of parental care, placing them in the family-type institution, providing children, who left institution, with residence and other issues were investigated, and measures were taken.

Besides the addressed appeals, the Commissioner also conducts investigations at her own initiative regarding the infringement of children's rights defined in information on mass media.

Relevant bodies have been appealed for broadcasting information that can harm child psychology in the television at specified times or with special notes. She has proposed to make additions and amendments to the laws existing on the media field, for preventing the damage caused by malicious information which they obtain through mass media, internet pages or other means and the circumstances on violation of children's rights in the media.

In order to protect the rights and interests of children in conflict with law, accelerating the adoption of Law on Juvenile Justice is one of the necessary issues to be solved.

The Commissioner and NPG members carried out visits to the Baku Detention Center and Child Correctional Facility of the Ministry of Justice Penitentiary Service in Baku and regions, met with juveniles detained there, conducted exchange of opinions and held other events.

It was set out in the clause 4.4 of the NAPr to expand teaching of human rights at specialized vocational and higher education institutions, to develop hierarchic child rights education in secondary schools with the Commissioner's proposal.

In the academic year 2017-2018, 1345 students, 20 principals and 52 teachers took part in this program, from one school in each district of Baku and Balakan, Gakh, Shamkir, Samukh, Shabran, Khachmaz, Salyan and Neftchala regions, totally in 20 schools. Generally, more than 170 schools have been involved to this annual program since the academic year 2009-2010, over 10,000 students were awarded certificates for particular distinction in the process, more than 800 teachers and principals were given letter of thanks by the Ombudsman. Educational materials on child rights, drafted and published in the Institution, have been presented to school libraries.

In 2018, within the Child Rights Month-long campaign held in our country at the initiative of the Commissioner between October 20 and November 20, on the eve of adoption of UNCRC, events were held by the staff members of the Office, including the regional centers, relevant state authorities, local executive bodies, municipalities, NGOs and communities with direct participation of children; competitions and contests on different directions were organized among children at the educational institutions; as well as visits were conducted to the child education facility, investigation facilities, TDPs; meetings were managed on the contact line with the children from refugee and IDP families, including students in Horadiz, and discussions were held with children in educational facilities.

Within the framework of the Month-long campaign, the 18th education year of Leadership School of the Azerbaijan Child and Youth Peace Network, founded by the Commissioner and continuing activity as the resource center on child rights, was inaugurated.

In course of the visit to the liberated Jojug-Merjanly village of Jabrayil rayon, the Commissioner and members of Leadership School went to the village school named after martyr Novruz Aslanov, met with the teachers, students, parents and locals, also the literature on human rights was gifted to the school library.

As every year, the usual contests of child paintings on “Me and my rights” among children and journalistic essays on “Rights for everyone!” were announced by the Commissioner on the occasion of 10 December-International Human Rights Day in 2018 as well, and paintings were submitted from Jojug Merjanly village of Jabrayil along with Baku and other regions, they were ranked as winners and presented cash awards.

Within the Month-long campaign, hundreds of round-tables, seminars, exhibitions, competitions and other events were organized by city and district executive authorities on the protection of children’s rights, the state care provided to them, the fight against child labour and early marriages, the prevention of harmful habits spreading among children, safeguarding the rights of children with limited health capacities and their integration to society, children’s equality rights and other themes.

The Commissioner developed the international cooperation in child rights field, monitored state-run child institutions in accordance with Joint Action Plan signed with UNICEF, the status of issues on detention conditions and treatment of facility staff towards them, as well as safeguarding the children's rights were studied.

Since last year, several projects were executed with UNHCR within the international cooperation aimed at raising knowledge of population about domestic and gender-based violence, especially for the reliable protection of women's and children's rights by involving in more than 10,000 IDPs in the settlements and schools built for them, consecutive trainings were held.

The Commissioner also proposed to widen the network of rehabilitation institutions for children with limited health capacities in the regions.

Incidentally, it has already been planned to proceed construction of rehabilitation centers for children in regions of the republic by the Ministry of Labour and Social Protection of Population.

In addition to aforementioned, the Commissioner also proposes to increase the financial aid for child education and social security, considering the recommendations by the UN Committee on the Rights of the Child to the Azerbaijani Government, to make amendments to the Law On Social Allowances of the Republic of Azerbaijan with the purpose of providing allowances to the children, who lost head of family and has limited health capacities for both circumstances, taking into consideration that the needs of children with limited health capacities are different from others, to widen the inclusive education network in regions, also provision with social worker, psychologist and other specialists, to increase their wages.

Protection of the rights of the elderly. Investigations were conducted on the appeals related to the infringement of labour rights of the elderly, including dismissal on the basis of age, determination of pension not adequate to the labour experience or disability degree, conduct of examination and treatment at state expense, provision with place of residence, property, ownership, inheritance, rendering assistance to persons with retirement age on placing to social service facilities, and proper actions were taken.

Analyses of the Commissioner's observations and addressed appeals suggest that there is a need for the protection of legal interests of this vulnerable group of society which needs more care, as well as for raising their awareness regarding health, education.

Thus, the promotion of healthy lifestyle by the recommendation and guidance of the Commissioner, the aim of publishing the aid "Towards worthy ageing" drafted in the Institution with the purpose of sharing legal knowledge that the elderly may need in the daily life, theoretical and practical information on their social, health and education rights is also about inform elderly people

on relevant laws and procedures for their benefiting from assistance and services provided by state.

The Commissioner's Resource Center for the Elderly also serves to legal, medical and psychological awareness-raising of the elderly women. During the year, along with awareness-raising events, celebrations on the occasion of the October 1-International Day of Older Persons, October 5- World Teacher's Day, October 18- State Independence Day, November 12- Constitution Day and other remarkable days, also commemorations on January 20 tragedy, Khojaly Genocide, at the same time events with regard to the centenary of the Azerbaijan Democratic Republic were organized.

Elderly people undergo regular free check-ups by doctors, treatment with natural and traditional methods along with diagnosis of diseases as a result of efficient cooperation of the Resource Center for the Elderly and "Health area" Polyclinic of the Ministry of Health, rehabilitation and health improvement measures are taken after illness.

In order to widen the scope of activities in the gerontology field, "Open door" Month-long campaign is held regularly upon giving prior announcement in city polyclinics, and the patients redirected by polyclinics are provided geriatric medical care. During the "Open door" Month-long campaign consultations of different-profile clinicians by Baku city Healthcare Department, and necessary treatment is provided.

The Commissioner and staff members carried out visits to the social service institution of the Ministry of Labour and Social Protection of Population for persons reached retirement age on a regular basis, got acquainted with state of residents within the visits, also gave instructions and recommendations for safeguarding issues on their living condition, social problems and health rights. Their applications were received; relevant actions were taken for resolution and elimination of problems.

Observations show that health, physical and psychological state of elderly convicts became a problem difficult to solve caused by lack of material resources and special staff. Thus, the Commissioner has proposed pardoning of them, as well as application of alternative methods of punishment by taking into account their state of health and character of the committed crime.

Considering the demand for life-long education, the Commissioner recommended the re-discussion of the draft Law "On the Education of Older Persons" and its adoption by improving, in accordance with the UNESCO program on "Education for All".

Ratification of Article 23 besides other articles of the European Social Charter, signed by our country, regarding the right of elderly persons to social protection is necessary.

Moreover, it has been proposed to bring the minimum amount of pension up to the minimum amount of wages for ensuring proper standards of living for the elderly depending on the economic growth; to raise the quality of home

care services for the elderly being lonesome, secluded or having limited ability to move; to attach needy elderly people to public catering establishments for providing with free meal once a day; to establish resource centers under the municipalities for letting them enjoy their leisure time efficiently; to encourage the elderly who had special achievements in education, science, art, sport areas and in public service for the society; to involve the elderly keen to work in public activities in compliance with their knowledge and skills; to promote respect towards the elderly through mass media.

Protection of the rights of persons with disabilities. Appeals addressed to the Commissioner, who keeps the protection of rights of persons from this group in focus, mainly encompassed the proper assessment of disability and limited health of children; exercising treatment and examination, provision of medications at state expenses; realization of right to education; supply of housing, car, wheelchair and other such kind of problems.

Actions were actualized on objectively assessing the disability and limited health after the Commissioner appealed to corresponding bodies; persons with disabilities underwent check-up and treatment by sending them to certain medical institutions and rehabilitation centers free of any charge; those in need were provided with necessary medication, send to sanatorium resort, also prosthetic orthopedics products, wheelchair, technical and other rehabilitation means; meanwhile, persons who became disabled after war participation were given apartments, cars, provision of medical-social and psychological services.

The Commissioner's proposals on proceeding crucial turn in the activity of medical social expert commissions (MSEC), minimalizing the official-citizen contact, ensuring transparency and constant improvement of the work in this area on the basis of international practice are being taken into consideration. However, it should be noted, in spite of the recent positive changes implemented towards improvement of regulatory framework and activity in this field, it is yet possible to come across a number of problems to be solved necessarily in this direction.

Assigning totally five MSECs in Baku city as a result of the recently implemented reforms, conducting services on assessment of disability and medical-social rehabilitation direction in a coordinated manner with five DOST centers to be established in Baku, are significant from the point of effectively ensuring the rights of persons with disabilities.

Appeals addressed by the Commissioner with regard to the surgery of people, including children, having acute heart failure, severe hearing loss and other diseases, at state expense; provision of hemodialysis sessions and medications for people suffering from chronic renal failure, also lantus and other medications lowering blood sugar level for people with diabetes have been positively resolved.

As a result of the consideration of the Commissioner's proposals on allocation of state aid for in time detection children having severe hearing loss, performing cochlear implant (inner ear prosthesis) operation on them from early ages, this operation has been successfully performed on 58 children with financial support of the Ministry of Health during last three years.

Upholding the positive experience on tax exemption of income earned from the activity by orphanages, kindergartens, special pre-school educational facilities for children with limited health capacities and children's homes for 10 years from January 1, 2014, the Commissioner proposes to apply certain tax exemptions also to the different-profile private rehabilitation-development, day care and out-of-school educational service centers for children with limited health capacities in the country during relevant period for enhancement and expansion of their activity.

Since Down syndrome, Autism spectrum have not been included to the list of illnesses entitling right to home education, there are existing problems related to the involvement of children suffering from those syndromes in home education. Taking this into account, the Commissioner proposes to make relevant additions to the list entitling this right, with the purpose of applying "Home education" form based on special plan for children in that group, who are not able to get education directly in secondary school because of health.

In 2019, the next report of the Azerbaijani government regarding the activities carried out on the implementation of provisions of the UN Convention on the Rights of Persons with Disabilities (CPRD) in our country will be submitted to the UN Committee on the Rights of Persons with Disabilities. Considering that, the Commissioner once again proposes to make amendments to the relevant Constitutional law. It is necessary from the point of fulfilling the duty on implementation of independent mechanism functions to promote, protect and monitor it, which is reflected in the Article 33.2 of the CRPD.

Holding monitoring in the educational, healthcare, penitentiary and social service establishments was also continued in 2018 by the Commissioner and staff members upon her instruction, including the NPG members. Thus, status and needs of persons with disabilities have been learnt, instructions and recommendations were given to the authorized persons on resolving their social-housing problems, ensuring health and other rights; meanwhile, necessary measures were taken towards legal awareness of people from this group and elimination of law breaches like any discriminatory, inhuman or degrading treatment.

The Commissioner proposes to ratify Article 15 of the Revised European Social Charter on "The right of persons with disabilities to independence, social integration and participation in the life of the community"; to accelerate the process of approval of "National Action Program on the protection of the rights of persons with disabilities" drafted upon consideration of the Commissioner's numerous proposals, "State Program in the field of population residency and

demographic development in the Republic of Azerbaijan”, “Guidelines of establishing necessary activity conditions for persons with disabilities in the projection of buildings and installations”; to define disabilities not for groups, but for the percentage degree of functional limitations of person, as well as implementation of relevant social support actions appropriate for that; to adjust the social infrastructure objects to the real demands of persons with disabilities; to prepare specialized professionals dealing with children with limited health capacities , including psychologists, correcting pedagogues, surdo-pedagogues, oligophrenia-trainers, logopedists, as well as psychiatrists, neurologists, otorhinolaryngology specialists, surdologs, audiologists, professional teacher-trainers, social workers, as well as increasing their professionalism.

CHAPTER II

ACTIVITY IN THE FIELD OF LEGAL AWARENESS, SCIENTIFIC AND ANALYTICAL WORK, INTERNATIONAL RELATIONS, COOPERATION WITH THE PUBLIC AND MASS MEDIA

2.1. Human rights awareness

The Commissioner attaches particular importance to the human rights education and legal awareness work for groups of population, including children, women, elderly people, persons with disabilities, refugees, IDPs and migrants, military servicemen, convicts.

Within the Human Rights, Peace and Child Rights Month-long campaigns held at the initiative of the Commissioner, the effective cooperation in human rights field was developed by state authorities, local executive power bodies, NGOs and mass media, communities and international organizations; a range of events and discussions regarding human rights were organized in all the cities and rayons of the country on the basis of the relevant provisions of NAPr; the results of month-long campaigns were highlighted in the press and mass media.

Series of legal awareness events were conducted in the cities and rayons of the country on different programs and topics, reports and speeches regarding different themes on human rights were delivered, exchange of views were conducted with the participation of staff members of Guba, Sheki, Jalilabad and Ganja regional centers covering 35 cities and rayons.

In 2018, numerous events dedicated to the centenary of the Azerbaijan Democratic Republic which is the first democratic parliamentary republic in the Muslim East, the 95th birth anniversary of the National leader Heydar Aliyev, June 18- National Human Rights Day, the 70th anniversary of the UDHR and remarkable international dates.

For the purpose of commemorating the historical bloody incidents in our country and delivering them to the attention of the world community, set of events were arranged by the Commissioner and the regional centers in the capital and regions within the framework of plan of actions regarding the marking of the 28th anniversary of January 20 tragedy and the 26th anniversary of the Khojaly genocide, the 100th anniversary of March 31- the Genocide of Azerbaijanis approved by relevant Orders.

Modular trainings on the basis of the national legislation and UNCRC have been held within the five-weeks “Training Program for Trainers” which was the first phase of the “Promotion of the Rights of the Child” project for ASAN volunteers, in which the Commissioner was also a partner and a staff member took part as an expert, also was supported by the UNICEF.

In principle, totally 372 students of Law, Political administration, Regional studies and international relations, Social sciences and psychology, Economics and administration faculties, mainly from the Academy of Public Administration under the President of the Republic of Azerbaijan, Baku State University, ADA University, Azerbaijan University of Languages, Azerbaijan State University of Economics, Baku Slavic University and other universities of our country, passed production and scientific-research internships in the Office, including 61 bachelor's and master's degree students in 2018.

Successfully continuing the highly qualified staff training on human rights also in 2018 by demonstrating scientific approach in the area within the bachelor's and master's degrees of the "UNESCO chair on human rights and information law" founded in Baku State University at the initiative of the Commissioner, university-level teaching of "Human rights" and "Introduction to Gender" as independent subjects and publication of set of lectures as a book on these subjects by the Commissioner have contributed to the work on preparing new generation of lawyers, social workers and specialized psychologists.

Communicating broad knowledge on human rights, legislation in this field, executive mechanisms, as well as about the institution by the Commissioner and staff members were continued at the Academy of Public Administration under the President of the Republic of Azerbaijan, Labour and Social Relations Academy, Police Academy, Academy of Justice and military educational institutions accordingly to military trainees, specialists involved in qualification, doctors, advocates, civil servants.

In 2018 events were held at the Leadership School of the Azerbaijani Child and Youth Peace Network aimed at development of situation of children, their participation in the social life and obligations through teaching and application of the rights of the child on the basis of the UNCRC and relevant national legislative acts, instilling the spirit of patriotism to the children and youth, growing up as a real leader being a worthy citizen for the country.

A range of trainings and seminars were arranged in places for combating drug-addiction which concerns our country, HIV/AIDS and other contagious diseases with the participation of the Commissioner's regional centers in collaboration with the Center of Fight against HIV; the consistent awareness-raising activity conducted for the protection of the rights of people suffering from those diseases, non-isolation of them from society, not exposing them to any discrimination was commended at the events held in the Leadership School and Resource center for the Elderly.

In order to raise effectiveness of the activity in human rights field, totally 197 editions, including seven titles in 2018, were prepared, printed and published, more than 23 foreign literature pieces on human rights and good governance were translated, also 55 aids in Azerbaijani language were

translated into English and 41 into Russian language to be printed and disseminated among wide auditory of readers, which were distributed among city and rayon libraries, as well as ombudsman institutions of foreign countries, institutes acting in human rights field and national libraries.

Publications of the institution have been demonstrated at the International Book Exhibition held in Frankfurt, extensive exhibitions including our publications have been opened in many city-rayon National Libraries, the 15th Baku International Conference of Ombudspersons, within the framework of the 21th meeting of the Board of Directors of AOA in Baku, scientific-practical conferences devoted to the anniversary of the Khojaly genocide, the 100th commemoration of March 31- Genocide of Azerbaijanis and centenary of the Azerbaijan Democratic Republic.

2.2. Organization of scientific and analytical work

With the purpose of more efficient implementation of duties related to human rights, the Commissioner once again proposes to draft and approve a new term action plan complying with challenges of modern era taking into account that implementation period of some clauses and sub-clauses has ended.

Opinion and a number of proposals have been developed with regard to the draft of the “National Action Plan on Elimination of Domestic Violence and Combating It in the Republic of Azerbaijan for 2019-2023”.

Taking into account their significance the Commissioner proposes again to join and (or) ratify the International Convention for the Protection of All Persons from Enforced Disappearance, the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse and Convention on Preventing and Combating Violence against Women and Domestic Violence, other necessary provisions of the Revised European Social Charter, Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, Protocol No. 12 to the European Convention for the Protection of Human Rights and Fundamental Freedoms.

There has been monitoring of Criminal, Criminal-Procedural, Civil, Civil-Procedural, Administrative Procedural, Administrative Offences, Labour, Family, Housing, Taxes Codes, pensions and social security, social service, penitentiary and other legislative acts. Numerous proposals have been developed for the draft law on additions and amendments to the Labour Code.

To determine administrative and criminal responsibility for discriminating people, who reached pension age, is also advisable.

There is also need for including article to the Law of the Republic of Azerbaijan dated March 10, 2017, On amending the Law "On Pensions" of the Republic of Azerbaijan, as “This Law applies to public relations arising after its entry into force”.

It is more appropriate to fix the part I of the Article 168-1 of the Criminal Code (Violating requirements of religious propagation, religious rites and ceremonies) in new wording (performing rituals and ceremonies related to religion without agreement of the relevant executive power authority prescribed by the Law On Freedom of Religious Belief of the Republic of Azerbaijan), also editing the Article 168-1.2. in terms of equal rights, as well as removing the “,” mark after the word “committed” from the name (compulsary involvement of persons committed administrative offence considering administrative arrest or needing treatment against drug addiction) and the first part of Article 37 of the Administrative Offences Code, also the wording “after serving the administrative arrest reprimand type) from the third part and setting those parts in new wording from the point of safeguarding humanism, right to live and right to health.

During the Commissioner’s term in office, 22 requests out of totally 36, addressed to the Constitutional Court, have been reviewed by plenary, rulings encompassing widening interpretations assuming both theoretical and empirical significance within them have been adopted on 13 cases, and one request has been considered to be reviewed in the plenary.

The Plenum adopted decision on March 14, 2018, on the basis of the request addressed to the Constitutional Court for verification of conformity of Article 157 and 158 of the Civil Procedural Code to the Paragraph I of Article 13, Paragraph I, II and V of Article 25, Paragraph I and III of Article 28, Paragraph II of Article 29, Article 59, Paragraph I and II of Article 71, Paragraph I and III of Article 149 of the Constitution of the Republic of Azerbaijan. The legal approach set forth in that decision has fully complied with the essence of the Commissioner’s request.

These decisions and rulings adopted on the basis of the Commissioner’s requests assume both theoretical and empirical importance and is significantly contributing to the correct understanding of human and civil rights and freedoms set out in the Constitution and other normative legal acts, their provision and proper application in practice.

2.3. Public relations and cooperation with mass media

Cooperation with the public and civil society institutions. The close cooperation of the Commissioner with the state authorities and civil society institutions has been maintained.

The members of the Council of Experts under Commissioner include persons with knowledge and experience in the field of human rights, as well as working for scientific, educational institutions, NGO representatives and independent experts. The activity of this Council is aimed at analyzing the situation on the main directions of human rights in our country, improving the

national legislation, developing proposals on the implementation of international conventions and carrying out joint measures.

NGO members are also represented in the Commissioner's National Preventive Group, Working Group on "Business and Human Rights" and closely involved in the process.

A range of events have been held by the Commissioner dedicated to the centenary of the Azerbaijan Democratic Republic with the participation of state bodies, civil society institutions, international organizations and representatives of the public.

Meetings on the occasion of the 28th anniversary of the tragedy of January 20, the 26th anniversary of the Khojaly genocide and the second anniversary of April victory and scientific-practical conference on the centenary of the 1918 Genocide of Azerbaijanis were organized jointly with the Academy of National Sciences of Azerbaijan History Institute named after A.A.Bakikhanov and Baku State University.

Meetings were arranged on the occasion of the 95th birth anniversary of the National leader Heydar Aliyev and the prominent academician Zarifa Aliyeva, also on December 12 - commemoration of the National leader Heydar Aliyev, events were organized regarding June 18- National Human Rights Day, October 18- State Independence Day, November 12- Constitution Day, December 31- Day of Solidarity of the World Azerbaijanis, as well as on the eve of Novruz holiday and New year.

Series of zone seminar-consultations have been held in collaboration with the Central Election Commission and Ministry of Defence in Ganja, Shirvan, Sheki cities and at last in Baku for further upgrading the service activity of police officers on the eve of the Presidential elections in the Republic of Azerbaijan.

A range of awareness-raising events were arranged in Baku and rayons within the framework of the Human Rights, Peace, Child Rights Month-long campaigns and "16 Days of Activism Against Gender-Based Violence", starting from November 25, the International Day for the Elimination of Violence against Women and continuing till December 10, the International Human Rights Day.

An international conference was held with the UN on the topic of "Securing the right to equality is the main foundation of peace and sustainable development" dedicated to the December 10- International Human Rights Day, the 70th anniversary of adoption of the UDHR and the centenary of establishment of the Azerbaijan Democratic Republic.

A conference dedicated to December 18- International Migrants Day was organized jointly with the State Migration Service and the IOM Mission to Azerbaijan, as well as meetings of the corresponding Working Group were held on topics of "Safety in Construction within the context of Business and Human Rights" and "Food safety issues in the context of Business and Human rights",

speeches were delivered on the relevant subjects, discussions were driven, proposals and recommendations were put forward.

The traditional contest of child paintings on the topic of “Me and my rights” held on the occasion of December 10 - International Human Rights Day has been finalized. Nearly 400 paintings of 308 children from Baku and regions, including Jojug Marjanly village of Jabrayil were submitted to that contest. According to the results of the contest, nine children representing Baku and different rayons of our republic, including a student from Jojug Marjanly village secondary school, were ranked as winners, and 34 students were rewarded with consolation certificates.

Cooperation with mass media. The Commissioner attaches particular importance to the relations with the mass media, including electronic media which has a special place in contemporary society, and effective cooperation in this direction is being developed. Within the cooperative conditions with mass media, press releases about the purposes, will, main activity strategies, new ideas and initiatives, main directions of activity and events have been developed and sent to numerous information agencies, different newspapers and journals, TV and radio channels, electronic news portals in an operative way.

The Commissioner has arranged her activity in cooperation with the National Television and Radio Council, State Fund for Supporting Mass Media Development under the President of the Republic of Azerbaijan, as well as journalistic organizations.

The relations with AZERTAC, Trend and other news agencies, editorials of leading newspapers published in the capital and regions, TV and radio channels have been continued as an important mean for delivering the activity to the wide population, as well as the official website of the Commissioner has been upgraded.

In general, 11,949 articles and news, including 509 in 2018, have been published about the activity of the institution. Within the term in office, Press Service of the Commissioner has issued 4345 press releases, including 195 of them for the year 2018. These press releases have been sent to the Council of Europe and other influential international organizations after being translated into English.

Since the establishment of the institution, the Commissioner has issued 125 statements. Thus, the Commissioner’s statements on the 28th anniversary of the tragedy of January 20, the 26th anniversary of the Khojaly genocide, the 100th commemoration of the Genocide of Azerbaijanis of March 31, 2018, have been addressed to reputable international organizations, including the UN Secretary-General, UN Security Council, UN Office of High Commissioner for Human Rights, UN Office of High Commissioner for Refugees, UN Human Rights Council, to the heads of UNICEF, UNESCO, European Union, Council of Europe, OSCE, to International and European Ombudsman Institutes, Asian

Ombudsman Association, OIC and the Ombudsman Association of its member states, European Network of Ombudsmen for Children, International Peace Bureau, ombudspersons of different countries, embassies of the Republic of Azerbaijan and foreign embassies in our republic, the Azerbaijani Diaspora organizations. The texts of the statements were published on a number of periodical press means, websites, broadcasted through TV and radio programs.

In the traditional journalistic writings contest of journalists titled “Rights for everyone!” on the occasion of December 10 – International Human Rights Day, the winners were awarded. Many representatives of media participated in the events organized by the Commissioner, including international conferences, were attended by media representatives, information and articles were published, interviews were managed to TV and radio problems.

In general, 168 monthly bulletins, including 12 in 2018, have been prepared.

The Commissioner also pays special attention to the protection of the rights of journalists along with the other persons, arrested on the basis of many provisions or convicted persons and serving sentence. Upon her instruction, the NPG members met with those persons. Their detention conditions, healthcare, treatment towards them, ensuring their rights were kept in focus, any concerns or complaints by them were immediately communicated to the Prosecutor General and other ministers, press releases were forwarded to the mass media.

2.4. International relations

The Commissioner’s cooperation in international relations sphere has been directed towards building relations or strengthening the existing ties with ombudsman institutions of foreign countries, international organizations acting in the field of human rights.

The traditional 15th Baku International Conference of Ombudsmen on “The role of National Human Rights institutions in ensuring and promotion of equal rights” was held on June 20-21, 2018, by the Commissioner with support of the UN country Office, National Commission of the Republic of Azerbaijan for UNESCO, that was dedicated to the 100th anniversary of the Azerbaijan Democratic Republic, the 95th birth anniversary of the National leader Heydar Aliyev and the 70th anniversary of the Universal Declaration of Human Rights and was held on the occasion of the National Human Rights Day.

The conference was attended by the ombudspersons and their staff members from Turkey, Pakistan, Afghanistan, Bulgaria, Serbia, Macedonia, Romania, Georgia, as well as from Moscow city, the Republics of Tatarstan and Dagestan of the Russian Federation, UN Resident Coordinator in our country, UN OHCHR Senior Human Rights Advisor for the South Caucasus, an official from the Administration of the President of the Republic of Azerbaijan,

Chairman of the Constitutional Court, Deputy Chairman of the Milli Mejlis and other members of the Parliament, ministers, heads of committees and representatives of mass media. At the end of the conference Baku Declaration was adopted.

The 21st Meeting of the Asian Ombudsman Association (AOA) Board of Directors, in which the Commissioner is a member since 2003 and the vice-president since 2015, was held in Baku with the participation of the AOA President- Pakistani Federal Ombudsman, as well as representatives of the Council of Directors in member states- ombudspersons and their staff members from Japan, China, Indonesia, Hong Kong, Islamic Republic of Iran, Malaysia, Tatarstan Republic of the Russian Federation. Members of the Council of Directors stated that they will apply “Baku principles” adopted in the Baku Forum on the Sustainable Development as a positive practice in their activity.

Staff member of the Office attended the international conference dedicated to the 20th anniversary of the Ombudsman Institution of the Republic of North Macedonia- part of former Yugoslavia Republic, held in Skopje city, he delivered a speech noting the serious damage to the environment in the Azerbaijani lands which were occupied by Armenia, drinking water problem faced by people residing in the surrounding villages and settlements for many years and emphasizing the “Metsamor” Nuclear Power Plant as a serious threat for neighbor countries from the ecological point of view which operates in one of the most active seismic zones, as put into use in Armenia during the Soviet period, at present it is completely unsuitable for exploitation.

Staff members provided information about the Commissioner’s activity as NPM within the regional conference jointly organized by the Public Defender of Georgia, Penal Reform International and Ministry of Foreign Affairs of the Kingdom of Netherlands, held in Tbilisi and attended by the NPMs of the Southern Caucasus countries.

The Commissioner noted in her report on “Durban Declaration and global calls for the implementation of Programme of Action” at the 21st Session of the UN Human Rights Council Advisory Committee that the principles of anti-discrimination and equality, combating racial discrimination, unfounded hostile acts and intolerance against states, as well as discrimination against indigenous peoples, migrants and refugees, covering also the issues of ethnic cleansing have not yet been effectively implemented to the necessary extent.

Representative of the Office provided information about country experience within the discussions in the seminar organized within the framework of special Human rights and Conflict Project of the EU, held in Kiev city on the topic of “The role of the National Human Rights Institutions (NHRIs) in promotion and protection of the rights of IDPs”.

Within the meeting organized by the United Nations Population Fund’s (UNFPA) Eastern Europe and Central Asia Regional Office on “Role of National Human Rights Institutions in the Study of Sexual and Reproductive

Health Rights”, held in Istanbul, the representative of the Office gave information about the activity carried out jointly by the Commissioner and the UNFPA regarding the “Assessment of Sexual and Reproductive Health and Implementation Status of the Recommendations of the Treaty Bodies on Rights”.

The Head of the Office and staff members attended the international conference on "Non-discrimination as one of the main values of modern societies" held with the support of the CoE and the EU in Chisinau, Moldova.

The Head of Office provided information on the Commissioner’s activity in guaranteeing the right to equality and non-discrimination in his report regarding “Ensuring equality and non-discrimination in Azerbaijan and the Commissioner’s activity in this field”. Staff member of the Office highlighted that the Commissioner’s activity implemented in ensuring gender equality and women’s rights had been evaluated as a good practice by the Global Alliance of National Human Rights Institutions (GANHRI) in the report submitted to the 62nd Session of the UN Commission on the Status of Women.

Within his participation at the annual Human Dimension Implementation Meeting of the OSCE in Warsaw, the Head of the Office reported that complex measures are carried out by authorized state bodies in the direction of implementation of the NAPr, activities implemented for more efficient protection of human rights.

In the plenary session organized by the Independent Permanent Human Rights Commission of the Organization of Islamic Cooperation (OIC) in collaboration with the Turkish government on “Islamophobia: A Human Rights Violation and A Contemporary Manifestation of Racism” in Istanbul, the Head of Office noted Azerbaijan as a multinational and multi-confessional country.

The Commissioner provided information about the activity related to the elderly, persons with disabilities, IDPs and migrants within the attendance at the next GANHRI General Assembly and Plenary meetings on priority topics in the UN Geneva headquarters.

At the event held in Brussels, Belgium, attended by the representatives from the OHCHR and UNDP, EU, CoE, the staff member of the Office as a member of the project titled “The role of NHRI in conflict situations”, brought into attention the occupation of 20 percent of the Azerbaijani lands, massive violation of human rights, failure of Armenia to fulfill four known UN resolutions, PACE resolution and decision on ending aggression.

Information on systematic actions implemented in our country was highlighted by staff member during the discussions conducted in accordance with the program of the first meeting of Working Group on Asylum and Migration issues that was established on the basis of Strategic Plan of ENHRI for years 2018-2021, held in November, Brussels.

The Commissioner held a number of meetings with the representatives of different international organizations, accredited ambassadors of foreign countries in Azerbaijan and their representatives.

The Commissioner received the senior human rights adviser of the OHCHR Office for South Caucasus and the head of the OHCHR Mission to Azerbaijan.

Receiving the UNICEF representative to Azerbaijan, the Commissioner and UNICEF signed bilateral cooperation agreement for years 2018-2019.

The newly appointed head of WHO Mission in the Republic of Azerbaijan Fatosh Hande Harmanji was received by the Commissioner, cooperation perspectives were discussed with the guest.

The Commissioner received Guido Ambroso, the new Representative of the UNHCR, and the outcomes of the existing cooperation were analyzed.

Conclusions and Proposals

The reforms implemented in economic and social spheres, large-scale projects served for effectively ensuring and reliably protecting human and civil rights and freedoms.

Advancement of new and modern systems in labour, social security, healthcare and other fields, as well as legislative acts covering various directions, application of state programs, conducting institutional reforms meeting the requirements of modern period allowed the gradual development of welfare of all population groups, especially those of low-income families and in need of more care.

The complex reforms have been further accelerated targeting continuous, systematic and successive development of human rights, as well as building democratic institutions and new mechanisms for this purpose in our country that was ranked the 25th among 190 countries moving upwards from the 57th place according to the conditions established for business in the “Doing Business 2019” report, hence, rising to the leader position among CIS countries prevailing over others.

The increase in the state budget, launch of new workplaces, guaranteeing employment, reducing unemployment and poverty rates, rise of our country to the row of leader countries for the development pace of national economy are significant results.

Mutual trust in the state and citizen relations, new initiatives in administration, modern challenges in the progress of the society, application of advanced information technologies and innovations serve for further increase of the influence of our country in international community, improvement of social status of population.

In addition to the above-mentioned, it is necessary to strengthen the control over the local departments of corresponding state bodies implementing the obligations on ensuring human rights and freedoms.

Increasing attention for issues on securing free entrepreneurship rights also make greater contributions to the economic development of our country.

Measures aimed at strictly following the requirements defined in law and reinforcing supervision to the local authorities by central government bodies, following ethical conduct rules, avoiding indifference and carelessness, increasing professionalism and sense of responsibility are being continued.

The Commissioner, whose scope of competences and functions set out by the Constitutional Law, built her activity on the basis of independence, publicity, transparency, legality, justice, impartiality principles and secured the restoration of violated rights by taking actions within the scope of her competences, using available resources, complementing existing means for legal protection without restricting the competences of other state bodies or substituting them, as an institution being a non-judicial one for the protection of human rights.

This institution, proven to be an authority conducting mediation mission between the citizens and state, has been recognized as an effective legal protection mechanism by the society.

Maintaining the activity in cooperation with the state authorities, civil society organizations and communities, as well as international organizations and foreign colleagues, the Commissioner has put forward several innovations and initiatives aimed at effectively ensuring human rights and freedoms, including the resolution of problems of different groups of population.

The Commissioner put forward initiatives, made proposals and recommendations, as she learns the status, also conducts monitoring of improvement of legislation, implementation and application of a range of plans and programs carried out at state level.

The Commissioner has issued numerous proposals and recommendations within the term in activity aimed at effectively ensuring human rights, complex solution of socio-economic problems of vulnerable population groups according to the outcomes of summarized analysis of appeals; monitoring in the penitentiary facilities, investigation facilities, temporary detention places, detention centers for illegal migrants, military units, social service facilities for children, for people reached retirement age, also for persons with disabilities, boarding schools, healthcare, education institutions. The discussions were conducted at the meetings held with local population groups, including in the IDP settlements, public hearings in the cities and rayons of the republic and awareness raising events; problems and shortcomings revealed during the on-site examinations, and many of them have been resolved in compliance with the relevant legislative acts, as well as carried out measures.

Nevertheless, a number of proposals and recommendations invoked in the annual reports, as well as addressed to the corresponding state authorities by the Commissioner for the purpose of effectively ensuring and reliably protecting human and civil rights and freedoms are still waiting for their solution.

In order to effectively ensure the human rights, as well as to resolve a number of problems of population groups which are in need of more care, the Commissioner proposes the following:

- *preparation and approval of the new term of state plans, programs and strategies expired implementation period, also new concepts based on modern challenges by involvement of the Commissioner and civil society institutions, bearing in mind the priorities and actuality of current issues, also the shortcomings in humanitarian and socio-economic fields;*

- *preparing and approval of a new term action plan to comply with the challenges of modern period, taking into account that implementation period of some clauses and sub-clauses of the NAPr that was approved with the aim of more efficient implementation of*

obligations regarding human rights by the Order of the President of the Republic of Azerbaijan dated December 27, 2011;

- *conducting monitoring by the competent state authorities, the Commissioner and civil society institutions on the study of implementation and application status of state programs covering various areas;*

- *forming legal consultation offices related to human rights operating regularly in each city and rayon at the expense of the state budget;*

- *establishing a legal mechanism directed at solution of problems existing in the field of safeguarding the execution of court decisions on alimony request for ensuring the rights and legal interests of children, as well as single mothers;*

- *preparation and application of mechanism on allocation of financial aid to the authorities with the purpose of guaranteeing the reimbursement of funds to be paid to the citizens by those state authorities on the basis of the court decisions;*

- *improvement of protective mechanisms regarding the threats to human morality and psychology through internet, shaping information security culture in the society, also conducting broad awareness-raising work with the purpose of promoting safe use of internet by children;*

- *ratifying gradually the Article 2 (the right to just conditions of work), Article 3 (the right to safe and healthy working conditions), Article 15 (the right of persons with disabilities to independence, social integration and participation in the life of the community) and Article 23 (the right of elderly persons to social protection) of the Revised European Social Charter dated May 3, 1996, approved by our country with relevant declarations on January 6, 2004;*

- *accession of our country to the Convention No.102 of the International Labour Organization concerning Minimum Standards of Social Security;*

- *ensuring the calculation upon actual calendar days during computing and reimbursing allowances by funds of insurer to the employees that temporarily lost their ability to work, in accordance with the Article 1.1 of the "Statute on calculation and payment of funds on mandatory state social insurance and allowance paid to the employees that temporarily lost ability to work at the expense of insurer" approved by the decision No.189 of the Cabinet of Ministers dated September 15, 1998;*

- *prohibition of unjustified cancellation of labour contracts with women 10 years to the retirement age and with men 7 years prior to the retirement age in order to protect the labour and social security rights of persons 5-7 years before the retirement age and making relevant*

amendment to the Article 79 of the Labour Code of the Republic of Azerbaijan, at the same time to the Article 192 of the Administrative Offences Code of the Republic of Azerbaijan with the purpose of fixing disciplinary responsibility for unjustified job rejection by employer in certain circumstances;

- creation of healthy and safe working conditions in compliance with labour protection, technical safety and production sanitation rules by construction companies, as well as strengthening control over the provision of safety around building site;*

- making amendments to the laws of the Republic of Azerbaijan “On labour pensions”, “On civil service” and “On social allowances” with regard to the reduction of minimum level of civil service years established for the civil service as 15 years to 10 years for effectively ensuring the social security rights of civil servants;*

- including the men reaching age of 60, taking care of persons with group I disability and children with limited health capacities under 18 at least for 30 years in total, and women reaching the age of 55 served for not less than 25 years in accordance with legislation, to the group of persons entitled to labour pension on favorable terms, making additions to the Article 9 of the Law of the Republic of Azerbaijan “On labour pensions” to this end;*

- removal of debt (loan) from the list of family expenses taking into account its assignment, as it is a property that can be used only temporarily by family and importance of its returning with calculated interest rates, when defined mandatory by contract, making relevant amendment to the clause 5.9 of “Guidelines on applying for targeted state social assistance, its assignment, provision and refusal from its provision” approved by the decision of Cabinet of Ministers No.37,dated February 5, 2016, in this regard;*

- deducting the allowance paid to the citizens receiving them according to the Law of the Azerbaijan “On Social allowances” from the aggregate of general need criteria during the determination of targeted state social assistance;*

- increasing the amount of allowances considered for child birth, on annual treatment of people suffered from radiation accident, also on burial, considering that occasions on payment of one-time allowances don't cover a broad group and are paid only in necessary cases;*

- increasing the amount of allowances for age, loss of head of family, martyrs' children, low-income families with a child under one year old, guardians (trustees) of children orphaned or deprived of parental care;*

- rebuilding “breast milk kitchen”(bank) with the purpose of effective arrangement of nutrition of infants and those in early childhood*

with breast milk that carries properties of national affiliation and culture, genetic code in itself and passing it from generation to generation, for the aim of preserving national gene pool and health of future generations in compliance with the Law “On Nutrition of infants and children of early age” of the Republic of Azerbaijan dated June 17, 2003, No.475-IIQ;

-preparation, approval and community-level implementation of reproductive health and family planning strategies;

-defining legal responsibility for doctors and enhancing awareness-raising work among population for prevention of caesarean section performed by surgical intervention for birth earlier, without medical prescription;

- substituting those withdrawn from circulation for newly recommended medicines in the “List of medications provided upon drug prescriptions free of charge” described in the clause 2 of the decision No.38 of the Cabinet of Ministers dated March 7, 2005, and approved by the Ministry of Health, according to the demand and also considering the hepatitis, diabetes, hemophilia and thalassemia patients in particular;

-reconstruction or capital repair of buildings of the neuropsychiatric facilities all over the country which do not meet international standards, improvement of food and medical provisions of patients receiving treatment in those facilities, enhancing social protection of the personnel working there;

-holding wide public discussions with the active participation of the experienced school teachers of the country, during the rulemaking on significant national issues, including final exam and final assessment (attestation), for obtaining objective result and establishing a working mechanism;

-improvement of the admission procedure to the first grade of general education institutions, specifying territorial affiliation of schools until admission procedure and declaring this information beforehand, strengthening supervision on following the requirements of “Exemplary charter of general school” about the number of students and children in pre-school groups during complementing classes;

- reconstruction or overhaul of school and kindergarten buildings still in emergency condition upon revealing them through conducting monitoring by the Ministry of Education jointly with the Ministry of Emergency Situations and local executive authorities in the regions, including the places densely populated by IDPs and re-submission of pre-school facilities to the subordination of the Ministry of Education and financing them from its budget;

- preparation and application of mechanism on use of public transportation with discount by schoolchildren and students from families

in which average monthly income for each family member is under the need criterion;

- reconstruction or building new student dormitories taking into account the necessary needs;*

- including the “Social work and human rights” subject to the education programs of the higher education institutions preparing specialists on “Social work” major, taking into account the importance of owning necessary knowledge by social workers regarding human rights in the legal and social protection of vulnerable population groups;*

- applying privileges to mortgage lenders who worked at least 15 years at a general education school or as a doctor in a medical facility, adding the relevant paragraph to the “Rule of granting mortgage loans, including preferential mortgages at the expense of the Mortgage and Credit Guarantee Fund” approved by the Decree No.940 of the President of the Republic of Azerbaijan dated June 22, 2016, for this purpose;*

- making amendments to relevant legislative acts aimed at adjusting 15 years’ work experience to the level on other privileged profession owners’ experience term (reduce to at least 5 or 7 years), which is determined for persons serving at civil service, including special type of civil service, in regard of entitling the right to use preferential mortgage;*

- verifying the conformity of construction materials imported by physical or legal persons to standards, removing the incompatible building materials should be removed from selling and use; reinforcing measures set out by law about the accused persons in order to protect reliably the citizens’ right to live in safety, right to housing and property;*

- issuing addresses to the newly built residential areas for the purpose of elimination of problems faced by residents and allowing them to exercise their rights to an adequate extent;*

- developing a mechanism for repair or overhaul of individual houses which belong to low-income families and fell into unfit or disrepair as a result of natural deterioration;*

- finding out buildings which are run-down, expired their service life or in disrepair being dangerous for living by local executive authorities involving also specialists of the Ministry of Emergency Situations and taking necessary actions;*

- prohibition of settlement and sell of apartments in the multi-apartment buildings which were not permitted to use by state admission commission in accordance with law, not registered in state real estate register and not insured, under the law;*

- elimination of aftereffects of landslides happened in Bayil settlement and other territories of Baku city, also different places in the*

republic, ensuring the right to live in safety and the right to housing of the residents;

- acceleration of relocating IDPs in the buildings constructed for them or other sites in order to execute the court decisions on vacating the apartments seized by IDPs;*

- determination of accessibility of registration data about physical and legal persons acting (providing services) on contractual basis, making additions and amendments to the Law On Commercial secret of the Republic of Azerbaijan in this regard;*

- application of simplified tax calculations after deducting expenditures spent for implementation of priority state objectives from entrepreneurs' revenues with the purpose of protection of free entrepreneurship, mainly the interests of small and medium size business subjects, promotion of actions aimed at expanding state support to this area;*

- development and preparation of relevant state programs taking into consideration the provisions of UN Global Treaty, Guiding Principles on Business and Human Rights and other international documents with the purpose of ensuring respect and compliance towards human rights and freedoms in the course of entrepreneurship activity, creating conditions for active participation of the entrepreneurs in the public-social life of the country through promotion and application of corporate social responsibility, achieving coordination of the activities of relevant state authorities in this field;*

- developing and applying mechanisms on preparation and submission of periodical reports on the situation of compliance with human rights by entrepreneurs in the course of entrepreneurship activity, also making relevant addition to the Article 7 of the Law On Entrepreneurship activity of the Republic of Azerbaijan in this regard;*

- increasing the financial aid for the education and social protection of the children taking into consideration the recommendations by the UN Committee on the Rights of the Child to the Azerbaijani Government;*

- making amendments to the Law On Social Allowances of the Republic of Azerbaijan for the purpose of providing allowances to the children who lost head of family and has disability for both circumstances, taking into consideration that the needs of children with limited health capacities are different from others;*

- widening the network of relevant rehabilitation and inclusive education facilities for children with limited health functions in regions, also providing them with social worker, psychologist and other specialists, increasing their wages;*

- implementation of awareness-raising measures directed at propagation of new amendments made to the “Guidelines of professional conduct of the Azerbaijani journalists” related to following gender equality principles in media;

- conducting necessary awareness-raising work among parents and youth all over the country, especially in rural areas, settlements and villages by representations of city and district executive authorities for territorial units, municipalities, local and educational institutions, police area inspectors for preventing early marriages and problems possible to occur in this sphere;

- conducting continuous monitoring in the closed public catering services operating in Baku and regions by police bodies (in necessary cases, involving representatives of relevant authorities) aiming prevention of immoral lifestyle, as well as sexually transmitted diseases;

- conducting monitoring of discrimination in gender equality field in workplaces by the Ministry of Labour and Social Protection of Population (involving representatives of State Agency for Public Service and Social Innovations under the President of the Republic of, Azerbaijan Trade Unions Confederation, the National Confederation of Entrepreneurs (Employers));

- increasing the attention to gender issues, widening the network of regional shelters for women and children victims of violence bearing in mind the recommendations of the UN Committee on the Elimination of Discrimination against Women to the Azerbaijani Government;

- acceleration of approval of projects on “National Action Program on the Protection of the Rights of Persons with Disabilities”, “State Program in the field of Population Residency and Demographic Development in the Republic of Azerbaijan”, “Guidelines of establishing necessary activity conditions for persons with disabilities in the projection of buildings and installations”;

- determination of disability for the percentage degree of functional limitations of person, but not for groups, as well as implementation of relevant social support actions in accordance with that;

- adjusting the social infrastructure objects to the real demands of persons with disabilities;

- creating accessible conditions for convenient use of persons with disabilities from public transportation and road infrastructure (especially pedestrian crossings) according to the “State Program on Road Traffic Safety for 2019-2023”, approved by the Order of the country President dated December 27, 2018;

-increasing the amount of compensation paid to military servicemen for the rent of temporary apartments and the amount of money paid for the military rank, taking into account the increase in the

rent of apartments, as well as exemption of their salaries and other revenues from income taxes;

- establishment of distinctive (incentive) badges for military servicemen fulfilling the warranty obligations in the structure of the military units on contact line, as well as determination of the second subsequent vacation during the serving term of active duty military servicemen on those positions;*

- applying trial period before the relevant contract is concluded, as the reason for premature termination of the initial service contract with extended active military service personnel is shown as person's discharge for service mismatch, given that it creates serious difficulties for finding employment in future;*

- creating new production areas in the penitentiary facilities for rehabilitation, meeting needs and involving convicts in public useful labour according to the Order of the President of the Republic of Azerbaijan signed on February 10, 2017 "On improving work in the penitentiary system, humanization of the punishment policy and expansion of alternative punishments and procedural enforcement measures not associated with isolation from society";*

- adoption and implementation of the targeted state program on "Correction, socialization of convicts serving sentence in penitentiary facilities and application of probation" for rehabilitating convicted persons in penitentiary facilities, development of personality, elimination of moral isolation and adapting to society without obstacles after release;*

- increasing the number of social adaptation centers as preventive measures encompassing the regions as well for socialization of people released from serving sentence, expanding socio-psychological assistance services, also providing their employment;*

- speeding up the construction of new buildings of the treatment facility, prison, penitentiary facility for women, correctional facility for juveniles and investigation facility No. 2 of the Penitentiary Service;*

- taking into consideration the relevant financial provision in the Commissioner's annual budget for the purpose of provision of participation at the international events which assume importance in terms of protection of human rights and national interests of our country, managing international events in our country for the same purpose, as well as maintaining the activity as the member of international and regional organizations;*

- launching "Electronic document circulation system" in the Ombudsman Office targeted at application of modern and prompt management, securing integration to the inter-authority e-document circulation system, enhancing the level of service provided for citizens; involvement of specialists; re-modeling the material and technical base;*

provision of financial aid for getting licenses of software considered for state agencies.

The country President stated at the meeting on economic and social issues held on February 25, 2019: “2018 was a year of profound economic reforms... In the coming months of 2019, very serious reforms will also be carried out and deepened further, so that there will be development and progress in every area of life in our country, so that our people live even better.”

I call upon all the forces of the society- state authorities, NGOs, mass media, communities, every individual for close cooperation to support these reforms to be carried out for the sake of prosperity of the Republic of Azerbaijan through the sustainable development path, effectively ensuring and reliably protecting human and civil rights and freedoms.