



**The Commissioner for Human Rights of the
Republic of Azerbaijan
(OMBUDSMAN)**

**2022 Report on the protection of human
rights the Republic of Azerbaijan**

Baku - 2023



The 2022 Annual Report of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan on the “Protection of Human Rights in the Republic of Azerbaijan ” has been prepared in accordance with Article 14 of the Constitutional Law on the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan.

The Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan submits an annual report to the President of the Republic of Azerbaijan not later than two months after the end of each calendar year and speaks with that report before the Parliament of the Republic of Azerbaijan.

The Annual Report is submitted to the Cabinet of Ministers of the Republic of Azerbaijan, the Constitutional Court of the Republic of Azerbaijan, the Supreme Court of the Republic of Azerbaijan, and the Prosecutor -General of the Republic of Azerbaijan.

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Sabina Aliyeva

The Commissioner for Human Rights
of the Republic of Azerbaijan
(Ombudsman)

FOREWORD

The principle of respect for human rights and freedoms plays an important role in the development of society and the strengthening of social relations.

Our country liberated its occupied territories from enemy control under the leadership of victorious Supreme Commander-in-Chief, ushering in a new phase of socio-economic progress. The wellbeing of citizens is steadily improved by a number of projects that meet modern challenges and are successfully implemented.

Continuous reforms implemented in public administration at the national level, measures undertaken to ensure rule of law and transparency in all areas of socio-economic life, as well as actions taken to strengthen the fight against corruption, as well as actions taken to increase the efficiency of state institutions, and expand public control, play a significant role in increasing respect for human rights and the rule of law and ensuring legal equality.

The genuine interaction of the country President and First Vice President with a wide cross-section of the population, including public representatives, persons with disabilities (PWDs), and the families of Karabakh War martyrs—especially during the inauguration of various educational, health, and other social facilities, and their on-site assessment of current issues—have bolstered public trust and garnered significant goodwill, further complementing the reforms aimed at securing their rights.

The inauguration of new enterprises equipped with state-of-the-art technology throughout the country has boosted employment opportunities and reduced unemployment, thereby ensuring a decent standard of living for citizens.

The steady rise in minimum monthly wages, the subsistence minimum for the key social and demographic groups, and the minimum levels for labor pensions and social allowances have led to a significant shift in addressing social problems, improving people's wellbeing, and contributing to reliable ensuring of human rights and freedoms.

Mass events of public and political importance held throughout the year across the country were particularly important in terms of further strengthening the reputation and positive image of our country in the international arena.

One significant step in the ongoing domestic legal reforms aimed at protecting human rights was the establishment of the Ombudsman Institution, serving as an effective mechanism for the protection of human rights and freedoms.

Established in 2002, on the initiative of Heydar Aliyev, the National Leader of the Azerbaijani people, the Ombudsman Institution bases its work on the principles of independence, openness, transparency, legality, justice, and impartiality, and with the support of the country's President, has successfully continued its activities aimed at restoring human rights and freedoms enshrined in the Constitution and international treaties to which our state is a party when they are violated by national state institutions and local self-governing bodies and their officials, as well as preventing human rights violations and enhancing the international reputation of our State.

As part of our country's legal reforms in the field of human rights, the Constitutional Law on "Amending the Constitutional Law on the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan" was adopted, resulting in the expansion of the Ombudsman's areas of activity; the Ombudsman's mandate for the exercise of independent monitoring mechanism functions for the implementation of the United Nations Convention on the Rights of Persons with Disabilities and the Convention on the Rights of the Child (CRC), ensuring the right to equality and preventing discrimination, was determined, and its directions of activity were refined.

In the recent period, the Ombudsman has achieved significant progress in the promotion and protection of human rights and freedoms in cooperation with state authorities, civil society organizations (CSOs), international organizations, and foreign counterparts.

In 2022, the Ombudsman received 28,525 applications. The applications were received by the Ombudsman via ordinary mail, email, and online, or accepted through the Headquarters and Regional Centers, 916 call center, as well as during the meetings with the population groups held across the country by the Ombudsman and staff members of the Headquarters and regional centers. Preventive visits carried out to penitentiary institutions, pretrial detention facilities, temporary detention places (*hereinafter* TDPs), military units, social service institutions for children, pensioners, and persons with disabilities, boarding facilities, healthcare, education, and social protection institutions.

The applications have been investigated based on the Constitutional Law on the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan (*hereinafter* referred to as the Constitutional Law). Monitoring of human rights situations was conducted in the capital city and regions, underlying causes of the problems were analyzed, and appropriate recommendations and suggestions were made to the relevant authorities for resolution; and in many situations, deficiencies and difficulties were addressed and the violated rights were restored. Furthermore, the applicants were educated about their respective rights and responsibilities in relation to their applications.

At the initiative and organization of the Ombudsman, a series of educational events have been carried out to enhance legal awareness and elevate the culture of law.

In the lead-up to Human Rights Day in the Republic of Azerbaijan on June 18, the Ombudsman declared both "Human Rights Month and Child Rights Month," the latter dedicated to the anniversary of the adoption of the UN Convention on the Rights of the Child, and under these frameworks, events were organized across the country's cities and regions, involving representatives from central and local executive authorities and CSOs; competitions and exhibitions were held in secondary schools and childcare institutions; human rights-focused programs were broadcast on television and radio channels, and articles and information were published in the media.

The Ombudsman held regular consultations and discussions with the participation of state institutions and SCOs in order to increase the effectiveness of human rights protection.

Alongside the important international events initiated and organized in our country by the Ombudsman, the participation of the Ombudsman and staff members in international events in foreign countries has been important in terms of positive experience exchange in the field of human rights and freedoms protection, the protection of the rights of our refugee and internally displaced (IDP) compatriots, as well as in disseminating the truths about Azerbaijan to the global community.

Fruitful collaboration has been continued with the UN and its specialized agencies, including the Office of the High Commissioner for Human Rights (OHCHR), as well as the European Union (EU), the Council of Europe (CoE), the Organization for Security and Cooperation in Europe (OSCE), the Organization of Islamic Cooperation (OIC), the International Committee of the Red Cross (ICRC), the International Center for Migration Policy Development (ICMPD), International and European Institutions (IOI and EOI), the Asian Ombudsman Association (AOA), and other inter-governmental and non-governmental organizations.

Holding the Baku International Conference on the occasion of the 20th anniversary of Azerbaijan's Ombudsman Institution, which was attended by ombudspersons and heads of national human rights institutions (NHRIs) of Türkiye,

Pakistan, Morocco, Indonesia, Moldova, Japan, Hong Kong, Northern Cyprus, Kyrgyzstan, Iran, Uzbekistan, Kazakhstan, Hungary, China, and Southern Korea, representatives of international organizations, and CSOs, and the adoption of the Baku Declaration, has carried significant importance for the more reliable protection of human rights and freedoms and elevating the international standing of our country.

Based on the initiative of the Ombudsman of Azerbaijan, several important meetings were organized in Baku: the meeting of the Asian Ombudsman Association (AOA), which included participation from ombudsmen and heads of NRHIs from Japan, Indonesia, Hong Kong, Iran, Pakistan, and Türkiye, as well as Azerbaijan; the meeting of the OIC Ombudsman Association that had brought together the from representatives from Türkiye, Pakistan, Morocco, Iran, Indonesia, as well as the Ombudsman of Sudan who joined via video; and the meeting of the Association of Turkic States Ombudspersons and National Human Rights Institutions of Turkic States (TURKOMB), which was attended by ombudsmen and heads and representatives of NRHIs from Azerbaijan, Türkiye, Kazakhstan, Kyrgyzstan, and Northern Cyprus. All of these meetings held in Baku had attained paramount significance.

In addition to her extensive activities at international events, the Ombudsman has brought the truths of Azerbaijan to the attention of the international community, specifically the measures taken, and results achieved in the country for the more effective and reliable protection of human and citizens' rights and freedoms.

Throughout the year, the Ombudsman, who keeps an eye on the situation of human rights and freedoms and closely participates in the process of implementation of the relevant state programs and monitors their implementation status, has submitted proposals and recommendations to the competent state institutions for more effective ensuring and protection of human rights, including addressing the challenges faced by low-income families and vulnerable groups of the population, and actively participated in the process of legislative improvement.

I want to express my gratitude to the people who have trusted the Ombudsman and reached out with their problems and difficulties, as well as to the state institutions for their cooperation in restoring violated human rights and the CSOs for their contributions to the protection of human rights.

Sabina Aliyeva

The Commissioner for Human Rights (Ombudsman)
of the Republic of Azerbaijan

Chapter I.

Protection of Human and Citizens' Rights and Freedoms

1.1. Protection of Civil and Political Rights

The right to freedom. As stated in the Constitution of the Republic of Azerbaijan, the right to freedom refers to the ability of an individual to act as he wishes and move without restrictions.

The effective promotion of this right, which also covers the right of a person to move freely, to choose the place of residence, and to leave and return to the territory of a state, lays the groundwork for the legitimate exercise of other rights.

The applications received by the Ombudsman in this field were mainly about the provision of the identification card, registration at the place of residence, PIN (personal identification number) deactivation, removal of exit permits to leave the country, and other similar issues.

The applications of citizens who have been deprived of their permanent residence, deregistered by place of residence, or without having a place of residence due to various reasons have been handled with a sensitive approach, and measures have been taken to ensure the rights of such persons.

As is known, based on the requirements of Order No. 55 dated April 9, 2003, by the Cabinet of Ministers of the Republic of Azerbaijan, citizens of the Republic of Azerbaijan without a place of residence must be registered at the address of the relevant body of the Ministry of Internal Affairs of the Republic of Azerbaijan issuing the identification card. When personalizing their identity cards, the address of that body should be indicated provisionally in the "place of residence" field of the identification card.

The citizens who do not have a place of residence and those who were provided with ID cards by the corresponding issuing authority of the Ministry of Internal Affairs by being registered at the address of the relevant authority complained about the deactivation of ID cards.

The rights of those citizens have been restored as a result of the investigations instructed by the Ombudsman.

(App.No. 424-22): *Applicant A. called the Ombudsman's Call Center, saying that despite the registration of him and his three children at the administrative building of the Surakhani District Police Office, without any good reason they have been de-registered from that address, as a result of which their IDPIN numbers were deactivated, and asked for restoration of their registration at their place of residence. After the request to the Ministry of Internal Affairs regarding this complaint, the applicant and his family members were duly registered as persons without residence according to the mentioned Order of the Cabinet of Ministers and provided with new ID cards.*

(App. No.904-22): *Applicant R. appealed to the Ombudsman, claiming that due to the absence of necessary statutory documents of his house, he was not registered at that address. That's why he had been registered at the*

administrative building of the Surakhani District Police Office but later was deregistered from that address. Therefore, he asked for help to restore the registration at the police office's administrative building. After the Ombudsman's appeal to the Ministry of Internal Affairs, the applicant and his child were documented by that police office as persons without a place of residence.

(App. No. 10772-22): *Applicant M. applied to the Ombudsman via the Call Centre, stating that he was not provided with an ID card after his release from the penitentiary institution due to the absence of his registration at a place of residence and that his relevant requests to the Yasamal Police Office have yielded no results, and asked for help in the provision of an ID card. The applicant was registered at the appropriate address and provided with an ID card by the Baku ASAN Service Centre No. 3 after the request of the Ombudsman to the Ministry of Internal Affairs regarding this matter.*

(App. No. 11364-22): *Applicant A. lodged a file with the Ombudsman and said that because he and his family members do not have a permanent place of residence, and despite the fact that they were registered at the address of the administrative building of the Nizami District Police Office of Ganja city and provided with ID cards, they were later deregistered. For this reason, they could not use the ID cards, and asked for help in solving the issue within the boundaries of the law. Following the Ombudsman's request, the applicant and his family members were registered at the administrative building of Police Department No. 1 of the Ganja City Main Police Office as persons without a place of residence and provided with new ID cards.*

To address the challenges faced by many people and enable them to fully use their rights, there is an urgent need to expedite the process of assigning addresses to new residential areas.

Requests were sent to the competent state institutions regarding the applications received by the Ombudsman with a view to removing the restrictions on the permit to exit the country and ensuring the freedom to leave the country and the right to move freely.

(App. No. 11148-22): *Applicant named B. appealed to the Ombudsman, saying that at the Heydar Aliyev International Airport, he was informed by the officers of the State Customs Service about the ban imposed on him to exit the country, which was issued by the Chief Anti-Corruption Office under the Prosecutor-General of Azerbaijan. However, the applicant added that before, he did not face similar restrictions on his arrivals and departures from Azerbaijan. Consequently, he requested help to remove the ban imposed on him. So, complying with the Ombudsman's appeal to the corresponding authority regarding this matter, the travel ban imposed on the applicant was lifted by terminating the proceedings of the criminal case under investigation due to the expiration of the period for bringing him to criminal responsibility under Article 39.1 (3) of the Criminal Procedural Code of Azerbaijan.*

The Ombudsman has sensitively approached the protection of the rights and freedoms of citizens who temporarily or permanently reside outside the borders of our

country and tried her best to provide them with legal assistance to the greatest extent possible. The violations indicated in a number of applications have been addressed as a result of appropriate measures.

(App. No. 10789-22): Applicant M. complained to the Ombudsman, saying that in early 2020, his mother went to Iran for medical examination and treatment but was unable to return to Azerbaijan due to the pandemic. Then, due to reasons beyond her control, she could not apply for a visa extension to be able to stay in Iran. Consequentially, his mother was fined in this regard, and he did not have enough finance to cover his mother's fine, therefore, he asked for help in the return of his mother to Azerbaijan.

In this regard, following the Ombudsman's request to the Ministry of Foreign Affairs of Azerbaijan, the latter sent a note to the Ministry of Foreign Affairs of Iran to issue an exit permit for the mother of the applicant, and the appropriate return certificate was issued for his mother.

The Ombudsman kept an eye on the issues related to serious problems faced by the nationals of Azerbaijan in Ukraine due to the situation in the country and their return to Azerbaijan through the third country.

(App. No. 5353-22): Applicant I. requested the Ombudsman, stating that due to the known situation in Ukraine, he moved from there to Poland, but his requests to the Azerbaijani Embassy in Poland for his evacuation to Azerbaijan were unsuccessful, and he asked for help. After requesting the Ministry of Foreign Affairs of Azerbaijan regarding this issue, the applicant was evacuated to Azerbaijan through the Katowice-Bucharest-Istanbul-Baku route.

(App. No. 8115-22): Applicant T. appealed to the Ombudsman and stated that his son and his relative, who are citizens of Azerbaijan and who work as sailors on a cargo ship owned by one of the Turkish companies, stayed on the ship in Mariupol, Ukraine for some time due to the situation there. It was also added that they were disembarked from the ship and taken to the Donetsk region of Ukraine under the control of people in military uniform. The applicant asked for appropriate measures to return them to our country. In this regard, at the request of the Ministry of Foreign Affairs of Azerbaijan, those persons were delivered by air from Moscow to Baku.

Issues related to the protection of the rights of foreigners residing in the territory of the Republic of Azerbaijan have also been kept under attention.

(App. No. 14000-22): Applicant M. appealed to the Ombudsman, saying that his relative, a national of Ukraine, has been suffering from a mental and nervous illness for a long time. He did not have the necessary documents legally permitting him to stay and live in Azerbaijan for a long time and was living in an abandoned and helpless situation in Ganja city. It was also added that he was living there without any registration due to his uncertain migration status and therefore, he had no access to social protection and security and healthcare, or other similar public services in Azerbaijan. The applicant asked for help in legalizing the residence of his relative. In this regard, after the request to the State Migration Service of

the Republic of Azerbaijan, the decision on the administrative offense against that person was repealed and his residence in Azerbaijan was legalized.

Incidentally, it is deemed necessary to remove the restrictive requirement from the Law on Citizenship of the Republic of Azerbaijan, which stipulates that individuals who were citizens of the Republic of Azerbaijan before this Law came into effect must be registered at a place of residence in the Republic of Azerbaijan as of the date the Law came into effect, in order to be considered citizens of the Republic of Azerbaijan.

According to the Constitution and the international documents that Azerbaijan is a party to, the right to freedom can be limited only by arrest, detention, or deprivation of liberty in accordance with the law.

The restriction of the right to freedom was also a subject of investigation during the systematic preventive visits conducted by the Ombudsman and her National Preventive Group (*hereinafter referred to as NPG*) members under her instructions to settings in which persons are not permitted to leave at will, including city and district police offices and departments' TDPs, police custodial settings, detention centers for administrative detainees, pretrial detention centers, and immigration detention centers (for irregular migrants).

The reasons, lawfulness, duration and conditions of detention, as well as the norms relating to ensuring the rights of detainees have been specified in both national and international legal norms. Despite the above-mentioned, instances of violating these requirements are still encountered.

(App.No.686-22): *Applicant Z.complained to the Ombudsman that his son was unlawfully detained in the Agjabadi District Police Department for three days, where he was subject to ill-treatment by the police officers. He asked the Ombudsman to help the case be impartially investigated and take action against those police officers.*

The response from Prosecutor General's Office of Azerbaijan to the Ombudsman's request regarding this matter said that a submission for disciplinary measures against the chief of that district police department under Article 596 (2) of the Code of Administrative Offences of Azerbaijan was submitted to the Ministry of Interior due to his failure to send the protocol on an administrative offense involving administrative arrest immediately after its drawing up, to the court.

(App. No. 22039-22): *Applicant I.appealed to the Ombudsman and said that he was unlawfully detained by a police officer of the Khizi District Police Department but one day later he was released. He added that his brother, who was with him, was insulted; therefore, he asked for help in the protection of his rights. After the Ombudsman's request to the Ministry of Interior, as a result of an official investigation, it was reported that police officers who violated legal and normative norms were subjected to disciplinary proceedings.*

During inspections, it was found that two persons were held in the interrogation room of the 15th Police Station of the Sabunchu District Police Office without an arrest report, as well as an individual, who was detained in the temporary detention place in the Khazar District Police Department for more than 48 hours in violation of procedural legislation. Besides, a person held in the temporary detention place in the Shamkir District Police Department was not brought to court on time, which violates the requirements of

the legislation. Ultimately, the Ministry of Interior of Azerbaijan was appealed regarding these issues.

According to the criminal-procedural legislation, every arrested or detained person must be expressly informed of the reasons for the arrest or detention, as well as the nature of the suspicion or accusation, the right not to testify and the right to receive legal assistance from a defense attorney in a language that he understands.

During the monitoring visits, the issues related to the rights and duties of interviewed detainees, internal disciplinary rules, as well as the regime at the place of detention, and whether the requirements of the legislation regarding the procedure for submitting proposals, applications, and complaints were complied with were investigated; the existence of information board about the round-clock “916” Call Center of the Ombudsman was checked, and the deficiencies in this regard were addressed.

In order to ensure the rights of the detained individual, the staff of the body conducting the criminal proceedings and the staff of temporary detention places should create conditions that allow the person to meet privately and maintain confidential communication with their lawyer and legal representative from the moment of detention. The Ombudsman's Call Center has operated as an effective mechanism for dealing with violations of this right.

(App. No. 2170-22): *Lawyer Kh. called the Ombudsman's Call Center, stating that his client was detained in the Absheron District Police Office and that he was not allowed to meet with him and asked for help. The grounds for the detention were investigated by the National Preventive Group and the lawyer's meeting with his client was ensured.*

(App. No. 4425-22): *Lawyer Y. complained to the Ombudsman via its call center that his client was taken into police custody in the Surakhani District Police Office and no permission was given to him to meet with the client. He therefore asked for help. Consequently, after the National Preventive Group investigated the reasons for detention, the lawyer was permitted to meet with his client.*

Lawyer M. contacted the Call Center, reporting that he was denied access to his client detained at the Garadagh District Police Office, despite presenting his Practicing Certificate and requested assistance. Following the intervention of the Ombudsman, the lawyer's request for a meeting with his client was granted. Subsequently, the lawyer expressed his gratitude to the Ombudsman via his Facebook account.

(App. No. 4923-22): *Lawyer H. reached out to the Call Center of the Ombudsman and said that his client was detained in the Main Organized Crime Department under the Ministry of Internal Affairs of Azerbaijan without a procedural decision taken against him, and he was not permitted to see his client and asked for help. His request was promptly investigated, and the person was released. The lawyer expressed his gratitude to the Ombudsman by contacting the Call Center.*

During the monitoring visits, the compliance with the relevant procedural time limit regarding the lawfully detained persons was also monitored.

In the course of checking documentation in the Sabunchu District Police Office, it was found that according to the arrest report made by the chief investigator of the 15th Police Station of the District Police Office, a person was detained for more than 48 hours.

During another visit to the 12th Police Department of the Sabunchu District Police Department, it was determined that the arrest of the person lasted for four days, and during this period he was kept in the investigation room. The person who was held in administrative detention for 30 days, was not accepted by the Center for Detention of Administrative Offenders due to the absence of a COVID-19 test result and the lack of a relevant medical opinion, which was cited as an excuse by the TDP. However, it was found that the information about his release (sent) on the date of his detention was recorded in the "Registration Book of Persons Brought to City, District, and Line Police Authorities".

In some cases, it is observed that records in the respective registration book at the police authorities are made with a pencil, which allows for easy alteration of those records later on, leading to a violation of the law. Furthermore, instances have been observed where the freedom rights of debtors have been restricted and unjustified detentions have been made by the police, based on relevant court decisions regarding debt collection.

Implementation of the functions of the National Preventive Mechanism (NPM) envisaged in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. The Ombudsman and its National Preventive Group (NPG) conducted 201 visits during the reporting period for the purpose of investigating the conditions of detention, treatment issues, documentation, and the received complaints in places where persons cannot leave at their own will, and the received complaints on-site. These preventive visits were carried out to various institutions, including 82 penitentiary facilities of the Ministry of Justice, 36 institutions of the Ministry of Internal Affairs, 42 institutions of the Ministry of Education and Science, 12 institutions of the Ministry of Health, 6 institutions of the Ministry of Labor and Social Protection of the Population, 1 institution of the State Migration Service, 1 temporary detention facility of the State Tax Service under the Ministry of Economy, 18 institutions of local executive authorities, and 3 institutions under relevant non-governmental organizations.

During the visits, confidential meetings were held with 2,025 individuals. Among them, 36 individuals were those whose names were mentioned in a letter addressed to the Ombudsman by the ICRC. The situation regarding the protection of the rights of these individuals was assessed, their complaints were heard, many issues were resolved on the spot, and appeals were sent to relevant state institutions regarding other cases.

Housing, food, and hygiene are factors that affect the sense of dignity and well-being of detained individuals. Special attention was given to monitoring the conditions of detention during the visits to the penitentiary institutions.

The problem of overcrowding is primarily observed in the penitentiary institutions of the Ministry of Justice of the Republic of Azerbaijan. For example, during one visit to the Baku Pre-Trial Detention Facility, which is intended for 2,500 individuals, more than 3,300 individuals were detained there, and more than 3,500 individuals were found during another visit to the same facility. Similarly, in the Pre-Trial Detention Facility No. 2 in Ganja, which is intended for 700 individuals, 800 individuals were held, and in the No. 3 Investigation Isolation Facility in Shuvalan, which is intended for 1,050 individuals, more than 1,400 individuals were detained. The women's penal institution No. 4, also experienced overcrowding; however, this problem was resolved with the relocation of the institution to a new and modern building in

early 2022. In the penitentiary institution No. 17, an excessive number of detainees beyond the designated capacity was observed. In penitentiary institution No. 11, it was discovered that 6-7 individuals were being held in punishment cells designated for 5 people.

In terms of the above, the requirements of the legislation and international standards must be respected when placing people in penitentiary institutions.

During the visits, it was observed that convicts were kept together with arrested persons, and individuals who were administratively detained were kept together with accused persons.

During the monitoring, it was observed that a number of institutions within the penitentiary service's purview are in need of capital or routine repairs. The expedited relocation of No. 2 and No. 3 pre-trial detention facilities, as well as the penitentiary service's prison, from buildings that have reached the end of their operational lifespan to new buildings, is essential.

During the visits, other aspects of the detention conditions – lightening, ventilation, sanitary conditions, tables and chairs, as well as issues related to the provision of individual mattresses and bedding. The state of implementation of suggestions and recommendations given to address deficiencies identified during previous visits was also investigated. Positive changes were observed in some institutions.

Also, it was found that following the suggestions given during previous visits regarding the segregation unit of the penitentiary institution No. 11, the cells have been repaired, and the kitchen of the facility was put into use after the repair.

During the next visit to that penitentiary facility to monitor the implementation of suggestions given to that facility, it was determined that repair and construction works have been started in most areas of the facility; the sports ground and hall; six new phone rooms were created and as a result, the total number of these rooms was increased to 22; a TV room was organized; and a bakery was opened.

During the monitoring, certain deficiencies, such as inadequate number of chairs compared to the number of inmates in some cells in the disciplinary isolation units of penitentiary facilities No. 1 and 11, and the occurrence of wall bulging in some rooms due to moisture were identified. Appropriate recommendations were provided to the management of the facilities.

In penitentiary facilities No. 1 and 17, it was found that the disciplinary isolation units are in need of repairs. Furthermore, in penitentiary facility 17 it was observed that in a 3–4-person cell, there is only seating and table space for 2 individuals. Also, it was found that some rooms have non-functional water faucets, and there is a lack of boards displaying rights and responsibilities.

In recent years, there has been a decrease in the use of disciplinary isolation in penitentiary settings, but in some institutions, preference is still given to this punitive measure. On the day of the visit, it was observed that in penitentiary institution No. 1, holding 935 inmates, there were 14 individuals in disciplinary isolation; in penitentiary institution No. 11, where there were 1077 inmates, there were 37 individuals in disciplinary isolation; and in penitentiary institution No. 17, where 1088 inmates were held, there were 34 individuals in disciplinary isolation. This indicates that the placement in disciplinary isolation takes precedence during the implementation of disciplinary measures for individuals who violate internal disciplinary regulations, which also shows that the effectiveness of rehabilitation efforts in these institutions may not be at a satisfactory level.

During the monitoring, cases have been observed where inmates were placed in disciplinary isolation without a decision being made, the lack of notification of such

decisions to the inmates, and the prolonged placement of inmates in disciplinary isolation for 6-7 months due to safety concerns.

Based on international experience and relying on the legislation, it would be appropriate to impose a warning or reprimand as an administrative penalty instead of transferring to the isolation unit for the regime violation. There is a need for complex measures for the rehabilitation of criminal offenders and their reintegration into society to decrease regime violations. It is possible to achieve the set goals of conditional release or transfer to a less restrictive facility ahead of time by strengthening the rehabilitation process.

In the course of visits to the TDPs of the police authorities, certain deficiencies related to treatment have been identified. The Ombudsman's Call Center has also received complaints regarding allegations of ill-treatment by employees of law enforcement agencies.

Based on those complaints, the relevant authorities have been immediately notified with requests, necessary investigations have been conducted, and appropriate legal measures have been taken.

(App. No. 20340-22): *Applicant A. lodged a complaint with the Ombudsman, stating that he was detained for street trading and taken to the 34th Police Station of Khatai District Police Office, where he was subjected to ill-treatment. He requested assistance in ensuring that appropriate legal measures are taken.*

In the response to the inquiry addressed to the Ministry of Internal Affairs of the Republic of Azerbaijan regarding the complaint, it is stated that although the details related to the ill-treatment were not confirmed, a serious warning was issued to the respective police officer for the circumstances that led to the complaint, and his place of service was changed.

(App. No. 3834-22): *Applicant D. filed a complaint with the Ombudsman and said that his children have been subjected to ill-treatment and insults by the police officers of the Goytepe Police Station under the Jalilabad District Police Department and, therefore, asked for help in taking appropriate legal measures.*

In the reply to correspondence to the Ministry of Internal Affairs of Azerbaijan, it was indicated that the part-commander of the post-patrol service of that police department and a police officer have been held accountable for disciplinary responsibility by the relevant order of the Chief of the Department for violations of the ethical code of conduct for the employees of the internal affairs agencies, leading to rudeness and discourtesy in communication.

During visits to police offices, departments and units, it was found that in some facilities, handcuffs are stored in the cabinet of the TDP in violation of the "Guidance Rules for Protection and Escort of Detainee Held in Places of Temporary Detention of the Police Authorities." This practice raises concerns regarding the application of special means to detainees without proper recording and the possibility of leading to ill treatment.

During inspections in some police bodies, it was observed that there was non-compliance with storage regulations for medicines, i.e. medicines being stored in

cabinets designated for household supplies, whereas in medicine storage areas other items were stored; there were expired medications, essential medical supplies were lacking in emergency medical aid kits, and hygiene protocols were not followed. In certain facilities, medical examinations were not conducted, detainees did not have medical records, and it was revealed that in some cases, injuries were not documented.

The analysis of the outcomes of the monitoring and the complaints addressed to the Ombudsman indicates that issues related to access to medical services still persist. In this regard, there have been a significant number of complaints concerning transfers to the Medical Institution of the Penitentiary Service. As a result of measures taken concerning these complaints, the examination and treatment of individuals in need have been ensured to continue at the respective institution.

The analysis of conducted visits reveals the deficiencies in psychological assistance in penitentiary institutions. Despite the establishment of a legal framework for the provision of psychological services on behalf of the state through the adoption of the "Law on Psychological Assistance," there is a significant need for quality and adequate assistance for individuals held in closed institutions who may be at potential risk to their mental well-being.

Throughout the year, 47 planned and 64 unplanned visits have been conducted to facilities where children are detained, including 17 repeat visits. A total of 183 individual and group meetings have been held with children.

During the visits to various institutions, a number of systematic problems were identified. For instance, it was found that in various types of boarding schools where children with limited health capabilities receive education, there is a lack of state standards for special education, educational programs (curriculum), teaching materials (except for primary school supplies in some boarding schools), as well as methodological resources for parents and teachers. In addition, certain special boarding schools lack the necessary teaching and material resources for vocational training, and graduates of specialized vocational education institutions do not receive certificates confirming their vocational training and degree alongside their educational diplomas. Moreover, there are no state standards or educational programs for vocational education, and during meetings with children it was revealed that various forms of violence against and between children occur in some boarding schools.

In some cases, despite changes in the name and purpose of the institution, these changes are not reflected in the documents. Regulations and guidelines use derogatory terms such as "deaf", "orphan," "defective," and similar words that demean human dignity. In boarding facilities where children with limited health capabilities spend the night, it has been noted that there is a lack of specialized staff during night shifts, leading to unqualified personnel giving medication. There was a lack of necessary medications and the physician positions remained vacant. The expired medications were not removed from circulation, and medical records are not properly maintained. Deficiencies in the drinking water supply, as well as a significant need for substantial repairs and inadequate conditions in several boarding schools that do not meet regulatory norms have been observed.

It has been determined that the implementation status of the activities outlined in the "Rules for the Provision of Psychological Services in Educational Institutions," which were envisaged in the Law of the Republic of Azerbaijan on "Psychological Assistance" and approved by the Decree of the Cabinet of Ministers of the Republic of Azerbaijan dated April 30, 2020, is unsatisfactory. It has been identified that in some institutions, there are vacant positions for psychologists, and the didactic materials intended for the implementation of psychological and speech therapy work are not adequate.

During the inspections conducted in the institutions subordinated to the Ministry of Health of Azerbaijan, it has been observed that in psychiatric hospitals, the treatment was limited to pharmacotherapy, and psycho-social interventions were not

organized according to modern standards. The relevant registers were not being maintained in accordance with legislation, and proper registration of the use of special tools and tapes was not being carried out. There were no medically substantiated medical decisions taken by the treatment doctors regarding these matters, and the existing records did not indicate the dates of the entries. Although there have been some positive changes in the implementation of previous recommendations, it has been determined that some buildings of certain institutions need to be overhauled. Expired medications have been found, and some institutions lack specialized refrigerators for storing medications. In the course of the visits to the Children's Home No.1, it has been observed that psychological work is not being conducted with the children, the menu does not meet modern standards, and the provided products do not meet the energy and nutritional needs of young children. It was revealed that the Ganja Children's Home has suspended its operations since 2021 for the purpose of undergoing capital repair work, but no such repair work has commenced to date.

During the visit to the social service institution No. 1 for children with limited health capabilities under the Ministry of Labor and Social Protection of the Population of the Republic of Azerbaijan, it was identified that there was a need to improve social work and social rehabilitation measures in the institution. When admitting residents to the institution, documentation related to the investigation of cases of violence occurring outside the institution was limited to the preparation of incident reports. It has been found that there was overcrowding in the institution, and in some parts of the residential building, barriers have not been removed to facilitate independent living for individuals with disabilities.

Inspections have been carried out at closed institutions under the State Migration Service of Azerbaijan and the State Tax Service under the Ministry of Economy of Azerbaijan. The conditions of detention and treatment issues have been investigated, and recommendations have been provided for further improvement of the detention conditions.

As a result of the monitoring conducted throughout the year, the Ombudsman submitted numerous recommendations to relevant government agencies based on the outcomes of the inspections. The appropriate recommendations have been made to address the identified deficiencies. The implementation status of these recommendations has been checked during follow-up visits.

Right to Information. On the one hand, the right of citizens to access information about the activities of state and local self-governing bodies, on one hand, allows them to effectively enjoy their rights, and on the other hand, it creates opportunities to influence the activities of these bodies and stimulate the improvement of management mechanisms by monitoring the quality of their work.

The right to information, enshrined in the Constitution of Azerbaijan and international legal documents on human rights, encompasses the freedom of everyone to legally search for, obtain, transmit, prepare, and disseminate any desired information.

The Ombudsman, who oversees the implementation of the national Law on the "Right of Access to Information," carries out extensive activities in the field of ensuring, defending, and promoting the right to information by supporting reforms aimed at ensuring more effective provision of the right to information, establishing an information society, and promoting open government.

Both appeals regarding the violation of the right to information and information requests received by the Ombudsman have been answered in accordance with the provisions stipulated by the Constitution and the Law on the "Right of Access to Information."

Investigations have been conducted based on complaints received and accepted for execution by the Ombudsman regarding violations of the requirements of

the Law on the "Right to Obtain Information" by state and local self-governing bodies and officials who possess information. Necessary measures have been taken to eliminate violations and respond to citizens' information inquiries.

(App. No. 23623-22): *Applicant A. lodged a complaint with the Ombudsman, stating that his information request sent to the Azerbaijan Food Safety Agency had not been fulfilled and sought help. Following the appeal to that Agency regarding the complaint, the information request of the requester was fulfilled.*

(App. No. 20889-22): *Applicant A. complained to the Ombudsman and said that his information request sent to the principal of the general secondary school No. 64 in Baku was not responded to and he asked for his request for information to be fulfilled. As a result of the measures taken following our request to the Ministry of Science and Education of Azerbaijan regarding the complaint, the requester's right to information was ensured by responding to his information request.*

According to Article 10.1 of the Law of Azerbaijan on "Access to Information", the information holder should secure everyone's free, unrestricted, and equal right of access to pertaining information resources under the procedures established by the present Law. The non-compliance of the information holders with the requirements of the legislation caused complaints.

(App. No. 23145-22): *The applicant reached out to the Ombudsman, stating that there was no option for the online submission of information requests on the official website of the Ministry of Ecology and Natural Resources of the Republic of Azerbaijan. Therefore, it was not possible to send an electronic request to that ministry. The applicant asked for the matter to be looked into and for appropriate actions to be taken. In response to the complaint, contact was made with the mentioned ministry, and they were advised to consider filling the identified gap.*

In certain cases, during the inspections conducted on complaints addressed to the Ombudsman, the protocol on an administrative offense was drawn up under Article 374 of the Code of Administrative Offenses of Azerbaijan about violations of the requirements of the legislation on access to information and submitted to relevant courts.

(App. No. 18051-22): *Applicant R. complained to the Ombudsman, stating that his information request addressed to the chief of the Saatli district Irrigation Systems Department was not responded to.*

During the investigation, it has been determined that the refusal to respond to the information request was not justified, and that the deadline for answering the request as stipulated by law was exceeded, by which Articles 10.4.4, 21.3, and 24.1 of the Law of the Republic of Azerbaijan on "Access to Information" have been violated. Therefore, based on Article 99 of the Code of Administrative Offenses of Azerbaijan, administrative proceedings have been initiated regarding the administrative offense, and a notification has been sent to the relevant information holder. They were invited to the Ombudsman's Office to participate in the investigation process and provide additional evidence

and materials related to the case if they wished.

As a result of the investigation, a protocol and additional documents were prepared regarding the violation identified, in accordance with Article 374.1 of the Code of Administrative Offenses. These documents were sent to Saatli District Court for review accordingly, and the court issued a decision to impose an administrative fine of 500 manats as an administrative penalty on the information holder.

Such cases of violations of the right to information should be taken into account by the relevant institutions, and appropriate measures should be taken to prevent such violations in accordance with the legislation.

According to Article 31.5 of the Code of Administrative Offenses of Azerbaijan, the imposition of an administrative penalty does not exempt the fulfillment of the obligations that led to the imposition of that administrative penalty. Therefore, in addition to determining the appropriate penalty in court decisions regarding the imposition of an administrative penalty on information holders, it is also important to establish the obligation of the information holder to provide the requested information.

Due to the reasons and grounds for initiating administrative proceedings regarding the enforcement of the right to information, relevant actions have been taken. Court decisions were passed on the imposition of administrative penalties against information holders such as the Hajigabul District Executive Authority, the Mil-Mugan Regional Education Department, the Sabirabad District Central Hospital, the Saatli District Central Hospital, the Saatli District Irrigation Systems, the Sheki Municipality, the Saatli Municipality, the "Baku VVS" LLC, and the "Bakcell" LLC. In some cases, the deadline for holding administrative responsibility has expired, and therefore, the enforcement of measures in relation to administrative penalties has been terminated.

(App.No. 22835-22): *Applicant P. lodged a file with the Ombudsman concerning the non-compliance of his information request dated October 6, 2022, submitted to "Bakcell" LLC, and that he was given an unjustified rejection.*

The administrative proceedings have been initiated due to the violations of the Law on Access to Information of Azerbaijan identified in the complaint and the notification submitted to the "Bakcell LLC" regarding this matter was not answered duly, and during this period, the Ombudsman was not informed in writing about this issue.

Based on the complaint of the applicant, a protocol was drawn up, and an administrative case (No. 3 (011)-4538/2022) regarding "Bakcell" LLC was initiated at the Khatai District Court on December 12, 2022. The responsible legal entity was imposed an administrative penalty of 1500 manat.

The appeal filed by "Bakcell" LLC against the abovementioned decision was reviewed by the Baku Court of Appeal, chaired by Judge Emin Mehdiyev, on January 17, 2023. The court took into account the response provided by "Bakcell" LLC to the information request on the later date of October 14, 2022. Based on this, the court concluded that there was no violation of the right to access information. Thus, the violation of the citizen's right to access information, as well as legislative requirements were disregarded.

Emin Mehdiyev, the judge of the Baku Court of Appeal, did not provide proper legal assessment regarding the provision of two different answers by the information holder to the applicant's information request, that is, failure to properly refer to the articles of the national Law on "Access to Information" in the initial response for refusing the information request, and to provide a clear and adequately justified response, which resulted in a lack of legal assessment regarding the commission of an

In addition to the above, as a result of investigations conducted into the complaints, the fulfillment of the duties of information holders to disclose information has been ensured, and monitoring has been carried out in this regard. Priorities have been established to ensure the right to information. Monitoring has been conducted to ensure the operation of the official websites of government institutions and accessibility to information. Evaluations have been made, and based on the results, recommendations and suggestions have been provided.

Despite efforts to update the online application sections (columns) on the official websites of many government institutions and create internet information resources in compliance with the requirements of the Law on Access to Information of Azerbaijan, problems still remain in this area. Therefore, in order to ensure the provision of information requests online, it is necessary to create a separate section for "Information Requests" on the online application columns available on the official websites of government institutions, in accordance with the requirements of the Law on Access to Information of Azerbaijan. These measures are important not only to facilitate access for information seekers to the relevant institutions but also to enhance the effectiveness of the right to access information and prevent potential negative situations in dealing with the institutions.

The analysis of the responses provided by information holders reveals that, alongside institutions that correctly acknowledge the importance of complying with legal requirements and taking appropriate measures, there are also institutions that are unprepared to address specific requests, as indicated in the Ombudsman's recommendations, and failing to take sufficient measures to ensure compliance with the requirements of the law.

In order to promote awareness of the right to information and improve the level of knowledge in this regard, awareness-raising activities have been continued in the regions. The events, held in Shamkir, Tovuz, Gabala, and Ismayilli districts, aimed to familiarize participants with the rights and responsibilities derived from the Law on Access to Information, the complaint handling procedures for violations of the right to information, and information about the Ombudsman's powers and activities in this field.

During the awareness-raising event on the topic of the "Right of Access to Information" organized for young volunteers at the Ganja Regional "ASAN Service" Center, the Ombudsman's Office presented the newly prepared informative booklet titled "The Right of Access to Information of Foreigners and Stateless Persons."

In accordance with the Annual Action Plan of the Organization of Islamic Cooperation (OIC) Ombudsman Association, a staff member of the Ombudsman's Office participated as a trainer in the first training session on the topic of "Defending the Right to Information: The Experience of the Azerbaijani Ombudsman."

Protection of the rights and freedoms of participants in pre-trial procedures in criminal cases.

The Ombudsman continued to collaborate with prosecutorial, internal affairs, and other authorities with a view to protecting the rights of the participants in the pre-trial criminal proceedings and other individuals.

The complaints received by the Ombudsman were mainly about the non-objective conduct of a preliminary investigation or interrogation, failure to provide information to the citizen about the progress of the investigation, unjustified dismissal of criminal cases at the initial stage, failure to initiate a criminal case despite the presence of evidence, unjustified termination of a criminal case or suspension of

criminal proceedings, non-adoption of procedural decisions based on complaints, non-provision of relevant copies of decisions, cruel treatment, as well as other related matters.

While examining the complaints, based on the Ombudsman's inquiries, the lawfulness of decisions on refusing the criminal case at the initial stage taken in certain cases by the relevant prosecutors who procedurally supervised the preliminary investigation was checked, and when it was found that a thorough and comprehensive investigation was not conducted, such decisions were overturned. In these cases, the material was returned to the relevant investigative authorities for further investigation, and in some instances, criminal proceedings were initiated or decisions on the termination of criminal proceedings were abolished and returned for repeated investigation.

(App.No.932-22): Applicant M. appealed to the Ombudsman and said that the investigation regarding the severe road traffic accident in which he was injured was conducted in a biased manner and requested appropriate legal actions be taken. Following the request to the Ismayilli District Prosecutor's Office, the decision of the Ismayilli District Police Department to refuse to initiate a criminal case was deemed unjustified and canceled, and the case was returned to the investigative division of the same police department for further examination.

(App. No. 8092-22): Applicant A. complained to the Ombudsman, stating that his complaints to the 36th Police Unit of the Khatai District Police Department regarding the misappropriation of his money yielded no results and asked for help. After the Ombudsman appealed to the Khatai District Prosecutor's Office, it was revealed that the investigator did not conduct a thorough, comprehensive, and objective investigation. Therefore, the decision on refusal for the initiation of a criminal case was considered unjustified and abolished and the case materials were returned to the 36th Police Unit for further investigation.

(App.No.14482-22): Applicant M. has lodged a complaint with the Ombudsman and stated that the Yasamal District Police Department refused to open a criminal prosecution based on the collected evidence regarding his exposure to fraud and requested the implementation of appropriate legal measures. Following the request to the Prosecutor General's Office of the Republic of Azerbaijan, it was found that the decision taken by the Investigation Department of the Yasamal District Police Department was groundless. Consequently, the decision was cancelled by the Prosecutor General's Office of Azerbaijan, and the case was returned for further investigation.

Based on the Ombudsman's appeal, in several cases where the initiation of criminal proceedings was denied, the decisions were re-examined by the prosecution authorities, or decisions on the termination of criminal cases were revoked, and the cases were returned for further investigation.

(App. No. 5615-22): Applicant P. appealed to the Ombudsman, stating that his house was burned by his ex-spouse, however, his repeated appeals to the Beylagan District Police Department yielded no results, and he sought assistance. In reply to the correspondence to that district police department, it was indicated that despite the commencement of criminal proceedings under Article

186.2.2 of the Criminal Code of Azerbaijan, due to the failure to carry out necessary investigative actions for a complete, comprehensive, and objective investigation, as well as the non-compliance with the requirements of procedural legislation, the decision to terminate the criminal case was annulled. The case was returned for further investigation upon the written order of the prosecutor.

(App.No. 9789-22): *Applicant A. complained to the Ombudsman about being subjected to harassment, beatings, and insults and death threats by persons he knew, and his relevant complaint to the Goranboy District Police Department had not been objectively investigated. He asked for legal measures.*

In response to the inquiry addressed to the Prosecutor's Office of Goranboy District regarding the complaint, it was stated that the materials collected in the respective police department were requested and examined by the district prosecutor. It was further mentioned that the decision to refuse the initiation of the criminal case was annulled, and a criminal case was initiated based on Articles 182.2.1 and 310 of the Criminal Code of the Republic of Azerbaijan, and the investigation was being conducted by the district prosecutor's office.

(App.No. 10756-22): *Applicant H. lodged a complaint with the Ombudsman, alleging that he was subjected to pressure by the management of "Engin LTD" LLC to resign from his job, physically assaulted, and subsequently unjustifiably dismissed from employment. The complainant stated that despite the existence of evidence related to the issue, artificial obstacles were created by the Khatai District Prosecutor's Office to hinder the initiation of a criminal case and requested appropriate legal action be taken.*

In the reply to the inquiry sent to the Khatai District Prosecutor's Office to clarify this issue, it was stated that the investigator of the 37th Police Department did not conduct the investigation based on the complaint, in serious violation of the criminal procedural legislation. Furthermore, the investigator did not get any statements, failing to thoroughly and objectively investigate the facts provided in the complaint. He also failed to identify and summon for questioning the witnesses. The conditions and mechanism of the inflicted injuries were not determined, and regarding the case material, the provisions of the Criminal Procedural Code of Azerbaijan were violated. Ultimately, the material was returned to the 37th Police Department of the district police office with appropriate instructions to make a procedural decision in accordance with Article 207 of the mentioned Code.

After the appeals sent to the prosecutorial authorities to examine the facts indicated in complaints received at the Ombudsman's Office, in some circumstances, the acts committed by the accused persons were reclassified under other articles of the Criminal Code of the Republic of Azerbaijan.

(App.No. 10831-22): *Applicant H. lodged a complaint with the Ombudsman regarding an accident that occurred at "Araz Supermarket" LLC and said that the investigation conducted by the Nasimi District Prosecutor's Office was biased and asked for assistance in protecting his rights. Following the appeals sent to the prosecutor's office concerning the complaint, the criminal case was reclassified from Article 162.1 to Article 314.2 of the Criminal Code of Azerbaijan.*

During the service investigations carried out based on the Ombudsman's relevant inquiries to examine the allegations reflected in complaints, it was found that there have been law violations and actions that undermine the image of the police. The appropriate disciplinary measures were applied against police officers who had failed to comply with ethical behavior standards.

(App.No. 10831-22): *Applicant M. complained to the Ombudsman, stating that he was forcibly taken to the Jalilabad District Police Department by the police in front of his underage children for the violation of lockdown regulations, and subjected them to other unlawful actions, and asked for legal measures. In response to the request sent to the Ministry of Internal Affairs of Azerbaijan, it was reported that the officers of the Jalilabad District Police Department, Police Chief Sergeant F. Isbarov and Police Sergeant I. Akberli, received reprimands for their rude and disrespectful behavior towards the citizen.*

(App.No. 6267-22): *Applicant M. appealed to the Ombudsman, stating that he had been subjected to unlawful actions by Yusif Yusifzade, an investigator of the Nizami District Police Department in Baku, and asked for assistance in the protection of his rights.*

As a result of an investigation conducted directly after the request sent to the Office of the Prosecutor-General of the Republic of Azerbaijan regarding the complaint, it was revealed that Y. Yusifzade, the investigator of the Nizami District Police Department in Baku, violated the law. However, since this violation was not considered of a criminal nature, the initiation of a criminal case was rejected, and the relevant submission concerning the establishment of disciplinary measures against him, was presented to the Ministry of Internal Affairs of Azerbaijan. So, based on that submission, Y. Yusifzade was disciplinarily punished.

Judicial Guarantees for Rights and Freedoms: The Constitution of the Republic of Azerbaijan guarantees the right of everyone to defense in court and ensures the administration of justice based on the equality of citizens before the law and the courts.

The rapid development of public relations in all areas and the goals set in this direction necessitate the establishment of new priorities for the improvement of the judicial system. From this point of view, reforms are being carried out in the judicial-legal system to expand access to legal representation, improve the functioning of the courts, align them with international standards, facilitate access to the courts, as well as to facilitate access to justice and increase public confidence.

The Ombudsman continues to collaborate with the Constitutional Court, other judicial bodies, the Ministry of Justice, and the Judicial Legal Council of Azerbaijan to ensure more effective protection of rights and freedoms, as well as the restoration of violated rights.

According to Article 1.9 of the Constitutional Law, the Ombudsman has the right to examine complaints on violations of human rights relating to red tape, loss, or delayed delivery of documents in courts as well as delays in the execution of court judgments.

The complaints received by the Ombudsman regarding the judicial protection of rights and freedoms mainly were about allegations on failure to accept submitted claims by the courts, the failure to provide a copy of the documents attached to the claim or the non-transmission of the copies of the documents to the party of the case, undue prolongation of court hearings, conducting biased court investigations, dissatisfaction with the activities of judges, failure to timely provide parties with copies of court decisions, thereby restricting the right to appeal to a higher instance court, dissatisfaction

with the court documents, violation of the right to appeal, non-enforcement or non-implementation of court decisions, and other similar cases.

The investigations have been conducted within the framework of the powers defined by the Constitution in relation to those complaints, and appeals have been made to the Ministry of Justice of Azerbaijan, relevant judicial authorities, and the Judicial Legal Council when the issues reflected in the complaints are beyond the scope of the Ombudsman's competence. The applicants have been responded accordingly, explaining the requirements of the legislation.

According to Article 138 of the Civil Procedure Code of the Republic of Azerbaijan, a court notice is given to the parties at least 10 days before the court session or the respective procedural action to allow them to prepare their defense and attend the court in a timely manner.

In several cases, there has been non-compliance with this requirement of the legislation by the courts, resulting in a violation of procedural rights.

(App.No. 14339-22): *Applicant F. complained to the Ombudsman, reporting that the court hearing in the civil case before the Shirvan Court of Appeal, in which he was a party, was scheduled for 28th June 2022, but the corresponding notice was presented to them a day later on 29th June 2022. So he asked for help in restoring his violated rights.*

In the reply to the correspondence to the relevant court regarding the complaint, it was reported that a court session for the review of the appeal filed by the applicant against the decision of the Beylagan District Court dated 23rd May 2022 was scheduled for 28th June 2022, and the court notice was sent to the applicant's address by registered mail on 20th June 2022 and the notice arrived at the place of residence on the day before the scheduled court session, that is, on 27th June 2022.

As can be seen from the response, although the court hearing was scheduled for June 28, 2022, the court notice regarding this matter was sent to the applicant's address by registered mail on June 20, 2022, which is 8 days prior. As a result, the procedural deadlines were not observed, and consequently, the participation of the applicant in the court hearing was not ensured.

According to Article 227 of the Civil Procedure Code of Azerbaijan, after the announcement of the court resolution, the preparation of the reasoned resolution should be completed within 10 working days, and it should be officially provided to the parties within 3 days.

During the examination of the complaints addressed to the Ombudsman concerning delays in court proceedings, it was found that court decisions were not sent to the parties or were not submitted within the specified legal deadlines. As a result, the right to appeal to a higher court against those decisions was restricted. Based on the relevant inquiries, corrective measures were taken to eliminate the violations.

(App.No. 10491-22): *Applicant M. and others addressed the Ombudsman on May 17, 2022, stating that they were not provided with a copy of the court resolution of Tovuz District Court dated April 13, 2022, related to their civil case. In response to their request for clarification of the mentioned circumstances, it was indicated that the court resolution regarding their civil case was delivered to the applicant through registered mail, based on the claim regarding the "vacation of the buffet room owned by the school and the prevention of illegal actions by the respondents" in one of the village schools in the district.*

Due to the inaccurate presentation of information in the provided response,

additional investigation regarding the complaint was conducted and it revealed that the relevant court resolution of the Tovuz District Court dated April 13, 2022, was submitted to the applicant on May 27, 2022, after the applicant had lodged numerous complaints with the Ombudsman and other institutions. Furthermore, during the investigation, it was determined that the notice regarding the scheduled court hearing on April 13, 2022, was received by the Customer Service Department of the Tovuz District Post Office on April 12, 2022, and this notice was presented to the applicant on the day of the hearing, namely on April 13, 2022.

The Presidential Decree No. 2668, dated February 10, 2017, titled "On Improvement of the penitentiary system, humanization of penal policy and expansion of the use of alternatives to punishment and coercive procedural measures not associated with social isolation" envisaged the decriminalization of crimes, as well as the substitution of the unserved portion of imprisonment with more lenient penalties, early release on parole, conditional sentencing, and broader implementation of institutions for conditional release, along with other measures in various directions.

Early release on parole and transition to a more lenient regime institution serve as illustrations of the humanitarian policy and play a significant role in the rehabilitation and social adaptation of individuals who have committed crimes. The Ombudsman's relevant appeals have been taken into consideration in terms of more reliable protection of the rights and legal interests of prisoners in the respective field along with the noted measures.

(App.No. 16287-22): *Convict E. applied to the Ombudsman and said that he was conditionally released before the completion of his sentence according to the decision of the Nizami District Court of Baku dated 16.06.2022, but that decision has been appealed and is currently under review by the Baku Court of Appeals, and he has asked for assistance in this matter.*

While examining the application and the attached court decision, it was revealed that while serving his sentence in the penitentiary institution, the applicant was engaged in construction activities and cultural events; he has written two books on patriotism, and over fifty articles have been published in various newspapers and magazines; furthermore, he has received vocational education in three specialties, as well as incentive measures have been implemented for him. All the noted factors, as well as the appeal submitted to the Baku Court of Appeals, were taken into consideration during the court proceedings and the applicant was released early on parole.

The indicated good practice is of significant importance in terms of fulfilling the requirements outlined in the Presidential Decree No. 2668 dated February 10, 2017, of the Republic of Azerbaijan.

According to Article 129, Part I, of the Constitution of the Republic of Azerbaijan, the decisions made by the court are issued on behalf of the state and their implementation is mandatory.

The timely, proper, and complete execution of court decisions, as well as ensuring control over the enforcement process, play a crucial role in enhancing the efficiency of the judicial authority and increasing the reputation of the courts.

Despite the implementation of measures aimed at improving the execution mechanism of court decisions, establishing a unified electronic database for execution documents and actions, and ensuring accessibility of information for interested parties, problems related to the execution of court decisions still persist in our country. The relevant complaints received by the Ombudsman have been mainly about prolonged delays or non-execution of court decisions, cases of procrastination, violations of ethical

conduct rules by enforcement officers, non-implementation of coercive measures, and other similar problems.

Furthermore, the incoming applications addressed to the Ombudsman have included issues related to failure to take appropriate legal action due to deficiencies and inconsistencies in the documents prepared by enforcement officers, and the return of such documents. However, as a result of the measures taken, the rectification of deficiencies has been ensured.

(App. No. 12951-22): *Applicant R. complained to the Ombudsman that the relevant court resolution regarding the alimony claim had not been fulfilled by the debtor, as a result of which she was deprived of the sole financial support for the custody of the child. It was also said that the submission regarding the debtor filed by the Sumgayit City Enforcement Officer to the Sumgayit City Court on 09.06.2022 was returned. The applicant asked for appropriate legal action.*

In response to the request sent to the Sumgayit City Court, it was stated that while reviewing the material related to the administrative offense received from the Sumgayit City Enforcement Officer regarding the commission of an administrative offense contemplated in Article 528.1 of the Code of Administrative Offenses of Azerbaijan, as well as considering the explanations of the parties and the lawyer's statement, the Court found contradictions in the debtor's and complainant's statements, including discrepancies regarding the amount of the debt in the drafted protocol, and the exact amount of the alimony debt was not clarified by the enforcement officer. Therefore, the protocol and the accompanying documents, including the ones attached to it, were returned.

As a result of the actions taken, the documentation deficiencies were resolved, and according to the decision of Sumgayit City Court dated 01.07.2022, an order for administrative detention for a period of 10 days was issued against the debtor who had evaded paying alimony.

According to the requirements of the laws of Azerbaijan "On Courts and Judges" and "On Enforcement," control over the timely and proper execution of enforcement documents is carried out within the competence of the head of the enforcement office and the court.

According to Article 12 of the "Law on Enforcement" of Azerbaijan, unless otherwise provided by this Law, the enforcement officer must carry out all necessary enforcement actions within two months from the day of receiving the enforcement document. However, despite this, several complaints addressed to the Ombudsman have highlighted cases of prolonged non-execution of court decisions and negligent approaches by enforcement officers to their duties.

(App. No. 24684-22): *Applicant S. appealed to the Ombudsman, stating that the decision about the movement of him and his child to the appropriate apartment in Khatai District has not been executed by the District Enforcement and Probation Department for a long time, and his appeals have yielded no results.*

In the response to the request sent to the Ministry of Justice, it was stated that, according to the enforcement document of the Khatai District Court dated 19.12.2011, a decision was made to recognize the applicant's right to the respective property. During the enforcement process initiated at the District Enforcement Department, the demand specified in the enforcement document was fulfilled, and the enforcement of the case was concluded by the decision of the enforcement officer dated 20.07.2012. However, during the examination of the "Electronic Execution" system, it was found that the decision of the Baku Administrative-Economic Court No. 2 dated 13.05.2014 referred to by the applicant was not submitted to the local enforcement authorities to be enforced.

During the investigation, based on the letter of the Baku Administrative Court, it was revealed that by the relevant decision issued by Baku Administrative-

Economic Court No. 2 on 13.05.2014, in order to execute the court resolution taken by the Baku Court of Appeal dated 07.10.2010, a duty to transfer of the applicant and their child to the respective residential area, has been referred to the responsible Khatai District Enforcement Department. Despite sending letters dated 14.10.2014, 27.01.2015, and 02.10.2015 to the Khatai District Enforcement Department concerning the execution of the decision, which had entered into force, it has not been executed.

In the letter of response, it was stated that the responsible Khatai Enforcement Department was demanded to promptly enforce and inform the Baku Administrative Court without delay about the process of enforcement related to the case applicant's (claimant's) repeated application dated 30.08.2022, explaining the requirements of Article 120 of the Code of Civil Procedure of Azerbaijan. Otherwise, it has been notified that sanctions will be applied.

Difficulties still remain regarding the non-execution of court decisions by responsible government institutions. The existence of problems in this area is due to the lack of an effective mechanism for the enforcement of court decisions, inadequate execution tools, insufficient coordination between enforcement agencies and relevant government bodies, and ineffective monitoring of the enforcement of court decisions in certain cases.

(App. No. 7480-22): *Applicant I. lodged a complaint with the Ombudsman, informing her that the relevant decision of the Baku Court of Appeal regarding the award of compensation for the unlawful demolition of his property had not been executed and asked for appropriate actions to be taken in accordance with the law.*

In the response to the correspondence addressed to the Ministry of Justice of Azerbaijan regarding the complaint, it was stated that based on the execution document of the Baku Administrative-Economic Court dated July 28, 2015, the applicant's claim for compensation for the unlawful demolition of his property, located in the Sabail district, had been partially satisfied. Specifically, the responsibility for paying compensation in the amount of 135,000 manats was assigned to the Ministry of Transport of Azerbaijan. However, despite the fact that the execution process was initiated by the Yasamal District Enforcement Office on July 28, 2015, the execution of the decision has not been ensured.

On April 3, 2017, after the legal successor of the debtor was replaced by the Ministry of Transport, Communications and High Technologies of the Republic of Azerbaijan, proceedings were initiated in the Sabail District Enforcement Office on the execution document; a notice was sent to ensure the execution of the court decision, but the response received from the relevant ministry stated that however, in the reply received from the relevant ministry, it was stated that the Cabinet of Ministers of the Republic of Azerbaijan was appealed to in order to provide assistance regarding the execution of the court decision. Despite measures related to the enforcement of the resolution, the compensation for the damage was not provided by the debtor.

Accordingly, it is relevant to study the experience of other countries in order to develop and prepare a mechanism for the execution of court decisions in relation to debtor state institutions. Therefore, it would be appropriate to allocate financial resources in the State Budget of the Republic of Azerbaijan and make the necessary legislative changes.

In 2022, as in previous years, complaints regarding the non-execution of court decisions on alimony have been received in significant numbers. So, approximately half of the complaints in this category were related to non-payment of alimony. As a result of measures taken in relation to certain complaints, alimony obligations were fully or partially recovered. In other cases, non-compliance with court decisions was due to the debtor leaving the country or evading search, the absence of an official workplace,

income, or property in the debtor's name, the concealment of property that is effectively owned by the debtor but registered under other individuals' names for legal purposes, and other similar reasons, therefore, it was not possible to ensure the execution of the relevant court decisions during the investigation of the complaints.

Taking into account the mentioned points, as well as the fact that legislation specifies a special approach to the determination of alimony payments and the execution of obligations related to alimony, it is necessary to increase attention to the prompt implementation of those court decisions and to ensure effective coordination of relevant institutions for this purpose.

As it is known, in line with the relevant Presidential decrees regarding the development of judicial institutions and the improvement of activities in the penitentiary system, significant work is being carried out to enhance the activities of the Probation Service of the Ministry of Justice of Azerbaijan. The Service focuses on the effective execution of non-custodial measures that are not associated with the isolation of offenders from society, the implementation of probation supervision over individuals sentenced to such penalties, and the organization of preventive measures against the commission of new crimes by these individuals.

In some cases, deficiencies in probation activities, including the improper implementation of probation supervision, have led to severe violations of the rights of other citizens and even resulted in new crimes. As a result of measures taken in relation to such cases, appropriate legal actions were taken against the enforcement officers responsible for violations.

(App. No. 16465-22): *Applicant Y. filed a complaint with the Ombudsman saying that she was plundered and raped by a taxi driver who had been sentenced according to the court ruling, but was electronically monitored through the ankle monitor, and she asked for taking appropriate legal measures against the probation officer who caused the offender to commit a crime against her.*

In the letter of response sent by the Ministry of Justice of Azerbaijan to the relevant inquiry, it was stated that the convict was arrested for committing a crime against the applicant during the time he was serving his sentence and was charged under Articles 149.2.4, 150.1 and 181.2.5 of the Criminal Code of the Republic of Azerbaijan, and was remanded in custody and according to the verdict of Sumgayit Serious Crimes Court dated 07.09.2022, he was sentenced to 13 years of imprisonment. Furthermore, during the investigation of the complaint, it was found that the probation supervision required for the prisoner's rehabilitation was not carried out in the appropriate manner by the relevant probation officer of the Baku City Probation Service, who was dismissed from his job and his service in the judicial authorities was terminated.

In the response, it has also been stated that the necessary instructions have been given to the management of the respective facility for the implementation of the necessary measures to eliminate the causes and conditions that led to such situations.

Everyone has the right to receive high-quality legal assistance, and in cases provided for by law, legal aid is provided free of charge as it is covered by the state.

The Ombudsman continues to collaborate with the Bar Association of Azerbaijan in ensuring the provision of professional legal assistance to the population and thereby enhancing the reliable protection of rights and freedoms, improving legislation in this field, and organizing awareness-raising activities. The Ombudsman has also actively participated in the process of improving the Law of the Republic of Azerbaijan "On Lawyers and Legal Practice".

The applications received by the Ombudsman regarding legal practice were mainly about the provision of state-appointed lawyers to those who do not have sufficient means to afford legal assistance, dissatisfaction with the lawyer's performance,

allegations of unethical and improper conduct by the lawyer, the non-execution of a court ruling regarding the appointment of a lawyer at state expense, the inadequate quality of legal assistance provided by state-appointed lawyers, and other related matters.

(App. No. 12063-22): Applicant G. appealed to the Ombudsman and said that he had been deceived and subjected to abusive and rude behavior by a person engaged in legal practice, his relevant appeals were ignored, and he asked for assistance in the protection of his rights.

As a result of the investigation conducted in response to the inquiry addressed to the Bar Association of Azerbaijan regarding the complaint, it was determined that the legal practice of that lawyer was suspended for a period of six months for his violation of the requirements of the Law on "Lawyers and Legal Practice" and the "Code of Conduct for Lawyers."

The provision of legal assistance to persons without sufficient finances plays an important role not only in ensuring the effective defense of their rights and freedoms but also in the more effective administration of justice. In this regard, requests were made to the Bar Association of the Republic of Azerbaijan regarding the applications addressed to the Ombudsman by low-income persons for the provision of free legal assistance, and the necessary measures were taken to satisfy those requests.

(App. No. 9387-22): Applicant N. contacted the Ombudsman's Call Center, requesting assistance in obtaining free legal aid related to a court case. In response to the inquiry addressed to the Bar Association of Azerbaijan regarding this request, it was stated that the applicant had been received at the Goranboy District Bar Office according to his place of residence. Eventually, the applicant was provided with free legal assistance by the lawyer, including verbal advice, claims regarding real estate matters, child issues, and alimony were prepared and forwarded to the Mingachevir City Court as per jurisdiction. Furthermore, it was also indicated in the response that the applicant would continue to receive free legal aid in subsequent court instances, with the case being monitored.

According to the requirements of the Civil Procedure Code of Azerbaijan, in cases where the mandatory presence of a lawyer is required, and the parties to the case do not have sufficient funds to pay for the lawyer's services, the court, which reviews the case, ensures the participation of a lawyer based on the written request of the parties to the case.

Some complaints received by the Ombudsman have also highlighted cases where the court's ruling to provide a lawyer at the state's expense was not executed or was delayed.

(App. No. 4795-22): Applicant S. has appealed to the Ombudsman, stating that despite the court's decision on January 25, 2022, to provide him with a state-sponsored lawyer for filing a cassation appeal against the Baku Court of Appeal's ruling dated December 15, 2021, no lawyer has been appointed for him. He has requested assistance in this matter.

In the response to the correspondence with the Bar Association, it was stated that the relevant court ruling regarding the appointment of a lawyer at the state's expense for the applicant was sent to Baku City Law Office No. 5 for execution, and the cassation appeal was prepared in his presence and submitted accordingly, along with the lawyer's practice certificate.

Incidentally, on June 18th, within the framework of cooperation between the Ombudsman and the Azerbaijan Bar Association, a free legal aid campaign covering various categories of the population was conducted on the occasion of national Human Rights Day in the Republic of Azerbaijan, where lawyers provided free legal assistance to numerous citizens belonging to vulnerable groups regarding civil, social, economic, administrative, and family law matters, as well as cases related to domestic violence.

Mediation plays a special role in the alternative resolution of disputes by impartial third parties who have no personal interest in the matter. This process should be implemented based on the principles of legalequality and cooperation between the parties, impartiality and independence of the mediators, non-interference in the mediation process, and the principle of confidentiality.

Well-organized mediation can create opportunities for citizens to resolve disputes and effectively defend their rights by participating voluntarily in the mediation process without going through court proceedings.

In order to improve the practice of mediation and relevant legislation, as well as organize awareness activities the Ombudsman's Office and the Mediation Council have established effective collaboration. In particular, collaborative efforts in investigating complaints related to the activities of mediators and the mediation process are significant for identifying and effectively resolving potential issues in this field.

The complaints received by the Ombudsman in the mentioned field were primarily related to rude behavior by mediators, failure to ensure legalequality of the parties during the mediation session, failure to provide mediation notice to the parties, and cases of abuse of power. The investigations have been conducted based on the appeals addressed to the Mediation Council, and prompt resolutions have been provided in cases where violations were identified.

(App. No. 18968-22): *Applicant S. has applied to the Ombudsman, saying that during the mediation process conducted upon his spouse's request, the mediators of Mediation Service No. 4 violated the requirements of the legislation as he was not provided with the mediation notice regarding the scheduling of the mediation session within the legally specified period.*

In the response to the inquiry addressed to the Mediation Council regarding the complaint, it has been stated that, based on the facts presented in the application, adisciplinary investigation initiated by the Council's Board has confirmed the violation of the duties stipulated in the "Law on Mediation" of Azerbaijan in the actions of the mediator, and a disciplinary action of "suspension of the right to engage in mediation activities for a period of 3 months" has been imposed on that mediator.

With regard to several applications by citizens, particularly those who lacked information about the "Law on Mediation," explanations were provided to them, clarifying the legal requirements.

Considering the importance of the mediation institution in dispute resolution before reaching the court, it is necessary to continuously improve the mediation institution through studying the international experience, as well as considering our country's legal system, legal thought in society, and traditions. Additionally, it should be noted that mediation can also be effective in the execution of court decisions.

In penitentiary institutions, including correctional facilitiesforjuveniles, the application of the mediation institution is relevant and can be considered a good experience. This experience is currently being implemented in several European countries and in the United States.

The implementation of the mediation institution in the education system can also be effective. For instance, the application of "school mediation" in other countries has drawn attention. Learning from this experience and implementing it in our country can be a valuable tool in resolving disputes that may arise in teacher-student relationships and within the educational staff.

1.2. Protection of Economic, Social and Cultural Rights

Right to Labor. The effective implementation of labor rights that facilitates a decent life and the well-being of the population constitutes the core of sustainable development goals for our country.

In the current economic conditions, labor rights, their provision, and their protection require special attention and modern approaches.

The measures implemented by the state to ensure labor rights have played a significant role in gradually eliminating violations of laws that may occur in workplaces and strengthening the social protection of workers.

In the applications addressed to the Ombudsman regarding labor rights, the issues of dismissal and withholding of wages due to industrial injuries in violation of law requirements, non-payment of wages and vacation pays, as well as non-payment of wage arrears, including severance pay, and non-calculation of additional payments, have been raised.

During the investigation of the complaints, measures have been taken by the Ombudsman within her competence to restore violated labor rights.

Investigations have been conducted in several cases related to illegal dismissals, and the violated rights of workers have been restored.

(App. No. 9260-22): Applicant N. complained to the Ombudsman and said that she was employed as an "assistant caregiver" at a childcare institution and was dismissed from her job without any consent. The applicant asked for assistance in the protection of her labor rights.

Following an investigation conducted regarding the complaint, the applicant has been reinstated to her previous position.

(App. No. 10671-22): The critical care physicians from the Pediatric Infectious Diseases Hospital No. 1 under the Nizami Medical Center (10671-22) have appealed to the Ombudsman, reporting that they were asked to resign and apply for employment at the "Nizami Medical Center" Public Legal Entity because the institution where they were working was transferred under the administration of TABIB (Management Union of Medical Territorial Units). Despite submitting their applications to the management, they were not assigned to appropriate positions. They requested an investigation into the matter and assistance in the protection of their labor rights.

Following the inquiry sent to the TABIB, based on their educational

documents and certificates, eleven anesthesiologists-reanimatologists who were employed at the "Nizami Medical Center" were transferred to the position of physician-infectious disease specialist in accordance with the Order No. 42 dated 03.06.2015, which amended the Order No. 119 dated 01.09.2008 of the Ministry of Health of Azerbaijan.

(App.No. 11084-22): *Applicant A. appealed to the Ombudsman. Saying that he had been working as a cook since 1980 in the kindergarten of the village, where he lived, he complained about illegal actions by the principal of the kindergarten and his dismissal from his job. The applicant asked for help in protecting his labor rights.*

During the examination of the complaint, it was found that the legal requirements had been violated during the process of terminating the labor contract with the applicant but as a result of the measures taken, the applicant was reinstated in this position.

In certain cases, the negligent approach to the issue by the relevant authorities in dealing with the investigation of complaints led to the violation of labor rights.

(App. No. 15646-22): *A., Sh., and H., three employees of the Shamakhi Astrophysical Observatory named after N. Tusi, complained to the Ombudsman about the pressure that they have been subjected to by the director of the Observatory, a severe reprimand with a final warning made to A. and H. without any justification, during the period when they were absent from work due to a temporary loss of their work capacity. Therefore, they asked for an investigation into the issue and assistance in protecting their rights.*

In the reply to the inquiry addressed to the Ministry of Science and Education of Azerbaijan regarding this complaint, taking into account the preparation of a new charter of the Ministry and regulations of the Azerbaijan National Academy of Sciences (ANAS), it was considered to deal with the raised issue after the approval of those documents.

As it is seen, the response did not address the violations of the complainants' labor rights, and no actions have been taken to investigate their complaints regarding the violation of their labor rights.

On the other hand, as it is known, according to the 4th clause of the Presidential Decree No. 1769 on certain measures for the improvement of management in the field of science and education in the Republic of Azerbaijan dated July 28, 2022, with reference to the Observatory in question, a number of scientific institutions and organizations, including the ANAS, have been delegated to the Ministry of Science and Education of Azerbaijan.

In light of the abovementioned, the non-adoption of the charter of the noted Observatory, which is transferred to fall under jurisdiction of the Ministry of Science and Education of Azerbaijan, and even the non-adoption of the new regulations of the ANAS do not give an excuse for the failure to take measures for the restoration of the violated rights of the applicants.

According to Article 140, Clause 5, of the Labor Code of Azerbaijan, the average wage for the vacation leave period shall be paid to the employee no later than 3 days before the commencement of the leave.

(App. No. 5834-22): *Applicant S. has applied to the Ombudsman, stating that he has been working at the Sheki Telecommunications Office, but despite taking*

vacation leave, his leave allowance has not been paid, and his appeals to solve the issue have not yielded success. So, he asked for assistance in this regard.

After conducting an investigation into the complaint, the payment for the leave allowance was transferred to the applicant's bank account.

In employment contracts or collective agreements, as well as in establishments without a collective agreement and in the budget-financed institutions, if the estimates of the costs of maintaining organizations consider allocation of funds for the improvement of the employee's family and household conditions, including payment of social-household benefits, sending to recreation and health institutions at the expense of the enterprise, as well as taking other measures for the improvement of employee's household conditions, in addition to the payment of vacation pay, the employees should be provided with the supplementary benefits, allowances, and other payments envisaged in the employment contract or collective agreement.

(App. No. 10378-22): *Applicants M. and E. lodged a complaint with the Ombudsman, saying that they have been working for "Baku Metro" CJSC for many years, they have participated in the Patriotic War, got injured, and became persons with disabilities. Furthermore, they added that they have been awarded medals by the President. However, they have not received the monthly payment equivalent to 50 percent of the minimum wage across the country, as stipulated in the contract between "Baku Metro" CJSC and the Trade Union of Metro Workers. It was also mentioned that their relevant appeals remained unanswered, and they, therefore, asked for assistance in the restoration of their rights.*

The investigation revealed that according to articles 11.1 and 11.1.5 of the Collective Agreement concluded between "Baku Metro" CJSC and the Trade Union of Metro Workers on May 31, 2019, during the validity of this Collective Agreement, the Company has undertaken to provide monthly payments equivalent to 50% of the minimum wage across the country to employees who have been awarded republic state orders, medals, and honorary titles based on the Presidential decrees and orders.

Following the inquiry submitted to the "Baku Metro" CJSC with regard to the complaint, the respective monthly payments were provided to the applicants.

In cases where the nature of the work or services rendered is inherently permanent based on the conditions for the performance of labor functions, except for cases where fixed-term employment contracts are concluded by law, the employment contract must be concluded without specifying a duration.

(App. No. 4833-22): *Several employees of the Baku State Vocational Education Center for Railway and Metro under the State Agency for Vocational Education applied to the Ombudsman, stating that their labor rights have been violated by the director of the center, and asked for help.*

Following the application to the Ministry of Education of Azerbaijan regarding the complaint, the fixed-term employment contracts of the applicants have been replaced with indefinite-term employment contracts.

The order for the termination of the employment contract should be signed and sealed by the employer. A copy of this order, the employment record book, and severance pay paid by the employer (the unused annual leave payment, the employee's wages, and other payments) should be provided to the employee on his/her last working day.

In accordance with Article 192.4 of the Code of Administrative Offenses of the Republic of Azerbaijan, officials are subject to a fine ranging from 700 to 1,500 manats for legal violations related to the calculation and disbursement of an employee's labor and

leave payments, travel expenses, benefits, and other payments as stipulated in labor legislation. Exceptions to this rule are deficiencies that result from mathematical errors.

(App. No. 1041-22): *Applicant B. has applied to the Ombudsman, saying that he and others' respective monthly wages were not fully paid at the Barda District Cotton Factory, and that they faced rude behavior when obtaining information from the factory's accountant. They have asked for an investigation into the matter and appropriate assistance.*

During the investigation, it was found that the wages for the work performed for the processing of cotton by the applicants were not paid within the timeframes specified in the employment contract. Following an inquiry submitted to the Ministry of Labor and Social Protection of the Population of the Republic of Azerbaijan regarding the complaint, a decision was made in accordance with Article 192.4 of the Code of Administrative Offenses of the Republic of Azerbaijan to impose an administrative fine on the responsible person of the company.

(App. No. 12001-22): *Applicant N. submitted a complaint to the Ombudsman, stating that he had worked as a welder at "Max Print" LLC since 2009, and without prior notice, his employment contract was terminated in March 2022. He asked for assistance regarding this matter.*

The investigation revealed that the employment contract between the applicant and the employer was terminated based on Article 68(2)(a) of the Labor Code of Azerbaijan, which allows termination upon the employee's own request.

Following the inquiry submitted to the MLSP, it was determined that the final settlement of complainant's wages was not properly calculated and paid according to the established legal procedure. Consequently, the person in charge of "Max Print" LLC was brought into administrative responsibility under Article 192.4 of the Code of Administrative Offenses of Azerbaijan, and an order was issued for the mandatory execution of rectifying the identified violation by the company.

The implementation of the self-employment program for the support and development of citizens' labor and entrepreneurship initiatives is of great importance, as it helps the state in promoting job creation and employment opportunities for the unemployed.

The organization of self-employment is carried out in phases in accordance with the "Regulations on the Organization of Self-Employment of the Unemployed Persons," approved by the Cabinet of Ministers of Azerbaijan with Decision No. 168 dated May 13, 2020.

(App. No. 8654-22): *Applicant N. has applied to the Ombudsman, requesting assistance in providing suitable employment for their son.*

Following the appeal submitted to the MLSP, the applicant, who was registered as unemployed, was involved in training sessions organized by the State Employment Agency with the aim of selecting a self-employment direction and assisting in the preparation of business plans. The applicant successfully completed the training and was evaluated by the relevant commission as being prepared for self-employment, which has resulted in a decision on the engagement in self-employment.

Analysis of the responses provided to the inquiries addressed to the State Employment Agency under the MLSP reveals that the main reason for citizens' refusal of the proposed jobs, services, and positions is the low amount of wages offered or the distance of the workplace from their place of residence, especially in rural areas.

The applications for assistance in employment were sensitively approached, and several citizens have been successfully employed.

(App. No. 11208-22): *Applicant E. reported that her financial situation and living conditions are difficult and that her spouse's job-related requests have not been considered. She asked for assistance.*

Following correspondence with the MLSPP in this regard, the spouse of the applicant has been provided with social work through the MLSPP.

Efforts are being made to improve the quality of labor reserves, align them with the requirements of the international and national labor markets, and enhance the efficiency of workforce utilization in the overall labor market and the continuously developing economy. This is being achieved through the development and implementation of professional and vocational (qualification) standards that meet the demands of the international and national labor markets, as well as the preparation and implementation of training and education programs.

(App.No.9053-22): *Applicant E. has lodged a complaint with the Ombudsman, stating that his previous applications to the State Employment Agency under the MLSPP for employment had been unsuccessful, and he asked for appropriate measures to be taken.*

Following the appeal to that Ministry, the applicant, who is registered as an employed person in the Centralized Electronic Information System's "Employment" subsystem, has been enrolled in a course for the profession of "Computer Repair and Service Technician" at Start IT LLC, successfully completed the course, and was employed as an "IT Technician" at "Yaşma Quşçuluq" (poultry farming) LLC on the same day.

As a result of the Ombudsman's requests to the MLSPP, a number of unemployed citizens have been provided with employment.

(App. No. 10849-22): *Applicant N. has appealed to the Ombudsman's Call Center, saying that she lived with her child, who has a first-degree disability, and that her financial situation is difficult. She said that her appeals to the Suraxani District Employment Center for employment in a relevant institution located near her home, specifically for the position of "cleaning lady," have yielded no results.*

Following the request made to the MLSPP, an employee of the Baku Regional Employment Branch of the State Employment Agency has contacted the applicant. The suitable job offers were provided from the vacancy bank of the Ministry's Centralized Electronic Information System (MEIS) under the "Employment" subsystem, and once this information was placed in the applicant's personal cabinet, the applicant accepted the relevant job offer and an electronic referral was made to the respective institutions for her employment.

It should be noted that citizens who have been referred through electronic referrals are often refused when applying to the institutions where the referral was given, citing the absence of a suitable vacancy as the main reason. This leads to frustration, dissatisfaction, and repeated complaints by the citizens.

As a rule, the employment agencies responsible for formulating the referrals should not only monitor the process of the referred citizen's employment but also show interest in ensuring their employment. Therefore, they should verify whether the information provided by the institution regarding vacant positions is accurate (not merely formal) and reconfirm the information before formulating the referral and also investigate the reasons behind the refusals given to citizens, as well as take appropriate actions based on the results of the investigation.

In addition to the above, the reduction of the "5 (five) business days" period determined by Articles 540.2 and 540.3 of the Law on Administrative Offenses of Azerbaijan is appropriate.

Furthermore, it is necessary to make legislative amendments regarding the immediate provision of information to the employment agency by the employer when a suitable vacant position in the "Employment" subsystem's vacancy bank is filled.

In our country, special attention and care are given to individuals who are part of socially vulnerable groups, including people with visual impairments and continuous measures are taken to address their existing problems.

(App.No.12112-22): *a group of persons with first-degree visual impairments lodged a collective complaint with the Ombudsman, stating that they were previously engaged in pedagogical activities as teachers in various schools of the country, having taught various subjects to students, paid special attention to the teacher-student relationship, actively ensured the learning of lessons by the students, and worked towards their own development of knowledge and skills, and that during their employment, the school administrations did not criticize them for the quality of their teaching.*

However, the applicants emphasized that, as always, they participated independently in the examination stages of teacher recruitment, including the test stage, but were not allowed to proceed to the vacancy selection stage.

"Binocular blindness(except for specialized educational institutions, children's music and art schools)" listed under the No. 33 (H54.0) and "Binocular severe visual impairment (except for specialized educational institutions, children's music and art schools)" listed under No. 34 (H54.1) of the List of Diseases that Prevent Engagement in Pedagogical Activities, approved by the Cabinet of Ministers' Decision No. 57 on February 18, 2019 has created restrictions on persons with first-degree visual impairments to engage in pedagogical activities in general secondary education institutions.

The young teachers with first-degree visual impairments have stated that their chances to work in general education institutions have been restricted as a result of including those diseases in the respective list and that they are only allowed to work in specialized educational institutions, such as children's music and art schools. It was also noted that the number of specialized educational institutions across the country, especially in Baku city, is extremely limited, and there is a significantly low demand for pedagogically trained individuals with first-degree visual impairments. Consequently, their opportunities to work as teachers have become quite challenging, leading to discrimination and violations of their labor rights. Therefore, they asked for assistance in the protection of their rights.

In light of this, in order to ensure effective protection of the rights of individuals with first-degree visual impairments, the Ombudsman has requested the Cabinet of Ministers of Azerbaijan, proposing the removal of "Binocular Blindness" and "Binocular Severe Visual Impairment" diseases from the "List of Diseases Preventing Engagement in Pedagogical Activities," approved by the Cabinet of Ministers' Decision No. 57 dated February 18, 2019.

Right to social security. The protection of the rights of citizens, especially vulnerable groups in terms of social aspects, is one of the priorities of the state's social policy.

The continuous measures and various social projects aimed at redirecting the successes achieved in the economic development process towards the social sphere contribute to further improving the well-being of the population.

The applications received by the Ombudsman regarding social security rights have always been given special attention.

Some of the applications received in this field have been related to ensuring pension rights. As a result of investigations conducted on these applications regarding issues related to the determination, recalculation, and payment of pensions, necessary measures have been taken towards their resolution.

(App. No. 5256-22): *Applicant U. lodged a complaint with the Ombudsman, stating that his disability pension was not disbursed from the time it was suspended until it was reassessed. He requested that payments be reinstated from the date of suspension.*

Upon investigation, it was revealed that the applicant's disability status had been evaluated by the medical-social expert commission based on a hospital referral. The evaluation resulted in a designation of permanent third-degree disability due to a "general illness," and his disability pension was subsequently reinstated.

In response to the inquiry made to the MLSPP, it was found that the time lapse between the suspension of pension payments and the reassessment of the disability status was less than 6 months (specifically, 5 months and 25 days). Therefore, payments were ensured by dividing the calculated difference amount for the suspended period by the number of months in the preceding period, in accordance with Article 32.1-1 of Azerbaijan's "Law on Pensions." This calculated amount was then added to the applicant's monthly pension.

Incidentally, to increase efficiency in ensuring the rights of persons with disabilities, it is relevant to extend the period of "6 months" as stipulated in Article 3.3-1 of the Law of the Republic of Azerbaijan "On the Rights of Persons with Disabilities" to "12 months".

In accordance with the Presidential Decree No. 3135 on "Additional Measures for Social Protection of Pensioners" dated February 8, 2022, a monetary assistance of 200 manat for pensioners who have only received pensions until January 1, 2022, based on the insurance principle, is planned to be provided in equal installments, divided into quarterly payments in 2022.

(App.No.7896-22): *Applicant A. has filed a complaint with the Ombudsman, saying that the additional financial assistance that should have been added to her mother's pension after her father's death has not been given to her mother. The applicant asked for an investigation into the matter and the provision of appropriate assistance.*

In the response to the inquiry addressed to the MLSPP, it was indicated that the type of the mother's age pension was changed to a bereavement support payment type as of February 1, 2022, upon the applicant's request. However, due to a technical error during the implementation of the pension payment, the specified portions of the financial assistance for the 1st and 2nd quarters as envisaged by the mentioned Decree have not been paid to her. It has been stated that the unpaid portion of this support payment has been transferred to the respective card account of the mother along with the monthly pension payment.

According to Article 1.13 of the Law No. 543-VQD of Azerbaijan "On Amendments to the Law of the Republic of Azerbaijan on Pensions," dated 10 March 2017, based on Article 7 of the same law, the retirement age for women will be gradually increased by 6 months each year from July 1, 2017, until July 1, 2027.

Considering the importance of the role of women in Azerbaijani society and the responsibilities they undertake within the family, it is not appropriate to gradually increase the retirement age of working women to 65 years by July 1, 2027. Therefore, there is a need to reduce the retirement age for women.

Amendments have been made to the Law of the Republic of Azerbaijan "On Labor Pensions" at various times, resulting in an increase in the minimum amount of the labor pension. While the minimum pension amount was 200 manats for 2021, this amount has been raised by 20 percent to 240 manats as of January 1, 2022. This approach is a significant step in strengthening the social protection of those who receive the minimum pension amount. However, the failure to proportionally increase the pension amounts paid to other pensioners in relation to the minimum amount of the labor pension undermines the principle of equality among pensioners based on their contributions, including their labor and insurance record. Specifically, when the minimum amount of the labor pension is raised to 240 manats, the pension amounts of two different pensioners who were receiving 201 and 239 manats become equalized to 240 manats.

Taking the aforementioned into account, it is essential to proportionally or by a specific amount increase the previously determined pension amounts when raising the minimum amount of the labor pension.

According to Article 9 of the Law of the Republic of Azerbaijan on Individual Accounting in the State Social Insurance System, it is the duty of the insurer to provide accurate and timely information on the insured individuals as determined by the relevant executive authority implementing individual accounting in the state social insurance system.

(App. No. 9987-22): *Applicant K. has filed a complaint to the Ombudsman, stating that he has been working as a teacher at one of the secondary schools in Lankaran district since 2001, and despite the deductions for mandatory state social insurance payments from 2006 to 2012 from his salary, the corresponding amount was not transferred to the State Social Protection Fund under the MLSPP, and that his previous appeals on this matter remained unresolved.*

In response to the inquiry addressed to the Ministry, it was stated that the applicant's name was not included as an insured individual in the annual "Information on individuals insured under mandatory state social insurance contributions" submitted by the insurer "Lankaran City Education Department" for the years 2006 to 2012. Therefore, the income subject to mandatory state social insurance and the calculated and paid social insurance contributions for that period were not reflected in their individual personal account.

As it appears, the failure by the "Lankaran City Education Department" to submit information about the applicant's income subjected to mandatory state social insurance, as well as the paid mandatory state social insurance contributions, has resulted in the violation of the applicant's social security rights.

According to Articles 7.0.10-3 and 9.1.10 of the "Law on Social Benefits" of Azerbaijan, social benefits are granted to women with more than five children, women who have given birth and raised more than five children, subject to the condition of the children's survival, starting from when the youngest child reaches the age of one until the end of the month when the children turn 18.

According to Article 9.1-2 of the same Law, the total amount of benefits calculated for the previous period is divided by the number of months in that period and paid as a monthly benefit by adding it to the monthly benefit amount.

(App. No. 6095-22): *Applicant A. complained to the Ombudsman, saying that her previous applications regarding the allocation of social benefits as a mother of multiple children have yielded no results. She has asked for an investigation into the matter and assistance in determining the appropriate benefits.*

In response to the inquiry addressed to the MLSPP regarding this issue, it has also been stated that based on the information in the ministry's "Social Payments" subsystem

database, the applicant has been granted social benefits as a woman with more than five children and monthly payments have been implemented starting from March 2022, and the unpaid amounts from the previous period have been added to the monthly payments to ensure their disbursement.

According to Article 9.3 of the Law of the Republic of Azerbaijan "On Social Benefits," a one-time allowance for the birth of a child is assigned regardless of the time of application.

(App. No.11297-22):*Applicant A. has lodged a complaint with the Ombudsman, stating that her three grandchildren were placed in her care through the relevant decision of the Head of the Beylagan District Executive Authority. However, she added that the necessary documents for the one-time benefit to be provided to them were not considered by the Beylagan District Branch of the State Social Protection Fund, under the MLSPP. She asked for assistance in the lawful resolution of the matter.*

Following the appeal to the MLSPP, a one-time social benefit was assigned for the grandchildren under the applicant's guardianship, and the payments have been made.

In accordance with paragraph 2 of the Azerbaijan Cabinet of Ministers' Decision No. 179 dated November 7, 2001, on "Measures to improve the social protection of children who have lost their parents and are deprived of parental care", such category of children, as well as individuals among them, when they are employed for the first time, should be provided with one-time benefit in the form of clothing, footwear, soft equipment and supplies or monetary assistance in the amount of 265 manat, upon their own request, as specified in the normative acts envisaged in the Decision No. 15 dated January 17, 1994, of the Cabinet of Ministers, allocated from the centralized expenditures of the state budget in the "Social Protection and Social Security" section to the MLSPP. Also, they should be provided with one-time assistance in an amount not less than five times the average monthly wage in the country.

(App. No. 5933-22):*Applicant E. appealed to the Ombudsman, saying that he completed boarding school and his previous application for one-time benefit related to his first-time employment, has yielded no results, and he asked for appropriate assistance.*

In response to the inquiry made to the MLSPP, it was indicated that changes have been made to the Cabinet of Ministers' Decision No. 179 dated November 7, 2001, on Measures to improve the social protection of children who have lost their parents and are deprived of parental care, through the Decision No. 19 dated January 17, 2022. According to these amendments, the provision of benefits and supplies by the MLSPP is planned to be implemented after January 1, 2022.

During that period, the provision of benefits and supplies mentioned was implemented by the Ministry of Education of Azerbaijan.

During the investigation, it was determined that the applicant's first employment contract was concluded on November 5, 2013.

In the reply to the correspondence with the Ministry of Education, it is stated that according to the Cabinet of Ministers' the above-mentioned Decision No. 179, children who have lost their parents and are deprived of parental care, as well as for individuals among them, should be provided through funds allocated to the Ministry of Education in the "Education expenses" section of the state budget by January 1, 2022.

However, according to the Cabinet of Ministers' Decision No. 19, dated January 17, 2022, starting from January 1, 2022, in accordance with the legislative norms envisaged, clothing, footwear, soft inventory, and equipment or based on their own preferences, an amount of 265 manats as cash compensation, as well as a one-time monetary assistance in an amount not less than five times the average monthly wage in the country, should be provided from the funds allocated to the MLSPP in the "Social protection and social security" section of the centralized state budget.

The Ministry of Education has also stated that the allocated funds for the aforementioned purposes are not included in the budget of the Ministry of Education as of

January 1, 2022. It is considered appropriate to apply to the Ministry of Finance regarding the allocation of funds for the payment of a one-time allowance in an amount not less than five times the monthly wage for the first-time employment of the applicant.

During the investigation, it was found that the applicant's claim regarding the imposition of the obligation on the MLSP to pay for "Clothing, footwear, soft inventory and equipment, as well as a one-time allowance in an amount not less than five times the average wage" has been granted by the Sumgayit Administrative Court.

As it can be seen, no necessary measures have been taken within the mandates of the MLSP and the Ministry of Education for the restoration of violated rights, leaving the applicant with no choice but to resort to the court.

A person's disability status is determined in accordance with the "Procedure for the Assessment of Disability" approved by the Cabinet of Ministers' Decree No. 11 dated 16.01.2020.

The Ombudsman has received numerous complaints regarding disappointment with the refusal decisions made by the "Registry of Referrals for Medical-Social Expert Examination" regarding referrals placed by the medical advisory commissions operating within the relevant medical institutions for the assessment of disability.

(App. No. 1625-22): *Applicant X. filed a complaint with the Ombudsman, saying that his child suffers from the disease "Epilepsy with frequent seizures," and that the child has a second-degree disability. The applicant claimed that despite the submission of the relevant referral for the reassessment of the disability status to the electronic system of the State Medical-Social Expertise and Rehabilitation Agency, the applicant has received repeated refusal responses citing certain reasons every time. The applicant, therefore, asked for assistance in the proper resolution of the matter in accordance with the law.*

In the response to the inquiry made to the MLSP, it was stated that the disability status of the applicant's child has been re-evaluated. Based on the diagnosed condition of "Acquired Personality Disorder due to Organic Brain Disease" mentioned in the referral, a decision has been made in accordance with Article 2.2.11 of the "Regulations on the Determination of Disability and Health Impairment Criteria" approved by the Cabinet of Ministers' Decree No. 413 dated 30.12.2015, to assign a permanent second-degree disability.

(App. No. 1361-22): *Applicant A. contacted the Ombudsman's Call Center, informing that his child is suffering from a skin disease and has a second-degree disability, and despite the submission of the appropriate referral for the reassessment of the disability status to the electronic system of the State Medical-Social Expertise and Rehabilitation Agency since June 2021, no legal measures have been taken up to the present day.*

Following the inquiry made to the MLSP, the disability status of the applicant's child was re-evaluated. Based on the diagnosed condition of "Other atopic dermatitis, recurrent diffuse neurodermatitis, localized lichenification, and impaired motor function," as stated in the referral, a decision has been made in accordance with Article 2.2.15 of the "Regulations on the Determination of Disability and Health Impairment Criteria," approved by the Cabinet of Ministers' Decree No. 413 dated 30.12.2015, to assign a second-degree disability for a period of 5 years due to the overall condition.

In this light, in the Ombudsman's 2021 annual report, special attention was given to this issue, and recommendations were provided regarding its resolution.

Overall, the analysis of the investigations conducted into these complaints indicates that the approach to the process of making decisions on formalized referrals related to the assessment of disability status should be changed. The coordination with

medical advisory committees should be enhanced and improved, and efficiency and promptness should be ensured. Consequently, this would help eliminate existing cases of procrastination.

Right to health. The protection of health is a set of measures aimed at protecting and safeguarding the physical and psychological wellbeing of every person, ensuring their active and prolonged life, and providing medical assistance in the event of illness, encompassing a comprehensive set of economic, social, legal, medical, epidemiological, and sanitary-hygienic measures.

In our country, the effective implementation of measures to ensure the right to health has led to significant modernization and strengthening of the personnel and material-technical capacities of medical institutions.

The complaints received by the Ombudsman regarding the right to health have been investigated, and necessary measures have been taken to restore rights in cases where violations were identified.

The applicants who appeal regarding the protection of the right to health are primarily citizens from low-income families. These applications were mainly related to the issues of the organization of medical examinations and the treatment, provision of free medication for privileged groups, and problems with the formalization of referrals for the assessment of disability.

Following the appeals made by the Ombudsman, measures have been taken to ensure the provision of appropriate medical assistance to several people, as well as their referral to specialized clinics for medical examination and treatment purposes.

(App. No. 17-22): Applicant M. filed a complaint with the Ombudsman's Call Center, informing that his attempts to undergo a medical examination at the Absheron District Central Hospital were unsuccessful and asked for assistance.

Following the inquiry addressed to TABIB, the applicant underwent the "Electroencephalography of the Brain" examination at the Republican Clinical Hospital named after M.A. Mirgasimov based on a referral within the framework of compulsory medical insurance, received treatment, and was discharged with clinical improvement.

(App. No. 6058-22): Applicant A. contacted the Ombudsman's Call Center, reporting that he had undergone surgery at the Teaching Surgical Clinic of Azerbaijan Medical University and asked for assistance for a second surgery related to the same issue to be performed at the same clinic.

Following a request made to the State Agency for Compulsory Medical Insurance, the applicant was provided with a referral to the Clinical Medical Center for the required surgery. The operation was successfully carried out there, covered by compulsory medical insurance.

(App. No. 7409-22): Applicant J. appealed to the Ombudsman, saying that his child is suffering from a congenital heart defect, pulmonary atresia, patent ductus arteriosus, and interventricular septal defect, and despite a previous surgical operation on the heart, the child's condition has worsened, necessitating urgent open-heart surgery. Considering the family's financial difficulties, the applicant asked for assistance in having the operation performed at the expense of the state.

Following a request made to the State Agency for Compulsory Medical Insurance, the applicant's child underwent a surgical operation at the Teaching Surgical Clinic of Azerbaijan Medical University within the framework of compulsory medical insurance.

Following the inquiries made to the relevant healthcare institutions regarding the citizen complaints, necessary instructions have been given to the respective medical institutions to ensure the supply of the required medications to those concerned persons.

(App. No. 61-22): *Applicant, N., appealed to the Ombudsman, saying that he has a first-degree disability in his eyes and that he was not provided by the Tovuz District Central Hospital with the necessary medication as a privileged person. He asked for an investigation into this issue and requested appropriate assistance.*

Following the request made to the Medical Territorial Divisions Management Union, the applicant was provided with the necessary medication by the hospital.

(App. No. 6338-22): *Applicant A., lodged a complaint with the Ombudsman, saying that he is under dispensary registration at the Ganja City Endocrinology Hospital as he suffers from diabetes and his requests for the provision of a glucometer device have yielded no results, and asked for assistance in this matter.*

Following the appeal addressed to the State Agency for Compulsory Medical Insurance regarding the complaint, the applicant was provided with the noted device.

(App. No. 6992-22): *Applicant H. lodged a complaint with the Ombudsman, saying that his request for the provision of a glucometer device and medication supplies related to suffering from diabetes was not considered despite his lawful claim. Therefore, he asked for assistance in this regard.*

Following the appeal to the State Agency for Compulsory Medical Insurance, the applicant was provided with a glucometer device and the medication "Mepril".

The major concerns of citizens who are registered at dispensaries and have the right to be provided with medication at the expense of the state are the untimely provision of medications designated at the expense of the state in certain cases, as well as the shortage or absence of types or substitutes of medications for the treatment of the respective illness.

In order to ensure more effective provision of the right to health of persons from privileged groups who are provided with medication at the expense of the state, it would be appropriate to expand the "List of Medications Provided Based on Free Prescription Forms", which is approved by the Ministry of Health of Azerbaijan according to Article 2 of the Cabinet of Ministers' Decision No. 38 dated March 7, 2005.

Even though medical examination and treatment of the population are primarily organized in medical institutions listed in the roster of the Medical Territorial Divisions Management Union, issues of the provision of medication within the framework of certain state programs are within the mandate of the Ministry of Health of Azerbaijan. This practice may lead to some difficulties for individuals belonging to privileged groups.

There is a serious problem with timely access to the necessary medications, particularly for individuals in need, and especially for those with low income, during the outpatient treatment process. This issue is closely related to the high cost of most of these medications. As a result, low-income individuals face significant difficulties, such as the worsening of their condition when they are unable to obtain the required medications, which leads to the gradual loss of their health and work capacity, and when they are forced to acquire these medications, they incur debt. Therefore, it is essential to take immediate measures to ensure access to medications for all strata of the population.

The quality of medications is also a concern. Medications with the same composition but manufactured in different countries require serious attention to ensure their quality. Therefore, control over the quality of imported medications and those permitted for use by the population should be strengthened.

According to Article 2.1 of the "Regulations on the Medical Advisory Commission" approved by the Board of the State Agency for Compulsory Health Insurance on July 2, 2021, assessment for temporary or complete loss of work capacity of individuals who have applied to the respective commission, as well as the determination of disability, and formalization of their referrals by the Medical Social Expert Commissions are defined as the main activities of the respective commissions.

A number of complaints received by the Ombudsman have revealed disappointment with the failure to formalize referrals related to the assessment of disability. As a result of the investigations conducted into these complaints, necessary measures have been taken to ensure the rights of individuals through the elimination of identified shortcomings.

(App. No. 10603-22): Applicant H. filed a complaint with the Ombudsman, stating that the referral for the assessment of his disability related to Parkinson's disease has not been issued. So, he asked for an investigation into the complaint and for appropriate measures.

Following the appeal regarding the complaint to the State Agency for Compulsory Medical Insurance, the applicant's medical documents have been prepared by the Medical Consultation Commission at Lankaran District Central Hospital and submitted to the Medical-Social Expertise and Rehabilitation Subsystem (TSERAS).

(App.No. 11043-22): Applicant H. applied to the Ombudsman, reporting procrastination in the issuance of a referral for disability assessment at the Beylagan District Central Hospital. He asked for assistance to expedite the process. Following a request made to the State Agency for Compulsory Medical Insurance, the applicant's medical documents were prepared by the Medical Advisory Committee and entered into the online system of the medical-social expert commission with the appropriate notification code.

Complaints also stemmed from the rejection decision by the Medical Social Expert Commission due to the incomplete filling of the referrals issued by the respective Medical Advisory Commissions.

(App. No. 45-22): Applicant S. applied to the Ombudsman, saying that he had submitted the required documents for the issuance of the referral for the reassessment of disability to the Yevlakh District Central Hospital, but he was refused due to incomplete filling of the referral. Consequently, the applicant asked for assistance in the protection of his rights.

In the response given to the inquiry made to the Medical Territorial Division Management Union, it was stated that based on the applicant's medical documents, the referral for the reassessment of disability, which has been recorded in the registry of referrals by the Hospital's Medical Advisory Commission to the Medical-Social Expert Commission, was dismissed by the latter due to the "Necessity for additional treatment and specialized examination and treatment".

(App. No.604-22): Applicant N. appealed to the Ombudsman, stating that he had submitted the required documents to the Ucar District Central Hospital for the

issuance of the referral for the reassessment of disability, but the healthcare institution refused the application due to incomplete filling of the referral. The applicant asked for assistance in the protection of his rights.

In the response to the inquiry regarding the complaint addressed to the Medical Territorial Division Management Union, it was stated that based on the applicant's medical documents, the referral for the reassessment of disability has been recorded in the registry of referrals to the Medical-Social Expert Commission by the Hospital's Medical Advisory Commission, with the diagnosis of "Recurrence after surgical operation of intervertebral disc at L4-L5 level. Discogenic radiculopathy. Left arm paresis. Radicular pain syndrome. Exacerbation of the condition." However, the Medical-Social Expert Commission issued a refusal citing "Need for additional treatment; Need for specialized medical care; State healthcare institution incompletely filled the officially formalized referral; Clarify and provide detailed information on complications and severity level of the diagnosis."

As it appears from the complaints, the requirements of the relevant legislation were not observed, and refusals to the formalized referrals have been made without the results of additional medical treatments, including specialized examinations and treatments, as well as without specifying and detailing the complications and severity level of the stated diagnosis.

The right to education. The establishment of an effective education system that provides opportunities for acquiring education in line with modern standards, the implementation of measures to meet the demand for highly qualified personnel, not only creates conditions for the effective realization of the right to education but also holds significant importance for the overall development of society.

The knowledge and skills acquired in the education process, as well as ethical and moral norms and values, should create the necessary conditions for each learner to become a worthy member of society and enable them to become an exemplary citizen through the knowledge and behavior they acquire.

The continuation of measures aimed at comprehensive development, education, intellectual advancement, physical upbringing, health, and the cultivation of rich moral values and patriotism among the younger generation, adolescents, and children is commendable. The renewal of the education infrastructure throughout the country is also crucial.

However, there are still some problems in the education system. The improper organization of the teaching process in general secondary schools and the failure of school administrations to fulfill their designated responsibilities as defined by law have rightfully caused dissatisfaction and led to complaints from citizens.

As a result of investigations conducted based on the complaints received by the Ombudsman regarding the right to education, in many cases, violated rights have been restored, necessary monitoring has been carried out when deemed necessary, problems have been analyzed, and recommendations and suggestions have been provided for the improvement of activities in this field.

While examining complaints that have been filed with the Ombudsman, certain instances such as the discrimination of school directors towards teachers and students and other violations of the law, as well as the existence of tense relationships within the pedagogical collective, have been identified.

The improper organization of the teaching process in secondary schools and the failure of school administration to fulfill their designated responsibilities in accordance with the law have rightfully led to dissatisfaction and grievances. As a result of investigations into complaints regarding the organization of training, education, and teaching processes in schools, identified deficiencies and shortcomings have been solved, and appropriate legal measures have been taken against negligent educational personnel.

(App. No. 101-22):Applicant A. lodged a complaint with the Ombudsman, claiming that he had been subjected to humiliation by the director of the UpperSecondary School in Jeyranbatan, Absheron district, and that his complaints have not been considered. He asked for an investigation of the issue and protection of his rights.

In response to the inquiry made to the Ministry of Education of Azerbaijan regarding this matter, it was stated that appropriate disciplinary measures have been taken against the school director for the defects observed in his activities.

(App.No. 1318-2022):Applicant R. filed a complaint with the Ombudsman, stating that his child, who attends the UpperSecondary School No. 61 in Baku, has been consistently subjected to bullying by a classmate. He added that the classmate verbally abused his child, intentionally threw his belongings and stationery on the floor, undermined his dignity, and even pushed him to the point of contemplating suicide. The applicant expressed concern about his child's current psychological state and asked for protection of his child's rights.

In response to the inquiry made to the Ministry of Education in this regard, it has been stated that a meeting was organized with the representative of the Baku City Education Administration, the school principal, the school psychologist, and the parents of the students. Consequently, the matter has been resolved positively. So, the applicant has indicated that he no longer has any complaints.

(App. No. 8890-22):Applicant Sh.lodged a complaint with the Ombudsman expressing dissatisfaction with the activities of the principal of the Secondary School No. 7 in Jalilabad city and the incidents of misconduct occurring at the school. He asked for an investigation into the complaint and assistance in protecting his rights.

In response to the letter addressed to the Ministry of Education, it has been stated that an investigation was conducted at the school by the Lankaran-Astara Regional Education Administration, and as a result, the principal of the school has been strongly reprimanded in accordance with Article 186.2(b) of the Labor Code of Azerbaijan for the defects in his job.

(App. No. 11204-22): Applicant Z. (11204-22) contacted the Ombudsman's Call Center, informing that his complaint regarding the inappropriate remarks made by a teacher in presence of students and his unprofessional behavior at the Ovchudere Secondary School in Bilasuvar district was not addressed by the regional education administration. Therefore, he asked for assistance in this matter.

Following the inquiry made to the Ministry of Education, an investigation was conducted, and as a result of the investigation into the case, it was found that the deputy head of the school, responsible for educational affairs, did not adhere to the ethical code of conduct for teachers. Therefore, appropriate disciplinary measures have been taken against him.

The weak control over serious issues such as the lack of timely and proper implementation of educational measures by parents or educational institutions towards the cases of truancy by children in primary and secondary education, the occurrence of early marriages in some cases, and the forced early marriage of girls, the absence of clear standards for discipline and behavior in certain schools, contributes to the inclination of children and adolescents towards errors and violations of rights, ultimately creating a favorable environment for administrative offenses and criminal incidents.

It is essential to ensure the timely and proper recognition of moral and legal responsibilities in order to combat various negative phenomena that may arise. Therefore, it is necessary to carry out preventive measures based on social and moral aspects with a view to preventing negative incidents that may occur in schools responsible for education and upbringing and eliminating unfavorable conditions. In addition, a comprehensive analysis of the roots of student dropouts, especially in rural areas and small towns, should be conducted in secondary general education schools, and appropriate conclusions should be drawn.

Every individual working with or addressing children and adolescents, especially the pedagogical staff of schools, should increase their attention to issues related to protecting them from harmful influences and strengthen their communication with parents.

The Ombudsman has resolved a number of other complaints related to secondary education, including complaints and requests regarding admissions and transfers to general secondary schools.

(App.No. 14021-22):*Applicant A. appealed to the Ombudsman, stating that his attempts to enroll his child in the secondary school No. 244 located near his actual place of residence in Surakhani district have been unsuccessful, and he asked for assistance.*

Following the inquiry to the Ministry of Science and Education of Azerbaijan in this regard, an application was placed for admission of the applicant's child into the school, and the child was admitted.

(App. No.17354-22):*Applicant S. complained to the Ombudsman, stating he encountered difficulties regarding the admission of his child to the Russian division of the 1st grade in Elitar Gymnasium located in his residential area, and his previous attempts to solve this issue were unsuccessful.*

Following the inquiry to the Ministry of Science and Education regarding this complaint, an application for admission was placed, and the applicant's child was admitted to Elitar Gymnasium named after I. Efendiyev.

(App. No. 19028-22):*Applicant I. contacted the Ombudsman's Call Center, informing that his attempts to have his child admitted to the Uppersecondary school No. 4 in Absheron district have yielded no results and asked for assistance.*

Following the inquiry to the Ministry of Science and Education regarding this call, the applicant's child has been admitted to the mentioned uppersecondary school for the academic year 2022-2023.

Taking into account the applications addressed to the Ombudsman, the issue of providing school supplies to children from low-income families has also been focused on.

(App. No. 16643-22):*Applicant Kh. addressed the Ombudsman, stating that he does not have the financial means to acquire necessary school supplies to continue his education and requested assistance.*

Following a request sent to the Shamakhi District Executive Authority, taking into account the applicant's family situation, the district executive authority has provided him with the required school supplies.

(App. No. 16734-22): *Applicant P. filed a complaint with the Ombudsman, stating that he had financial difficulties and was unable to provide for his children's needs, and therefore asked for assistance.*

Following a request sent to the Nizami District Executive Authority, the applicant's children were provided with school supplies by the district executive authority.

As a result, it should be noted that in some secondary schools, there is a need to strengthen control over the educational process in order to prevent non-appropriate behavior, harsh and disrespectful treatment among students, cases of bullying and intimidation, and school dropouts, as well as to strengthen supervision over the educational process by preventing a lack of adequate and appropriate interaction within the teaching staff and between the school administration and teachers and parents.

The right to housing. It is of significant importance to ensure the reliable protection of citizens' housing rights, which includes the construction of housing that is affordable for individuals in need of housing, the relocation of residents living in old and dilapidated housing that has reached its exploitation period to new housing, the adjustment of mortgage loan conditions to match the purchasing ability of the population, and ensuring the reliable protection of citizens' housing rights.

The complaints received by the Ombudsman regarding housing rights have been mainly about requests for assistance in eliminating damages caused by missile attacks during the Patriotic War, as well as damages caused by natural disasters, repairing residential areas and providing land for individual house construction, ensuring the provision of individuals with disabilities who are on the housing waiting list with housing under favorable conditions, and eliminating the consequences such as damages to houses and apartments due to surrounding construction activities.

The inquiries have been made to the relevant state institutions, appropriate investigations have been conducted, and necessary measures have been taken to deal with the applications for assistance in eliminating the consequences of damages incurred on individual residential houses and apartments in the aftermath of rocket attacks carried out by the Armenian Armed Forces on several residential areas of Azerbaijan, particularly densely populated areas where civilians reside, including cities and regional centers.

(App. No. 114-22): *Applicant B. addressed the Ombudsman, stating that his house had become damaged as a result of a shell fired by the Armenian Armed Forces during military operations, and that his previous applications on this matter had yielded no results.*

Following the request made to the State Committee for Urban Planning and Architecture of Azerbaijan, the applicant's private house was repaired, and an acceptance certificate has been signed accordingly.

The natural disasters that occurred in previous periods, particularly the known earthquakes in Shamakhi and Aghsu districts, have resulted in complete or partial destruction and rendered the residential and personal properties of families in an unusable condition. However, this ongoing issue causes concern.

(App. No. 4800-22): Applicant M. contacted the Ombudsman's Call Center and reported that his private house had been damaged as a result of the earthquake and that the construction company "Mahal," assigned by the Ministry of Emergency Situations of Azerbaijan, had carried out incomplete repairs on the house, and the relevant ministry did not consider his previous appeals. The applicant requested assistance in the lawful resolution of the matter.

In response to the request to the Ministry, it has been stated that based on

the lists provided by local executive authorities, the ministry's specialists, investigated the technical condition of residential houses affected by the earthquake that occurred on February 5, 2019, in the Shamakhi district, and relevant acts had been drawn up. According to the act, which was prepared for the applicant's private housing restoration, and it was included in the list of houses requiring restoration, and the ministry had initiated the restoration process in accordance with the project and estimate documents.

(App. No. 6529-22): *Applicant H. contacted the Ombudsman, stating that their house had been damaged as a result of the 2019 earthquake that occurred in the Aghsudistrict, that an inspection had been conducted on his house, and the relevant act had been drawn up. He added that he was currently living in the damaged house with his family and that his previous appeals on the matter had been unsuccessful. The applicant requested assistance in resolving the problem.*

In response to the inquiry addressed to the Aghsu District Executive Authority, it was stated that in connection with the earthquake, the relevant commission of the Ministry of Emergency Situations had conducted a technical inspection of the private house located in Dilman village upon the applicant's request, which had been registered as a house in need of repair, and after the presentation of the budget estimate documents by the "Azkommunlayihə" Institute to the contractor, the repair works would be carried out in phases.

The investigation regarding the application was ongoing, and it was reported that the budget estimate documents were being prepared by the "Azkommunlayihə" Institute and that the repair works would commence on a priority basis by the contractor, according to the response received from the district executive authority. However, there was still no clarity regarding the timeframe of the matter, which has caused the applicant's complaints to persist.

Taking into consideration the provided information, another inquiry was made to the Aghsu District Executive Authority to inquire about the start date of the respective repair works and to obtain information regarding the contracted company.

Despite the prolonged duration of the investigation, the applicant is still awaiting the completion of the repair and restoration works for his house damaged in 2019.

In general, it is needed to enhance oversight on both the work carried out to mitigate damages to individual residential homes caused by natural disasters and the use of funds allocated for this purpose from the Reserve Fund of the President of the Republic of Azerbaijan, and to allocate financial resources for repair and restoration work in homes that are on the waiting list.

Relevant measures have been taken in response to the applications from low-income families regarding their houses being in an uninhabitable condition.

(App. No. 7800-22): *Applicant M. called the Ombudsman's Call Center, stating that the roof of their residential building was blown off by strong winds, and currently, the building is in a damaged state. It was also added that despite having approached the relevant authorities, no action has been taken.*

Following the inquiry made to the Yevlakh City Executive Authority, specialists and equipment were promptly dispatched, and the roof of the five-story residential building was restored.

(App. No. 10422-22): *Applicant H. contacted the Ombudsman's Call Center, informing that their house and its roof were damaged and had fallen into a state of disrepair. Therefore, he asked for assistance. He added that he and his son were*

participants of the First Karabakh War and Patriotic War respectively.

Following the inquiry sent to the Ganja City Executive Authority, the applicant received financial aid in the appropriate amount for the repair of his house.

The Ombudsman has received complaints from some citizens regarding the allocation of land for individual house construction, as well as the provision of residential areas or apartments, about which it has taken action by forwarding these complaints to the relevant institutions for necessary measures to be taken.

(App. No. 7479-22): *Applicant Q. applied to the Ombudsman, stating that in 2016, based on the decision of the Nakhchivan City Executive Authority, the building where his apartment was located, was demolished, and the residents were provided with alternative housing or rental compensation. The applicant expressed dissatisfaction with the offered apartment, claiming that it was located far from the city center and in unfavorable conditions. He further noted that he was not provided with alternative housing in the newly constructed residential building at the same location, and his applications were not considered. Therefore, he asked for protection of his rights.*

In the response to the inquiry made to the Nakhchivan City Executive Authority, it was stated that the applicant was provided with a modern, three-room apartment, which was equipped with all necessary utilities in compensation for his previous dwelling where he lived with his family.

(App. No. 11454-22): *Applicant A. applied to the Ombudsman, stating that his attempts to register the land used by his family under his name have been unsuccessful. He asked for an investigation into the matter and appropriate assistance.*

Following the request forwarded to the Ministry of Justice of Azerbaijan, the applicant's case was discussed at the municipal council meeting, where it was decided to initiate the documentation process for the allocated land in question.

The complaints received by the Ombudsman from individuals whose rights have been violated as a result of non-compliance with safety regulations by the construction companies engaged in construction activities in residential areas with dense population, violation of safety regulations in relation to neighboring houses located within the construction zone, obstruction of the public thoroughfare by construction machinery, equipment, and materials, failure to adhere to sanitary regulations, and environmental pollution are of great concern.

(App. No. 5203-22): *During his call to the Ombudsman's Call Center and while being received in-person, applicant E. stated that a construction was being carried out next to his house, and that the heavy construction materials were being transported over his house and backyard using a crane, which created a dangerous situation that poses a threat to their lives and well-being. He added that they were living in fear and stated that their complaints to the relevant authorities had yielded no results. The applicant has asked for assistance in protecting their right to live in a safe environment.*

In this regard, inquiries were sent to the Ministry of Emergency Situations and the State Committee for Urban Planning and Architecture of Azerbaijan. It was revealed that experts have conducted an inspection at the applicant's address and identified the improper installation of the tower crane in the construction project and violations of the necessary requirements for its safe operation. Therefore, "Kristal-F" Construction Company was demanded to halt the operation of the crane until permission and written instructions have been issued to the management of the Company to eliminate the existing deficiencies and take preventive measures to prevent any future untoward incidents.

As a result of the additional investigation conducted regarding the complaint, it has been stated in the response received from the relevant ministry that the tower crane

used on the site has been removed from the area as it was not properly installed.

The practice of investigating relevant complaints indicates that the existing problems in this field are not adequately addressed by the responsible government institutions. Citizens' complaints not only face bureaucratic hurdles but also do not receive serious attention and fail to result in punitive measures against negligent officials.

It is regrettable to note that construction companies often disregard safety regulations in many high-rise buildings constructed, particularly along roadsides and areas designated for pedestrian traffic. This puts the lives and health of residents and pedestrians at risk, as well as jeopardizing their properties.

It should be noted that the situation created by construction companies and relevant government institutions that facilitate illegal occupancy leads to various problems for residents. In many cases, high-rise residential buildings that have been occupied without proper authorization, but where a significant portion is already inhabited, pose serious challenges for residents in terms of electricity supply, drinking water, natural gas, and issues related to elevators and other communal services.

Considering the aforementioned, it is important for the responsible government institutions to strengthen their supervision over the existing areas and take necessary measures to address the problematic situations, including the elimination of restrictions in the process of delivering authorized residential buildings.

1.3. Protection of the Rights of Population Groups

Protection of the rights of refugees, internally displaced persons, and migrants. Systematic measures have been implemented to ensure sustainable resettlement and safe living conditions for our IDP compatriots who have yearned for their native lands for nearly three decades. These measures include clearing areas of mines and other explosive remnants of war, as well as reconstructing modern residential, production, and service infrastructure during the post-war period, all under the "State Program I on the Great Return to the Liberated Territories of the Republic of Azerbaijan," approved by the President.

The Ombudsman has prioritized access to designated benefits for IDPs and those treated as equal to them, assessing their concerns and needs, and protection and promotion of their rights. Continuous measures have been taken to effectively defend their rights, and the issue of restoring their rights and freedoms has been consistently addressed in local, regional, and international meetings.

Complaints received by the Ombudsman regarding the settlement and employment issues of these individuals, the provision of professional legal assistance, the use of the privileges in payment of educational expenses, and the resolution of difficulties faced in various fields, have been investigated, necessary actions have been taken, and recommendations have been provided to the relevant government institutions.

(App. No. 5268-22): *Applicants (IDPs) S. and others lodged a collective complaint with the Ombudsman, claiming that they were evicted from the buildings they resided in without being offered an alternative living area. They requested assistance in resolving the issue of settlement until they return to their native lands as IDP families.*

Following the inquiry made to the relevant institutions, the eviction of these IDPs from their area of residence has been halted.

(App. No. 21263-22): *Applicant (IDP) B. appealed to the Ombudsman, asking for assistance in obtaining professional legal aid and the provision of a lawyer for the defense of his rights.*

Following a request made to the Bar Association of Azerbaijan, the applicant was provided with the necessary legal assistance.

Incidentally, within the framework of the free legal aid campaign organized on the occasion of Human Rights Day, in collaboration with the United Nations Office in Azerbaijan, the Ombudsman's Office, and the Bar Association, many IDP families were provided with legal assistance in various legal issues related to civil, social, economic, administrative, family/marriage, and DV matters.

In some complaints received by the Ombudsman, the issues of failure to pay the monthly allowance to persons whose allowance was restored for the period from the suspension date to the date of restoration, non-payment of the same allowance granted for women divorced from persons without IDP status, and denial to grant IDP status to children whose one of the parents does not have the same status. Therefore, it is necessary to make additions and amendments to the "Regulation on the Payment of Monthly Allowance for Food Expenses, as well as Communal and Other Services for IDPs and Equivalent Persons" in order to address the aforementioned issues.

In addition to former IDPs, the Ombudsman has continued its activities in monitoring and analyzing the situation of defending and ensuring the rights of other participants in the migration process, identifying and addressing problems, and taking measures to prevent rights violations in this field.

The Ombudsman has initiated efforts to involve various state institutions and other interested stakeholders in effectively implementing the rights of migrants, as well as strengthening multi-stakeholder cooperation and constructive dialogue among them, the incorporation of international legal norms into national legislation, and the implementation of recommendations from international organizations.

The efforts have been made to ensure the effective implementation of the recognized rights of foreigners, stateless persons, and asylum seekers at both domestic and international levels. Measures have been taken to regulate their legal status, expand their access to public services, and develop the asylum system. The special attention has been given to promptly informing arriving foreigners and stateless persons and providing them with agile legal and psychosocial support.

At different times, the Ombudsman has addressed appeals to the State Migration Service of the Republic of Azerbaijan and other relevant state institutions regarding the identification and registration of foreign nationals and stateless persons living in uncertain conditions in the country, as well as addressing the identified problems. In several cases, the residence of these persons in the country has been legalized, allowing them to access social services, receive pension benefits, find employment, and resolve other challenges they may face.

The applications related to the examination of citizenship, determination of refugee status, repatriation, deportation, readmission, and similar issues, as well as the formalization of return certificates, have been investigated, and appropriate measures have been taken.

(App. No. 21708-22): *Applicant F. applied to the Ombudsman, requesting assistance in the examination of his children's citizenship status in the Republic of Azerbaijan.*

Following the appeal to the State Migration Service, the citizenship of the applicant's children has been recognized, and relevant decisions have been made in this regard.

The complaints filed with the Ombudsman were also related to issues of registration of foreigners based on their place of residence, providing assistance in obtaining temporary or permanent residence permits, and extending the duration of their permits.

(App. No. 13574-22): *Applicant H. complained to the Ombudsman, informing that his application for extending his temporary residence permit as a foreigner on the territory of Azerbaijan was not granted, and requested appropriate assistance.*

Following an inquiry to the State Migration Service, the applicant's temporary residence permit for living in the territory of Azerbaijan has been extended.

Measures have been taken regarding applications related to the acquisition, restoration, and termination of citizenship in the Republic of Azerbaijan.

The Ombudsman has also paid particular attention to the issues of the documentation of children participating in migration processes, including those who are underage and deprived of parental care, their social and psychological well-being, as well as their access to education and medical assistance. Their living conditions and quality of life have been investigated, and meetings with them, involving psychologists, have been

conducted. Informative discussions have been held with the school management, and recommendations have been provided.

(App. No. 20937-22): *In the application addressed to the Ombudsman by the Russian Embassy in Azerbaijan, it was stated that a Russian citizen, named M., who resides in that country, has requested the implementation of measures for the protection of the rights of his child born in 2019, who was brought to Azerbaijan by his former spouse, in terms of their physical, intellectual, and moral development. The child's social and psychological well-being, documentation, living conditions, and other related matters have been investigated, and no illegal actions or behaviors have been found. Preventive discussions have been conducted with the family, and appropriate recommendations have been provided.*

The efforts have been made to effectively engage with foreign counterparts on migration issues, and within this framework of collaboration, measures have been taken regarding applications related to the implementation of the right to free movement.

(App. No. 1078-22): *Applicant M., citizen of the Republic of Azerbaijan, appealed to the Ombudsman, stating that despite the expiration of the ban on entry to the Russian Federation, the restriction has not been lifted.*

As a result of the comprehensive measures taken by the Russian Ombudsman after the appeal of the Azerbaijani Ombudsman regarding this matter, the applicant's name has been removed from the list of persons banned from entering the Russian Federation.

During the visits conducted by the members of the Ombudsman's National Preventive Group to the Immigration Detention Centers for Irregular Migrants located in Baku and Yevlakh cities, the treatment, detention conditions, medical-sanitary services, provision of food and material support, as well as the situation concerning the rights of voluntary and involuntary foreign nationals and stateless persons, were monitored. The migrants were confidentially received. Their applications were examined, and the follow-up of implementation of previous recommendations was ensured.

The Ombudsman actively engaged in international cooperation, particularly within the framework of the UN Migration Network in Azerbaijan and the implementation of the Global Compact for Migration and the Development Plan for 2021-2025 in the field of migration, aiming to promote international collaboration in this field.

Within the framework of cooperation with the United Nations High Commissioner for Refugees (UNHCR), International Organization for Migration (IOM), International Center for Migration Policy Development (ICMPD), ICRC, and other international organizations, several projects have been implemented. Training courses have been organized for representatives of government institutions based on a special curriculum, and educational materials have been published and made available for a wide audience, including migrants.

The informative booklet titled "The Ombudsman of Azerbaijan and the Protection of Migrants' Rights" illustrates the Ombudsman's mandate, the promotion and protection of human rights in the context of migration, the defense of the rights of foreigners in Azerbaijan and our compatriots abroad, the NPM activities, the protection of migrants' rights to access information, cooperation with international organizations and ombudsman institutions of other countries in the field of migration, and other relevant areas.

The methodological guide titled "Human Rights and Migration", which has been published in both Azerbaijani and English languages, prepared for the effective information provision of migrants reflects the rights and responsibilities of individuals participating in migration processes systematically, the regulation of their legal status, legal protection mechanisms, and procedures.

The Ombudsman Institution has actively participated in the coordination of the activities of the Regional Training Center on Migration established in our country since 2021, and training sessions have been organized within that platform.

Within the framework of awareness-raising activities for refugees and asylum seekers, organized to enhance awareness about mechanisms and procedures for the protection of migrants' rights, educational talks with asylum-seeking families were organized and individual conversations were conducted.

The Ombudsman institution, as a member of the Working Group on Statelessness Issues under the State Migration Service of Azerbaijan, continued its activities in this field as well. To increase the knowledge and skills of the staff of the Service in the field of human rights, regular events were organized, representatives of the Ombudsman participated as trainers in the "Migration School-4" project.

The Ombudsman Institution continued its activities as a partner organization within the "Support to the Implementation of Partnership on Mobility in Azerbaijan Phase 2 (MOBILAZE-2)" project, covering the years 2021-2024.

During the summer school held within the project, the Ombudsman's representative participated as an expert, and an event dedicated to December 18 - International Migrants Day was organized. Furthermore, a training course was organized in Vienna, Austria, for the staff of the Ombudsman's Office, facilitating the exchange of experience in the field of migration with the Federal Agency for Reception and Support Services (BBU), the Austrian Ombudsman Board (AOB), the Austrian Federal Ministry of the Interior's Migration and International Affairs Department, and other partners.

As a part of the 33rd session of the United Nations Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), actions have been taken to implement the recommendations related to the third periodic report of the Republic of Azerbaijan on the "Protection of the Rights of All Migrant Workers and Members of Their Families" under the relevant international Convention.

Consultations with government institutions and international organizations based on the initiatives of the Ombudsman in the direction of combating irregular migration, applying practical and innovative experiences in this field, effective national implementation of the Global Compact for Migration, preparing international reports, organizing comprehensive events with the participation of media and CSOs in the regions, supporting Azerbaijanis living abroad and their family members, and increasing the effectiveness of ensuring human rights.

Protection of the rights of martyr families and war veterans. One of the main directions of the national social policy is to strengthen the social protection and improve the well-being of war veterans, martyr families and persons who have become disabled in connection with the defense of the territorial integrity, independence, and constitutional order of the Republic of Azerbaijan.

The Ombudsman, and based on her Ombudsman's instructions, the staff of the Office and the Regional Centers have conducted regular meetings with war participants and martyr families to provide them with economic, social, and cultural support, prevent their isolation from society and enhance public awareness and sensitivity in this field. The staff was also closely interested in their problems and took necessary measures in collaboration with relevant government institutions for the implementation of social services and other assistance programs.

Special privileges are applied for the education of children of citizens who became martyrs and disabled due to combat operations for the territorial integrity of our country. However, it is deemed appropriate to ensure the admission of children of these categories of persons to the desired schools out of the E-portal when enrolling in primary grades of

general education institutions, to provide certain advantages for them when enrolling in military schools, and to consider other incentives.

The appeals received by the Ombudsman from martyr families, war veterans, and war-disabled persons, have been approached with particular sensitivity, relevant investigations have been conducted, and measures have been taken to ensure the effective protection of their rights.

(App. No. 12113-22): *Karabakh war veteran M. appealed to the Ombudsman, stating that his child successfully passed the interview for admission to the first grade. However, he and his spouse were not able to select an empty class and subsequently a teacher in the secondary school No. 1 or 2 of Khirdalan city, where they had applied to and where his spouse was registered, due to the fact that neither of the parents worked in any of those schools, and that their child's sibling did not attend any of the designated schools. Therefore, the applicant requested assistance to ensure the placement of their child in the Russian language section (division) of one of those schools.*

Following the appeal to the Ministry of Science and Education of Azerbaijan regarding this issue, the applicant's child was admitted to the secondary school No. 2 in Khirdalan city.

The numerous appeals received by the Ombudsman filed by the Karabakh war veterans regarding the issuance of the "War veteran" title and relevant certificate, as well as matters related to recognition for their participation in hostilities. In this regard, investigations were conducted in collaboration with the relevant authorized government institutions, and appropriate measures were taken.

(App. No. 15745-22): *Applicant A. complained to the Ombudsman, claiming that he took part in hostilities during the Patriotic War, and was awarded medals, but said that his appeals for the recognition of the "War veteran" title had yielded no results. So, he requested the necessary assistance in this matter.*

Following the request made to the Ministry of Defense of Azerbaijan, the applicant was granted the title of "War veteran" due to his participation in counter-offensive operations against Armenian Armed Groups and military operations for the liberation of our occupied territories.

(App. No. 7436-22): *Applicant N. filed a complaint with the Ombudsman, saying that his son participated in the Patriotic War but was not awarded a medal and asked for assistance in this matter.*

Following the appeal to the Ministry of Defense of Azerbaijan with regard to the applicant's complaint, based on the commendation documents received from the military unit in which the applicant's son served, it was found that his son had been awarded the medal of the Republic of Azerbaijan "For the liberation of Sugovushan" and that the medal was handed over to the State Service for Mobilization and Conscription to deliver it to the applicant's son.

The investigations have been conducted based on the appeals received by the Ombudsman regarding the improvement of housing and living conditions for martyr families and persons who became disabled due to the Karabakh war.

(App. No. 802-22): *Applicant A. applied to the Ombudsman, complaining that his son became a martyr in the Patriotic War and that his current apartment has fallen into disrepair. He added that they have nowhere else to live and asked for assistance in providing them with a privileged-category apartment.*

Following the request made to the MLSPP, the Ministry provided the family with a three-room apartment as a replacement for their damaged apartment.

Measures have been taken to ensure the employment of members of families of martyr and war participants.

(App. No. 17682-22): *Applicant A. complained to the Ombudsman, saying that he had been awarded medals for his participation in the Patriotic War and that his family was facing significant hardships and that he had been unsuccessful in his attempts to address his unemployment issue. So, he asked for assistance in this matter.*

Following the appeal to the MLSPP by the Ombudsman, the applicant was employed by "DOST Employment Center" LLC.

(App. No. 12322-22): *Applicant E. lodged a complaint with the Ombudsman, saying that he took part in the Patriotic War and that he had been unsuccessful in his previous applications for self-employment programs. Therefore, he asked for necessary assistance in this matter.*

Following the complaint, the applicant was enrolled in the self-employment program and provided with the necessary property following an inquiry addressed to the MLSPP.

The special rehabilitation programs aim to facilitate the return of persons affected by war to their previous lives and enable them to play an active role in the development of society. These programs focus on highlighting and developing the special skills and abilities of war-disabled persons and veterans, securing appropriate job placements for them, reducing their reliance on financial aid, and allowing them to generate income based on their skills like any other person, facilitating their integration into society, and improving their well-being, making them of great importance.

The further development of knowledge and skills of war-disabled individuals with higher education or special abilities through specialized educational programs can provide them with opportunities to find suitable employment in the labor market. Therefore, the development and implementation of such programs can support such persons in leading more fulfilling lives within society.

The necessary measures have continued based on appeals received by the Ombudsman regarding the health restoration of war participants and martyr families, the provision of medical examinations and treatment in the post-war period.

(App. No. 16557-22): *Applicant E. contacted the Ombudsman's Call Center, informing them that his son participated in the Patriotic War and that he had serious health problems after the war. He noted that he had no financial means for his son's medical treatment and therefore, asked for assistance.*

Following the appeal to the TABIB, the applicant's son underwent a comprehensive examination at Salyan District Central Hospital and was referred to the Republic Dermatovenerologic Dispensary with a diagnosis of "Alopecia totalis" for specialized treatment.

(App. No. 2056-22): *Applicant I. lodged a complaint with the Ombudsman, stating that he was awarded medals for his participation in the Patriotic War and had sustained a gunshot wound during the war, and that he had serious health problems and suffers from neurological disorders. So, he asked for arranging his medical examinations and treatment at the expense of the state.*

Following the appeal to the TABIB, the applicant was referred to Hospital No. 1 in Ganja to undergo examinations by specialized physicians, and appropriate treatment was prescribed for him.

Protection of the rights of persons held in places of detention and convicts.

The measures aimed at the reconstruction of investigation isolators, penitentiary facilities, and guardhouses in line with modern standards, improving detention conditions and medical-sanitary services, and ensuring reliable protection of human rights in these institutions have continued.

Considering the Ombudsman's previous proposals regarding the construction of new penitentiary institutions that meet modern standards, in 2022, new buildings for the Juvenile Correctional Facility and Facility No. 4 for female prisoners, as vulnerable groups of society, were put into operation. These institutions have been well-designed to ensure that prisoners are held in modern conditions, engage in productive labor, spend their leisure time effectively, receive education and vocational training, and are reintegrated into society.

The Ombudsman took part in the opening ceremonies of these institutions and viewed the conditions created in these facilities for the rehabilitation and protection of prisoners' rights.

During the investigation of complaints from arrested, detained, or sentenced, and their families, particular attention has been given to issues related to their exposure to torture and inhumane treatment, protection of their health, their right to appeal, receive legal assistance, and ensuring their other rights as defined by law.

Measures have continued for the improvement of activities derived from the Presidential Decree No. 2668 dated February 10, 2017, on "Improvement of the penitentiary system, humanization of penal policy and expansion of the use of alternatives to punishment and coercive procedural measures not associated with social isolation".

The appeal related to conditional early release and changing the type (regime) of penal institution have been submitted for discussion to a special commission established by the decision of the Collegium of the Ministry of Justice of Azerbaijan, also taking into account the Ombudsman's recommendations, and forwarded to the courts.

(App. No. 9297-22): *Applicant S. applied to the Ombudsman, stating that the request for the early conditional release of his son held at the Penitentiary Service Facility No. 1 was not submitted to the court by the relevant institution's management, and asked for legal action.*

Following the inquiry addressed to the Ministry of Justice Penitentiary Service, the request for the early conditional release of the applicant's son was discussed and approved in the meeting of the relevant commission, and the request was sent to Nizami District Court for further proceedings.

(App. No. 23482-22): *Applicant S. complained to the Ombudsman, stating that the right to apply to the court for the early conditional release of his detained son at Penitentiary Service Facility No. 8 was not ensured by the institution's management and therefore, asked for the necessary assistance.*

Following the inquiry submitted to the Ministry of Justice Penitentiary Service, the request for the early conditional release of the applicant's child was sent to Garadagh District Court for further proceedings.

The investigations have been conducted and necessary measures have been taken regarding the applications concerning the transfer of convicts to other facilities with the same regime.

(App. No. 12970-22): *Convict M. has lodged a complaint with the Ombudsman, saying that he has been serving his sentence at Penitentiary Facility No. 11 and asked for assistance in changing the facility.*

Following the appeal to the Penitentiary Service of the Ministry of Justice, the convict was transferred to Penitentiary Facility No. 1 to serve the remaining portion of his sentence.

During the monitoring of penal institutions, some inmates who were interviewed confidentially have complained about the absence of necessary medical services and ineffective medical treatment, difficulties in obtaining specific medications, and illegal demands for payment by facility staff for medication provision. It has been found out that in the medical units of the punishment cells, medications requiring special storage conditions were left unsealed, and some drugs had expired. Furthermore, the results of inspections and the analysis of complaints received by the Ombudsman and the Call Center suggest that issues still exist concerning access to healthcare services. In this context, the majority of requests have been for transfers to the Treatment Facility of the Penitentiary Service. As a result of actions taken in response to these requests, ongoing medical examinations and treatments for those in need have been secured at the Treatment Facility.

(App. No. 8284-22): *Applicant S. contacted the Ombudsman's Call Center, reporting health problems of his imprisoned son in the Prison of the Penitentiary Service and requested medical examination for him.*

Following an inquiry made to the Main Medical Department of the Ministry of Justice, the applicant's son underwent clinical, radiological, and ultrasound examinations in the facility's medical-sanitary unit. General and biochemical blood tests were conducted, revealing that the physiological indicators were within normal ranges. No pathological changes requiring treatment were detected in his internal organs, and symptomatic treatment was prescribed based on the patient's complaints.

In penitentiary facilities, convicts' right to use phone calls is ensured in accordance with established legal procedures. Moreover, they are provided with bedding and three meals a day to ensure normal bodily functions. However, the complaints related to the mentioned issues have been investigated and relevant measures have been taken.

(App. No. 4768-22): *Applicant I. contacted the Ombudsman's Call Center, reporting that her spouse, who is serving a sentence in the Penitentiary Service Facility No. 1, had last communicated with his family members through phone ten days ago, and since then, they had no information about him. She asked for assistance in the lawful resolution of the matter.*

Following the measures taken regarding the complaint, the applicant's spouse communicated with his family members via phone.

(App. No. 21942-22): *Applicant E. contacted the Ombudsman's Call Center, informing that her spouse, who is held at penitentiary facility No. 2 of the Penitentiary Service, was not being provided with bedding and adequate food, and has asked for assistance.*

Following the inquiry made to the Ministry of Justice Penitentiary Service, the latter reported that the prisoner has been provided with individual bedding and bedding accessories, as well as three hot meals per day that meet modern hygiene requirements and food standards in terms of quality.

In this regard, facilitating communication between prisoners and their family members and loved ones is one of the factors that positively impact their rehabilitation process. Therefore, the Ombudsman has consistently drawn attention to this issue in previous annual reports and made relevant recommendations.

Taking into account the Ombudsman's proposal, on November 18, 2022, in accordance with the amendment to the Code of Execution of Punishments of Azerbaijan, the convicts are entitled to have two phone conversations per week, while those sentenced to life imprisonment enjoy this right only once per week, each lasting fifteen minutes. In addition, the right to have video calls has also been specified.

The Ombudsman has proposed the competent authorities to align the "Internal Disciplinary Rules in Penitentiary Institutions" approved by the Decision No. 7-N of the Collegium of the Ministry of Justice of Azerbaijan dated December 29, 2011, the "Guidance on the Organization of Registration of Detainees and Convicts in Penitentiary Institutions" approved by the Decision No. 7-N of the same Collegium of dated June 30, 2015, and the "Rules for the Mandatory Addiction Treatment of Narcologists in Penitentiary Institutions" approved by the Cabinet of Ministers' Decision No. 14 dated January 28, 2016, with the Law No. 618-VIQD of November 5, 2022, on Amending the Code of Execution of Punishments.

Several prisoners have appealed to the Ombudsman to assist them regarding their registration and provision of personal ID documents. After the Ombudsman's referral to the relevant authority, the mentioned issues have been resolved.

(App. No. 1580-22): *The prisoner named S. complained to the Ombudsman, expressing dissatisfaction with the response received from the Khazar District Police Department regarding his registration and provision of personal ID documents. He asked for appropriate assistance.*

Following the request made to the Ministry of Internal Affairs of Azerbaijan the prisoner, who did not have a registered place of residence, was registered at the administrative building of the Khazar District Police Department and was provided with a new ID document.

(App. No. 20429-22): *The prisoner named H. appealed to the Ombudsman, saying that he would like to be registered and provided with an ID document.*

Following the request made to the Ministry of Internal Affairs, the applicant was registered at the address of the penitentiary facility thanks to the mobile service provided by the "ASAN Service" center.

The issues related to the protection of the rights of vulnerable groups, including female convicts, have been approached sensitively. During conducted visits, female convicts were interviewed, heard, and necessary measures were taken regarding their applications.

(App. No. 1345-22): *The prisoner named A. lodged a file with the Ombudsman, reporting that her request for the necessary documents for her child's transfer from the school where he/she was currently studying to another school was unsuccessful and asked for assistance.*

As a result of the measures taken regarding the complaint, the prisoner's child was transferred to another school.

(App. No. 1347-22): *The prisoner named A. submitted a complaint to the Ombudsman, stating that her child was placed in a shelter without reasonable justification and asked for assistance in transferring custody to her sister.*

Following the actions taken regarding the complaint, the Guardianship and Custodianship Commission has sent a relevant letter to the hospital where the prisoner's child was receiving inpatient treatment, specifying that there is no objection to returning the child to family care in accordance with the doctor's recommendations, after the completion of his/her medical treatment.

Education is a crucial factor in the social reintegration and development of prisoners and accused persons. According to the "Standards Minimum Rules for the Treatment of Prisoners," each penitentiary institution should offer all prisoners such opportunities to access as comprehensive as possible education programs that are in line with their individual needs and goals.

While conditions are created for the participation of individuals held in penitentiary institutions in graduation examinations, they are not provided with the opportunity to participate in admission examinations for higher education institutions. It is necessary to develop mechanisms to ensure the participation of individuals held in both the Correctional Facility and other institutions in entrance examinations, and to make relevant legislative changes in this regard.

Some prisoners serving sentences in penitentiary institutions, who are entitled to disability pensions, have applied to the Ombudsman, stating that their pension and benefits have been halted, and asked for assistance.

(App. No. 5811-22): *Applicant K. filed a complaint with the Ombudsman, saying that the disability payment has been halted after his medical examination at the Specialized Treatment Facility of the Penitentiary Service. He asked for assistance in formalizing the referral for the assessment of his disability status.*

In response to the inquiry sent to the Ministry of Justice of the Republic of Azerbaijan concerning the complaint, the latter indicated that an order had been issued to transfer the individual to the Specialized Treatment Facility for conducting re-examinations to assess his health, and, if the individual meets the criteria for disability, the relevant medical data shall be entered into the Medical-Social Expertise and Rehabilitation Subsystem.

The integration of released people into society and solution of their social problems has been given attention.

One of the measures implemented in the field of social adaptation for the released people is the provision of a one-time cash allowance equivalent to four times the minimum monthly wage for those in need of medical and social assistance. In this regard, the Ombudsman has investigated the relevant complaints, and taken appropriate measures.

(App. No. 17802-22): *Applicant Y. applied to the Ombudsman, requesting assistance in obtaining the one-time cash allowance intended for those in need of medical and social assistance after being released.*

Following the appeal made to the MLSP, the relevant cash allowance was allocated to the applicant.

The resources of the Social Adaptation Center located in the Gobustan district, which is part of the structure of the MLSP, do not fully meet the demands of the released persons. Therefore, there is a need to establish several such centers across the country.

There are still certain prejudices and stigmatization regarding the employment of released persons in society. In this light, it is important to take steps to stimulate their engagement in any field of employment, regardless of their ownership status.

The Ombudsman and her team conducted a series of educational activities in penitentiary institutions to ensure the more effective protection of prisoners' rights and to instill a spirit of respect for the law in them. They have provided extensive information on national, regional, and international documents related to human rights, as well as the provisions of the "Standards Minimum Rules for the Treatment of Prisoners," and have answered questions.

In addition to the aforementioned, the Ombudsman, taking into account the pardon appeals of prisoners and their family, regularly submits appeals to the Pardon Issues Commission under the President of the Republic of Azerbaijan.

Based on the appeals for pardoning submitted by the imprisoned, their family members, the Ombudsman, and human rights organizations addressed to the President of Azerbaijan, and considering the convict's personality, health, family situation, and behavior during his period of confinement, in accordance with the principles of humanism, the President issued a Decree on "Pardoning a number of imprisoned individuals" on May 27, 2022. In total, the Decree covered 213 individuals, of whom 167 were released from the unserved part of the imprisonment sentence; the unserved part of the sentence was reduced by half for 36 individuals; 1 person was released from life imprisonment, 3 individuals serving a conditional sentence were pardoned, and 6 persons serving a restricted liberty sentence were released from the unserved part of the sentence.

In our country, in a short period of time, a total of 12 amnesty acts have been adopted; 68 pardon decrees and orders have been signed, and as a result, thousands of prisoners have been released from the unserved part of their sentences.

From the very beginning, a total of 805 prisoners and, in 2022, 31 prisoners have been pardoned with the solicitation of the Ombudsman.

Protection of the rights of military servicemen. After the liberation of our territories by the Azerbaijani Armed Forces under the leadership of the Victorious Supreme Commander-in-Chief, measures aimed at increasing state care for military personnel, including reservists and those retired from military service, strengthening their social protection, and improving housing conditions have been further expanded.

The measures taken to continuously improve the material provision of the personal staff of the Armed Forces play a crucial role in ensuring the effective realization of the rights of military servicemen and further enhancing the image of military service in society.

During and after the Patriotic War, the Ombudsman has paid special attention to the protection of the rights of servicemen who participated in countering the provocations committed by the Armenian armed groups. So, the Ombudsman and staff members of the Office, upon her instructions, visited servicemen who were injured and undergoing treatment in hospitals located in Baku and Ganja, and got closely familiarized with the state of their medical examination and care.

The applications filed by military personnel and their family members have been investigated and appropriate measures have been taken.

The complaints were mainly about enlistment or conscription in military service without considering the grounds for deferral or exemption, violations of statutory regulations on mutual relations among active-duty military personnel, failure to timely compensate unused military property and vacation days, delays in addressing applications related to the release of military personnel for various reasons, as well as social problems of reservists and retirees, and their family members, particularly housing provision.

In some applications, the applicants complained that despite the legal acts allowing deferral of conscription for continuing education or based on health and family

circumstances, they were sent to compulsory military service by various departments of the State Service for Mobilization and Conscription of the Republic of Azerbaijan, in violation of the legal framework. Such applications were investigated in cooperation with relevant government agencies.

After the Ombudsman's inquiries to the relevant institutions regarding numerous health-related complaints, deferments from temporary active-duty military service have been granted to the conscripts based on their health conditions. Most of those already in active-duty military service have been discharged as unfit for service, while some have been transferred to other units compatible with their health conditions.

(App. No. 17388-22): *Applicant A. submitted a complaint to the Ombudsman, reporting that his son, who was serving in the "N" military unit of the State Border Service of Azerbaijan, was conscripted into the army without a proper assessment of his fitness for military duty, and asked for assistance in obtaining a re-evaluation through medical certification.*

Following the appeal to the State Border Service, the soldier was re-examined and certified by the Central Military Medical Commission, which determined that he is "unfit for military service in peacetime, limitedly fit during wartime." As a result, he was released into the Armed Forces reserves.

The analysis shows that persons conscripted into the army despite having certain health problems have typically faced deterioration of their health condition during their service, as a result of which, many of them have received prolonged medical treatment in military hospitals, and in most cases, they have been discharged from service as unfit for military duty based on medical certification.

As it is seen, these conscripts are compelled to undergo a certain period of military service despite being deemed unfit for service due to their health condition. On the other hand, their medical examination and treatment in military hospitals result in the wastage of budgetary resources. Such cases lead to the disruption of the personnel structure and, consequently, personnel mismatch, as well as the additional conscription of personnel during service in military units.

(App. No. 5515-22): *Applicant O. has filed a complaint with the Ombudsman, indicating that his child was not granted a deferral from compulsory military service to participate in the entrance exam for higher education institutions, while the applicant A. (15692-22) has said that he was not granted a deferral from conscription to pursue a master's degree at one of the universities in Türkiye.*

With the Ombudsman's intervention, both applicants were granted a deferral from conscription to continue their education.

Considering the protection of the health and other rights of conscripts, as well as ensuring a strong personnel composition in the Armed Forces, it is necessary to strengthen monitoring over the activities of local offices (branches), departments, and medical commissions of the State Border Service for Mobilization and Conscription and Military Medical Commissions and ensure the recruitment of more professional specialists to these institutions.

Besides, some complaints received by the Ombudsman have highlighted delays in issuing military ID cards or relevant documents related to military service, failure to review applications addressed to the State Border Service for Mobilization and Conscription and its relevant divisions, and problems in the realization of other rights.

Applicant M. (App. No. 10261-22) asked for assistance in providing him with

a new military ID card, while the other applicant, J. (App. No. 11751-22), asked for help in recording his information regarding his military service accurately. Both applicants' relevant appeals had yielded no results.

With the intervention of the Ombudsman, the applicant M. was provided with a new ID card, and the applicant J.'s military information was accurately recorded in his personal file.

Some military servicemen complained in their applications about non-provision with the appropriate allowances (benefits) as stipulated by legislation, including compensation for unused property and leave days, as well as additional financial compensation for participating in other activities during their service, failure to properly pay their final settlements while being discharged from service and of their appeals regarding various matters. Following the Ombudsman's intervention, the applications regarding these issues have been resolved.

(App. No. 6245-22): *Applicant E., has filed a complaint with the Ombudsman stating that he is currently in reserve and that during his military service, his wages were not properly paid to him, and he did not receive the monetary compensation as stipulated by legislation for unused leave days. He also mentioned that his appeals to the relevant institutions were unsuccessful.*

In response to the inquiry addressed to the Ministry of Defense, it was stated that a compensation amount of 2850.65 manats was transferred to the applicant's bank account for the unused 71 leave days, and an amount of 2087.70 manats was transferred as the deducted second-tier salary allowance.

During the investigation of the applications, there were cases of violations of regulations outlined in the code of conduct for military personnel during the period of military service.

In some of the applications received by the Ombudsman, servicemen (excluding conscripted servicemen) reported that their appeals to the relevant institutions regarding various grounds for their discharge or change of service location, as well as other aspects of their labor rights, have yielded no results. In the replies by the Ministry of Defense of Azerbaijan regarding these complaints, it has been stated that the issues related to discharge of servicemen or changing their service locations for various reasons will be examined in accordance with the relevant laws and a decision will be made.

(App. No. 6129-22): *Applicant H. filed a complaint with the Ombudsman, stating that his appeal about being placed in reserve has been unsuccessful and requested assistance.*

Following the inquiry submitted to the State Border Service of Azerbaijan, the applicant has been placed in the reserve of the Armed Forces based on Article 41.0.6 (unfit for service) of the Law of the Republic of Azerbaijan on Military Duty and Military Service.

Problems still remain regarding the payment of insurance benefits to servicemen who have suffered injuries during their military service, as well as to those who have lost their lives during or after their service due to injuries or illnesses. These payments have been delayed due to a lack of proper understanding of job distribution and coordination between the MLSP and "Azersığorta" Open Joint Stock Insurance Company (formerly the State Insurance Commercial Company of Azerbaijan).

Most of the complaints regarding issues with insurance payments have been resolved following the Ombudsman's relevant submissions.

(App.No. 10598-22):*Applicant A. submitted a complaint to the Ombudsman, informing her that his son passed away two months after being discharged from military service due to his health problems, and that the insurance payment as was not provided to himhis legal heirdespite his relevant applications.*

Following the inquiryaddressed to the MLSP, the applicant receivedan insurance amount of 11,000 manats as the heir tohis deceased son.

The Ombudsman has also received complaints written by servicemen and their family members regarding housing issues.

According to Article 12(2) of the "Law on the Status of Servicemen" of Azerbaijan, servicemen who have served in the Armed Forces for 15 calendar years or more, and who reside in officially-assigned apartments or do not have a residential area (excluding conscripts), as well as servicemen who have been discharged or retired, are entitled to obtain residential space or free land from municipalities in a period of 6 months for the construction of a private residential houseas determined by the local executive authority in accordance with the legislation. The servicemen who have already exercisedthis right are obligated to return the officially assignedapartmentin accordance with the specified procedure.

(App. No. 21705-22):*A group of individualswho have been discharged or retired from the State Border Service of Azerbaijan, applied to the Ombudsman, stating that they were notified to vacate the military housing units that are under the SBS'scontrol and located in military settlements, althoughthey do not have alternative places of residence. Consequently, they requested assistance for staying in thoseofficially-assignedapartments until they are provided with permanent housing.*

In response to the inquiryto the SBS, it was indicated that according to Article 39 of the "Law on Border Guard Bodies" of Azerbaijan, persons who havebeendischarged from border guard bodies are required to be relocated from military towns, including officially assignedapartments, upon the demand of the respective executive authority.

As it appears, the requirements of the relevant legislation have not been taken into account.

In accordance with the action plan approved between the Ombudsman and the authorized representatives of the Minister of Defense, the Internal Troops of the Ministry of Internal Affairs, and the commanders of Civil DefenseTroopsof the Ministry of Emergency Situations, the Ombudsman and the staff members of the Office, jointly with the persons in charge from the noted authorities have visited military units, medical and educational institutions and held legal awareness-raising activities for the military personnel throughout the year. During these activities, the questions raised by military personnel were answered, and the submitted complaints were taken for investigation.

Overall, the living conditions of the personnel, the state of food and material supplies, the quality of food, the organization of medical care, efficient organization of leisure time, and the conditions created for adherence to sanitary and hygienic norms by the military personnel, the educational work on patriotism and training, as well as the conduct of personnel have been evaluated. Besides, the military unit command and institution management have been provided with recommendations for elimination of identified gapsand their underlying causes.

Protection of women's rights and ensuring gender equality. The issues of promoting and ensuring gender equality and the protection of women' s rights have been at the center of attention for the Ombudsman, as have effective measures taken to prevent human rights violations.

The applications about women's rights received by the Ombudsman have been approached with sensitivity; the relevant state institutions have been requested to overcome the identified problems and measures have been taken to solve human rights violations and difficulties. These complaints primarily reflected the problems related to DV, non-execution judgements, assistance in employment and pension recalculation, medical examination and treatment issues, and various other matters. Each complaint has been thoroughly investigated, and necessary actions have been taken accordingly.

(App. No. 21703-22): Applicant H. appealed to the Ombudsman, stating that he worked as a teacher at the secondary school No. 1 in Goychay city and had financial hardships. The applicant also added that he took care of an adult dependent mother, aged 86-year and had difficulties in repaying his loan. The applicant asked for assistance in extending his employment contract for one more year due to reaching the pension age of 65.

Following the inquiry made to the Ministry of Science and Education of Azerbaijan, a fixed-term employment contract was concluded with applicant till the end of the 2022/2023 academic year.

(App. No. 2222-22): Applicant A. contacted the Ombudsman's Call Center late at night, informing that she was subjected to DV and that her life was in danger, and that she was dropped out of home and was staying on the streets with her two young children.

Following the Ombudsman's prompt appeal to the executive authority and the police department, the mother and children were quickly located and provided with protection. The suitable accommodation arrangements were made in an appropriate facility, and the necessary documentation was processed. Eventually, they were placed in a social service institution under the Social Services Agency of the MLSP. Furthermore, according to the Ombudsman's instructions, her staff visited the institution in question, met with the mother and children, became acquainted with their living conditions, health, and psychological state, and monitored the protection of their rights.

(App. No. 20289-22): Applicant Kh. contacted the Ombudsman's Call Center, stating that she had worked at "Aztelekom" LLC for a long time and was subsequently dismissed from her job. She also said that her request for the return of her employment record book had been unsuccessful and asked for assistance.

Following the inquiry made to the Ministry of Digital Development and Transport of Azerbaijan, the applicant was provided with her employment record book by the "Aztelekom" LLC.

The reports circulating in the media and social networks regarding violence against women, including DV, cases of early marriage, have been promptly investigated. The situation and psychological state of the victims have been assessed, measures have been taken to restore their violated rights, appropriate recommendations have been provided, and the issues have been kept under control.

Legal awareness events organized by the Ombudsman's Regional Centers across the country on the topics of gender equality, the protection of women's rights in employment, social security, health, education, and other areas, combating DV, early marriage, gender stereotypes, women's entrepreneurship, the role of women in decision-making processes, and the fight against drug addiction and harmful practices, aimed at informing women, developing their legal thinking, and promoting gender culture. Such initiatives contributed to increasing the role of women in society, resolving family and household issues, expanding opportunities for women in entrepreneurship, enhancing women's economic and social influence, and ensuring gender equality.

Supporting women's entrepreneurship is a crucial factor in eliminating gender inequality, reducing unemployment and poverty, and increasing women's influence in the country's economic and social life. In this light, it is necessary to expand women's access to economic resources and organize specialized vocational training courses and business programs for women.

It should be noted that, bearing in mind the requirements of international treaties, including the CoE Convention on Action against Trafficking, to which Azerbaijan is a party, it is important to improve legal framework in the field of combating human trafficking, advance the mechanism of compensation for victims of human trafficking, and take measures to improve the effectiveness of the activities of the Fund for Assistance to Victims of Human Trafficking. Besides, efforts should be made to reduce the risk of becoming a victim of human trafficking by strengthening the legal and social protection of women, children, and other vulnerable groups who may be subjected to human trafficking.

The Ombudsman Institution has organized practical training sessions and workshops on women's rights and gender equality for students, participants, and listeners at the State Academy of Public Administration under the President of the Republic of Azerbaijan, the Academy of Justice, and the Academy of Labor and Social Relations.

In collaboration with relevant government agencies, media outlets, and non-governmental organizations, educational events have also been conducted on human rights, child rights, and within the framework of the "16 Days of Activism against Gender-Based Violence" campaign.

The separate courses of "Human Rights" and "Introduction to Gender" have been taught by the Ombudsman and staff of the Office in many faculties of Baku State University.

The Ombudsman's NPG has regularly conducted monitoring visits at Penitentiary Service penitentiary facility No. 4 for female prisoners. The conditions of detention and treatment in the facility have been inspected, interviews have been held, and measures have been taken to solve the incoming complaints.

The preventive visits have been organized to immigration detention centers for irregular migrants in order to ensure the protection of the rights of women affected by human trafficking and female migrants on a regular basis. Also, free medical, psychological, and legal assistance campaigns intended for vulnerable groups have continued with the Ombudsman's support and initiative.

The Ombudsman and staff of the Office held a meeting with the Azerbaijani citizens-women and children who were repatriated to our country from the Syrian Arab Republic after being freed from captivity. The measures taken in ensuring their rights and freedoms, including their social rehabilitation and reintegration into society have been learned, and relevant recommendations have been provided.

The Ombudsman has continued its cooperation with the UN and its specialized agencies, the CoE, and other international organizations in effectively protecting women's rights; participated in various projects; and engaged in meetings with key figures, including the Secretary-General of the Parliamentary Assembly of the Council of Europe, the Lithuanian Equal Opportunities Ombudsperson, and other relevant state officials, during international visits. In these meetings, information on efforts to combat discrimination and promote women's rights has been discussed, and experiences have been exchanged.

The Ombudsman has strongly condemned Armenia's aggressive policy against our country by addressing statements and appeals to international organizations, stating that during the First Karabakh War, nearly four thousand citizens of the Republic of Azerbaijan, including numerous women, went missing and that no information about their fate has been provided to date. In addition, it has been noted that between 1991 and 2022, 3,190 Azerbaijani citizens, including 38 women, fell victim to landmines, and the importance of Armenia submitting precise mine maps to our country has been emphasized.

Protection of child rights. The protection of child rights has been focused on by the Ombudsman.

The complaints about the protection of children's rights addressed to the Ombudsman mainly were about the non-execution of court decisions related to child support and visitation rights, guardianship and custody issues, organization of medical examinations and medical care, assessment of disabilities, cases of violence in childcare institutions, domestic or sexual violence, social security, health and education rights, placement in institutions, and other related matters.

These complaints have been investigated and relevant government institutions have been appealed, necessary steps have been taken to resolve the issues, and positive outcomes have been achieved in several cases.

(App. No. 5443-22): *Applicant A. applied to the Ombudsman, asked for assistance in the objective investigation of the rape-related pregnancy of her underage daughter, who has limited health capacities organizing her medical examination, ensuring shelter for her family, and repairing their damaged house.*

During the investigation conducted in relation to the complaint, it was revealed that the person in question had been remanded in custody by a relevant court decision and subsequently detained for a period of 8 years and 3 months.

Furthermore, following appeals to the appropriate institutions, the applicant's daughter, along with her family members, was placed in a healthcare facility by the TABIB for medical examination and treatment upon their requests. Later, the family was placed in the relevant social service institution under the Agency for Social Services of the MLSP, where they were provided with necessary social services.

Considering the need for substantial repairs to their house and the family's situation, the Ganja City Executive Authority provided the applicant's family with financial assistance in the amount of five thousand manats.

When deemed necessary, the Ombudsman's Office and its Regional Centers conducted on-site investigations with the presence of lawyers, psychologists, social workers, and doctors, and necessary measures were taken.

In addition to the complaints received, reports circulating in the media and social networks regarding the violation of children's rights was expediently taken under the control of the Ombudsman, the relevant authorities were appealed, families were provided with psychological assistance, and legal advice was given.

The information published in the media about children in a socially vulnerable situation as a result of parental neglect in Shamakhi city, an immediate investigation was conducted; the Ombudsman, in person, visited the shelter where the children in question were placed, familiarized herself with the health, living conditions, and provision of their rights in that facility, and the issue was given due attention.

In response to the information circulating in the media and social networks regarding the physical abuse of a schoolgirl in Lankaran city, the Ombudsman immediately instructed to establish contact with her family, and inquiries were sent to the relevant institutions. The Ombudsman met with the child and her mother, expressed interest in their situation, and took their case under her control.

The relevant authorities have been appealed to regarding the cases, including a pregnant underage girl in Surakhani district, the labor of teenage girls from Ganja city, Khazar, and Agdash districts, who were engaged in early marriage, as well as the dissemination of video footage and other materials depicting violence against children allegedly filmed in a rehabilitation center in Baku. The necessary measures were taken, and the mentioned cases were monitored.

The Ombudsman closely followed the case related to the information published in the media and social networks regarding children whose mother was killed as a result of DV and placed in the "ÜmidYeri" Child Shelter, as well as the pregnancy case of a 13-year-old girl in Baku. The law enforcement agencies and other relevant institutions have been inquired regarding both cases. Following the Ombudsman's instructions, the staff of the Ombudsman's Office, including psychologists, met with children deprived of parental care at the shelter and the underage mother at the respective healthcare facility. The Ombudsman's representatives assessed their situation, education, and guardianship issues, individual-psychological characteristics were evaluated, and they were provided with psychological support and explanations of their rights. Furthermore, relevant applications were submitted to ensure the effective protection of their rights.

The cases of early marriage in the village of "TəzəAlvadi" (TezeAlvadi) in Masalli district and the forced marriage of an underage girl in the village of "KiçikDəhnə" (Kichik Dehne) in Sheki district, as reported in the media, were also investigated based on the Ombudsman's instructions. Awareness raising talks were held with the families of the children concerned, where they were informed of their rights and responsibilities and the adverse effects of early marriage, emphasizing the importance of continuing their education. Discussions with relevant institutions were held to address these issues, and the issues have been solved.

The Ombudsman's Office has sent inquiries to the relevant institutions regarding the information circulating in the media about a child being subjected to violence by his peer at the secondary school No. 112 in Sabunchu district, and as a result, a legal assessment has been given to the matter.

The Ombudsman's Office has issued a statement in relation to the incidents of violence against children in the Ismayilli City Nursery School-Kindergarten No. 1, emphasizing the gravity of such cases and recommending that necessary measures be taken by the relevant authorities in this regard.

To ensure the rights of child victims of DV and to effectively protect them from such violence, targeted programs should be developed and implemented involving local authorities and law enforcement agencies.

The Ombudsman, in addition to playing a significant role in the prompt investigation of complaints in this field and the implementation of awareness-raising activities, also contributes to the process of improving legislation. It should be noted that in proposals addressed to relevant institutions, the Ombudsman suggests criminalization of DV in legislation, taking into account the international experience. Furthermore, it is proposed that certain restrictive measures, including prohibiting perpetrators of such acts from cohabiting with the victims of domestic violence based on a court decision and imposing limitations on communication with the child in cases where DV is committed against or with the child's participation, be implemented.

Social media platforms and internet resources have a significant impact on the increase of DV cases. Therefore, information published in the media and on social media platforms regarding these issues should be approached with sensitivity. Reports about harmful habits and incidents of violence can generate interest among the audience, especially among children and young individuals who are more vulnerable to these matters. When implementing awareness-raising activities in educational institutions and conducting sociological surveys, special attention should be paid to these issues.

It is important to identify and prevent cases promoting violence, regular monitoring should be conducted on social media platforms, websites, including television programs, films, and games that are widely used by children and young people in our country, to identify situations that can have a negative impact on the mental health, physical well-being, and behavior of individuals in this age group and take restrictive measures accordingly. In this regard, continuous awareness-raising activities should be conducted with parents as one of the main target groups in educational institutions.

In addition to the points mentioned, the Ombudsman proposes the following measures:

- To strengthen the sanctions prescribed in Article 152 of the Criminal Code of Azerbaijan to ensure a stricter punishment for offenses related to violence against children, including within childcare institutions;
- To establish specific provisions in legislation to prohibit violence against children in all settings, including childcare institutions;
- To accelerate the process of establishing mechanisms for the implementation and development of the foster care system;
- To make relevant amendments to criminal procedural legislation to ensure the participation of pedagogues, psychologists, and legal representatives during the investigation or interrogation process involving minors;
- To develop communication guidelines for judicial proceedings involving children;
- To enact a law on juvenile justice;
- To create child-friendly spaces in all administrative buildings of courts and police authorities;
- To incorporate social worker and psychologist positions working with children into the structure of the prosecutor's office and internal affairs agencies;
- To improve the model regulations of general boarding schools to comply with modern requirement;
- To consider legislative measures regarding sex-selection and reproductive health issues before birth;
- To expand public awareness campaigns related to these issues; and
- To ensure the provision of educational rights for incarcerated minors in correctional institutions and monitoring their rehabilitation and reintegration into society after release.

It is necessary to develop the social work institute for individuals who have not reached the age of majority, especially for persons with disabilities aged up to 18, based on international best practices and taking into account the specificities of this field, to improve the legislation regarding the identification of indicators for victims of human trafficking, particularly children who have been affected by human trafficking, as well as the educational tools for organizing operational and investigative activities in the fight against human trafficking. In addition, it is crucial to conduct monitoring activities across the country to strengthen the fight against child labor and enhance the deinstitutionalization program by improving existing mechanisms for assessing the situation of children returned to families. Furthermore, there is a need to strengthen control over childbirth outside medical institutions and to take necessary measures to detect early marriages based on such cases.

During the reporting period, without prior notice, Ombudsman's NPG visited 40 institutions where children are held and reside in Baku, Sumgayit, Ganja, Goranboy, Tovuz, Guba, Siyazan, Sheki, Balakan, Mingachevir, Lerik, Salyan, Lankaran cities and districts.

During the visits, which encompassed correctional facilities of the Ministry of Justice of Azerbaijan, through the Penitentiary Service, nurseries and children's homes, social service institutions, boarding schools, and integration-oriented boarding-type gymnasias, as well as other facilities, the areas of these facilities were inspected, the issues of detention conditions and treatment were investigated, and individual interviews were conducted with the management, staff, and children in order to identify any shortages in treatment issues and necessary measures were taken to resolve them.

The Government of Azerbaijan has continued necessary measures for the repatriation of Azerbaijani citizens from Syria and Iraq, and the Ombudsman focused on issues related to the protection of their rights. In this regard, the Ombudsman met with women and children, seven in total, who were repatriated to Azerbaijan from Syria on May 31, 2022, and were placed in social service institutions of the State Social Service Agency. The situation regarding the provision of their rights and freedoms, as well as measures

taken in the field of their social rehabilitation and reintegration into society, was examined, and relevant recommendations were provided.

Furthermore, on the Ombudsman's instructions, the staff of the Office held meetings with 16 individuals, including 13 children and 3 women, who were repatriated from Syria to Azerbaijan on November 24, 2022. Their issues of their rehabilitation and the provision of rights were assessed.

In general, 409 citizens, including 380 children, were repatriated from Iraq and Syria to Azerbaijan.

Within the framework of protecting children's rights, the Ombudsman participated in the opening ceremony of the Correctional facility and Penitentiary Institution No. 4, both located in Baku, and familiarized herself with the activities and conditions of these institutions.

On June 1, the International Day for Protection of Children, and on November 25, the International Day for the Elimination of Violence against Women, the Ombudsman met with juveniles, particularly the children of female inmates, to discuss their well-being.

In addition, the Ombudsman's Office, in collaboration with relevant institutions, organized a series of awareness talks in a number of facilities where children reside and receive education, involving children, parents, and specialists working with children.

The Ombudsman, who places particular emphasis on the protection of the rights of children with disabilities, visited the Vocational and Occupational Rehabilitation Center for Persons with Disabilities under the Social Services Agency. During the visit, she met with PWDs between the ages of 15 and 29, who have undergone vocational training and rehabilitation, and learned about their situation. The Ombudsman was also informed about the center's activities.

The Ombudsman participated in the 4th "Different Individuals" Congress, dedicated to people in need of special care, and the opening of the 2nd Autism Festival, where she advocated for the protection of the rights of children in this category and the improvement of the work with children with autism spectrum disorders (ASD).

During a visit to the Rehabilitation Center for children with ASD, run by the "Together and Strong" Public Association, the Ombudsman monitored the conditions in which children are kept, their developmental dynamics, and the rehabilitation process.

The Ombudsman's staff members also visited children and trainers at the Baku Autism Sports Club and the "Osmanlı" Special Living Center, both of which operate under the Azerbaijan Autism Association, and held discussions with them, and gifts were presented to children.

Furthermore, the Ombudsman's Office regularly, including on significant dates, organized awareness-raising events on child rights in urban and rural areas. The staff members of the Office also participated in other relevant events.

In collaboration with the "Zefer" (Victory) Public Union for Support to Martyr Families, the Ombudsman held a meeting with the children of veterans who had fallen in the Patriotic War. A festive event was organized at the Zira Cultural Center Eco-Park, where the children participated in ceramic art classes, group games, and enjoyed a recreational outing.

The Ombudsman also attended the closing ceremony of the "Zefer" Summer School, organized with the support of the Agency of State Support to Non-Governmental Organizations and the "Zefer" Public Union for Support to Martyr Families. During the event, the Ombudsman held a meeting with the children of martyrs.

During the "Human Rights Month," which took place nationwide from May 18 to June 18, the Ombudsman participated in a public discussion on "Development of Family-Marriage Relations: Challenges, Reforms, Perspectives." This event was co-organized by the Ombudsman's Office and the Ministry of Justice, where the Ombudsman shared her perspectives and recommendations concerning children's rights within the context of family-marriage relationships.

As in previous years, the period from 20 October to 20 November was declared as the "Child Rights Month" to commemorate the anniversary of the adoption of the Convention on the Rights of the Child (CRC). The purpose of the month-long campaign was to promote care and attention for children by engaging relevant institutions, to achieve preventing and combatting violence and abuse against children, to increase public awareness, and to ensure effective protection and promotion of child rights. In this regard, the Ombudsman sent inquiries to all competent institutions and recommended organizing legal awareness and promotion activities related to children's rights, especially on respectful and behavioral norms towards children, as well as conducting research in this area during this month-long campaign.

Relevant state agencies, CSOs, and relevant organizations focused on children conducted various educational sessions. Campaigns, exhibitions, and competitions were organized, and medical and social services were provided to the children.

Within the month-long campaign, the Ombudsman's Office and Regional Centers organized nearly 50 legal awareness events involving children, parents, and specialists working with children in cities and districts including Baku, Sumgayit, Guba, Siyazan, Khachmaz, Shabran, Sheki, Mingachevir, Balakan, Ganja, Tovuz, Goygol, Goranboy, Lankaran, Lerik, Masalli, and Salyan. The events were attended by more than 700 participants in Baku and Sumgayit, and up to 2000 participants in the regions, including the vulnerable groups of population, such as children with disabilities, those deprived of parental care, those in socially vulnerable situations, refugee families, victims of violence, and minors who have experienced rights violations.

A staff member of Office, who is a member of the technical working group on Early Childhood Development (ECD), during the seminar, presented proposals on the roadmap of ECD at a national seminar organized by the Heydar Aliyev Foundation, UNICEF, and the "Regional Development" Public Union for intersectoral coordination of ECD.

Besides, according to the Work Plan signed between the Ombudsman's Office and the UNICEF Country Office in Azerbaijan, collaboration has continued in the areas of monitoring the situation of child rights by the NPG, conducting research on juvenile justice, and providing technical support to improve the Call Center.

On 10 December, the International Human Rights Day, the Ombudsman's Office launched a children's drawing competition under the theme "20 Years of the Office of the Commissioner (Ombudsman) for Human Rights of the Republic of Azerbaijan," in which a total of 325 children from Baku and the districts participated, and winners were awarded diplomas and gifts.

During her official visit to Lithuania as part of her collaboration with international organizations and national human rights institutions (NHRIs) of other countries in the field of child rights, the Ombudsman had a meeting with the Ombudsperson for Child Rights of that country, exchanged ideas on her respective activities, and provided information on children affected by the aggression of Armenia.

At an international scientific-practical conference dedicated to the 20th anniversary of the Kyrgyz Republic's Akyikatchy (Ombudsman) Institute, the Ombudsman delivered a speech on "Mutual Cooperation of NHRIs in the Protection of the Rights of Migrant Children" sharing existing experiences in the field and presenting suggestions.

Protection of the rights of elderly. In order to ensure the effective protection of the rights of the elderly people as a vulnerable group of population and to enhance their

social support opportunities, the Ombudsman has submitted numerous appeals to relevant competent state institutions.

Complaints received from elderly persons have been thoroughly investigated within the mandate of the Ombudsman, and necessary measures have been taken to solve the identified human rights violations and ensure their protection.

(App. No. 1717-22): Applicant K. lodged a complaint with the Ombudsman, stating that the Special Conditions Appointment Administration of the State Social Protection Fund under the MLSPF had failed to execute the decision made by the Baku Administrative-Economic Court No. 1 regarding the one-time payment of the difference arising from the recalculation of his pension. He added that the execution was delayed and asked for the necessary legal measures.

In response to the appeal made to the Ministry, the applicant's pension was recalculated retroactively from January 1, 2006. It was increased from 295 manats to 2414.09 manats, and the difference in the pension amount was subsequently transferred to the respective card account by adding it to his regular monthly pension.

Based on the norms set out in Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), the Law of the Republic of Azerbaijan on "Social Services," the European Social Charter, and the Constitutional Law on the Ombudsman, both scheduled and ad hoc visits to social service institutions for vulnerable groups, including PWDs, were carried out throughout the year.

The purpose of these visits and monitoring activities, carried out with the participation of the Ombudsman and his staff was to prevent situations that worsen the living conditions of PWDs, complicate their socio-psychological situation, and contribute to their isolation from society, as well as to take measures to ensure the provision of social services to PWDs when necessary.

During the monitoring conducted at the social service institution for the elderly, run by the Social Service Agency under the MLSPF, located in the Bilgah town of the Sabunchu district, shortcomings and defects found during previous visits, as well as many problems highlighted in the individual and collective appeals of the elderly people, were addressed.

Following the recommendations made to the institution's management regarding the identified mismatch among the personnel serving the elderly in the facility and the existence of 35 vacant positions according to the staffing table, 12 employees were recruited to fill the vacant positions. This alleviates the challenges related to providing assistance to the elderly during both day and night hours.

During the monitoring, it was also found that surveillance cameras (CCTV) had been installed in the institution, and the problem related to the non-functioning air conditioning and ventilation system were being gradually solved. Furthermore, the difficulties faced by residents in receiving their pensions due to the lack of an appropriate ATM near the institution, which was found during the previous visit, were taken into consideration as well. As a result of the measures taken, transportation was arranged for residents to receive their pensions once a month.

Apart from this, during the "Human Rights Month," an awareness event on the topic of "Protection of the Rights of the Elderly and Active Aging" was organized by the Social Service Institution for the Elderly, run by the Social Services Agency under the MLSPF. The staff of the Office, participating in this event, highlighted the Ombudsman's recommendations for the provision of favorable living conditions, proper nutrition, a healthy lifestyle, and quality leisure time for the elderly.

Not only actions, but also problems were the focus of educational roundtable discussions on the topic of "Protection of the Rights of the Elderly and Strengthening Social Protection", organized by the Ombudsman's Office to mark October 1, International Day for Older Persons. During the event, discussions were held with the elderly, their applications were investigated on the spot, and measures were taken to solve the highlighted issues.

In the events organized under the auspices of the Ombudsman within the framework of the International Madrid Action Plan on Aging, proposals were put forward that contribute to positive demographic changes, as well as to the well-being and socio-cultural development, and health improvement of older persons.

It would be appropriate to give special attention to strengthening the quality of social protection and healthcare services provided to older persons, and enhancing intergenerational relationships through the inclusion of exemplary experiences of older persons in the upbringing of the younger generation with the aim to enhance the quality of life for elderly and promote their active participation in society.

Protection of the rights of persons with disabilities. The Ombudsman continued to take measures to protect and promote the rights of PWDs and extend their integration into society.

A number of proposals indicated in the Ombudsman's annual reports and in the appeals submitted to relevant state institutions, regarding ensuring the effective realization of the rights of this vulnerable group, and the incorporation of international standards into national legislation have been considered.

The applications addressed to the Ombudsman about the protection of the rights of PWDs were mainly related to issues such as the assessment of disability, the determination of disability benefits, assistance in conducting medical examinations and treatments, the issuance of referrals to medical institutions and rehabilitation centers, and the provision of essential medication and assistive devices. The appeals dealing with those applications have been forwarded to the relevant state institutions, and measures have been taken to address the problems.

(App. No. 10484-22): *Applicant A. appealed to the Ombudsman, saying that his child suffered from epilepsy and that the pension that he had been receiving since birth was suspended. Despite the submission of a referral for the evaluation of his child's limited health capabilities, he was refused by the medical-social expert commission and asked for assistance in protecting his child's rights.*

Following the appeal made to the MLSP, the applicant's child underwent a comprehensive examination based on the decision of the medical-social expert commission, and his disability was confirmed for a period of three years.

The analysis conducted based on the complaints has revealed that despite efforts to improve the functioning of medical-social expert commissions, problems still exist in this field. In several cases, incomplete documentation and the absence of necessary notes regarding the person's disability status in the submitted referrals create difficulties in determining the disability decision. For instance, some referrals formalized by medical advisory commissions do not meet specific requirements, leading to a refusal to assess the degree of disability.

On the other hand, the reasons for the refusal to assess the degree of disability in the decisions (responses) of medical-social expert commissions are often not clearly stated, but are written generally, causing significant difficulties for the respective medical institutions to address these shortages and proceed with the next formalization of the referral.

(App. No. 3421-22): *Applicant I. lodged a complaint with the Ombudsman, stating that he had been suffering from several severe illnesses and that his officially submitted referral for the evaluation of his disability had been rejected by the medical-social expert commission, adding that as a result of this refusal his pension payments had been suspended and he asked assistance in protecting his rights.*

Following the subsequent appeal to the MLSPP, the applicant's disability status was reevaluated. Based on the decision of the medical-social expert commission, he was assessed and granted a permanent second-degree disability due to the overall condition.

(App. No. 19391-22): *Applicant E. filed a complaint with the Ombudsman, requesting assistance in determining the disability status of his child with autism syndrome.*

Following the subsequent appeal to the MLSPP, the applicant's child has been recognized as a child with disabilities (CWD), with a permanent disability of 60% due to his overall impairment of organ functions, including the impairment lasting for an indefinite period.

The Ombudsman takes the view of that attention to the protection of the rights of persons with ASD should be increased and global experiences in addressing their medical, social, and psychological issues studied.

The Ombudsman considers it necessary to adopt a special normative legal act and targeted government program focused on the care of persons with ASD, to establish appropriate educational institutions and rehabilitation centers in the regions to ensure timely access to primary and secondary education for this group of children, as well as to strengthen specialized workforce training.

Despite partial efforts to provide medical examinations, treatment, medication, and the provision of medical, social, and psychological services to PWDs, there are still some lingering issues in this field.

Individualized attention has been given to the protection of the rights of women with disabilities, active participation has been ensured in the process of improving legislation, and significant emphasis has been placed on legal education in this field.

The Ombudsman's proposals regarding the promotion of the rights of women with disabilities have been included to the draft of the "National Action Plan on Gender Equality for 2022-2025 in the Republic of Azerbaijan".

It is crucial to allocate financial and human resources for inclusive education, prepare children for inclusive education from an early age, raise the skills of their parents through education, and implement measures to enhance the professionalism of experts.

It is necessary to expedite the process of recognizing sign language as an official means of communication for individuals with hearing or speech impairments in the areas where the spoken form of the national language is used, with the aim of enabling people to obtain information without barriers, freely express their opinions, and facilitate their overall integration into society.

Throughout the year, the Ombudsman's NPG has investigated the situation regarding the protection of the rights of PWDs in psychiatric, special education, social, and penitentiary institutions, as well as other places where persons cannot leave on their own free will, and the measures have been taken based on the received complaints.

The attention has been given to ensuring the rights of persons with intellectual and psychosocial disabilities, visits have been conducted to these institutions without prior notice, and recommendations have been provided to improve the medical care for patients.

It is necessary to continue implementing measures to design and construct social infrastructure facilities based on universal design principles throughout the country, ensuring accessibility and conformity to international standards for transportation vehicles and roads for PWDs.

The Ombudsman attaches great importance to the application of international experience in the protection and promotion of PWDs' rights in the country and collaboration with specialized international organizations. Regular meetings have been conducted with members of the Working Group on the Convention on the Rights of Persons with Disabilities, part of the European Network of National Human Rights Institutions (ENNHRI). The activities of the Ombudsman in this domain have been featured in published bulletins.

Within the framework of cooperation with SCOs, the staff of the Ombudsman Office have participated in various discussions. These include the International Disability Alliance's (IDA) project on "Organization of Medical, Legal, and Psychological Services for Vulnerable Social Groups," the Society of Visually Impaired People of Azerbaijan project on "Heroic Example," as well as the implementation of innovative projects aimed at improving the abilities of parents in the social rehabilitation of children with limited health capabilities (cerebral palsy) and the presentation of the report of the Regional Development Public Union, at the presentation of the "Summary of Inclusive Education Policy in Azerbaijan" and discussions on the topic of "Opportunities and Challenges for Comprehensive Development, Talent, Knowledge, and Skills Realization of CWDs."

Annually, the Ombudsman takes the initiative to conduct various awareness-raising events during both "Human Rights Month" and "Child Rights Month", involving PWDs and organizations representing them, to ensure the effective protection of the rights of these individuals, who belong to vulnerable groups of the population.

Chapter II

INTERNATIONAL COOPERATION

In 2022, the activities carried out by the Ombudsman institution in the field of international cooperation have been comprehensive and fruitful.

Since the very beginning of its establishment, the Ombudsman institution has successfully continued its effective cooperation with international and regional organizations such as the United Nations (UN), Council of Europe (CoE), European Union (EU), Organization for Security and Cooperation in Europe (OSCE), International Ombudsman Institute (IOI), Asian Ombudsman Association (AOA), European Ombudsman Institute (EOI), Organization of Islamic Cooperation (OIC), and others.

One of the main directions of the Ombudsman's activities has been to bring to the attention of international organizations the facts of brutality and acts of vandalism committed by the military-political leadership of Armenia against the peaceful population of Azerbaijan, serious violations of international humanitarian law (IHL) norms, and other acts constituting war crimes, as well as the restoration of the violated rights of our former IDPs and refugee compatriots. In this regard, the Ombudsman has conducted fact-finding missions, the relevant statements, reports, and complaint-based appeals have been submitted to the relevant international organizations, ombudspersons and NHRIs of other countries, the foreign embassies in Azerbaijan, and our embassies abroad, Azerbaijan's diaspora organizations, as well as various religious communities and confessions; video messages have been released, and the voice of justice of Azerbaijan has been promptly delivered to the attention of the global public.

The investigations conducted in the liberated territories revealed evidence and proof, as well as mass graves, and not only exposed the criminal face of the Armenian government but also highlighted the necessity of bringing Armenia to justice for its inhuman and war crimes committed in those territories. Therefore, reports have been prepared based on the factual materials obtained through investigations carried out by the Ombudsman during both the war and the post-war period and sent to relevant international human rights organizations.

The acts of vandalism targeting Azerbaijani graves by disrespecting their spiritual values once again demonstrate Armenia's inhumane attitude towards other nations and religions.

In the appeal addressed to the international community regarding the discovery of mass graves in the liberated village of Edilli in the Khojavand district, where the remains of 12 individuals were found, who were tied up and buried en masse using shrouds and ropes, it was emphasized that these human remains belonged to Azerbaijani prisoners of war (POWs) who were tortured and killed. This incident not only violates the requirements of the 1949 Geneva Conventions by Armenia but also provides further evidence of their ethnic hatred policy against Azerbaijanis.

During the past period, the Ombudsman conducted factual investigations in the liberated districts of Fuzuli, Zangilan, and Aghdam and prepared a special report based on the obtained evidence and sent it to international organizations. The report highlighted the deliberate mass destruction of Azerbaijani cemeteries, plundering of tombstone monuments, desecration of graves and the deceased, as well as the intentional mining of the area with the purpose of causing casualties among people visiting the gravesites.

Throughout the occupation period, in Azerbaijan's historically and internationally recognized territories, all civilian objects, residential areas, historical-cultural and religious architectural monuments such as mosques, places of worship, and cemeteries were ruthlessly destroyed, desecrated, and looted by Armenia.

The gathered evidence confirms that besides committing crimes against humanity and engaging in war and other grave crimes against the Azerbaijani population, Armenia flagrantly violated IHL norms, including the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention), the 1949 Geneva Conventions relative to the Protection of Civilian Persons in Time of War (The Fourth Geneva Convention), and the 1992 European Convention on the Protection of the Archaeological Heritage.

As a result of Armenia's long-standing policy of environmental terrorism against Azerbaijan, the Ombudsman addressed appeals to the international community regarding the serious damage inflicted on our country's nature, biodiversity, flora and fauna, water sources, and the ecosystem of the region. Furthermore, the Ombudsman has expressed her support to our eco-activists who have organized actions to eliminate the environmental terrorism carried out by Armenia, calling on the global community to support this campaign that serves the protection of human rights and freedoms.

In January 2022, during the video conference by the OSCE Security Cooperation Forum held under the chairmanship of Azerbaijan, the Ombudsman delivered a speech on the topic of "Compliance with IHL and the Protection of Civilians." During this speech, she highlighted that, as a result of Armenia's policy of occupation, the fundamental rights of nearly one million Azerbaijani IDPs, such as the right to life, freedom, property, and a fair trial, have been severely violated. She also drew attention to the fact that Armenia has not provided information about the 3,890 Azerbaijanis who went missing during the First Karabakh War to date.

The report prepared as a result of on-site investigations conducted by the delegation led by the Chief Ombudsman of Türkiye within the capacity of the OIC Ombudsman Associations' President in Shusha, Aghdam, and Tartar was presented to the public in Ankara, Turkey, in May 2022. The main purpose of the report was to highlight the importance of international evaluation of human rights violations committed by Armenia and to inform them about the landmine problem existing in the liberated territories.

The Azerbaijani Ombudsman promptly reacted to the information that the newly elected Ombudsman of Armenia illegally traveled to the Azerbaijani territories, where the Russian peacekeepers have been temporarily deployed, emphasizing that this illegal visit violated the trilateral statement of 10 November, 2020, signed by the President of Azerbaijan, the President of the Russian Federation, and the Prime Minister of Armenia and also intentionally escalated tensions in the region and cast a shadow on the activities of Russian peacekeepers.

The Ombudsman promptly reacted to the attacks by extremist groups of Armenian origin residing in Lebanon and France, under the guise of "protests," on the Azerbaijani embassies in those countries, the attempted acts to endanger the lives of Azerbaijani diplomats, as well as the acts of vandalism committed. The Armenian government was demanded to immediately abandon its policy of ethnic discrimination, hatred, and terrorism against Azerbaijanis.

In response to the information shared on the official Twitter account of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) that fueled hatred between the Azerbaijani and Armenian peoples, the Ombudsman promptly reacted, stating that such a post was provocative at a time when the parties are approaching peace by recognizing each other's territorial integrity and sovereignty, and strongly condemned it. The double standards shown in relation to Azerbaijan, where no reaction has been given by the OSCE to the war crimes committed by Armenia, but instead, biased information is shared that does not reflect the truth about our country, were considered actions undermining peacebuilding efforts.

In her statement issued as a protest against the resolution adopted by the French Senate on November 15, 2022, titled "The application of sanctions against Azerbaijan and

its immediate withdrawal from the territory of Armenia, the demand to comply with the ceasefire agreement dated November 9, 2020, and the promotion of all initiatives aimed at establishing sustainable peace between the two countries, the Ombudsman stated that the document was biased, not based on truth, and relied on double standards.

In 2022, the Ombudsman held meetings with the accredited ambassadors of foreign countries and representatives of international organizations in our country, providing comprehensive information about her activities. During this period, the Ombudsman received the Extraordinary and Plenipotentiary Ambassador of Morocco to Azerbaijan, the OSCE representative on freedom of media, Ambassador of the Ministry of Foreign Affairs of the French Republic for Eastern Partnership, as well as the Extraordinary and Plenipotentiary Ambassador of France in our country, the head of the ICRC Delegation to Azerbaijan, the newly appointed Extraordinary and Plenipotentiary Ambassador of the Federal Republic of Germany to our country, the head of the International Organization for Migration (IOM) country office, the Secretary-General of the Parliamentary Assembly of Turkic-Speaking Countries (TURKPA), the United Nations Development Programme (UNDP) officer in charge in the Republic of Azerbaijan, and a member of the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe (PACE). The issues on how to more effectively protect human rights and future cooperation prospects were discussed at these meetings.

Cooperation with foreign ombudspersons and NHRIs. The Ombudsman has continued her activities in the development of cooperation with foreign ombudspersons and NHRIs.

During the visit to the Kingdom of Morocco at the invitation of the Ombudsman of this country, the Ombudsman discussed future cooperation prospects and the signing of a memorandum of cooperation between the two institutions in a bilateral meeting.

As part of the visit, the Ombudsman held meetings with the Minister of Justice of the Kingdom of Morocco, parliamentarians, and heads of advisory bodies, where she gave detailed information about the multifaceted activities of the Ombudsman institution in Azerbaijan, the military aggression of Armenia against our country, and the existing landmine problem in the liberated territories.

A memorandum of cooperation was signed between the Ombudsman of the Kingdom of Morocco and the Ombudsman of Azerbaijan during the visit of the Moroccan Ombudsman to Azerbaijan in October.

Upon the invitation of the Chief Ombudsman of the Republic of Türkiye, the Ombudsman participated in an international event held in Bursa, Türkiye, where she delivered a speech. The purpose of the event was to bring together ombudspersons and NHRIs of Turkic states and adopt a decision on the establishment of an association of these institutions.

During the visit, the Ombudsman also had meetings with the Governor of Bursa and the mayors of Bursa Büyükşehir and Osmanqazi Municipalities.

In accordance with the Memorandum of Understanding (MoU) signed between the Human Rights and Equality Institution of Turkey (HREIT) and the Ombudsman institution of Azerbaijan, a delegation from HREIT visited Azerbaijan for the purpose of exchanging experiences within the framework of the national preventive mechanism.

During the visit, the HREIT delegation visited the Training Institution of the Penitentiary Service of the Ministry of Justice of Azerbaijan and penitentiary institution No. 4, as well as the Immigration Detention Center for Irregular Migrants of the State Migration Service of Azerbaijan in Baku, where they familiarized with the working conditions.

Within the framework of the mentioned memorandum, the Ombudsman and a group of staff members of the Institution officially visited Türkiye upon the invitation of the HREIT.

Within the framework of the visit, the staff of the Azerbaijan's Ombudsman institution and HREIT made joint visits to the penal institutions located in Mardin and Diyarbakir, including the children's correctional facility.

To expand cooperation with the ombuds institutions of the Baltic countries, the Ombudsman has conducted official visits to Estonia, Latvia, and Lithuania. During these visits, the Ombudsman held meetings with the heads of counterpart institutions as well as various officials from these countries. There were discussions on mutual exchange of ideas and information regarding the protection of human rights and freedoms, and the prospects for collaboration with these institutions were also discussed.

The Ombudsman traveled to Warsaw, Poland, to participate in a meeting of the heads of NHRIs of the countries belonging to the OSCE region. The leaders and representatives of NHRIs from 33 countries attended the meeting, discussed the issues of enhancing the independence of NHRI in the OSCE region and addressing the challenges they face. Also, reports, statements, and appeals regarding human rights violations committed by Armenia against Azerbaijan during the Second Karabakh War and the post-war period, as well as publications on various aspects of human rights prepared by the Ombudsman's Office, were shared with the participants.

The Ombudsman also participated in the international summit titled "Strengthening the Role of NHRIs in the Protection and Promotion of Human Rights: Understanding of New Challenges, Achievements, and Opportunities," organized by HREIT in Ankara, Türkiye.

During the summit, which was attended by representatives of Türkiye's relevant state institutions, several influential international organizations, and NHRIs of Germany, Croatia, Denmark, Bosnia and Herzegovina, Albania, Uzbekistan, and Georgia, the Ombudsman delivered a presentation on the role of NHRIs in the protection and promotion of human rights and freedoms from Azerbaijan's experience with the participants.

The Ombudsman participated in an international scientific-practical conference dedicated to the 20th anniversary of the Ombudsman Institution of the Kyrgyz Republic, titled "The Role of Ombudsman Institutions in the Protection of Human Rights." During the conference, the Ombudsman delivered a presentation on the topic of "Mutual Cooperation of NHRIs in the Protection of the Rights of Migrant Children", highlighting the situation regarding the protection of rights and freedoms of migrant, refugee, and internally displaced children, as well as emphasizing the responsibilities of NHRIs in this field.

As an observer guest, the Ombudsman participated in the 7th Meeting of the Eurasian Ombudsman Alliance held in Moscow. In her speech, she provided detailed information to the participants about the activities of the Azerbaijani Ombudsman Institution in the protection and promotion of human rights and freedoms, as well as its work as a national preventive mechanism. During the visit, the Ombudsman also participated in the 7th International Scientific-Practical Conference on the topic of "Human Rights Challenges in the Eurasian Region: Exchange of Ombudsman Good Practices." She emphasized the importance of expanding cooperation among NHRIs, exchanging good experiences and ideas in the field of human rights protection, and organizing joint events.

The Ombudsman delivered a presentation at the international symposium on "Food Right in the Context of Climate Change and Human Rights," organized by HREIT, highlighting the growing focus on the preservation of ecological balance, environmental conservation, and sustainable utilization of natural resources in recent years. The Ombudsman underlined the importance of continuing mutual cooperation in addressing issues related to climate change and food right and called on everyone to demonstrate solidarity in protecting human rights in this direction.

Participation of the staff of the Ombudsman Institution in international events and training sessions. Throughout the year, the staff of the Institution took part in various international events and training sessions, including:

- a seminar on "Integrating the Issue of Sexual and Gender-Based Violence in Detention Monitoring" organized by the Office for Democratic Institutions and Human Rights (ODIHR) of the OSCE in Warsaw, Poland.

- a human dimension international conference organized by the ODIHR/ OSCE.

- a training session on "Artificial Intelligence and Human Rights" held in Tirana, Albania, co-organized by the OSCE and the ENNHRI.

- an EU/CoE training session held in Strasbourg, France, with the participation of officials from the CoE, as part of the project "Strengthening the Access to Justice through Non-Judiciary Redress Mechanisms for Victims of Discrimination and Hate Crime and Hate Speech in the Eastern Partnership Countries."

- a seminar dedicated to the concept of "Viewing the Turkic World - 2040" organized by the International Hoca Ahmad Yasawi Turkish-Kazakh University in the city of Turkistan, Kazakhstan.

- a global conference on "Artificial Intelligence, E-Governance, and Access to Information" held in Tashkent, Uzbekistan, organized by UNESCO and the Republic of Uzbekistan, in honor of the International Day for Universal Access to Information.

- a training session held in Madrid, Spain, and Vienna, Austria, as part of the "Support to the Implementation of the Mobility Partnership with Azerbaijan" (MOBILAZE 2) project, with the support of the EU.

- the 3rd Regional Forum on Business and Human Rights in Eastern Europe and Central Asia, organized by the United Nations in Istanbul, Türkiye.

- the next General Assembly of the ENNHRI, held in Brussels, Belgium.

- a training session held in Madrid, Spain, within the framework of a joint project by the EU/CoE aimed at increasing awareness on the Istanbul Convention and other gender equality standards in Azerbaijan.

- a study visit to Copenhagen, Denmark, to the Danish Institute for Human Rights, with the purpose of exchanging experiences in the field of business and human rights.

Cooperation with the United Nations. In order to further strengthen collaboration with the UN, a Memorandum of Cooperation on collaboration between the Ombudsman and the UN Resident Coordinator in Azerbaijan has been signed.

The Memorandum of Cooperation envisages the implementation of joint projects in the field of education and awareness-raising on human rights, further expansion of relations with the UN human rights mechanisms, assessment and implementation of recommendations within these mechanisms, strengthening the institutional capacity of the Ombudsman, preparation of national strategies for the protection of human rights, and implementation of the "Framework Document on Sustainable Development Cooperation between the UN and Azerbaijan for 2021-2025". In order to effectively implement cooperation in the mentioned areas, a working group consisting of representatives from both institutions has been established.

During the year, the members of the WG have held regular meetings and conducted discussions on the implementation of the set goals.

In collaboration with the UN, various measures have been taken to develop the knowledge and skills of the staff of the Ombudsman Institution in the field of business and human rights, as well as to learn from the best practices of NHRIs of other countries in this regard.

Upon the initiative of the Ombudsman and with the UN support, on October 17-18, 2022, an international training on business and human rights was conducted for the first time, where an international expert, as well as representatives from the Ombudsman Institution, CSOs, and business entities, participated.

With the support of the UN, a representative of the Ombudsman's Office participated in the 3rd Regional Forum on Business and Human Rights in Eastern Europe and Central Asia, held in Istanbul. The international event, attended by 59 representatives from 17 countries, featured the presentation of the UN Roadmap for Business and Human Rights for the next 10 years.

Based on the same MoU, a delegation consisting of a group of staff members from the Ombudsman's Office, with the support of the UN, had a study visit to the Danish Institute for Human Rights, which has a rich experience in business and human rights. Furthermore, during the visit, they also held meetings with representatives of CSOs engaged in business and human rights.

This study trip, which holds great importance for enhancing activities in the field of business and human rights in Azerbaijan, has also contributed to further developing cooperation between the NHRIs of Azerbaijan and Denmark.

Several trainings have been conducted within the framework of the project "Support for the Implementation of Partnership on Migration with Azerbaijan (MOBILAZE 2)," funded by the EU and in collaboration with the IOM and the International Center for Migration Policy Development (ICMPD) country office in Azerbaijan.

As a part of that project, a study visit to Spain was organized for the relevant institutions of Azerbaijan to familiarize themselves with the legal regime and status of migrant domestic workers. In the course of the visit, which was also attended by a representative from the Ombudsman's Office, participants became acquainted with the regulation of the legal status of migrant domestic workers, employment, social protection, data collection, and other procedures.

In the context of the project, a delegation consisting of a group of staff members from the Ombudsman's Office also participated in a training on "Capacity Building in Human Rights Protection in Migration Management" held in Austria. The delegation held working meetings with the Head of the ICMPD's Eastern Europe and Central Asia Regional Office, as well as with the Federal Agency for Reception and Support Services in Austria, where they exchanged information, experience, and ideas.

As part of the series of events held on the occasion of the Ombudsman Institution's 20th anniversary, a special significance was given to the Baku International Conference on the "Role of Ombudsman and NHRIs in the Field of Business and Human Rights", within the framework of cooperation with the UN, on October 19-20. The conference was attended by representatives and officials of ombudsmen and NHRIs from Türkiye, Pakistan, China, Iran, Hungary, South Korea, Japan, Indonesia, the Kingdom of Morocco, Kazakhstan, Uzbekistan, Kyrgyzstan, Moldova, Hong Kong, and Northern Cyprus, as well as representatives of international organizations and CSOs and international experts. During the conference, participants discussed current trends and challenges in the field of business and human rights and shared their country's experiences.

At the end of the conference, a Joint Declaration was adopted.

In the Declaration, the conference participants agreed on conducting joint discussions on topics related to business and human rights, which are dedicated to the actual problems of business and human rights, in international and national conferences, seminars, and similar events. They agreed to prepare proposals on business and human rights in accordance with international agreements and progressive international practices, as well as to develop cooperation with relevant state institutions, commercial and non-commercial organizations, CSOs, including NGOs, and the media, in the field of promoting business and human rights.

Among other issues, the Declaration emphasized the importance of combating war crimes, the complete destruction of socio-economic and cultural infrastructure, landmine contamination, protecting civilians lives and health, and addressing the serious threats posed by acts of vandalism that jeopardize business development. This document also highlighted the need for international cooperation in the fight against crimes against peace and humanity committed during armed conflicts and the violation of international humanitarian law.

During the conference, the guests, including the Ombudsman and several staff members of the Office, visited the liberated districts of Aghdam and Tartar as part of a social program and familiarized themselves with the consequences of Armenia's military aggression against Azerbaijan.

Cooperation with the CoE. During the past period, the Ombudsman's cooperation with the CoE continued successfully. During an official visit to Strasbourg, France, the Ombudsman held meetings with the Secretary General of the Council of Europe, Marija Pejčinović-Burić, the Secretary General of the Parliamentary Assembly, Despina Chatzivassiliou, and the President of the European Court of Human Rights, Robert Spano. During the meetings, the results of projects implemented within the framework of cooperation with the CoE and possibilities for expanding collaboration were discussed.

During the meetings, the Ombudsman emphasized the critical importance of promptly and thoroughly demining our liberated territories, and she also emphasized the need for the Armenian side to provide our country with accurate minefield maps. In addition, she stated that this issue was addressed in the report submitted to international organizations.

The project "Strengthening the Access to Justice through Non-Judicial Redress Mechanisms for Victims of Discrimination and Hate Crime and Hate Speech in the Eastern Partnership Countries" supported by the EU and implemented by the CoE, which the Ombudsman Institution joined in 2019, has continued successfully.

Within the framework of this project, trainings have been organized for the staff of the Ombudsman's Office and CSOs to increase their knowledge and skills in combating hate crimes and promoting equality and prepare trainers. At the end of these trainings, participants were awarded certificates. In the scope of this project, representatives of CSOs working in the southern part of the country also participated in a training organized by international and local experts of the CoE in Lankaran city.

To increase knowledge and experience in combating discrimination, an Ombudsman's Office delegation, under the leadership of the Ombudsman, visited the headquarters of the CoE as part of the "Partnership for Good Governance II" program. The visit also afforded the opportunity to become acquainted with the CoE's programs on inclusiveness and combating discrimination. During the meetings with CoE officials, the activities of the Azerbaijan's Ombudsman Institution within the relevant project were highly appreciated, and they expressed their interest in expanding collaboration in this field.

The staff members of the Ombudsman Institution have also participated and successfully completed the HELP online course on the topic "Violence against Women and Domestic Violence", which aims to enhance the quality of response by judicial authorities in cases of violence against women and support access to justice for victims of violence.

European Network of National Human Rights Institutions (ENNHRI). During the past period, the Ombudsman of Azerbaijan continued her collaboration with ENNHRI.

A representative of the Ombudsman's Office participated in the meeting of the Network's General Assembly held in Brussels. Representatives of various NHRIs attending the meeting discussed their positive experiences, challenges, and activities carried out in

emergency situations for the protection of human rights and freedoms, as well as the further strengthening of the independence of these institutions and other relevant topics. The Ombudsman's representative provided detailed information about the activities of the Azerbaijan's Ombudsman in the mentioned areas, highlighting the problem of refugees and IDPs. It was emphasized that unlike other countries, Azerbaijan first faced this problem 30 years ago, and through its own efforts, managed to address the consequences and restore the violated rights and freedoms of IDPs.

Furthermore, throughout the year, inquiries on various aspects of human rights addressed to the Ombudsman Institution by ENNHRI were responded to.

Cooperation with the Association of Ombudsmen and NHRIs of Turkic-Speaking Countries (TURKOMB). Important work has been carried out towards the establishment of the Association of Ombudsmen of Turkic-Speaking Countries and the preparation of its future action plan, including through the efforts of the Azerbaijani Ombudsman.

In the meetings held for the discussion of the MoU on the establishment of the Association, the Ombudsman participated in the exchange of ideas and presented her recommendations. As a result of the activities carried out in this direction, the MoU on the establishment of TURKOMB was signed on May 13, 2022, in Bursa, Türkiye, by the Ombudsmen and heads of NHRIs of Azerbaijan, Türkiye, Kazakhstan, Uzbekistan, and Kyrgyzstan.

On May 24-25, 2022, the heads of the Ombudsman and NHRIs of Türkiye, Kazakhstan, Uzbekistan, and Kyrgyzstan participated in the international conference on "Protection of Human Rights in TURKPA Member States" held in Baku, within the framework of joint cooperation between the Parliament of Azerbaijan, the Ombudsman's Office, and TURKPA, dedicated to the 20th anniversary of the establishment of the Azerbaijani Ombudsman Institution. At the conclusion of the event, the Baku Declaration of the Ombudsmen of Turkic-Speaking Countries was adopted by the TURKOMB members.

Within the framework of the conference, a visit of the heads and representatives of NHRIs, as well as parliamentary members of TURKPA member states to the liberated city of Shusha was organized. The guests had the opportunity to familiarize themselves with the acts of vandalism committed by Armenia against historical and cultural heritage in Shusha, as well as the restoration and reconstruction works carried out after the liberation on site. After the establishment of TURKOMB, the importance of cooperation in the field of human rights, joint activities within this organization, and the exchange of experiences between member institutions were emphasized during the first conference of member institutions.

The first online training for the staff of TURKOMB member institutions was organized in 2022 specifically by the Azerbaijani Ombudsman Institution on the topic of the right to access information. The training provided participants with information on the requirements arising from international norms and principles regarding the protection of the right to access information, as well as insights into the experience of the Azerbaijani Ombudsman's Office.

Within the framework of cooperation between the Ombudsman and the UN, an online training organized in Baku brought together not only international experts, staff members of the institutions, and CSO representatives and business structures but also the staff of the Ombudsman and NHRIs of Kazakhstan, Türkiye, Uzbekistan, and Kyrgyzstan, who are members of TURKOMB. Thus, for the first time, a training event with the participation of an international expert was launched on the initiative of the Azerbaijani Ombudsman and within the framework of TURKOMB.

The next session of TURKOMB was held in Baku. During the session, discussions were held on the work done during the past period, and a number of proposals were put forward for the improvement of the organization's work. The training events organized by the Ombudsman's Office were highly appreciated by the participants, and the importance of their continuity was emphasized.

Cooperation with the Ombudsman Association of the Organization of Islamic Cooperation (OIC OA). Cooperation with the Ombudsman Association of the Organization of Islamic Cooperation (OIC OA) has successfully continued. The Ombudsman has regularly participated in the meetings of the OIC OA Executive Board and made recommendations for improving the organization's activities.

During the meeting attended by the ombudsmen of Azerbaijan, Türkiye, Pakistan, Iran, Morocco, and Djibouti, the results of the Association's activities in the preceding year were evaluated, and discussions were held on future activity directions. The Ombudsman shared ideas on speeding up the process of admission of new members to the organization and emphasized the importance of conducting legal training programs based on the exchange of experiences in various areas of human rights.

During the OIC OA's Executive Board meeting held in Morocco, discussions were held on the organization's action plan, and participating institutions shared good practices.

Within the framework of the OIC OA, the first online training on "Protection of the Right to Access Information: Experience of the Azerbaijani Ombudsman" was organized by the Ombudsman's Office in 2022. The training highlighted the role of good governance in ensuring the right to information and provided examples from the mandate and experience of the Azerbaijani Ombudsman in overseeing the implementation of the right to information. The training was highly appreciated by the participants, and it was recommended to continue such trainings.

The General Assembly of the OIC OA was hosted by the Azerbaijani Ombudsman's Office in October. The meeting was attended by ombudspersons and leaders of human rights institutions from Azerbaijan, Türkiye, Pakistan, Morocco, Iran, Indonesia, but the Sudanese Ombudsman joined the event via video conference format.

During the meeting, the annual activities of the Association were discussed, and there was an exchange of ideas on the development of collaborative work and future activity directions among the members of the OIC OA, as well as organizational matters.

In order to intensify mutual activities and joint human rights programs and expand cooperation relations, a MoU was signed with the OIC's Independent Permanent Human Rights Commission (IPHRC). The Memorandum aims to enhance the potential of collaboration in human rights law and related issues, conduct joint research and investigations by leveraging the experience of ombudspersons in the field of human rights, increase public awareness about modern challenges in this area, and organize seminars, conferences, and joint training programs on topics of common interest, as well as promote universal values of human rights and other related matters.

Cooperation with the Asian Ombudsman Association (AOA). As the Vice President of the AOA, the Ombudsman of Azerbaijan has continued her activities towards further improving the work of the Association, which aims to establish connections among ombudspersons and human rights institutions in Asian countries.

The next meeting of the AOA Executive Board was held in Baku with the participation of ombudspersons and leaders of human rights institutions from Japan, Indonesia, Hong Kong, Iran, Pakistan, and Türkiye. During the meeting, the analysis of the activities carried out since the last meeting held in Istanbul, as well as upcoming tasks and activity directions were discussed. Recognizing the importance of exchanging experiences among AOA members in the field of human rights and freedoms protection, discussions were also held on the establishment of WGs in specific areas, organizing online educational training programs, and arranging study visits.

Chapter III

LEGAL EDUCATION, SCIENTIFIC-ANALYTICAL WORK, AND COOPERATION WITH CIVIL SOCIETY ORGANIZATIONS

Awareness activities in the field of human rights. Legal awareness-raising events have been organized on various topics of human rights by the Ombudsman's Office, and the staff members also participated as speakers and trainers in events organized by other institutions.

A video conference dedicated to the 99th anniversary of the birth of the prominent political and state figure, Heydar Aliyev, and the defense of human rights in independent Azerbaijan, was organized on the initiative of the Ombudsman. Also, an educational event on the topic of "National Leader Heydar Aliyev and the Protection of Child Rights" was organized for the students of secondary school No. 146 in Baku city.

As every year, the Ombudsman's Office has organized legal awareness-raising events on various topics of human rights in Baku and the regions, with the participation of relevant government institutions, administrations, organizations, CSOs, NGOs, and media outlets, in connection with "Human Rights Month" from May 18 to June 18, coinciding with the national Human Rights Day, and "Child Rights Month" from October 20 to November 20, commemorating the anniversary of the adoption of the CRC.

During Child Rights Month, the Ombudsman's Office prepared informative posters on various issues of child rights. With the support of the State Advertising Agency of Azerbaijan, these posters were displayed on outdoor advertising structures in various locations throughout the city. The posters reflect information and appeals related to the protection of children from harmful influences, physical punishment, abuse, discrimination, bullying, suicide, violence, the prevention of early marriage, listening to children's opinions, and reporting child rights violations to the Ombudsman.

As part of the campaign dedicated to World Children's Day on November 20, jointly implemented by the UNICEF Azerbaijan Office, the Ombudsman's Office, the Ministry of Science and Education, the State Committee for Family, Women, and Children's Affairs, and the "Regional Development" Public Union, a series of events were organized to educate children and ensure their rights.

The Ombudsman Office, in collaboration with the Republic Youth Development Center under the Ministry of Science and Education organized a training session on the UNESCO principle of "Education for All". The aim of the training was to increase the professional capacity of the Center's staff in legal awareness, as well as train trainers in the protection of children's rights.

In a training session on "Protection of Children's Rights" organized for the staff of the State Migration Service, the representative of the Ombudsman's Office gave information on child protection mechanisms and the Ombudsman's activities in this regard.

In accordance with the Action Plan for raising awareness on the UN Sustainable Development Goals (SDGs) in the field of Resilient Development approved by the National Coordination Council on Sustainable Development, the Ombudsman's Regional Centers conducted awareness campaigns on September 21, International Peace Day, under the theme "Promoting Just and Lasting Peace Serves the Protection of Human Rights." The local government bodies, self-governing institutions, and other organizations, as well as representatives from the public and media outlets, took part in these campaigns.

Bearing in mind the significance of promoting the right of everyone to freely and unhindered access to information on equal terms, traditional awareness-raising events on the topic of "Ensuring the Right to Information in the Context of Human Rights" were conducted in the Shamkir, Tovuz, Sabirabad, Ismayilli, and Gabala districts. The representatives of local executive authorities, law enforcement agencies, regional education departments, and other information-holding state institutions participated in these events. The participants were provided with informative booklets prepared by the Ombudsman's Office titled "Let's Know Our Right to Information" and "Ensuring the Right of Access to Information."

In accordance with the annual action plan of the OIC OA, the Ombudsman's Office conducted the first training for ombuds institutions in Member States. At this online event on "Protection of the Right of Access to Information: Azerbaijan Ombudsman's Experience," the staff members of the Office were involved as trainers. They spoke about the role of good governance in ensuring the effective exercise of the right to information, the recognition of the right to information in national and international legal frameworks, and the mandate of the Azerbaijani Ombudsman for monitoring the implementation of this right.

The Ombudsman's Office organized another informative webinar for representatives of human rights institutions of Azerbaijan, Türkiye, Uzbekistan, Kyrgyzstan, Kazakhstan, and other Turkic states. During the event, the Office's staff, in their role as trainers, provided information on the monitoring of the ensuring of citizens' right of access to information, by information holders, the investigation of complaints regarding violations of this right, and the administrative actions undertaken by the Ombudsman in relation to violations. The webinar also facilitated an exchange of experiences.

As part of the UNDP Project "Mainstreaming Human Rights-Based Approach through Strengthened Institutional Capacity in Azerbaijan", a training session on the topic of "The Role of NHRIs in Protection of Business and Human Rights" was conducted with the participation of the staff of the Ombudsman's Office, legal professionals, lawyers, representatives of NGOs, and national experts.

During the awareness event held by the Ombudsman's Office and its Regional Centers on the occasion of the National Salvation Day on June 15, it was highlighted that under the leadership of the National Leader Heydar Aliyev, the foundation was laid for the strengthening of national statehood and security, the socio-economic development of our country, the improvement of the normative-legal framework, and the fundamental reforms for the protection of human rights and freedoms. It was also stated that Heydar Aliyev played a special role in the establishment of the Ombudsman Institution, which serves the protection of human rights and freedoms in independent Azerbaijan, and the adoption of the country's first Constitution.

During the round-table discussion on the topic of "Protection of the Rights of the Elderly and Strengthening Social Protection", held in the Social Services Agency under the MLSP on the eve of the International Day of Older Persons on October 1, with the participation of the Ombudsman's representatives, legal educational information was provided.

A staff member of the Ombudsman's Office spoke at a seminar on "The Role of State Programs in Implementing Democratic Transformations: The Azerbaijani Model," organized by the Baku Branch of the International Institute for Monitoring Democracy Development, Parliamentarianism, and Suffrage Protection of Citizens of IPA CIS Member States (IIMDD).

Based on the international campaign "Orange the World: End Violence Against Women and Girls!" under the slogan "Unite to End Violence against Women," which takes place from November 25, the International Day for the Elimination of Violence Against Women, to December 10, International Human Rights Day, due to the announcement of the 16-days of Activism against Gender-Based Violence, the Ombudsman's Office and Regional Centers conducted awareness-raising activities in Azerbaijan, which focused on combating

gender-based violence, ensuring social protection and legal assistance for victims of violence, and elimination of the underlying causes of violence.

The representatives of the Ombudsman's Office participated as speakers and trainers in the legal awareness-raising events, including the event held at the Azerbaijan State Oil and Industry University for the students and teachers, and the event hosted by the Azerbaijan Academy of Labour and Social Relations and organized for students, committee chairs of trade unions, and members of the Gender Issues Commission. At these events, information about the protection of human rights, including child rights, international legal norms related to early marriages, national legislative acts, state programs, and the work carried out by the Ombudsman in this field, was provided.

As part of the continued successful cooperation in promoting human rights between the Ombudsman's Office and the Police Academy of the Ministry of Internal Affairs (MIA) of Azerbaijan, Ombudsman's Office staff members delivered a lecture on "Combating Corruption and the Requirements of National and International Legislative Acts in this Field" to the heads of district and city police departments and divisions at the academy.

The employees of the Ombudsman's Office and the Police Academy jointly, under the overall editorship of Dr. Iur, S. Aliyeva, had prepared a teaching-methodological manual titled "Practical Workshop on Human Rights." This manual was presented to the participants during the international scientific-practical conference titled "Current Issues of Human Rights in the Modern Era," dedicated to the 74th anniversary of the Universal Declaration of Human Rights (UDHR), held at the Police Academy of the MIA of Azerbaijan. Furthermore, during a meeting with the management, staff, and cadets of Heydar Aliyev Academy of the State Security Service of Azerbaijan, the Ombudsman spoke about the establishment of the rule of law and the promotion of rights and freedoms in Azerbaijan, the reforms undertaken in this direction, and the establishment, status, powers, and activities of the institution.

In collaboration with higher education institutions to support the training of professional specialists in the fields of law, international relations, and public administration, students specializing in "Human Rights" and "Health Law" fields at Baku State University (BSU), Azerbaijan University of Languages, and Western Caspian University have been engaged in internships in the Office. 39 in 2022 alone, and 503 in total, undergraduate and graduate students had internship and research experience at the Institution.

On the initiative of the Ombudsman, support for the development of human capital at various levels of higher education in the field of human rights and information law has continued at the UNESCO Chair of Law Faculty of the Baku State University. The Ombudsman and the staff of the Office run lectures and seminars on relevant subjects at the faculty, provided guidance on bachelor's theses on human rights, and supervised master's dissertations. In 2022, the Ombudsman chaired the specialized Scientific Council established for the defense of master's dissertations in the specializations of "Human Rights" and "Health Law" within the specialization of "Legal Expertise" at the Faculty of Law. She gave advice to young people regarding teaching and scientific research in the field of human rights.

Considering the role of educational publications in enhancing the effectiveness of awareness-raising activities in the field of human rights, and upon the Ombudsman's initiative, 11 informative leaflets and booklets were published in Azerbaijani, English, Russian, and Ukrainian languages in 2022, dedicated to the promotion of the right to information, prevention of torture, and protection of migrant rights. In total, during the 20 years of the Ombudsman Institution's activities, 226 publications, including one electronic publication, have been prepared and presented to readers.

The Ombudsman Institution's Human Rights Library has disseminated books, booklets, leaflets, posters, and discs to government agencies, libraries, educational institutions, visitors, and penitentiary and correctional facilities. Furthermore, during their

international visits, the Ombudsman and the Office's staff shared these relevant materials with the participants there.

The Ministry of Culture of Azerbaijan organized the VIII Baku International Book Fair at the Baku Expo Center with the aim of promoting reading culture among the population and creating a platform for meetings between writers and readers to enhance the knowledge and skills of young writers through communication and experience exchange. Traditionally, the Ombudsman Institution joined this fair with its stand, showcasing its publications about its activities during the war and post-war periods, as well as informative booklets on the right to information, and other printed materials, which have also been published in various languages. Furthermore, a presentation on "The Ombudsman Institution of the Republic of Azerbaijan: 20 years of general activities and accomplishments" was held for the exhibition participants, and video presentations on the right to information and the 916 Call Center were demonstrated.

Scientific-analytical work. The Ombudsman's activities in this field encompass various directions aimed at ensuring a more reliable protection of human rights and freedoms, the coordination and monitoring of state programs on human rights, providing feedback on draft laws received by the Ombudsman, making appeals to the Constitutional Court of Azerbaijan in accordance with the established procedure, as well as a number of other directions.

The draft laws prepared by the Prosecutor General's Office of the Republic of Azerbaijan regarding the amendments to the Civil Procedure and Family Codes as well as to the Law on Prevention of Neglect and Law Violations Related to Minors and the Law on the Rights of the Child," have been reviewed by the Ombudsman's Office, and relevant opinions have been submitted accordingly.

The proposals have been prepared and submitted regarding draft laws, such as the draft law prepared by the State Committee for Family, Women, and Children's Affairs of Azerbaijan to amend the Law on "Prevention of Domestic Violence" and the draft law on amendments to the Criminal Code and the Code of Administrative Offenses of Azerbaijan.

Additionally, opinions and proposals have been prepared regarding the draft law on "Amendments to the Law of the Republic of Azerbaijan on Lawyers and Legal Practice" prepared by the Collegium of Lawyers of Azerbaijan and submitted accordingly.

The proposals have also been prepared and sent regarding the draft "Regulations for the Transfer, Admission, Detention, Protection, and Release of Servicemen Who Have Been Subjected to Administrative Detention" prepared by the Ministry of Defense of Azerbaijan.

According to the document received by the Ombudsman from the Cabinet of Ministers, the Ombudsman has proposed the inclusion of the Ombudsman in the list specified in Article 59.2 of the Law on Media, in accordance with the second part of the Cabinet of Ministers' Decision No. 120 dated February 24, 2022, regarding the implementation of Presidential Order No. 1589 dated February 8, 2022, on ensuring the implementation of the Law of Azerbaijan No. 471-VIQ dated December 30, 2021, "On Media" and the regulation of a number of related issues.

The Ombudsman analyzed the appeals regarding the operations of municipalities and the regulatory legal framework governing this area and has prepared pertinent opinions and proposals.

The appeals received by the Ombudsman regarding the issues of execution of court decisions and the outcomes of their investigations, as well as the response letters provided by the Executive Directorate of the Ministry of Justice of Azerbaijan and its local departments, have been analyzed and summarized.

In addition, the proposals for the harmonization of the "Internally Disciplinary Rules of Penitentiary Institutions," approved by the Decision No. 7-N of the Collegium of

the Ministry of Justice of Azerbaijan dated December 29, 2011, the "Guidance on the Organization of Registration of Detainees and Convicts in Penitentiary Institutions," approved by the Decision No. 7-N of the relevant Collegium dated June 30, 2015, and the "Rules for the Mandatory Treatment of Narcological Patients Serving Sentences in Penitentiary Institutions," approved by the Decision No. 14 of the Cabinet of Ministers dated January 28, 2016, in accordance with the Law No. 618-VIQD dated November 5, 2022, "On Amendments to the Code of Execution of Punishments of the Republic of Azerbaijan" have been prepared and submitted accordingly.

In order to include video calls along with phone conversations, it would be appropriate to make necessary amendments to the "Law on Ensuring the Rights and Freedoms of Persons Kept in Places of Detention" and the "Internally Disciplinary Rules of Investigation Isolators," approved by the Cabinet of Ministers' Decision No. 63 of Azerbaijan dated February 26, 2014.

It should be noted that since the beginning of its activities, the Ombudsman has made inquiries to the Constitutional Court of Azerbaijan and relevant acts have been adopted by the Court in accordance with Article 130, Part VII of the Constitution of Azerbaijan, Article 13.2.8 of the Constitutional Law on Ombudsman, and Article 32 of the Law on the Constitutional Court of the Republic of Azerbaijan

Based on the Ombudsman's inquiry sent to the Constitutional Court regarding the compliance of Article 9.6 of the "Law of the Republic of Azerbaijan on Labor Pensions" approved by the Law No. 54-IIIQ dated February 7, 2006, with Part I of Article 13 (Property), Article 25 (Right to Equality), Parts I-IV of Article 29 (Right to Property), Parts I and III of Article 38 (Right to Social Security), and Parts I and III of Article 149 (Right to Social Security) of the Constitution of Azerbaijan, the plenum of the Constitutional Court adopted a decision on February 2, 2022.

The Ombudsman has also addressed an inquiry to the Constitutional Court regarding the compliance the Article 4 (Types of Benefits) of the "Law of the Republic of Azerbaijan on Social Benefits" approved by the Law No. 55-IIIQ dated February 7, 2006, with Article 25 (Right to Equality), Article 38 (Right to Social Security), Article 71 (Protection of Human and Citizen Rights and Freedoms), and Article 147 (Legal Effect of the Constitution of the Republic of Azerbaijan) as well as the Parts I and III of Article 149 (Normative Legal Acts), of the Constitution of Azerbaijan.

According to the decision of the plenum of the Constitutional Court dated November 14, 2022, regarding the relevant inquiry, it was stated that the provision of social benefits to women with more than five children as stipulated in Article 4.0.1.13 of the "Law of the Republic of Azerbaijan on Social Benefits" does not contradict Articles 38 (Parts I and III) of the Constitution. However, it has been recommended to the Parliament to amend the legislation concerning the inclusion of single fathers raising more than five children in Articles 4.0.1.13 and 7.0.10-3 of the mentioned law for the purpose of aligning them with Article 25 (Parts II and III) and Article 149 (Parts I and III) of the Constitution.

In total, the Constitutional Court passed decisions or rulings on 41 inquiries addressed by the Ombudsman. These decisions and rulings, either theoretical or practical in nature, contribute to a comprehensive understanding of the rights and freedoms enshrined in the Constitution and other national legislative acts, and facilitate their proper implementation in practice.

Cooperation with civil society organizations. The importance of cooperation with the public and CSOs is constantly increasing. The Ombudsman has taken measures to expand relations with NGOs, associations, the media, and the public.

Public relations and cooperation with NGOs. The Ombudsman attaches great importance to collaboration with CSOs to expand the effectiveness of human rights protection.

Through the initiative and organization of the Ombudsman, as well as the participation of the Institution's staff, numerous events dedicated to the priority directions of human rights have been organized with the participation of non-governmental organizations, associations, representatives of the public, and experts in various fields.

The broad audience, especially adolescents and young people, has actively participated in educational events on human rights, including children's rights, gender equality, anti-discrimination, harmful practices and human trafficking, the negative consequences of early marriage, promoting a healthy lifestyle, combating domestic violence, and other related topics targeting families, students, and communities.

Regarding the protection of the rights of children, a vulnerable group of population, the Ombudsman has collaborated with local organizations such as the "Umid Yeri" Child Shelter, the United Aid for Azerbaijan (UAFA) organization's Ganja Community-Based Rehabilitation Center, the Mehseti Genjavi Center in Ganja, the "Fereh" Public Union, the Azerbaijan Autism Association, the "Briut" Medical Center, the Public Union for Legal Analysis and Research, and other CSOs.

On the initiative of the Ombudsman, free psychological support campaigns have been organized for the families of martyrs and veterans of the Patriotic War, covering the regions of Lankaran and Astara.

In addition to the foregoing, the Ombudsman has regularly met with the families of martyrs, veterans, as well as relatives of POWs, missing persons, and hostages. She listened to their appeals, studied their problems, and took the necessary measures to resolve them.

Within the framework of cooperation with specialized NGOs for safeguarding the rights of PWDs, the Ombudsman has mentored the winner of the "Yükselish" (Rise) competition and discussed the ongoing projects with representatives of the "Society of Visually Impaired People of Azerbaijan" Public Union, along with the colleagues of the Ombudsman's Office.

To promote social inclusion of individuals with autism and increase public awareness about autism, educational events have been organized in collaboration with the Autism Association. The existing issues and implemented initiatives have been discussed, and the staff of the Ombudsman's Office have met with trainers in centers affiliated with the association and interacted with children receiving treatment.

A staff member of the Ombudsman's Office has participated in a public discussion on the topic of "Great Return and Repatriation to Homeland," initiated by the Fund of Assistance to Development of Entrepreneurship and Market Economy, Azerbaijan National NGO Forum, International Eurasia Press Fund (IEPF), Public Council and Public Monitoring Center under the State Committee for Affairs of Refugees and IDPs of the Republic of Azerbaijan.

The Public Association "Legal Analysis and Research," held a training on "Rights related to return and the role of civil society in the framework of the Shusha Year," with the participation of representatives from government institutions and CSOs. While speaking at the training, a staff member of the Ombudsman's Office recommended NGOs to refer to the Ombudsman's relevant reports and documents when preparing special reports and similar documents for presenting information about Azerbaijan and conveying it to the global public.

In order to increase the awareness of young people, develop their leadership skills, and familiarize them with the activities of the Ombudsman, several young people were involved in the work of the Office as a part of collaboration with various universities and through a volunteer program.

The staff of the Ombudsman's Office actively participated in the large-scale "Nationwide Marathon on Greening" ("Green Marathon") organized in collaboration with IDEA Public Union and the Ministry of Ecology and Natural Resources of Azerbaijan,

demonstrating public engagement. They were actively involved in the tree planting campaign conducted on a 2-hectare area.

Cooperation with mass media: In the information society, cooperation with media institutions is expanding.

Activities of the Ombudsman have been extensively covered by local and international media. To ensure the swift and effective dissemination of this information to the public, the Ombudsman's official website and social media accounts on "Facebook," "Twitter," "Instagram," and "Youtube" have been regularly updated and shared. She has been interviewed by television and radio channels, as well as news agencies.

In relation to the activities of the Ombudsman, over the course of the year, a total of 1 report, 4 announcements, 9 appeals, 10 statements, 27 information bulletins, and 318 press releases have been prepared and published. In addition, 3 informational videos have been prepared and released dedicated to the 30th anniversary of the Khojaly genocide, the cherished memory of the martyrs of the Homeland War, and the 20th anniversary of the establishment of the Ombudsman's office.

A documentary film titled "The witness of Khojaly" about the Khojaly Genocide was produced and made publicly available. The film includes interviews with the witnesses of those bloody incidents, as well as the Ombudsman's appeal to the international community for a political-legal assessment of this crime.

There were 577 posts on "Facebook," 452 on "Instagram," 243 on "Twitter," and 6 on the "Youtube" channel.

The posts have also been translated to be brought to the attention of the international public.

One article written by the Ombudsman was published in "Respublika" newspaper, and another one was published in the November issue of the Bulletin of the Commissioner for Human Rights (Ombudsman) of the Russian Federation, and an interview with the Ombudsman was featured in the legal journal "Society and Punishment".

A total of 4,517 pieces of information related to the Institution have been published in the local and international media.

At the Ombudsman's Office, the Guidelines on "Social Media Policy," "Communication Strategy," and "Crisis Communication Plan" have been developed.

The Ombudsman has presented various documents and information to the public through media outlets and social media accounts, highlighting issues such as the settlement of terrorist forces by Armenia in the liberated territories, the crimes committed by them, post-war mine action activities, the discovery of mass graves in the liberated territories, the desecration of graves, and other documents and information that condemn clearly biased attitudes towards our country.

The Ombudsman's immediate reactions and calls to the international community regarding the tragic incidents resulting from mine explosions in the territories liberated from occupation, which have led to the deaths and injuries of numerous servicemen and civilians, have been extensively covered in the media.

Reports and features related to the Ombudsman's activities have been prepared and presented to a wide viewing audience.

The visits of foreign ombudspersons and heads of NHRIs, as well as representatives of international and regional organizations, to our liberated territories upon the invitation of the Ombudsman, as well as their interviews, have been highlighted through live broadcasts and extensive video coverage on television channels.

The media outlets have participated in the events organized by the Ombudsman Institution on various topics, and the information about the activities of the Institution and its Regional Centers, regular awareness-raising events, and the traditional month-long campaigns, Human Rights Month and Child Rights Month, as well as journalistic reports and children's drawing competitions, were covered in the media.

The Ombudsman held meetings with local and international journalists, highly appreciated their efforts in conveying the realities of Azerbaijan to the global audience and presented honorary certificates and awards to several of them.

The presentation of publications of the Ombudsman's Office at the VIII Baku International Book Fair was live-streamed through its Facebook page and presented to the wider public through video features on television channels.

The Ombudsman and the staff of the Office participated in a series of programs broadcasted on AZTV, ITV, "Azad Azerbaijan," KhazarTV, RealTV, CBCTV, Arb24, and other TV channels, including TV programs such as "Əsasməsələ," (Main issue) "Seher chaghi," (Morning) and "ATV Seher," where they made appearances and spoke on various topics related to the protection of human rights.

The Ombudsman's statements have been submitted to the UN and its specialized agencies, the EU, the CoE, the OSCE, IOI, and EOI, the AOA, the OIC, the OIC-IPHRC, the European Network of Ombudspersons for Children (ENOC), the International Peace Bureau, ombuds institutions of various countries, and embassies of the Republic of Azerbaijan abroad and foreign embassies in our republic, as well as Azerbaijani diaspora organizations.

On the initiative of the Ombudsman, a journalist essay competition dedicated to the 10th of December - International Human Rights Day and the 20th anniversary of the Ombudsman institution was held. The winners of the competition were presented diplomas and awards.

RECOMMENDATIONS AND SUGGESTIONS

The Ombudsman proposes the following for the effective protection and reliable defense of human rights and freedoms:

- To develop and adopt a National Action Program on Human Rights for the upcoming years to increase the effectiveness of the protection of human rights and freedoms, safeguard the rights of various groups of the population, promote a legal culture in society, ensure the sustainability of measures taken to further advance the regulatory framework, the legal protection system, and governance and develop international cooperation, bearing in mind modern challenges, the demands of the new era, and taking into account the recommendations of international organizations;
- To develop and adopt a "State Program on Business and Human Rights", with reference to the UN "Guiding Principles on Business and Human Rights" and the "Guidance on National Action Plans on Business and Human Rights," as well as the relevant good practices of other countries, in order to ensure respect for and adherence to human rights and freedoms during the implementation of business activities, make legal remedies more accessible, create opportunities for active participation of businesses in the country's social and economic life through promotion and implementation of corporate social responsibility, and to achieve the coordination of the activities of relevant entities in this field;
- To include "cases of violation of human rights and freedoms" in the list of inspections specified in Article 2.1, first sentence, of the Law "On the Suspension of Inspections Related to Entrepreneurial Activity," dated October 20, 2015, No. 1410-IVQ, by amending Article 1 of the same Law, in case of the necessity to extend the specified period mentioned therein;
- To develop a mechanism for the execution of court decisions in relation to indebted state authorities and allocate financial resources for this purpose in the State Budget of the Republic of Azerbaijan;
- To amend Article 92.3.2 of the Criminal Procedure Code of the Republic of Azerbaijan, by adding, after the wording "*because of serious chronic illness*", the words "*or an 81-100 percent impairment of bodily functions*", to ensure the effective participation of a defense attorney with disabilities in the criminal proceedings;
- To remove from the Law on Citizenship of the Republic of Azerbaijan, the restrictive requirement that persons who have resided in the Republic of Azerbaijan until the effective date of this Law must be registered based on their place of residence in the Republic of Azerbaijan in order to be considered citizens of the Republic of Azerbaijan
- To add the wording, "*in the absence of an identity document, information on birth registration shall be submitted to the requesting authority based on the inquiry of the relevant executive authority*," to the end of the first paragraph of Article 9.7 of the "State Registration Procedure for Citizenship Status Acts" approved by the Cabinet of Ministers' Decision No. 145 dated October 31, 2003, to facilitate the provision of identity cards for citizens who have reached the age of majority but cannot obtain a birth certificate due to the absence of an identity card, and vice versa, cannot obtain a replacement birth certificate due to the absence of an identity card;
- To add the wording "*when a person who has reached the age of 16 does not have a birth certificate, information noted in the certificate can be obtained through an inquiry to the relevant executive authority*", in brackets, to the end of Article 2.2.2 of the Statute on the Implementation of the Law of the Republic of Azerbaijan on "Identity Card of the Citizen of the Republic of Azerbaijan", to facilitate the provision of identity cards for citizens who have reached the age of majority but

cannot obtain a birth certificate due to the absence of an identity card, and vice versa, cannot obtain a replacement birth certificate due to the absence of an identity card;

- To amend the Criminal Code of the Republic of Azerbaijan in order to establish criminal liability for domestic violence in the legislation, and taking into account the experience of foreign countries, in addition to sentencing those who have committed this crime, to prohibit by court order their residing at the same address as the victim for a specified period; to restrict communication with the child in cases where domestic violence has been committed against or in the presence of the child; to prohibit approaching the place where the victim permanently or temporarily resides, as well as places they may visit for work, education, medical treatment, or other reasons, within a specified distance; to prohibit personal or third-party communication, including mail, telephone conversations, and electronic communications, with the victim of domestic violence.
- To introduce appropriate additions and amendments to the legislation for blurring, pixelating, or otherwise altering the facial features of suspects and accused individuals in photos and videos published in the media in order to prevent the use of information about the criminal prosecution of suspected and accused persons, as well as convicts, as a form of psychological pressure or bullying against their families, particularly against their minor children, to mitigate serious repercussions that may result from such pressure, including incitement to suicide, self-harm, and the escalation of severe conflicts between parties.
- To provide a legal definition for the phrase “*valid reasons*” specified in Article 10.2 of the Family Code of the Republic of Azerbaijan, considering that, according to this article, the age for those wishing to marry can be reduced by no more than one year if there are valid reasons;
- To strengthen measures to combat cyberbullying (pressure, threats, coercion, and other forms of influence through internet information means) and improve relevant legislation based on the requirements of Article 32 of the Constitution of Azerbaijan, as well as with the international best practices;
- To increase the safety of internet platforms for children in relation to cyberbullying, to promote and encourage safe, appropriate, and non-harmful behavior for children and parents on the internet, and to prepare and implement joint projects with relevant institutions in the field.
- To amend the legislation to create a state guarantee system and prepare the necessary mechanisms for ensuring the payment of debts for wages and compensation for industrial injuries to employees of non-public institutions that have lost their payment capacity;
- To adopt the “State Program for the Protection of the Social Rights of the Elderly” with the purpose of further strengthening the social and legal protection of older persons;
- To include *artists who are members of state theater actor troupes* in the third paragraph of Article 4 of the Labor Code of the Republic of Azerbaijan, considering the importance of ensuring the effective exercise of persons’ right to access cultural institutions and cultural assets, as well as the transfer of rich experience from actors with special merits and those who have reached the age of 65 to young actors, and also taking into account their contributions to raising the level of professionalism in the respective field;

- To remove "Binocular Blindness" and "Binocular Severe Visual Impairment" from the "List of Diseases that Prevent Engagement in Pedagogical Activities," approved by the Cabinet of Ministers' Decision No. 57 dated February 18, 2019, to effectively protect the rights of individuals with first-degree visual impairment and prevent discrimination;
- To establish an imperative norm in the legislation requiring the employers to immediately inform the employment agency when a suitable vacant position is filled in the vacancy bank of the "Employment" subsystem;
- To reduce the "5 (five) working days" period specified in parts 540.2 and 540.3 of Article 540 ("Violation of Employment Legislation") of the Code of Administrative Offenses of the Republic of Azerbaijan to ensure quicker information sharing about the creation or vacancy of a new job, as well as the filling or not filling of vacant positions;
- To make additions to Article 540 ("Violation of Employment Legislation") of the Code of Administrative Offenses of the Republic of Azerbaijan regarding the determination of administrative liability for employers who, without legitimate grounds, refuse to hire individuals with special needs and facing difficulties in seeking jobs within the framework of the respective quota applied to those employers;
- To amend the "Law on Labor Pensions" of the Republic of Azerbaijan to set the retirement age for women at 63 years;
- When raising the minimum labor pension amount, to proportionally increase or adjust by a specific amount the pension amounts assigned before the increase;
- To review the "Composition of the Minimum Subsistence Basket in the Republic of Azerbaijan" approved by the Cabinet of Ministers' Decision No. 118 dated June 23, 2005, in order to increase the quantity (volume) of food products in the composition of the minimum subsistence basket considering the real needs of the population, especially low-income families and vulnerable population;
- To make additions and changes to the "Rules for Applying for, Determining, Providing, and Refusing Targeted State Social Assistance," approved by the Cabinet of Ministers' Decision No. 37 dated February 5, 2016, with the aim of not factoring in the non-functioning transportation means during the determination of social assistance for improving social support for low-income families;
- To amend the "Rules for Applying for, Determining, Providing, and Refusing Targeted State Social Assistance," approved by the Cabinet of Ministers' Decision No. 37 dated February 5, 2016, in order to remove from the list of current transfers received by a family member the allowance for persons with disabilities under the age of 18, the allowance for women with more than five children, and the debt (including credit);
- To remove the criterion for refusing social assistance based on the Cabinet of Ministers' Decision No. 37 dated February 5, 2016, in the "Rules for Applying for, Determining, Providing, and Refusing Targeted State Social Assistance" which specified in Article 3.7.6, which states that social assistance should be denied if the total amount of utility and communication expenses per household member exceeds 15% or more of the approved minimum subsistence level in the country considering the increase in utility expenses and the need to protect the lives and health of low-income families living in difficult housing conditions and ensure their living conditions;

- To make appropriate amendment in the "Rules for Applying for, Determining, Providing, and Refusing Targeted State Social Assistance," approved by the Cabinet of Ministers' Decision No. 37 dated February 5, 2016, specifically Article 4.8, which states: "in cases where a member of a low-income family is engaged in self-employment in accordance with the Law of the Republic of Azerbaijan 'On Employment,' the right of the family to apply for social assistance is restricted during the validity period of the contract for the provision of property in the selected self-employment direction" in line with the requirements of part 5 (Calculation of Average Monthly Income of the Family) of these Rules, and establish the right of the family to apply for social assistance once the income of the family of the self-employed individual is verified, in accordance with the requirements of the respective Rules;
- To extend child allowance for taking care of children up to 3 years of age to those who are not engaged in employment activities;
- To strengthen quality control of imported and domestically used pharmaceuticals with the necessary permits;
- To establish functional coordination between medical-social expert commissions and medical advisory commissions in order to ensure efficiency and objectivity in the evaluation of disability status when making official decisions related to referrals for disability assessments.
- To prevent delays in the assessment process for individuals invited for an in-person medical examination during the determination of disability status;
- To accurately determine specific requirements in the "Registry of Referrals to the Medical-Social Expert Commission" (such as the duration of inpatient treatment required for specific diseases, specialized medical interventions confirming the primary disease and its exacerbations, pathological changes causing functional impairments, laboratory and instrumental examinations confirming the diagnosis, etc.) with the aim of eliminating inconsistencies between the referrals of medical advisory commissions and the opinions of medical-social expert commissions regarding the determination of disability;
- To extend the period for the reassessment of disability from 6 months, as stipulated in Article 3.3-1 of the "Law on the Rights of PWDs" of the Republic of Azerbaijan, to 12 months in order to enhance effectiveness in ensuring the rights of PWDs;
- To determine or organize specialized medical institutions in regions in addition to Baku with a view to ensuring prompt access to required inpatient medical care for all citizens during the determination of disability (factoring in distance and financial status), and reducing the burden on specialized medical institutions (considering the bed count);
- To increase the number of types or alternatives of medications included in the "List of Medicinal Preparations Provided on Free Prescription" to enhance the effective protection of the right to health for privileged groups who receive state-funded medications;
- Take measures to ensure affordability of medications required in the outpatient treatment process based on medical prescriptions for individuals in need, especially for financially disadvantaged individuals;

- To accelerate the adoption of the "Law on the Protection of Patients' Rights" to ensure the reliable protection of patients' rights.
- To expand the scope of services included in the "Envelope of Urgent Medical Insurance Services," approved by the Cabinet of Ministers' Decision No. 5 dated January 10, 2020, by including all medical services (diseases) considered important for the protection of human health, thereby increasing the scope of services;
- To develop a mechanism for the transfer of patients who have completed their treatment in psychiatric hospitals and narcology dispensaries (centers) but do not have a place of residence, to social service institutions, and to increase the limit (residential spaces) in social service institutions;
- To finance additional teaching resources that are an integral part of the curriculum through the state budget in addition to the basic educational resources provided to secondary school students;
- To increase the number of existing psychologist positions to match the number of students in secondary schools and hire professional and specialized psychologists;
- To study and implement international best practices in education regarding the use of mediation institutes or other forms of mediation for the effective resolution of potential conflicts between teachers and students;
- To increase the number of state-funded placements in higher and secondary vocational education institutions in Republic of Azerbaijan in relation to paid vocational placements;
- To identify, rebuild, and renovate schools and kindergartens that are still in poor condition in the regions, through joint monitoring by local executive authorities, the Ministry of Science and Education, and the Ministry of Emergency Situations of the Republic of Azerbaijan;
- To increase the number of state educational institutions in Baku city and different residential areas around the country, considering the number of children and demand;
- To align the "Food Norms for Children in Infant Orphanages, Kindergarten-Infant Orphanages, and Child Homes" with modern standards as outlined in the Annex No. 3 "On Implementing Food Norms for Citizens in Educational Institutions, Hospitals, and Other Public Institutions in the Social Sector" Cabinet of Ministers' Decision No. 103, dated March 9, 1994, to meet the energy and nutritional needs of young children receiving products in infant orphanages;
- To adopt a weather-based approach rather than adhering strictly to specific dates (November 15 - April 15) for transitioning to the winter season in educational institutions, considering the negative impact of the heating problems of schools due to the rapid temperature decrease in several regions of the country, which can adversely affect the health of students and lead to a decline in attendance, and to amend the "Regulations on the Preparation of Electricity and Heating Energy, as well as Gas Supply, for the Autumn-Winter Season," approved by the Cabinet of Ministers Decision No. 65 dated February 24, 2020;
- To remove sub-paragraph 4.3.2 (*unless specified otherwise in the insurance contract, such a contract is not concluded with the persons with first- and second-degree disabilities*) from the "Rules for Insurance of the Life of Borrowers under

Credit Agreements Provided to Individuals" approved by the Ministry of Finance Collegium Decision Q-21 dated 23 September, 2014, which restricts the signing of insurance contracts with individuals with first- and second-degree disabilities who seek to improve their financial situation by obtaining a mortgage loan or other credits, thus hindering their ability to utilize this right;

- To take preventive measures and strengthen monitoring by relevant government agencies with the purpose of ensuring the effective protection of the property rights and the right to safe living conditions of individuals residing in houses located in the vicinity of construction sites and structures, combating environmental pollution and preventing situations that may lead to negative consequences;
- To identify and register the houses affected by various natural disasters (such as earthquakes, floods, landslides, storms, etc.) that have occurred at different times in different regions of the country, and are still awaiting repairs within the framework of relevant commissions' activities, to take measures for the repair, restoration, or reconstruction of these houses, and to allocate the necessary financial resources in this regard;
- To pass a law forbidding the sale of apartments in multi-unit buildings that have not received state authorization for exploitation, are not registered as private property in the state real estate register, and are not insured;
- To construct special underground passages on major roads in order to ensure the safety of road users and facilitate the safe movement of residents engaged in animal husbandry, and unobstructed access through agricultural and land areas;
- To improve service quality and strengthen control over the technical conditions and compliance with sanitary-hygienic standards of operating buses, adjust the number of buses and intervals between them on respective routes based on passenger density, as well as to strengthen oversight of carrier companies, which includes monitoring the health and psychological well-being of drivers with the aim of ensuring the accessibility of public transportation for passengers and mitigate delays and overcrowding;
- To take measures to regulate passenger transportation in the Baku Metro, which serves as an affordable and intensive mode of transportation and plays a significant role in the city's transportation system, to ensure accessibility and safe and uninterrupted transportation during peak hours, and to address the negative psychological effects experienced by passengers in their daily routines, to prevent potential hazards both at metro stations' lobbies and platforms, and inside moving trains and to equip trains with proper ventilation systems;
- To establish effective coordination between existing public transportation options, such as buses, metro, and electric trains in Baku, to cope with the increasing passenger density and reduce the burden on surface transportation and traffic congestion;
- To make efforts to restore the electric trains that used to connect the center of Baku to multiple suburban areas;

- To apply a "Unified Parking Card" system, which allows access to all paid parking areas throughout the subscription period. This system would offer 8, 12, and 24-hour subscription packages for paid parking, excluding private parking spaces;
- To allocate or increase planned funding for drilling new artesian wells to address irrigation water issues in various regions of our country;
- To add a provision granting the status of "IDP" and issuing the corresponding certificate to children *whose fathers have IDP status and are under the care of their mothers after the divorce of their parents and have obtained the identity card of the Republic of Azerbaijan*, to the "Rules on granting the status of forced displaced (internally displaced persons) in the Republic of Azerbaijan, approved by the Decision No. 1 by the State Committee for Refugees and IDPs Affairs dated May 23, 2013;
- To provide women with opportunities to apply to specialized higher military education institutions with a view to ensuring women's education and gender equality;
- To adjust the amount of monthly food compensation paid to servicemen in line with the monthly value of food products specified in the "Composition of the minimum consumption basket in the Republic of Azerbaijan" approved by the Cabinet of Ministers' Decision No. 118 dated June 23, 2005, in order to strengthen their social protection;
- To add the wording *"in the absence of a spouse (husband/wife), parents, and children, brothers (sisters)"*, as well as *"guardian"* in the second part of Article 1 of the "Law on Immortalizing the Name of Martyrs and Benefits Provided to Martyrs' Families," extending the list of members of the martyr's family;
- To extend the requirements of the "Presidential Decree No. 569 on Measures to Strengthen the Social Protection of Military Personnel of the Armed Forces of the Republic of Azerbaijan" dated December 28, 2011, to all servicemen of the Armed Forces of Azerbaijan, except for conscripts in active military service;
- To match the duration of the initial contract concluded with servicemen, excluding officers and conscripts in active military service, to the probation period applied during acceptance into public service, given that military service is a special type of public service in defense authorities;
- To determine transportation expenses for officers, reservists, and conscripts in active military service who live far from their service locations;

- to determine the monthly compensation amount for renting temporary housing for military personnel (excluding officers serving in active military service) who have acquired housing under favorable conditions or who are in need of residential accommodation but have later changed their place of service;

- To establish a commemorative medal for individuals who have participated in hostilities for defense of the territorial integrity of Azerbaijan and have been granted the status of "War Veteran of the Republic of Azerbaijan".
- To amend the relevant provisions of the Criminal Execution Code of the Republic of Azerbaijan to ensure that intercity phone communication charges are covered by the state budget;
- To establish the legal right to additional phone communication for persons sentenced to a certain period of detention and life imprisonment to contact the

Ombudsman's Call Center, along with the right granted to them to communicate by phone as provided by legislation, with the aim of ensuring the accessibility to the Ombudsman's Office and the more effective protection of their rights, within the powers established by the Constitutional Law;

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- To train specialists in psychology with a specialization in "penitentiary psychologist" in higher education institutions that offer education in this field in order to improve psychological support in penitentiary institutions and meet the need for professional psychologists with the ability to work with convicts;
- To adopt a targeted program titled "Rehabilitation and Socialization of Prisoners in Penitentiary Institutions" in penitentiary facilities for the rehabilitation, personal development, and successful reintegration into society after release;
- To review and adopt the "Rules on Medical Certification of Prisoners with Severe Illnesses that Impede the Serving of Sentences," which was approved by the Decision No. 4 of the Collegium of the Ministry of Justice of 29 November 2011 with the aim of improving the mechanism related to the placement of prisoners suffering from mental illnesses or experiencing significant changes in their mental health during their imprisonment, in psychiatric institutions;

In addition to the above, the Ombudsman *draws attention* to the necessity of addressing the following issues to increase effectiveness of the organization's activities in the protection of human and citizen rights and freedoms. These steps are also aimed at preventing human rights violations in cases stipulated by the Constitution:

- To provide technical and financial support for creating an electronic library aimed at enhancing the "Human Rights Library" under the Ombudsman Institution and aligning its activities with modern standards;
- To offer technical and financial support for the establishment of a relevant structural department within the Ombudsman's Office to ensure the execution of its functions as an independent monitoring mechanism for monitoring and promoting equality and non-discrimination;
- To allocate a systematic budget to the Ombudsman Institution to extensively inform international organizations about the measures taken for the protection of human rights and freedoms in our country, to organize significant international events related to the protection of human rights and the defense of national interests in our country, to extend cooperation with NHRIs of other countries, as well as specialized international and regional human rights NGOs, acquire and implement advanced experience, to continue activities as a member of international and regional organizations, and to increase opportunities for participation in internationally organized events;
- To provide financial and technical support for coordinating the "Electronic Document Circulation System" of the Ombudsman's Office with other government institutions to ensure the redevelopment of the Ombudsman's official website to meet modern standards, the implementation of modern and agile management practices, and integration into the interagency electronic document circulation system, thus increasing service quality and agility for citizens;

- To increase the number of Regional Centers of the Ombudsman's Office and to provide financial support for the renovation and modernization of the material and technical infrastructure of both the Ombudsman's Office and its Regional Centers.

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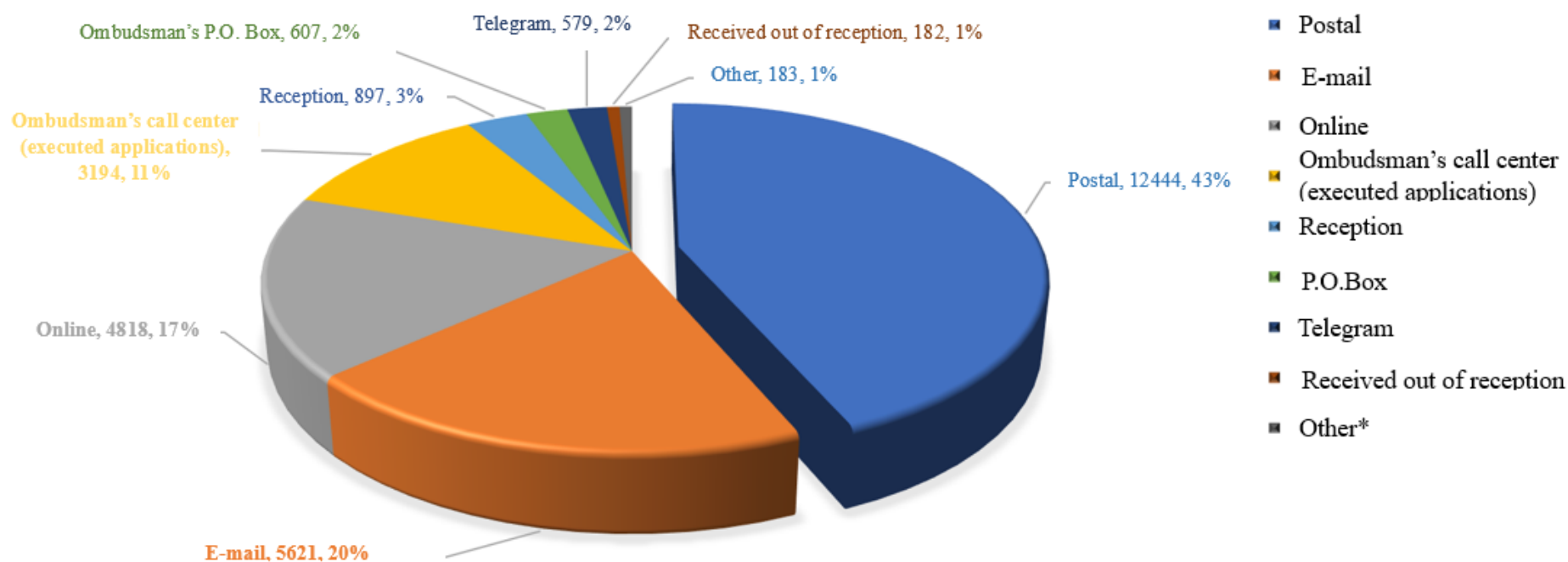
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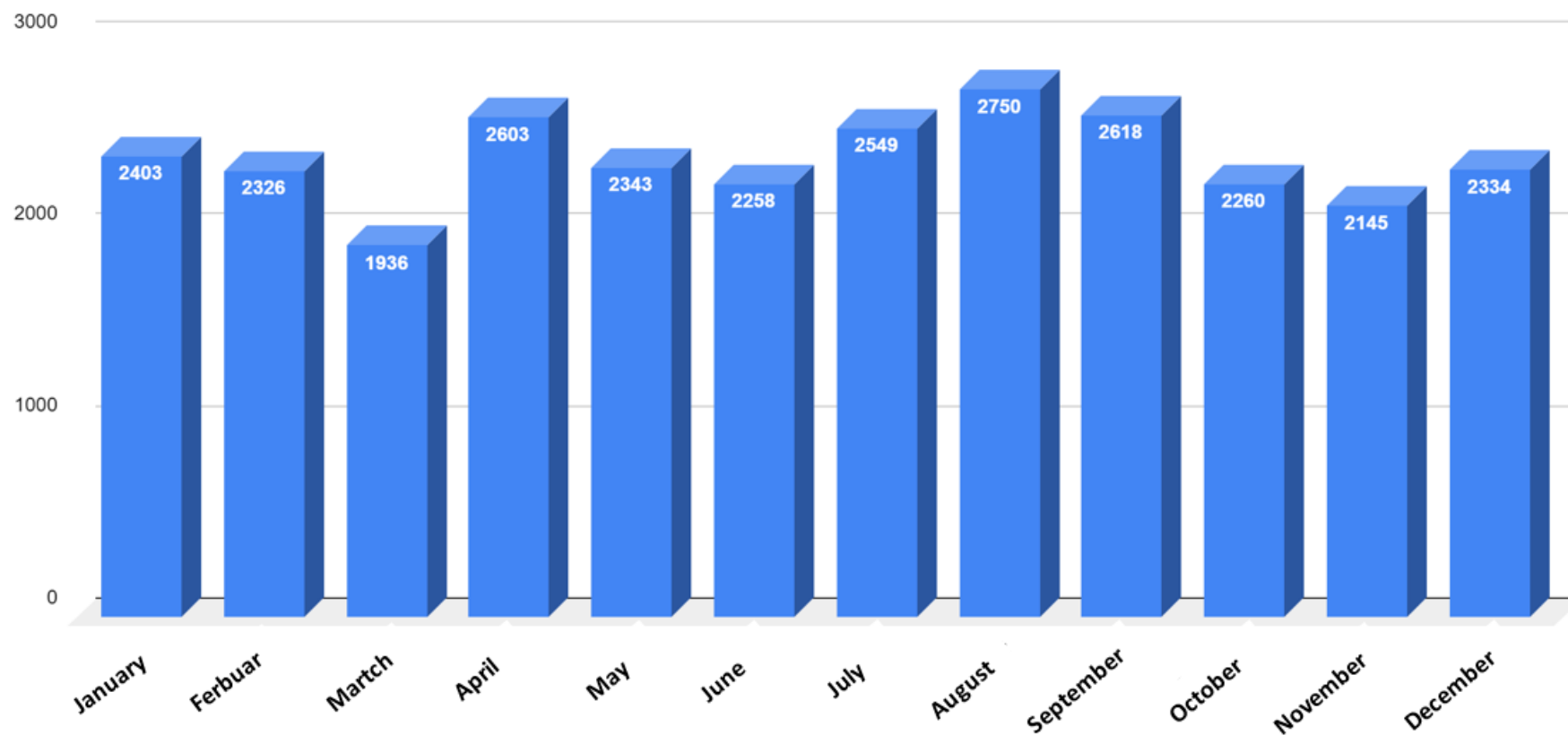
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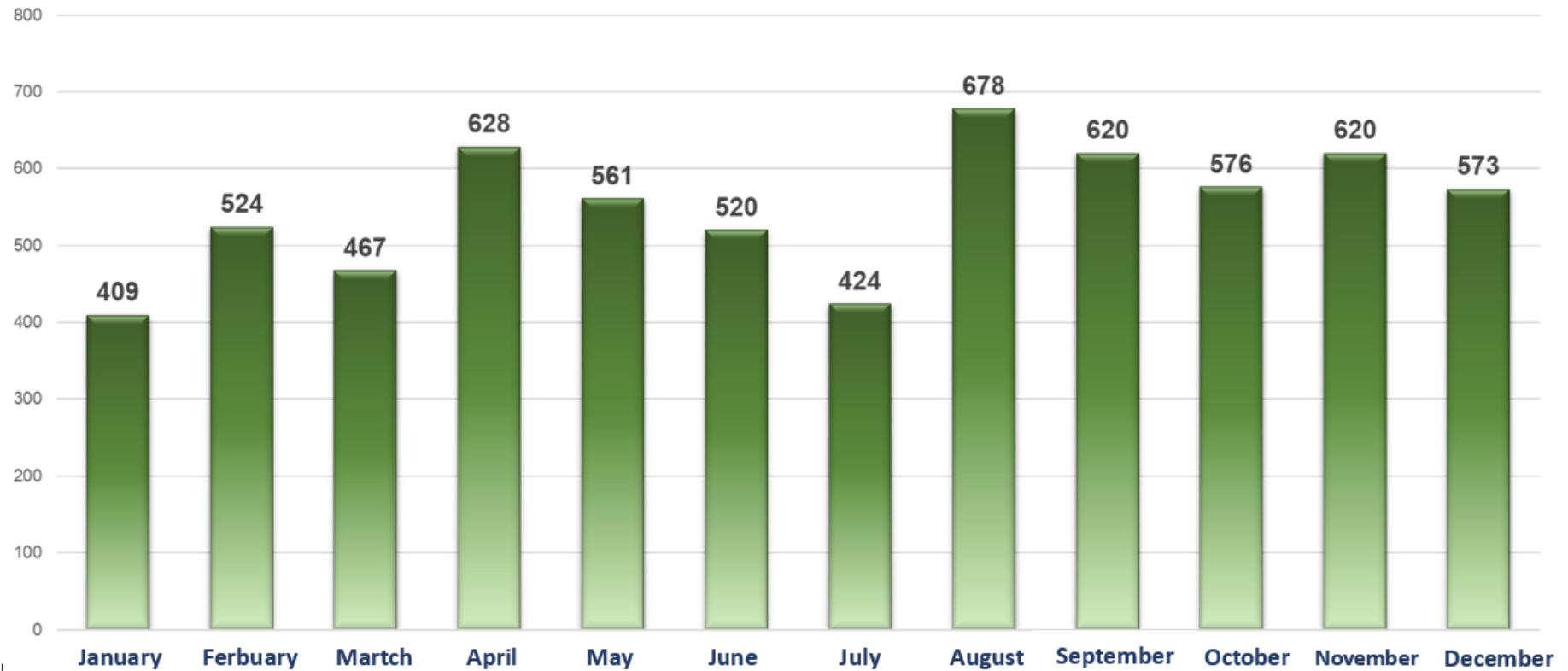


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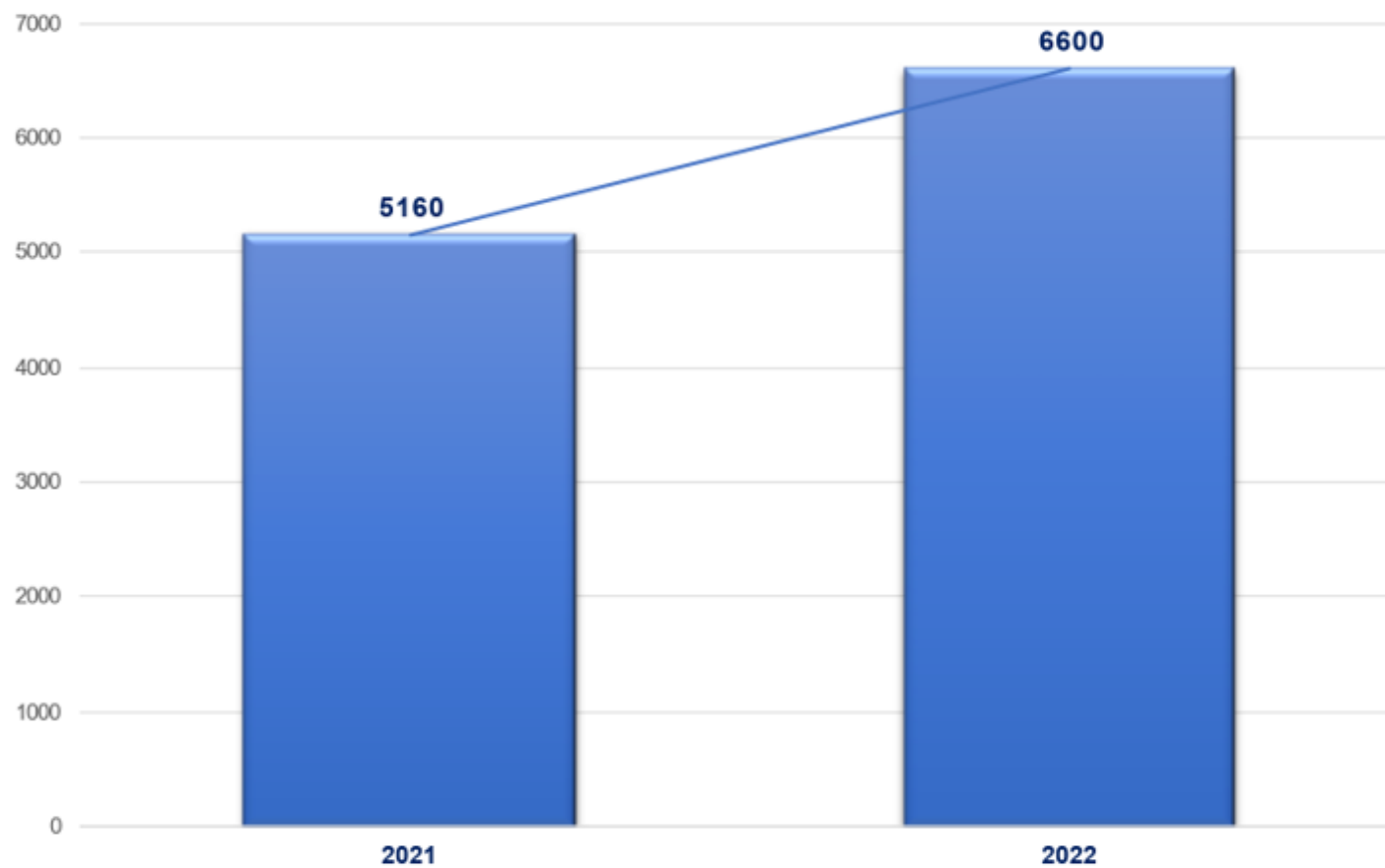
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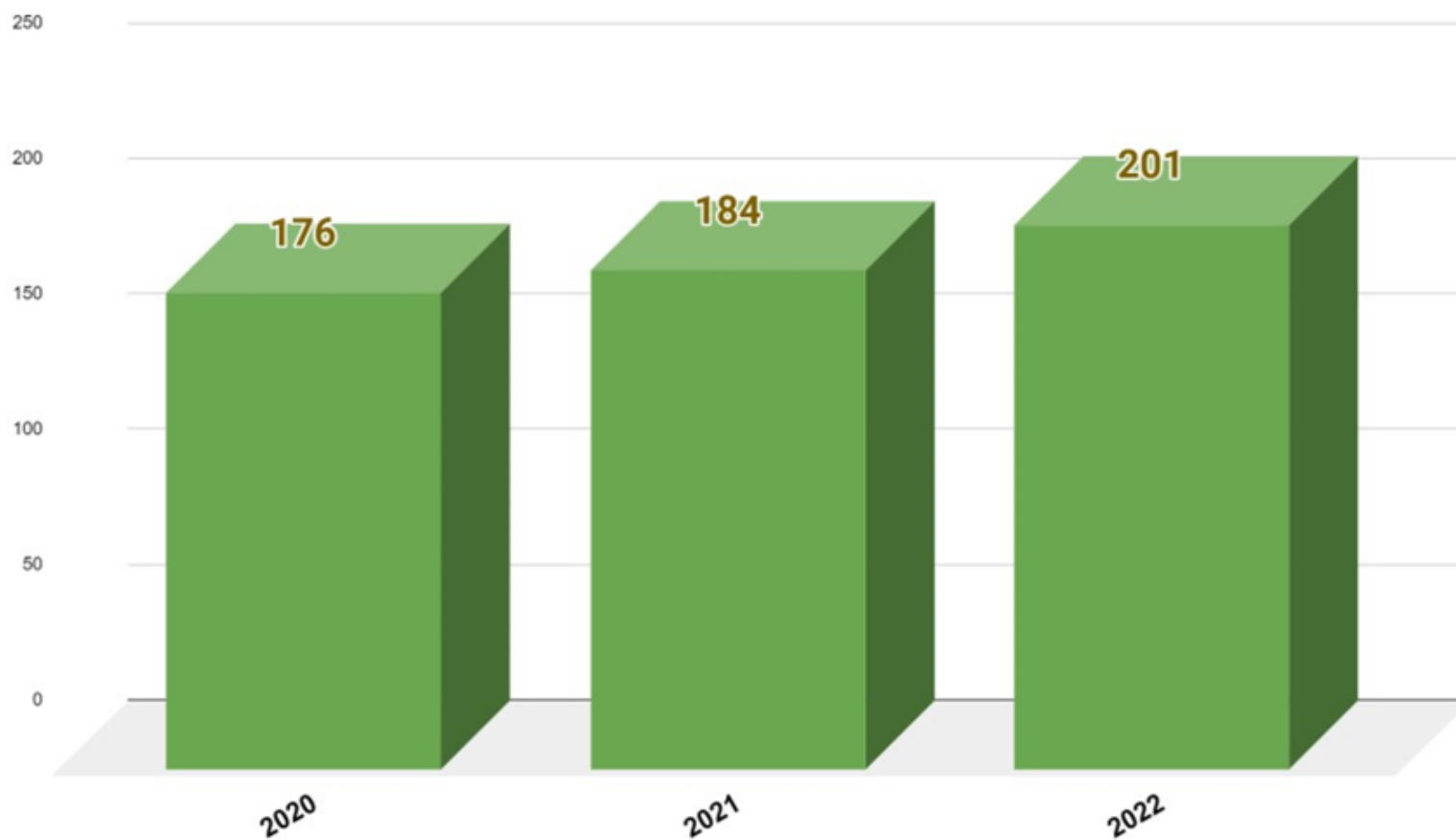
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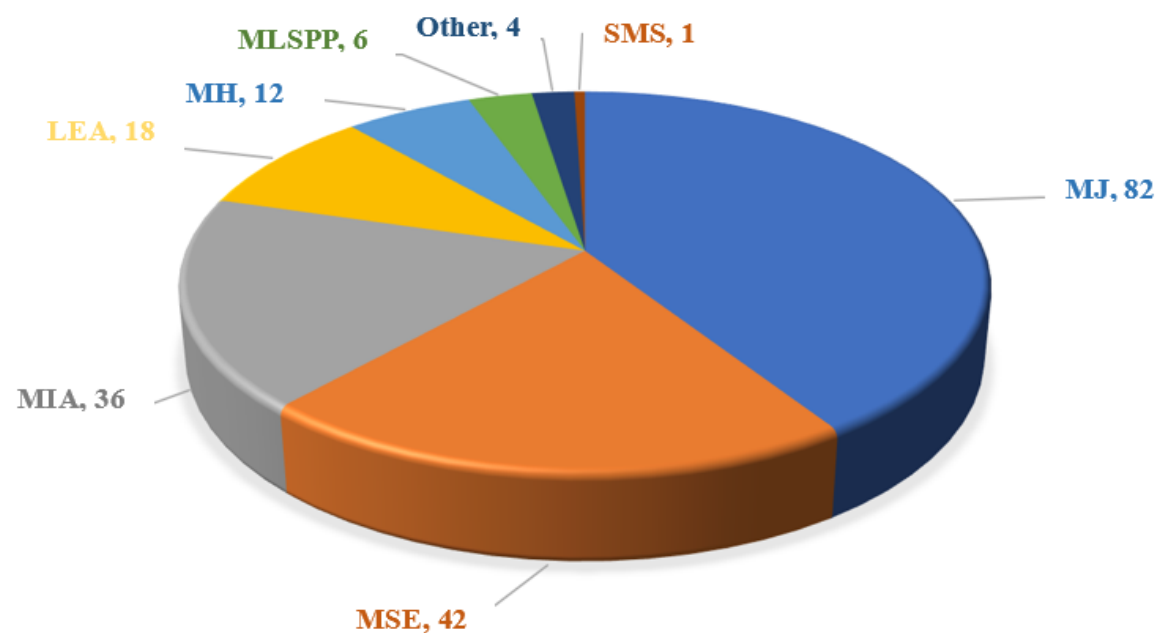
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