



**International Convention on  
the Elimination  
of all Forms of  
Racial Discrimination**

Distr.  
GENERAL

CERD/C/AZE/6  
16 May 2008

ENGLISH  
Original: RUSSIAN

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COMMITTEE ON THE ELIMINATION  
OF RACIAL DISCRIMINATION

**REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9  
OF THE CONVENTION**

**Sixth periodic reports of States parties due in 2007**

**Addendum**

**AZERBAIJAN\***

[3 March 2008]

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\* This document contains the fifth and sixth periodic reports of Azerbaijan, due on 15 September 2007, submitted in one document. For the third and fourth periodic reports and the summary records of the meetings at which the Committee considered the report, see documents CERD/C/440/Add.1, CERD/C/SR.1691 and CERD/C/SR.1692.

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## I. GENERAL

1. The multi-ethnic and multidenominational composition of the population is an important feature of contemporary Azerbaijan. The basic provisions of Azerbaijan's ethnic policy are contained in the Constitution, which guarantees the equality of all citizens, irrespective of ethnicity, religion or race. Moreover, over the course of many centuries, as a result of Azerbaijan's historical, economic and cultural development, the mindset of the population was formed in conditions of tolerance and respect for the cultures of other ethnic groups and national minorities.
2. The most difficult problem for Azerbaijan continues to be the conflict between Armenia and Azerbaijan over Nagorny Karabakh. The Nagorny Karabakh region, which accounts for some 20 per cent of Azerbaijani territory, and seven other surrounding districts have been occupied by Armenia.
3. In response to Armenia's occupation of territory of sovereign Azerbaijan, in 1993 the Security Council of the United Nations unanimously adopted four resolutions: Council resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993). These resolutions confirmed that the Nagorny Karabakh region is an integral part of the Republic of Azerbaijan, called for respect for the territorial integrity and sovereignty of Azerbaijan and its internationally recognized borders and stressed the inadmissibility of the use of force for the acquisition of territory. The resolutions demanded the immediate, complete and unconditional withdrawal of all occupying forces from the occupied areas of Azerbaijan and the creation of conditions that would enable displaced persons to return to their homes in safety. The Security Council's reaffirmation, in its four resolutions on the Nagorny Karabakh conflict, of respect for Azerbaijan's sovereignty and territorial integrity once again attests to the absence of a basis under international law for Armenia's claim to the Nagorny Karabakh region of Azerbaijan.
4. Despite the Security Council's unequivocal demands, which Armenia has ignored, some 20 per cent of Azerbaijani territory remains occupied.
5. During its aggression against Azerbaijan, the Armenian side committed gross violations of the norms of international humanitarian law; there were numerous incidents of extrajudicial executions and mass shootings, torture and other cruel forms of treatment and punishment of Azerbaijani civilians, hostages and prisoners of war.
6. Azerbaijan's efforts to achieve a rapid and peaceful settlement of the conflict, liberate the occupied territories and facilitate the return of displaced persons have been thwarted by the unconstructive position of Armenia, which is demanding that the Nagorny Karabakh region of Azerbaijan be granted independence or that this part of Azerbaijani territory be annexed to Armenia.

7. Despite the fact that, as a result of Armenia's occupation of Azerbaijani territory and its policy of ethnic cleansing, there are more than 1 million refugees and forcibly displaced persons, and the fact that the Azerbaijani population has been driven out of the occupied territory, the approximately 30,000 Armenians who currently reside in Azerbaijan do not experience any discrimination.

8. By Act No. 95-1C of 31 May 1996, Azerbaijan acceded to the International Convention on the Elimination of All Forms of Racial Discrimination.

9. The initial and second periodic reports of Azerbaijan (CERD/C/350/Add.1) were considered by the Committee on the Elimination of Racial Discrimination on 18 and 19 August 1999, and the third and fourth periodic reports (CERD/C/440/Add.1) were considered from 4 to 7 March 2005. Following its consideration of the third and fourth periodic reports, the Committee adopted its concluding observations (CERD/C/AZE/CO/4).

10. The combined fifth and sixth periodic reports of Azerbaijan were drafted in accordance with the general guidelines regarding the form and content of reports to be submitted by States under article 9, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination. This report covers the period following the submission by the Government of Azerbaijan of the third and fourth periodic reports (covering the period 2003-2007). The concluding observations of the Committee on the Elimination of Racial Discrimination were taken into account in the preparation of the report. A working group was established to draft the combined fifth and sixth periodic reports pursuant to Presidential Order No. 2274 of 28 June 2007.

## **II. INFORMATION CONCERNING ARTICLES 2 TO 7 OF THE CONVENTION**

11. Azerbaijan considers the protection of human and civil rights and freedoms to be crucial to the existence of a democratic State based on the rule of law.

12. The National Plan of Action for the Protection of Human Rights in Azerbaijan was approved by the Presidential Order of 28 December 2006. Under the Plan, over the next few years efforts will be made to bring Azerbaijani regulatory acts fully into line with international human rights standards; to prepare and implement a new strategy of cooperation with international organizations; to improve measures taken by State bodies to uphold human rights; to encourage scientific and analytical works; to improve awareness of the law; and to step up efforts to prevent all forms of discrimination, violence against women and domestic violence. In addition, there are plans to carry out activities to develop mutual relations between the State and civil society, to ensure means for protecting human rights and to provide the necessary compensation, rehabilitation, and medical and psychological assistance for victims of this type of violence, and to make efforts to carry out far-reaching awareness-raising campaigns in this area.

13. Efforts to combat religious and racial discrimination in Azerbaijan are carried out within the framework of the international conventions to which Azerbaijan is a party, and through the implementation of domestic legislation currently in force. The implementation of the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, adopted by General Assembly resolution 2106 (XX) of 21 December 1965 is an ongoing concern of the Government of Azerbaijan, which attaches particular importance to strengthening traditions of religious tolerance and increasing mutual understanding and cooperation among religious minorities.

14. In accordance with article 25, paragraph 3, of the Constitution of Azerbaijan, “the State guarantees equality of rights of all citizens, irrespective of race, ethnicity, religion, language, sex, origin, property status, occupation, beliefs or membership of political parties, trade unions or other voluntary associations. Human and civil rights and freedoms may not be restricted on the grounds of race, ethnicity, religion, language, sex, origin, beliefs or political or social affiliation”.

15. Under article 1, paragraph 1, of the Freedom of Religion Act, everyone is free to determine his or her attitude to religion, has the right to profess any religion individually or with others, and to express and disseminate his or her religious convictions.

16. Equal conditions have been created for the activities of representatives of all religious minorities in Azerbaijan. Today, representatives of religious minorities live in mutual understanding and tolerance as a result of measures that are being carried out. At present in Azerbaijan, Russian Orthodox, Albano-Udi, Jewish and other non-Islamic religious communities function freely and without any hindrance alongside Islamic communities.

17. Under article 48 of the Constitution, every citizen has the right to freedom of conscience and the right freely to determine his or her attitude to religion, express and disseminate his or her religious convictions and perform religious ceremonies.

18. In Azerbaijan, 336 Islamic and 28 non-Islamic religious tendencies have been registered. Of the latter, 20 are Christian, 7 are Jewish and 1 is Krishnaite. At present, one Roman Catholic church, three synagogues, three Russian Orthodox churches and one Armenian church function in Baku. The towns of Ganja and Khachmaz each have one Russian Orthodox church, and the towns of Oguz and Quba each have one synagogue.

19. The authorities create all conditions for worship in the 1,400 mosques, churches, synagogues and temples in operation throughout Azerbaijani territory and take all measures to ensure the safety of citizens.

20. The Government of Azerbaijan has signed and ratified a number of international human rights instruments, in particular the Framework Convention for the Protection of National Minorities and the Convention against Discrimination in Education.

21. According to the 1999 census, the ethnic composition of Azerbaijan is as follows:

Ethnic groups <sup>1</sup>	Thousands	Percentage of the total population	Percentage of persons who considered the language of their ethnic group as their native language
Overall population including:	7 953.4	100	99.0
Azerbaijanis	7 205.5	90.6	99.7
Lezgins	178.0	2.2	96.1
Russians	141.7	1.8	99.3
Armenians	120.7	1.5	99.9
Talysh	76.8	1.0	89.6
Avars	50.9	0.6	98.2
Turks	43.4	0.5	94.6
Tatars	30.0	0.4	86.7
Ukrainians	29.0	0.4	32.1
Tsakhurs	15.9	0.2	99.3
Georgians	14.9	0.2	98.0
Kurds	13.1	0.2	48.9
Tats	10.9	0.13	83.0
Jews	8.9	0.1	87.1
Udis	4.1	0.05	98.8
Other ethnic groups	9.6	0.12	75.3

<sup>1</sup> In accordance with United Nations recommendations, the principle of the respondent's self-determination of his or her ethnic affiliation and native language was used in conducting the census; i.e. account was taken of the ethnic group and native language indicated directly by the respondent, even though the ethnic group and language might not coincide with the ethnic group indicated in the passport (of the Soviet period). The ethnic group and native language of children were indicated by their parents.

22. In accordance with the Presidential Decree of 7 June 2006, the next census in Azerbaijan will be conducted from 13 to 22 April 2009.

## Article 2

23. Azerbaijani legislation provides for measures to implement the obligation to engage in no act or practice of racial or other discrimination against persons or groups of persons, and to ensure that all public authorities and public institutions, national and local, act in conformity with this obligation.

24. Under article 3 of the Citizenship Act of 20 September 1998, the rights, freedoms and obligations of Azerbaijani citizens are equal, irrespective of their origin, social or property status,

race, ethnicity, sex, education, language, attitude to religion, political or other beliefs, type and nature of occupation, place of residence, length of residence in a particular locality or other circumstances. Foreigners and stateless persons, irrespective of their origin, race or ethnic affiliation may, bearing in mind other requirements of Azerbaijani legislation, become citizens of Azerbaijan.

25. Article 283 of the Criminal Code penalizes acts intended to incite ethnic, racial, social or religious enmity or insult national dignity, and acts intended to restrict citizens' rights or to establish supremacy on the grounds of ethnic, racial, social or religious affiliation.

26. In accordance with Presidential Decree No. 387 of 25 August 2000 on the application of the Code of Criminal Procedure, a preliminary investigation under article 283 of the Criminal Code is conducted by the Ministry of National Security. The Ministry of National Security has not received any information that would require the conduct of the relevant investigations with regard to the question referred to in paragraph 10 of the concluding observations of the Committee on the Elimination of Racial Discrimination; there is no racial discrimination against ethnic Armenians living in the territory of Azerbaijan.

27. The Ministry of Justice, the Ministry of Internal Affairs and the Ministry of National Security and other State bodies of Azerbaijan are fully aware that, in addition to the Azerbaijani territories occupied by Armenia (Nagorny Karabakh region and the seven districts surrounding it), there are persons of Armenian origin living in other regions of Azerbaijan, as well as persons married to Armenians and the children of such marriages. These persons do not conceal their ethnic identity and, in this connection, the information contained in paragraph 10 of the concluding observations is unfounded.

28. Paragraph 6 of the Presidential Decree of 19 January 2006 on the modernization of the judicial system in the Republic of Azerbaijan and on the application of the Act of 1 October 2007 on amendments and additions to certain legislative acts of the Republic of Azerbaijan recommend that the Supreme Court, courts of appeal and the Supreme Court of the Nakhchivan (Nakhichevan) Autonomous Republic make arrangements for the study, and the application in judicial practice, of the case law of the European Court of Human Rights.

29. With a view to ensuring the application of the aforementioned Presidential Decree, on 30 March 2006 the plenum of the Supreme Court of Azerbaijan adopted a decision on the application of the Convention for the Protection of Human Rights and Fundamental Freedoms and of the case law of the European Court of Human Rights in the administration of justice, and decided to create a department within the Supreme Court to translate case law and familiarize judges with it.

30. Measures to prohibit racism, racial discrimination, xenophobia and related intolerance are contained in other legislative acts of Azerbaijan.

31. In accordance with article 7 of the Public Television and Radio Broadcasting Act of 28 September 2004, one of the obligations of public broadcasters is not to disseminate pornographic materials or broadcast programmes advocating violence, cruelty or religious or racial discrimination.

32. The State of Emergency Act of 8 June 2004 regulates the introduction of a state of emergency or special legal regime in accordance with the Constitution of Azerbaijan.
33. The measures provided for in the State of Emergency Act must be in keeping with Azerbaijan's obligations under international human rights instruments and must not be the cause of discrimination against individuals or separate groups of the population on the grounds of race, ethnicity, language or sex, origin, property status, occupation, beliefs or membership of political parties, trade unions or other voluntary associations.
34. In the event of the declaration of a state of emergency, the Government of Azerbaijan must, in accordance with the International Covenant on Civil and Political Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms, notify the Secretary-General of the United Nations and the Secretary General of the Council of Europe of the temporary restriction of citizens' rights and freedoms and the reasons for taking such a decision.
35. The Government of Azerbaijan notifies the Secretary-General of the United Nations and the Secretary General of the Council of Europe of the termination of a state of emergency.
36. According to article 7 of the Act on Combating Trafficking in Persons of 28 June 2005, Azerbaijan's efforts to combat trafficking in persons are based, inter alia, on the principle of preventing discrimination against victims of trafficking in persons.
37. The Gender (Men and Women) Equality Act of 10 October 2006, the purpose of which is to ensure gender equality by eliminating all forms of gender-based discrimination, provides for the creation of equal opportunities for men and women in the political, economic, social, cultural and other spheres of public life.
38. Article 2, paragraph 4, of the Family Code prohibits any restriction of the rights of citizens entering into marriage or in family relations on social, racial, ethnic, religious or linguistic grounds.
39. According to article 6 of the Children's Rights Act, adopted in 1998, all children have equal rights; they may not be subjected to discrimination on the basis of their social or material situation, state of health, race, ethnic affiliation, language, education, religion, political views or the place of residents of their parents or surrogate parents.

### **Article 3**

40. Article 111 (Racial discrimination (apartheid)) of the Criminal Code penalizes acts committed with a view to establishing and maintaining the superiority of one racial group for the oppression of another racial group:

(a) Denial of the right of members of a racial group or groups to life and freedom, that is, by murdering members of a racial group or groups, causing grave damage to their health or serious harm to their mental capacities, or subjecting them to torture or cruel, inhuman or degrading treatment or punishment, or to arbitrary arrest or unlawful deprivation of liberty;



(b) Deliberate creation of living conditions for a racial group or groups with a view to bringing about their complete or partial physical extermination;

(c) Implementation of any legislative or other measures with a view to hindering the participation of a racial group or groups in the political, social, economic and cultural life of the country, and to impeding the full development of such group or groups by denying the members of the group or groups their fundamental human rights and freedoms, including the right to work, the right to form trade unions, the right to education, the right to leave one's country and return to it, the right to citizenship, the right to freedom of movement and choice of a place of residence, the right to freedom of opinion and expression, and the right to freedom of peaceful assembly and association;

(d) Implementation of any measures, including legislative measures, with a view to dividing the population into racial groups through the creation of camps and ghettos, prohibiting mixed marriages between members of different racial groups, and expropriating land belonging to a racial group or groups or to their members;

(e) Exploitation of the labour of members of a racial group or groups;

(f) Persecution of organizations and persons who oppose apartheid by depriving them of their fundamental rights and freedoms;

is punishable by deprivation of liberty for a period of between 10 and 15 years or life imprisonment.

#### **Article 4**

41. In accordance with article 18 of the Constitution of Azerbaijan, religion is separate from the State. All religions are equal before the law. The dissemination and propagandizing of religions that degrade the dignity of the individual or are contrary to the principles of humanity, are prohibited.

42. Pursuant to article 47, paragraph 3, of the Constitution, agitation and propaganda that incite racial, ethnic, religious or social discord and enmity are prohibited.

43. The Criminal Code of Azerbaijan, which entered into force on 1 September 2000, contains norms that define criminal liability for offences based on hatred or offences motivated by racial or religious intolerance or by xenophobia.

44. The Criminal Code of Azerbaijan contains articles that penalize genocide (art. 103), extermination of a population (art. 105), slavery (art. 106), deportation or forcible resettlement of a population (art. 107), persecution in the aforementioned circumstances (art. 109), sexual violence (art. 108), forcible detention (art. 110), apartheid (art. 111), torture (art. 113), violation of citizens' equality (art. 154), prevention of the performance of religious ceremonies (art. 167), infringement of citizens' rights on the pretext of performing religious ceremonies (art. 168), incitement to ethnic, racial or religious enmity (art. 283) and other articles, and also in the case of aggravated homicide (art. 120, para. 2 (12), murder on the grounds of ethnic, racial or religious hatred or enmity).

45. In recent years, there have been no murders on the grounds of ethnic, racial or religious enmity and, to date, no criminal proceedings have been instituted in connection with the aforementioned articles of the Criminal Code, and no complaints or communications relating to these questions have been received.

46. Slavery, i.e. the full or partial exercise over another person of the powers inherent in the right of ownership, is punishable under article 106 (Slavery) of the Criminal Code by deprivation of liberty for a period of between 5 and 10 years. The same act committed against a minor or with a view to the transfer of a person to a foreign State is punishable by deprivation of liberty for a period of between 7 and 12 years.

47. The slave trade, i.e. holding persons with a view to turning them into slaves, using them as slaves, or their sale, exchange or disposition, and any act connected with the slave trade or the transport of slaves, and also slavery on a sexual basis or infringement of sexual freedom on the basis of slavery, are punishable by deprivation of liberty for a period of between 5 and 10 years.

48. With assistance from the Organization for Security and Cooperation in Europe and the International Organization for Migration, an initial national plan of action to combat trafficking in persons was drawn up in Azerbaijan. On 6 May 2004, the National Plan of Action to Combat Trafficking in Persons was approved by the relevant presidential orders.

49. The National Plan of Action provides for the improvement of the legislative base, and a special unit, the Office for Combating Trafficking in Persons, was established and is operating in the Ministry of Internal Affairs; a national coordinator has been appointed.

50. Over the period 2003-2007, 564 offences involving trafficking in persons were identified and investigated; the criminal cases were referred to the courts and the perpetrators were convicted and punished.

51. In 2004, 115 cases of illegal trafficking in persons were identified, and 106 persons were prosecuted; 158 victims of this type of offence were identified. In 2005, 161 cases of illegal trafficking were identified, and 153 persons were prosecuted; there were 231 victims of such offences. In 2006, 211 incidents were recorded, 192 of which led to criminal proceedings and the prosecution of 207 persons.

52. In order to establish the legal and organizational foundations for preventing offences involving trafficking in persons and combating trafficking in persons, and also with a view to determining the legal status of victims of trafficking in persons in Azerbaijan and regulating the protection of victims of trafficking in persons and providing them with assistance, on 28 June 2005 the Act on Combating Trafficking in Persons was adopted.

53. Cabinet of Ministers decisions of 9 November 2005 approved the procedure for establishing and financing the activities of special institutions for victims of trafficking in persons, and also monitoring of their activities. On 12 January 2006, the statute of the Fund for Assistance to Victims of Trafficking in Persons was approved; the statute sets out the legal bases for the activities of the Fund for Assistance to Victims of Trafficking in Persons, which was specially established and operates within the Ministry of Internal Affairs. On 6 March 2006, the regulations on the social rehabilitation of victims of trafficking in persons were approved; the

regulations establish a mechanism for the social rehabilitation of victims of trafficking in persons. On 17 June 2006, an allowance for victims of trafficking in persons, to be paid to them during their reintegration period, was set at 30 nominal financial units.

54. In connection with the fact that, until 30 September 2005, the Criminal Code did not contain a separate article penalizing offences involving trafficking in persons, acts involving trafficking in persons during that period were considered criminal and were qualified as abduction, and the guilty parties were prosecuted under article 144 of the Criminal Code.

55. With a view to combating trafficking in persons, the Act of 30 September 2005 added the following articles to the Criminal Code.

56. Under article 144-1 (Trafficking in persons), trafficking in persons, i.e. the purchase and sale of persons or the conclusion of other transactions relating to their possession, or their recruitment, receipt, holding, concealment, transport, transfer or receipt for the purpose of transporting them across the State border of Azerbaijan with a view to their exploitation or transfer to third persons for the same purpose, is punishable by deprivation of liberty for a period of between 5 and 10 years, with confiscation of property.

57. The same act, committed against two or more persons; against a minor; against a woman whom the perpetrator knows to be pregnant; by a group of persons by prior conspiracy, an organized group or a criminal association (criminal organization); by a guilty party who makes use of his or her official position; with the use of force that endangers life and health, or with the threat of the use of force; with the infliction of suffering on the victim or with cruel, inhuman or degrading treatment; with a view to using the victim's organs or tissues, is punishable by deprivation of liberty for a period of between 8 and 12 years, with confiscation of property.

58. In accordance with article 144-2 (Forced labour), forcing a person to perform work (render a service) by using threats, force or the threat of force, and also by restricting the person's freedom, with the exception of special cases provided for in legislation, is punishable by punitive deduction of earnings for up to two years or deprivation of liberty for the same period.

59. The same act, committed against two or more persons; more than once; against a minor; against a woman whom the perpetrator knows to be pregnant; by a guilty party who makes use of his or her official position; by a group of persons by prior conspiracy, an organized group or a criminal association (criminal organization), is punishable by deprivation of liberty for a period of between three and five years.

60. According to article 316-1 (Dissemination of confidential information about a victim of trafficking in persons), the unlawful collection or deliberate dissemination of confidential information about a person who has been a victim of trafficking in persons is punishable by a fine in the amount of between 100 and 500 nominal financial units or up to 240 hours of community work or punitive deduction of earnings for up to one year.

61. The same acts committed by a guilty party who makes use of his or her official position are punishable by a fine of between 500 and 1,000 nominal financial units or punitive deduction of earnings for a period of up to one year or deprivation of liberty for a period of up to six months.

62. The same acts, entailing serious consequences, are punishable by deprivation of liberty for a period of between one and five years.

63. According to article 150-1 (Transport of passengers without documents), for the transport of passengers without documents for the purpose of entering or leaving the territory of the relevant State, individuals carrying out international transport, are subject to a fine of between 30 and 40 nominal financial units; officials are subject to a fine of between 80 and 90 nominal financial units; and corporate bodies are subject to a fine of between 200 and 300 nominal financial units.

64. As a result of legal reforms, Azerbaijan's legislation regulating the activities of law enforcement bodies has been improved, and normal conditions have been created for combating crime and ensuring public safety.

65. In connection with the forced expulsion of migrants, it should be emphasized that one of the priorities of Azerbaijan's law enforcement bodies and special services is to identify and suppress channels of illegal migration, which has increased following the beginning of anti-terrorist operations, and which facilitates the movement of members of terrorist organizations and their accomplices. In order to address this problem, the Government of Azerbaijan has established the Border Control Commission and a coordinating group on cooperation with the International Organization for Migration. The main objectives of the activities of these bodies is to bring border control and protection procedures into line with international standards and to ensure not only the effective monitoring of flows of passengers and goods but also the human rights of persons crossing the border.

66. The Presidential Order of 25 July 2006 approved the State Migration Programme, under which the necessary measures are being taken.

67. On 16 May 2006, a migration service was established and is operating within the system of the Ministry of Internal Affairs. In 2006 and during the first quarter of 2007, the staff of the migration service, together with other law enforcement bodies, undertook a number of additional measures to increase protection of the State border and to prevent illegal entry into Azerbaijan.

68. The Presidential Decree of 19 March 2007 established the State Migration Service, which is an independent body. The main tasks of the Service are to implement State migration policy, regulate and predict migration processes and coordinate the activities of the relevant State bodies in this field. At present, efforts are being made to develop the legal base necessary for the operation of the State Migration Service, and a migration code is being drafted. Until the State Migration Service is fully operational, other State bodies and structures will continue to carry out activities to monitor migration processes in Azerbaijan.

69. As a result of measures carried out in 2006, 250 foreign citizens without visas or the relevant permits were detained in Azerbaijan.

70. Of the detainees, 72 were citizens of Pakistan, 36 were citizens of the Islamic Republic of Iran, 31 of India, 22 of Turkey, 17 of Bangladesh, 11 of Georgia, 10 of Nigeria, 8 of the Russian Federation, 8 of Uzbekistan, 6 of Turkmenistan, 5 of Afghanistan, 4 of Ukraine, 3 of Viet Nam, and 1 citizen each from Mexico, the Syrian Arab Republic, Tunisia, the Netherlands and the United Kingdom.

71. Of those persons, 126 were fined, on the basis of article 330 of the Code of Administrative Offences, a total of 2,480 manat (monetary unit of Azerbaijan) and deported from Azerbaijan in accordance with administrative procedure.

72. In 2006, in accordance with article 339, paragraph 1, of the Code of Administrative Offences, 95 foreign citizens were fined a total of 1,085 manat for residing in the territory of Azerbaijan without the requisite residence permit.

73. As a result of measures carried out during the first quarter of 2007, 184 foreign citizens without visas or the relevant permits were detained in Azerbaijan.

74. Of the detainees, 34 were citizens of Pakistan, 55 were citizens of the Islamic Republic of Iran, 19 of India, 17 of Uzbekistan, 8 of Georgia, 8 of Nigeria, 6 of the Russian Federation, 5 of Turkey, 5 of Turkmenistan, 4 of China, 3 of Afghanistan, 3 of Iraq, 3 of Thailand, 2 of Bangladesh, 2 of Viet Nam, and one citizen each from Ukraine, the Syrian Arab Republic, Latvia, Laos, Kyrgyzstan, the Philippines, Canada, Jordan, Saudi Arabia and Yemen.

75. Of those persons, 119 were fined, on the basis of article 330 of the Code of Administrative Offences, a total of 2,332 manat and deported from Azerbaijan in accordance with administrative procedure. The cases of 13 persons are currently being examined.

76. In order to prevent incidents of religious animosity among representatives of various denominations, incited by radical Islamic fundamentalists residing in Azerbaijan illegally, Azerbaijan has, pursuant to requests from cooperating countries, extradited 12 persons suspected of inciting religious animosity and committing terrorist acts, including 3 members of the Al-Qaida terrorist organization, 3 activists of Misir Islam Jihadi, 5 members of Al-Jamaa Al-Islamiya and 1 member of the organization Armiya Kavkaz Islam. In addition, 11 terrorists were arrested in Azerbaijan and handed over to the special services of other cooperating countries; at the same time, on the basis of information from the special services of Azerbaijan, 6 terrorists were arrested in the United Kingdom, the Netherlands, Germany, the United Arab Emirates and Pakistan.

77. Azerbaijan's national security bodies have identified 14 activists of the terrorist organization Jayshullah, 6 members of the organization Hizb ut-Tahrir and 1 member of the organization Al-Jamaa Al-Islamiya in Azerbaijani territory. Because of their ties with terrorist organizations, the activities of branches of foreign organizations in Baku - International Humanitarian Appeal from the United Arab Emirates, Al-Haramain from Saudi Arabia, Rebirth of Islamic Heritage and Patient Assistance Fund from Kuwait, the Benevolence International Foundation from the United States of America and the Qatar organization from Qatar - have been suspended. Three members of these organizations were handed over to Egypt, and 23 were deported from Azerbaijan.

78. In recent years, 33 foreigners directly involved in international terrorism were extradited; in the period since September 11 alone, 5 Egyptian citizens and 1 Uzbek citizen were extradited because they belonged to the terrorist organizations Al-Qaida, Al-Jamaa Al-Islamiya and the Egyptian Islamic Jihad. The activities of seven branches of charitable organizations in Baku were suspended because of their ties to terrorist organizations.

79. In article 5 of the Police Act of 28 October 1999, the police, in the performance of their duties, protect the rights and legitimate interests of citizens arising from the provisions of the Constitution of Azerbaijan and international agreements, from any acts that violate these rights and freedoms, irrespective of sex, race, ethnicity, religious affiliation, property status, occupation, beliefs or membership of political parties, trade unions or other voluntary associations.

80. The same provisions are reflected in article 7 of the Code of Administrative Offences (principle of equality before the law), in article 6 of the Criminal Code (principle of equality before the law) and in article 11 of the Code of Criminal Procedure (equality of everyone before the law and the courts).

## **Article 5**

### **A. Right to equality before the tribunals**

81. Criminal proceedings in Azerbaijan are based on the principle of the equality of everyone before the law and the courts.

82. The bodies involved in criminal proceedings do not accord any advantage to any participant in criminal proceedings, irrespective of citizenship, social status, sex, race, ethnicity, political or religious affiliation, language, origin, property status, beliefs, place of residence, place of temporary residence or any other reasons that are not based on law.

83. Persons who commit administrative offences are also equal before the law and bear administrative liability irrespective of race, ethnicity, religion, language, sex, origin, property status, occupation beliefs or other circumstances.

84. At the initial stage of judicial reform, the legislative base was brought into conformity with international standards, a new three-tier judicial system was established and, for the first time in the history of Azerbaijan, judges were appointed by the test method.

85. Qualitatively new changes have taken place in the administration of justice. In order to improve the work of the courts and bring it into line with international requirements, the Judicial Council Act was adopted in December 2004, and substantial changes were made to the Courts and Judges Act with a view to defining the procedure for selecting judges on the basis of new values, toughening disciplinary penalties for judges who abuse their office and ensuring transparency in the work of the courts.

86. With a view to modernizing the judicial system, the Presidential Decree of 19 January 2006 set up new courts in Azerbaijan (in the cities of Baku, Ganja, Sumqayit, Ali Bayramli and Shaeki). It was also recommended that:

(a) The Supreme Court of Azerbaijan, the courts of appeal of Azerbaijan and the Supreme Court of the Nakhchivan Autonomous Republic should organize their work by studying the case law of the European Court of Human Rights and taking it into account in judicial practice;

(b) The Office of the Procurator-General of Azerbaijan, bearing in mind the creation of new courts, should make the requisite changes in the organization of work to protect the State prosecution in the courts;

(c) The Bar of Azerbaijan, bearing in mind the creation of new courts, should consider increasing the number of lawyers and take measures to enhance the effectiveness of legal assistance provided to the population in the regions.

87. In order to improve the effectiveness of the administration of justice, expand the judiciary, establish the territorial jurisdiction of the courts and ensure the activities of the new courts in the process of modernizing Azerbaijan's judicial system, the Presidential Decree of 17 August 2006 on increasing the number of court judges and establishing the territorial jurisdiction of the courts of Azerbaijan, and the Presidential Decree of 2 November 2006 on the development of legal institutions in the Nakhchivan Autonomous Republic, increased the number of judges in Azerbaijan by 156.

## **B. Right to security of person**

88. Pursuant to the Presidential Order on implementing the recommendations of the Committee against Torture, this question was widely discussed at a meeting of the board of the Ministry of Justice and other law enforcement bodies. On 5 June 2003, the Minister of Justice issued the relevant order defining the tasks of judicial bodies in this area.

89. In accordance with the Presidential Order, the Minister of Justice developed and approved a comprehensive plan of action to ensure that the Committee's recommendations were implemented by bodies subordinate to the Ministry of Justice.

90. In order to render methodical assistance to the courts in the proper application of legislation and the provisions of international conventions on the prevention of torture, the Supreme Court of Azerbaijan unified judicial practice in this area, as a result of which a decision was taken. The decision reflects the recommendations of the Committee against Torture and notes, in particular, that, in establishing evidence of the use of torture, cruel treatment or physical or psychological violence, such evidence must be legally evaluated since such acts are punishable under criminal law and no exceptional circumstance may be invoked to justify their use. Evidence obtained by unlawful means may not serve as the basis for an adopted decision.

91. The aforementioned decision of the plenum of the Supreme Court was sent to all courts and bodies involved in preliminary investigations for practical use in their work.

92. Detailed information on this question was provided in the preceding periodic report that the Government of Azerbaijan submitted to the Committee on the Elimination of Racial Discrimination.

### **C. Political rights**

93. One of the most important constitutional human and civil rights is the right to vote. Article 56 of the Constitution of Azerbaijan states that citizens of Azerbaijan have the right to vote and be elected to State bodies, and also to participate in referendums. The exercise of this right is guaranteed directly by the State.
94. Elections and referendums in Azerbaijan are held on the basis of unified electoral legislation, namely the Electoral Code of Azerbaijan, approved on 27 May 2003, which is the regulatory basis for improving and developing the electoral system of Azerbaijan and for ensuring its conformity with international standards. On 11 May and 25 October 2005, the President of Azerbaijan signed orders concerning the improvement of the electoral system.
95. Electoral legislation guarantees the electoral rights of representatives of all peoples and ethnic groups who are citizens of Azerbaijan.
96. Article 3 of the Electoral Code establishes that citizens of Azerbaijan have the right to vote and be elected and to participate in referendums, irrespective of race, ethnicity, religion, language, sex, origin, property status, occupation, beliefs or membership of political parties, trade unions or other voluntary associations.
97. With certain reservations, foreign citizens, also have the right to take part in municipal elections. The conditions for their participation in elections are: having reached the age of 18, having lived in the territory of the relevant municipality for at least five years, and also the existence in the State of which they are citizens of a law that allows the participation of foreign citizens in municipal elections.
98. In accordance with electoral legislation, all citizens who have an active electoral right must be included in the electoral lists. Every individual who has been a permanent resident in the relevant electoral district for at least 6 months out of the 12-month period preceding the day on which the elections are announced (this is established by special bodies that register citizens by domicile or place of temporary residence), is included in the electoral lists of the relevant electoral district.
99. Close inspection of the electoral lists shows that, along with Azerbaijanis, they contain the names of representatives of other peoples and ethnic groups residing in Azerbaijan. All citizens may consult these lists on the official Internet site of the Central Electoral Commission and receive answers to all questions of interest to them.
100. Azerbaijan has a unified electoral system. According to electoral legislation, all elections and referendums held in Azerbaijan are organized by the district and area electoral commissions that form part of this system, and their activities are administered and monitored by the Central Electoral Commission of Azerbaijan.
101. According to article 23, paragraph 1, of the Electoral Code of Azerbaijan, electoral commissions operate for a period of five years. The composition of the commissions is renewed every five years.



102. At present, 125 areas and some 5,000 district electoral commissions are in operation in Azerbaijan. Electoral legislation provides that area commissions consist of nine, and district commissions of six, members. The ethnic composition of all commissions shows that, in addition to Azerbaijanis, representatives of other ethnic groups (Russians, Ukrainians, Georgians, Lezgins, Armenians and others) participate in the commissions. The results of the Central Electoral Commission's monitoring of subordinate electoral commissions has shown that the activities of such commissions are based on the principle of collegiality: every member of the commission has an opportunity to express his or her position on all subjects under discussion, and the opinions of all members of the commission are taken into account when decisions are taken.

103. Electoral legislation guarantees every citizen, regardless of ethnic or racial affiliation, his or her passive voting right. In elections to Parliament (Milli Mejlis) and municipalities in recent years, dozens of persons who were not Azerbaijanis put forward their candidature and were active in pre-election campaigns; most of them were elected deputies or members of municipalities. This demonstrates, once again, that electoral commissions offer all candidates the same equal opportunities.

104. During the pre-election marathon, campaigns play an enormous role. Article 75, paragraph 2, of the Electoral Code of Azerbaijan provides that pre-election campaigning shall begin 60 days before election day and end 24 hours before the voting begins. During this period, the electoral commissions provide every candidate with equal opportunities to disseminate campaign materials in the media, organize and conduct pre-election meetings with voters, hold discussions and round tables and disseminate relevant printed materials; in other words, to conduct all pre-election activities that are permitted by law.

105. The electoral practice of previous years shows that the opportunities offered by television and radio broadcasting companies and by the editorial offices of periodicals, both for a fee and free of charge, are equal for all candidates, both Azerbaijanis and representatives of other ethnic groups. Every candidate took advantage of these opportunities, which had a significant effect on their ratings.

106. One important area of activity of the Central Electoral Commission and all other subordinate electoral commissions is awareness-raising and the dissemination of legal knowledge among voters. Meetings, training courses, seminars and other similar events, organized by the Central Electoral Commission for members of subordinate commissions during presidential elections and elections to the Milli Mejlis and municipalities, also pursue this objective. Appearances on television and radio talks, which are organized from time to time, and statements in the printed media by members of the Central Electoral Commission help to raise voters' awareness of the law and increase their participation in elections. Such awareness-raising measures are carried out both in the State language and in other languages.

107. All of the aforementioned activities are carried out in the regions of Azerbaijan at the appropriate level. Awareness-raising activities conducted by members of area and district electoral commissions through local television and radio broadcasting organizations and the printed media promote the national interests not only of Azerbaijanis but also of representatives of other ethnic groups.

108. One of the main issues on which the Central Electoral Commission, as the higher body, focuses its attention is the protection of voters' violated rights. All communications received by the Commission, regardless of their form, are carefully considered and the necessary decisions are taken within the time limits and in accordance with the procedure established by law.

109. Statements and communications received by electoral commissions are considered on the basis of the instruction of 1 November 2005 on the regulations for considering complaints and communications received by electoral commissions concerning the violation of electoral rights, which was prepared pursuant to the recommendation by the European Commission for Democracy through Law (Venice Commission) of the Council of Europe.

110. During and following the aforementioned elections, the Central Electoral Commission did not receive a single communication from a person who was not Azerbaijani concerning the violation of his or her electoral rights on the grounds of ethnicity.

111. In its activities, the Central Electoral Commission always focuses its attention on guaranteeing and protecting the electoral rights of representatives of all other peoples and ethnic groups in Azerbaijan.

112. The Presidential Decree of 19 January 2005 established the Civil Service Commission under the authority of the President of Azerbaijan.

113. The Presidential Decree of 3 June 2005 approved the regulations on the Civil Service Commission under the authority of the President of Azerbaijan, which is a central government body responsible for the application of regulatory acts adopted in Azerbaijan in the field of civil service; the Commission ensures the implementation of Azerbaijan's policy, which is set out in its legislation, in the area of selecting and placing civil service personnel on a competitive basis, raising the qualification training of civil servants, their official evaluation and social security, and also concerning other questions relating to the civil service.

114. In accordance with article 27 of the Civil Service Act, citizens of Azerbaijan who have reached the age of 16, irrespective of race, ethnicity, language, sex, social origin, property status, place of residence, attitude to religion, beliefs or membership of voluntary or other associations, and who have professional training and meet the requirements of the relevant post, have the right to enter the civil service.

115. Hundreds of representatives of such ethnic minorities as Kurds, Lezgins, Talysh, Avars, Russians, Jews and others serve in State bodies as heads of central administrations, heads of administrations, directors of city and district police bodies and directors of territorial police administrations, and their ethnic affiliation does not play any role in the posts that they hold.

#### **D. Other civil rights**

116. Statistical data on the distribution of migrants by territory and ethnic group in 2006 (arriving at and leaving a permanent place of residence):

Countries	Total	including:						
		Azerbaijanis	Russians	Ukrainians	Lezgins	Jews	Tats	Others
		Number of arrivals in Azerbaijan						
Total	2 232	2 163	10	-	19	27	-	13
including:								
From CIS countries	2 207	2 146	10	-	19	26	-	6
including:								
Belarus	28	28	-	-	-	-	-	-
Georgia	238	235	1	-	1	-	-	1
Kazakhstan	94	93	-	-	1	-	-	-
Kyrgyzstan	12	11	-	-	1	-	-	-
Moldova	12	12	-	-	-	-	-	-
Russian Federation	1 394	1 341	8	-	14	26	-	5
Tajikistan	7	7	-	-	-	-	-	-
Turkmenistan	171	170	-	-	1	-	-	-
Uzbekistan	111	110	-	-	1	-	-	-
Ukraine	127	126	1	-	-	-	-	-
Country not indicated	13	13	-	-	-	-	-	-
From other countries	25	17	-	-	-	1	-	7
including:								
Israel	1	-	-	-	-	1	-	-
Iraq	1	-	-	-	-	-	-	1
Iran (Islamic Republic of)	4	3	-	-	-	-	-	1
Latvia	4	4	-	-	-	-	-	-
Lithuania	4	4	-	-	-	-	-	-
Oman	1	-	-	-	-	-	-	1
Slovakia	1	1	-	-	-	-	-	-
United States of America	1	1	-	-	-	-	-	-
Turkey	7	3	-	-	-	-	-	4
Estonia	1	1	-	-	-	-	-	-

Countries	Total	including:						
		Azerbaijanis	Russians	Ukrainians	Lezgins	Jews	Tats	Others
		Number of departures from Azerbaijan						
Total	2 644	2 253	289	10	32	5	20	35
including:								
To CIS countries	2 608	2 226	285	10	32	1	20	34
including:								
Belarus	101	94	5	-	-	-	-	2
Georgia	10	5	-	-	2	-	-	3
Kazakhstan	153	142	5	-	1	-	-	5
Kyrgyzstan	4	4	-	-	-	-	-	-
Moldova	3	3	-	-	-	-	-	-
Russian Federation	2 160	1 830	254	6	28	1	20	21
Tajikistan	1	-	-	-	-	-	-	1
Turkmenistan	6	6	-	-	-	-	-	-
Uzbekistan	8	7	-	-	-	-	-	1
Ukraine	162	135	21	4	1	-	-	1
To other countries	36	27	4	-	-	4	-	1
including:								
United Arab Emirates	1	1	-	-	-	-	-	-
Afghanistan	1	1	-	-	-	-	-	-
Belgium	1	1	-	-	-	-	-	-
United Kingdom of Great Britain and Northern Ireland	1	1	-	-	-	-	-	-
Germany	4	1	1	-	-	2	-	-
Israel	7	5	-	-	-	2	-	-
Iran (Islamic Republic of)	1	1	-	-	-	-	-	-
Canada	1	1	-	-	-	-	-	-
Latvia	1	1	-	-	-	-	-	-
United States of America	10	7	3	-	-	-	-	-
Turkey	8	7	-	-	-	-	-	1

117. The Status of Refugees and Forcibly Displaced Persons (Persons Resettled in Azerbaijan) Act of 21 May 1999 sets out the individual procedure for obtaining refugee status. In accordance with article 10 of the Act, persons wishing to obtain refugee status must send an application to the State Committee on Refugees and Forcibly Displaced Persons.

118. According to the Status of Refugees and Forcibly Displaced Persons (Persons Resettled in Azerbaijan) Act of 21 May 1999, a person who has applied for refugee status may not be sent, handed over or forcibly returned to another country until the State Committee on Refugees and Forcibly Displaced Persons has taken a decision on his or her case.

119. The decision to deprive a refugee of his or her refugee status and to send, hand over or forcibly return him or her, or any person wishing to obtain refugee status, to another country is taken by a court on the basis of a communication from the State Committee on Refugees and Forcibly Displaced Persons.

120. Even in 1988 and 1989, up to 200,000 Azerbaijanis who had been subjected to ethnic cleansing by the Government of Armenia and resettled in Azerbaijani territory as a result of the war of aggression begun by Armenia against Azerbaijan, and Armenia's policy of occupying Azerbaijani territory, obtained refugee status, on an individual rather than a collective basis, by submitting documents and applications that confirmed that they were in fact refugees.

121. According to article 5 of the Status of Refugees and Forcibly Displaced Persons (Persons Resettled in Azerbaijan) Act, under no circumstances may a refugee be sent or deported to a country where his or her life or liberty is in danger. According to article 8 of the Act, a person who cannot be granted the status of refugee or asylum in Azerbaijan in the prescribed manner may be sent to another country.

122. An example of how Azerbaijan fully complies with the principles of the relevant international instruments is the resettlement of Artur Apresyan and Roman Taryan, persons of Armenian origin, through the efforts of the Government of Azerbaijan and with the mediation of the office of the Office of the United Nations High Commissioner for Refugees in Azerbaijan, to a third country without any discrimination on the grounds of race, ethnicity or religion. In 2004, the aforementioned persons became victims of the regime in power in Armenia at the time, and feared that they would be persecuted by the Armenian authorities on account of their political convictions; having serious reasons to believe that such persecution would occur, they decided to seek assistance from the State authorities of Azerbaijan with a view to obtaining political asylum in Western European States, and they illegally crossed the border into Azerbaijan.

123. Detailed information on this paragraph of article 5 was provided in the previous periodic report submitted by the Government of Azerbaijan to the Committee on the Elimination of Racial Discrimination.

### E. Economic, social and cultural rights

124. At the beginning of 2007, the economically active population of Azerbaijan was 4,264,200, of whom 3,973,000 (93.2 per cent) were employed in various branches of the economy and 291,200 (6.8 per cent) were unemployed, and 53,900 (1.3 per cent) were registered with employment services as being officially unemployed. Of the number of employed persons, 1,271,900 (32 per cent) worked in the State sector of the economy and 2,701,100 worked in the non-State sector.

125. The distribution of the individual ethnic groups of Azerbaijan by economic activity and employment based on the 1999 census is as follows:

Ethnic group	Thousands of persons		Percentage of the economically active population that is currently employed
	Economically active population	Including persons currently employed	
Overall population including:	3 400.3	2 847.7	83.7
Azerbaijanis	3 064.5	2 555.7	83.4
Lezgins	77.7	68.9	88.7
Russians	62.9	50.3	80.0
Armenians	54.4	45.9	84.4
Talysh	37.6	36.2	96.3
Avars	25.3	24.1	95.3
Turks	18.5	17.4	93.9
Tatars	12.8	10.1	79.4
Ukrainians	12.5	9.9	79.5
Tsakhurs	7.6	6.9	89.9
Georgians	7.2	6.6	91.1
Kurds	5.6	4.2	74.5
Tats	4.3	3.9	91.0
Jews	3.2	2.6	82.3
Udis	1.9	1.3	68.1
Other ethnic groups	4.3	3.7	84.5

126. The prohibition of racial discrimination in labour relations is guaranteed by article 35 (Right to work) of the Constitution of Azerbaijan, in accordance with which everyone has the right freely to choose his or her type of activity, profession, occupation and place of work on the basis of his or her aptitude for work; in addition, everyone has the right to safe and healthy working conditions, to receive, without any discrimination, remuneration for his or her work which is not lower than the minimum wage established by the State.

127. Under Azerbaijani labour legislation, in particular in accordance with article 16 (Prohibition of discrimination in labour relations) of the Labour Code, all discrimination in labour relations among workers on the basis of citizenship, sex, race, religion, ethnicity, language, place of residence, property status, social origin, age, family status, beliefs, political views, membership of trade unions or other voluntary associations, occupation, and other factors not related to business aptitude, professional skills or the results of a worker's labour, is prohibited. The establishment, directly or indirectly, of advantages or privileges based on such discrimination, as well as any restriction of workers' rights, are also prohibited.

128. An employer or any other private person who allows discrimination among workers in labour relations, as set out in article 16, paragraph 1, of the Labour Code, shall bear liability in accordance with the procedure established by the relevant legislation.

129. A worker who has been subjected to discrimination may apply to a court for the restoration of his or her violated rights.

130. The main legislative base in the field of employment is the Constitution of Azerbaijan, the Employment Act of 2 July 2001 and other regulatory acts and international treaties that have been ratified by Azerbaijan.

131. The Presidential Order of 15 May 2007 approved the State programme for the implementation of Azerbaijan's employment strategy for 2007-2010. The principal objective of the programme is to ensure the implementation, by the year 2011, of the priority areas of Azerbaijan's employment strategy for 2006-2015, which was approved by the Presidential Order of 26 October 2005 through the creation of a political, economic, social and institutional environment conducive to the development of effective employment.

132. The State programme for the implementation of Azerbaijan's employment strategy for 2007-2010 provides for measures to increase the employment of socially vulnerable groups, namely refugees, forcibly displaced persons and young people; in addition, appropriate conditions will be created to ensure the social integration of persons with disabilities and to increase their level of employment.

133. According to article 6 of the Employment Act, the main areas of State policy in the field of employment are:

(a) Ensuring that all citizens, irrespective of race, ethnicity, religion, language, sex, family status, social origin, place of residence, property status, beliefs or membership of political parties, trade unions or other voluntary organizations, have equal opportunities to exercise their right to work and free choice of employment;

(b) Creation of conditions for the employment of Azerbaijani citizens outside the country, and of employment opportunities for stateless persons and foreigners residing in the territory of Azerbaijan.

134. Monitoring of compliance with labour legislation is carried out, within the scope of its competence, by the State Labour Inspectorate, a unit of the Ministry of Labour and Social Protection.

135. Statistics on the ethnic composition of the population are collected and collated during population censuses. The last census was conducted in 1999. The data of the 1999 census relating to the ethnic composition of the population, including the employed population, are contained in the following table:

Ethnic composition of the population	Percentage of the population		Percentage of the employed population	
	Thousands	%	Thousands	%
Overall population	7 953.4	100.0	2 847.7	100.0
including:				
Azerbaijanis	7 205.5	90.6	2 555.7	89.7
Ukrainians	29.0	0.4	9.9	0.4
Russians	141.7	1.8	50.3	1.8
Turks	43.4	0.5	17.4	0.6
Tatars	30.0	0.4	10.1	0.4
Talysh	76.8	1.0	36.2	1.3
Lezgins	178.0	2.2	68.9	2.4
Jews	8.9	0.1	2.6	0.1
Kurds	13.1	0.2	4.2	0.2
Armenians	120.7	1.5	45.9	1.6
Avars	50.9	0.6	24.1	0.8
Georgians	14.9	0.2	6.6	0.2
Udis	4.1	0.05	1.3	0.05
Tsakhurs	15.9	0.2	6.9	0.25
Tats	10.9	0.13	3.9	0.1
Other ethnic groups	9.6	0.12	3.7	0.1

136. An analysis of the data contained in the table shows that Azerbaijan prohibits discrimination against ethnic groups in the field of employment, and representatives of all ethnic groups living in Azerbaijan have equal rights in economic life.

137. Needy families whose average monthly income, for reasons independent of them (incapacity of family members; registration of able-bodied family members with the relevant government body as unemployed; death of a family member; declaration by a court that the person in question has disappeared or has died; deprivation of liberty; absence of information on the whereabouts of a family member; and other reasons), is lower than the established criteria relating to the needs of each family member.

138. The Social Benefits Act of 7 February 2006 establishes the legal bases for allocating and paying social benefits in Azerbaijan and regulates other relations arising in this sphere.

139. Citizens of Azerbaijan have the right to receive monthly and one-off benefits in accordance with the conditions and the procedure established by the Social Benefits Act. Unless otherwise provided by the international agreements to which Azerbaijan has acceded, stateless persons and foreigners who are permanent residents of Azerbaijan have the right to receive monthly and one-off benefits in accordance with the conditions and the procedure that the Social Benefits Act establishes for Azerbaijani citizens.

140. The Pensions Act of 7 February 2006 establishes the bases for the rights of Azerbaijani citizens to a pension, the regulations for exercising these rights and the system for granting pensions. Foreigners and stateless persons who are permanent residents of Azerbaijan have the same right to a pension as Azerbaijani citizens in accordance with the conditions laid down in the Pensions Act.

141. The Minimum Wage Act of 5 October 2004 establishes the principles and regulations for setting the minimum wage, the State's guarantee of the minimum wage, and the increase in the minimum wage in accordance with the country's social and economic development. In accordance with article 2 of the Act, the minimum wage is used for the following purposes:

- (a) To create and apply the system for providing targeted State social assistance to needy families;
- (b) To prepare guidelines and State programmes for increasing the well-being of needy families;
- (c) To evaluate and predict the population's standard of living;
- (d) To establish the maximum income of individuals who are not subject to taxation and mandatory payments;
- (e) To develop and implement measures to index monetary income and investments;
- (f) To establish the State budget, local budgets, extrabudgetary State funds, prices and rates regulated by legislation.

142. On 1 January 2007, an act establishing the national minimum wage for 2007 in the amount of, on average, 64 manat per capita, including 70 manat for the able-bodied population, 49.7 manat for pensioners and 52.4 manat for children, entered into force.

143. With a view to allocating targeted State social assistance, on 1 January 2007 the maximum criterion of need was established at 35 manat, and on 1 July 2007 at 40 manat.

144. The right to social security is guaranteed in article 38 of the Constitution of Azerbaijan. In accordance with that article, everyone has the right to social security, and everyone has the right to social security, after reaching the legally established age, in the event of illness, disability, loss of a breadwinner, loss of ability to work, unemployment and other circumstances provided for in Azerbaijani legislation.

145. One of the most important elements of the State mechanism for reducing the level of poverty in Azerbaijan was the drafting and adoption of the Targeted State Social Assistance Act, which entered into force on 1 January 2006.



146. The purpose of this mechanism is to provide targeted social assistance to the socially unprotected segments of the population. On 1 July 2006, the allocation and payment of targeted social assistance began. In allocating targeted social assistance, no discrimination is permitted on the grounds of race, nationality or ethnicity with regard to families claiming such assistance. In addition to Azerbaijani citizens, such assistance is also provided to stateless persons who are permanent residents of Azerbaijan.

147. No form of discrimination, including on racial, national or ethnic grounds, is permitted against disabled persons; this is set out in article 1 of the Disability Prevention and Disabled Persons (Rehabilitation and Social Protection) Act of 25 August 1992. In the medical rehabilitation of persons with disabilities, in the provision of assistance in the solution of social and everyday problems, including housing problems, in the provision of material and technical assistance and in the holding of cultural events for disabled persons, all ethnic groups and national minorities receive equal treatment; racial discrimination and xenophobia are prohibited and punishable by law.

148. In accordance with article 10 of the Public Health Act of 26 June 1997, stateless persons who are permanent residents of Azerbaijan have the same rights as Azerbaijani citizens in the area of health protection. Foreigners have the right to health protection in accordance with the procedure established by international agreements to which Azerbaijan is a party.

149. Article 6 of the Status of Refugees and Forcibly Displaced Persons (Persons Resettled in Azerbaijan) Act of 21 May 1999 guarantees the elderly, children, persons with disabilities, the needy and persons who have lost the family's breadwinner, in places of temporary residence and in hospitals, the right to receive the necessary medicines and medical assistance.

150. The statute of the State Committee on Refugees and Forcibly Displaced Persons, which was approved by the Presidential Decree of 1 February 2005, regulates the activities of the Committee, which is the central government body for implementing State policy on the resettlement, accommodation, repatriation and social protection of refugees and forcibly displaced persons, and for creating social and living conditions for them in the territories freed from occupation.

151. The Presidential Order of 1 July 2004 approved the State programme to improve the living conditions and increase employment of refugees and displaced persons.

**F. The right of access to any place or service intended for use by the general public, such as transport, hotels, restaurants, cafés, theatres and parks**

152. The exercise of the aforementioned right is guaranteed to everyone equally in the laws and regulations of Azerbaijan.

**Article 6**

153. In accordance with article 34 of the Constitutional Court Act of 23 December 2003, in order to obtain a ruling on the questions listed in article 130, section III, paragraphs 1 to 7, of the Constitution of Azerbaijan, anyone may appeal to the Constitutional Court any enactment of a

legislative or executive body, municipality or court that violates his or her rights and freedoms, with a view to restoring the violated human rights and freedoms. The Constitutional Court may consider complaints relating to the questions covered by article 130, section III, paragraph 4, in the following cases:

- (a) If the court has not applied the appropriate regulatory act;
- (b) If the court applies a regulatory act that should not have been applied;
- (c) If the court has incorrectly interpreted a regulatory act.

154. In the cases covered by article 34 of the Constitutional Court Act, verification of the actual circumstances of the case considered by the Supreme Court is prohibited. As a rule, a complaint may be made to the Constitutional Court in the following cases:

- (a) Within six months of the entry into force of the decision of the highest judicial instance (decision of the Supreme Court of Azerbaijan) after the full use of right to appeal a judicial act;
- (b) Within three months of the violation of the applicant's right to appeal to a court.

155. Consideration of communications from foreigners and stateless persons is governed by the Applications from Citizens (Consideration Procedure) Act, unless another procedure is provided in the international agreements to which Azerbaijan has acceded.

156. During initial investigative activities and in the investigation stage, parties to criminal proceedings have the right to use their native language and also to avail themselves, free of charge, of the services of an interpreter.

## **Article 7**

### **A. Education and instruction**

157. In accordance with article 45 of the Constitution of Azerbaijan, everyone has the right to use his or her native language and also to receive an education and engage in creative activity in his or her native language. No one may be deprived of the right to use his or her native language.

158. Article 3 of the Education Act guarantees citizens the right to an education, irrespective of their race, language, ethnicity or religion. Citizens are granted the free choice of the form of instruction, educational establishment and language of instruction.

159. The State language of Azerbaijan is Azerbaijani.

160. In accordance with the needs of society and wishes of citizens, it is possible to receive instruction in the languages of ethnic minorities, with compulsory instruction of the Azerbaijani language and the history, literature and geography of Azerbaijan.

161. At present, of the 1,760 preschool establishments in operation in Azerbaijan, in 10 establishments (635 children) education and instruction are provided in the Russian language only, and in 6 establishments (280 children) education and instruction are provided in the Georgian language. In 228 establishments, where education and instruction are provided in Azerbaijani and Russian, 7,730 of the 26,015 children study in Russian groups. In two establishments that provide education and instruction in the Azerbaijani and Georgian languages, 40 of the 175 children study in Georgian groups. In Azerbaijan, complete general education is provided in three languages - Azerbaijani, Russian and Georgian.

162. In 19 schools, attended by 6,208 pupils, instruction is provided only in Russian, and in 6 schools, with a total of 991 pupils, instruction is provided only in Georgian. In 334 schools that provide instruction in Azerbaijani and Russian, 101,291 pupils study in the Russian sector, and in 5 schools that provide instruction in Azerbaijani and Georgian, 770 pupils study in the Georgian sector. In one school, where instruction is provided in Azerbaijani, Russian and Georgian, 125 pupils study in the Russian sector and 126 in the Georgian sector.

163. Hebrew is studied in school No. 46 in Baku. In Baku, there is also a private school where Hebrew and Jewish history and culture are studied. At present, 251 pupils are enrolled in this school.

164. Children of ethnic groups living in compact communities in 13 districts of Azerbaijan are provided with all the conditions for studying their language and their traditions and customs and culture.

165. Children of ethnic minorities in elementary grades in schools in Quba, Qusar, Ismailli, Khachmaz, Oguz and Qabala districts of Azerbaijan study Lezgin; Talysh is studied in schools in Lerik, Lankaran, Astara and Masally districts; and Avar, Udi, Tat, Tsakhur, Khynalag and Kurdish are studied in schools in Balakan, Qabala, Khachmaz, Zaqatala, Quba and Samukh regions of Azerbaijan. Their native language is taught to children in primary school (grades 1-4).

166. For the efficient organization of the teaching of languages of ethnic minorities, a great deal of attention is given to the preparation and publication of teaching programmes, textbooks, study aids, didactic materials, teacher's editions and recommendations.

167. In recent years, teaching programmes and 17 textbooks, including *We Study Our Native Language*, *Alphabet*, *The Lezgin Language*, *The Talysh Language*, *The Tat Language*, *The Kurdish Language*, *The Tsakhur Language*, *The Avar Language* and *The Udi Language*, have been published in Azerbaijan.

168. Since tolerance of cultural, ethnic, religious and linguistic differences is a necessary condition for mutual understanding between individuals and representatives of diverse cultures, textbooks and teaching aids published for students in general education schools contain materials on the observance of human rights and on respect for and preservation of the cultural heritage of all ethnic groups living in Azerbaijan. The authors of the textbooks *Getting to Know the World*, *Reading, Literature, History, Geography* and *The Individual and Society* have adhered to this policy.

169. Textbooks on human rights and freedoms have been prepared, contests and competitions have been organized, and artistic exhibitions and festivals devoted to human rights have been held.

170. In higher educational establishments, high-level courses on the teaching of human rights on the basis of the curricula of higher educational establishments are organized for students specializing in law and politics. In the area of international humanitarian law, Baku State University, Baku Slavic University, the Language University of Azerbaijan, Azerbaijan State Pedagogical University, Ganja State Pedagogical University, Sumqayit State University, Western University and Khazar University offer the course entitled “The world and conflict”, and all higher educational establishments at the baccalaureate level offer the course entitled “Constitution of the Republic of Azerbaijan and basic rights”.

171. The Convention on the Rights of the Child and other relevant instruments have been translated into Azerbaijani and distributed to schools, where they are taught.

172. Since September 2004, the Young Lawyers’ Association of Azerbaijan, together with the Association of Young Azerbaijani Friends of Europe, began to implement a project entitled “Youth network on human rights”. The aim of the project is to mobilize the efforts of young people to improve the human rights situation and promote democratization in Azerbaijan. The purpose of this project is to inform young people about the protection of human rights and democratization and to increase their involvement in such activities, and to draw the attention of national and local government bodies to problems related to human rights and democratization, to provide professional legal assistance when citizens’ rights are violated, to train a new generation of human rights defenders in Azerbaijan, to increase the role of young people in the creation of a civil society, and to establish, in the city of Baku and in the regions, mobile groups to monitor human rights.

173. Presidential Order No. 1880 of 28 October 2006, entitled “National plan of action to protect human rights in Azerbaijan”, approved the relevant plan of measures of the Ministry of Education for 2007-2008.

**Basic education indicators**  
(beginning of academic year)

2006/07	
Number of preschool establishments (beginning of 2007)	1 760
Number of children in preschool establishments	109 500
Number of general education day schools	4 529
Number of students in general education day schools	1 535 000
Number of general education evening (correspondence) schools	9
Number of students in general education evening schools	2 700
Number of vocational schools and vocational lycées (beginning of 2007)	107
Number of students in vocational schools and vocational lycées	24 000
Number of secondary specialized schools	60
Number of students in secondary specialized schools	56 900
Number of higher educational establishments	
[Number of students in higher] educational establishments	129 100
(1) Including students in classes in general education day schools;	
(2) In addition: Higher Combined Armed Forces Command School, Baku Higher Naval School, Azerbaijan Higher Military Aviation School, Baku Higher Police Academy, National Academy of Security.	
Number of teaching staff in educational establishments (excluding substitute and visiting instructors) (beginning of academic year)	
Number of teaching staff in preschool establishments (beginning of 2007)	14 500
Number of teaching staff in general education day schools	175 300
Number of teaching staff in general education evening schools	100
Number of teaching staff in vocational schools and vocational lycées (beginning of 2007)	2 000
Number of professors and instructors in secondary specialized schools	7 000
Number of professors and instructors in higher educational establishments	14 400

**Number of children in preschool establishments,  
by language of education and instruction**  
(beginning of year)

2007	
Number of children in preschool establishments	109 500
including children receiving their education in the following languages:	
Azerbaijani	100 800
Russian	8 400
Georgian	300
per cent of total number of pupils:	
Azerbaijani	92.1
Russian	7.6
Georgian	0.3

**Number of students in general education  
day schools, by language of instruction**  
(beginning of academic year)

2006/07	
Total number of children in general education day schools including children receiving their education in the following languages:	1 527 610 <sup>1</sup>
Azerbaijani	1 416 900
Russian	108 200
Georgian	1 900
English	600
per cent of total number of students:	
Azerbaijani	92.8
Russian	7.1
Georgian	0.1
English	0.0

<sup>1</sup> Excluding children with limited abilities in specialized schools.

**Number of students in specialized secondary schools,  
by language of instruction**  
(beginning of academic year)

2006/07	
Total number of students in secondary specialized schools including students receiving their education in the following languages:	56 900
Azerbaijani	54 800
Russian	2 100
per cent of total number of students:	
Azerbaijani	96.3
Russian	3.7

**Number of students in higher educational establishments,  
by language of instruction**  
(beginning of academic year)

2006/07	
Total number of students in higher educational establishments	129 100
including students receiving their education in the following languages:	
Azerbaijani	108 000
Russian	19 100
English	1 600
Turkish	400
per cent of total number of students:	
Azerbaijani	83.7
Russian	14.8
English	1.2
Turkish	0.3

**Number of foreign students studying at higher educational  
establishments in Azerbaijan**  
(beginning of 2006/07 academic year)

Total	3 690
Countries	
Belarus	5
Georgia	92
Kazakhstan	18
Kyrgyzstan	12
Moldova	7
Russian Federation	150
Turkmenistan	59
Uzbekistan	11
Ukraine	10
Angola	1
Afghanistan	4
United Kingdom of Great Britain and Northern Ireland	1
Germany	1
Egypt	2
Israel	3
India	32
Jordan	2
Iraq	21
Iran (Islamic Republic of)	424
Yemen	6
Cyprus	2
China	117
Korea	2
Libyan Arab Jamahiriya	1
Lithuania	1
Mauritius	1
Malawi	1
Morocco	2
Nigeria	12
Norway	1
Oman	1
Pakistan	301
Saudi Arabia	20
Syrian Arab Republic	2
United States of America	16
Sudan	1
Tunisia	2 612
Turkey	1
Sweden	4
Estonia	1
Ethiopia	1

**Number of students sent by the Government to study abroad**  
(beginning of 2006/07 academic year)

Total	1 225
Countries	
United Kingdom of Great Britain and Northern Ireland	4
Egypt	43
Italy	5
Cyprus	7
China	17
Malaysia	3
Czech Republic	8
Pakistan	1
Russian Federation	323
Romania	2
Slovakia	3
United States of America	1
Turkey	752
Ukraine	56

### B. Culture

174. Azerbaijan's ethnic minorities are guaranteed equal cultural rights and enjoy equal access to the country's cultural heritage. All this is reflected in Azerbaijan's domestic legislation on culture. Many laws relating to the field of culture reflect the principles of respect for human rights, including the cultural rights of ethnic minorities.

175. Following Azerbaijan's accession to the International Convention on the Elimination of All Forms of Racial Discrimination, its domestic legislation was amended; in particular, the Culture Act of 6 February 1998 was adopted and the Presidential Decree of 16 April 1998 was signed.

176. Article 8 (Right to cultural identity) of the Culture Act reads:

“Everyone has the right to preserve his or her ethnic cultural identity, and freely to choose his or her spiritual, aesthetic and other values. The State guarantees the individual's right to a cultural identity.”

This article provides a direct legal guarantee of the right of individuals to satisfy their cultural needs, irrespective of race, ethnicity or national origin. A number of other articles of the Culture Act provide mediated legal guarantees of the right of individuals to a cultural identity. In particular, article 48 (International cooperation in the field of culture), article 49 (International exchange in the field of culture) and article 50 (Cooperation in the preservation of cultural values) give cultural minorities an opportunity to maintain and develop international contacts with their historical homeland. This opportunity is also guaranteed in other Azerbaijani legislation on culture, including the Conservation of Historical and Cultural Monuments Act of 10 April 1998 (article 30 of this Act is entitled “Effectiveness of international legal instruments



in the preservation of monuments”); the Libraries Act of 29 December 1998 (article 33 is entitled “International cooperation in the field of library science”); the Museums Act of 24 March 2000 (article 27 of this Act is entitled “International cooperation”).

177. In Azerbaijan, concrete efforts are being made to preserve and develop the cultural values of national minorities and ethnic groups living in the country. In this connection, a number of measures have been prepared and are being implemented, including: work with embassies and missions of countries that are the historical homeland of ethnic groups living in Azerbaijan; cooperation with cultural centres and societies that currently represent small peoples; holding of international conferences and national round tables devoted to the rights of cultural minorities, and holding of seminar-conferences with cultural workers active in this field; organization of exhibitions reflecting the ethnography, art and customs of small peoples; tours of popular ensembles of ethnic minorities in Azerbaijan and abroad; active participation of groups representing small peoples not only in district but also in nationwide cultural events; holding of anniversary celebrations of outstanding representatives of the culture and art of small peoples; awarding of honorary titles to directors of and participants in amateur artistic ensembles; and provision of folklore costumes, musical instruments and technical equipment to amateur ensembles.

178. In order to preserve the culture and art of ethnic minorities, contact has been established with the diplomatic missions of Georgia, Dagestan, the Russian Federation and Tatarstan in Azerbaijan.

179. At present, a great deal of work is being carried out with culture centres and societies representing small peoples. In accordance with the programme, the Lezgin State Drama Theatre (formerly a folk theatre) was opened in Qusar district, and the State Puppet Theatre was opened in Qakh district. Material and technical support for these theatres has been strengthened.

180. In order to improve cultural services for ethnic minorities, exchange performances of amateur artistic ensembles were organized in Balakan, Zaqatala, Qakh, Lankaran, Astara, Lerik, Jalilabad, Qusar, Quba and Khachmaz districts.

181. In order to popularize the cultures of small peoples, local seminar-conferences of cultural workers were held in Khachmaz and Lankaran districts.

182. With a view to promoting the cultures and folklore of small peoples, the repertoires of amateur artistic ensembles are organized on an ethnic basis. These include the following song and dance ensembles: the Russian ensemble “Ruchek” in Jalilabad, the Turkish ensemble “Adıgyün” in Saatly, the Avar ensemble “Khoylo” in Balakan, the Tsakhur ensemble “Jeyranym” in Zaqatala, Tat and Jewish ensembles in Quba, the Lezgin ensembles “Trillo”, “Shakhnabat”, “Mel”, “Ganbulag”, “Shakhdag” and others in Qusar, the “Malakan” ensemble in the village house of culture in Ivanovka in Ismaili district, the Talysh ensemble “Asavar” in Astara, the Russian ensemble “Solnyshko” in Goranboy district and the Tatar ensemble “Gezalim” in Baku.

183. Efforts have been made to preserve cultural traditions in Astara, Qakh and Qabala districts. Although Azerbaijanis account for most of the population of these districts, Lezgins, Russians, Talysh, Georgians, Udis and other peoples also live there. In this region, events involving

representatives of small peoples are held. Events devoted to the anniversaries of the representatives of the Georgian People, I. Chavchavadze and S. Rustaveli, and the representative of the Udi people, G. Voroshilin, were held here.

184. Irrespective of ethnic composition, the instrumental ensembles “Sevinj” of the Astara district cultural centre, the “Avasar” folklore ensemble of the Kakalos village house of culture, the “Arzu” district house of culture, the “Cheshma” municipal house of culture, the “Mekh” school of culture, the Georgian folk theatre in the village of Alibeyli in Qakh district and others play a major role in promoting ethnic self-awareness.

185. The “Shakhnabat”, “Ganbulag”, “Mel”, “Parizade” and “Shakhdag” ensembles, which the Ministry of Culture of Azerbaijan has awarded the title of folk collectives, are active in Qusar district. The repertoire of these ensembles consists of songs that promote friendship, brotherhood and unity among the representatives of various peoples, in the Azerbaijani, Russian, Turkish and Lezgin languages. The folklore ensembles “Pishana” and “Girliida” play a special role in preserving the cultures of small peoples.

186. In Qabala district, representatives of the Lezgin, Udi and other peoples live together with Azerbaijanis.

187. On days on which historical events are commemorated, activities representing the traditions of these peoples are held. Some of the most vivid examples of the folklore of these peoples include the *Lezgi toy* (Lezgin wedding) and the *Udin toy* (Udi wedding).

188. During the Nowruz (New Year’s) celebrations, the group “Zurnachi” of the Nidj village house of culture, which consists of Udis, and the folklore collectives of the villages of Gamarvan and Dizakhly, which consist of Lezgins, always arouse a great deal of interest among spectators.

189. The house of culture in Lerik district has a literary circle called “Bando Sado” (Voice of the Cliffs), and village clubs have Talysh song and dance ensembles. The G. Sarabsky house of culture in Baku has allocated space for the Lezgin cultural centre Samur. The centre receives ongoing organizational and practical assistance.

190. The museums of local lore and history in Astara, Zaqatah, Qakh and Quba districts organize exhibitions that reflect the heritage and traditions of the ethnic minorities living in their territory.

191. Libraries are also active in this field. Libraries include in their collections books by representatives of ethnic minorities, and they hold events to acquaint people with the works of ethnic writers. In Qakh, Zaqatala, Balakan and Qusar districts, literature in the Lezgin language is acquired from Dagestan and literature in the Georgian language is acquired from Georgia.

192. A special section on work with representatives of small peoples has been created in the Central Library in Baku. Special exhibitions and discussions on small peoples are held in libraries in Quba, Qusar, Khachmaz, Lankaran, Masally, Astara, Lerik, Shaki, Zaqatala, Balakan, Oguz and Qabala districts.

193. Amateur artistic ensembles of small peoples take an active part in nationwide events.

194. Many parks of culture and rest took part in meetings held on the subject of friendship of peoples and contemporary attitudes towards it. Ensembles of representatives of ethnic minorities performed in the national park in Baku, parks of culture and rest in the towns of Shaki, Zaqatala, Lankaran, Qusar, Quba, Balakan, Jalilabad and Masally.

195. In December 2006, the Ministry of Culture and Tourism organized, in the context of the programme of the United Nations Educational, Scientific and Cultural Organization (UNESCO), entitled “Cultural Diversity”, and the project entitled “Cultural Diversity in Azerbaijan”, the “Azerbaijan - Native Land” festival, which was devoted to the art of ethnic minorities. Concerts involving 800 participants of over 40 ensembles of the city of Baku and 14 districts, representing practically all national minorities and ethnic groups living in Azerbaijan were received with great interest and attention.

Main cultural indicators (beginning of year)	
	2007
Number of public libraries	4 021
Number of clubs	2 759
Number of professional theatres	31
With performances in the following languages:	
Azerbaijani	22
Azerbaijani and Russian	6
Russian	1
Lezgin	1
Georgian	1
Number of concert organizations	12
Number of museums	168
Number of parks of culture and rest	338

### C. Information

196. The Government of Azerbaijan is taking measures to promote mutual understanding, respect and tolerance in relations among Azerbaijan’s diverse ethnic groups. Paragraph 11 of the National Plan of Action for the Protection of Human Rights for 2007-2010, approved by the Presidential Order of 28 December 2006, provides for the holding of events with a view to preserving and developing the cultural heritage of ethnic minorities. With a view to raising awareness among the population, law enforcement officers, members of political parties and media specialists about issues relating to the provisions of the Convention, paragraph 39 of the National Plan provides for the holding of educational events in Azerbaijan’s cities and districts in order to improve the population’s knowledge of the law, prohibit discrimination and promote peace and tolerance.

197. In 2006 and 2007, the State Committee on Cooperation with Religious Organizations carried out various measures to implement Azerbaijan’s obligations under the International Convention on the Elimination of All Forms of Racial Discrimination.

198. On 16 November 2006, in observance of the International Day for Tolerance, a round-table meeting entitled “Azerbaijan, a model of tolerance” was held with the participation of religious denominations active in Azerbaijan. Leaders of denominations, religious figures, ambassadors of foreign countries and representatives of international organizations in Azerbaijan took part in the event.

199. The State Committee on Cooperation with Religious Organizations, together with the Press Council of Azerbaijan, held a round table on the subject of religious values and the media with a view to taking measures to prevent religious intolerance and discrimination and the publication of articles that offend religious values. Journalists who write articles on religious subjects in newspapers published in Azerbaijan were invited to the event, at which discussions of the religious situation were held; journalists were advised not to provide any opportunity for racial intolerance and discrimination and not to offend religious values when writing articles about religion.

200. In order to study the situation with regard to freedom of religion and to ensure the speedy solution of existing problems, a meeting of leaders of the Islamic and non-Islamic communities active in Azerbaijan was held, and views about the religious situation were exchanged.

201. The State Committee on Cooperation with Religious Organizations, together with the Human Rights Commissioner (Ombudsman) of Azerbaijan, held a round-table meeting on the subject of religion and human rights, with the participation of representatives of the relevant State organizations, non-governmental organizations and religious communities with a view to discussing the situation with regard to the protection of human rights and freedoms, increasing mutual understanding and promoting cooperation among religious minorities.

202. In 2007, an advisory council consisting of leaders of the main religious denominations began operating under the authority of the chairman of the State Committee on Cooperation with Religious Organizations. The main goals of the Advisory Council are to conduct an in-depth study of the religious situation in Azerbaijan, hold dialogues with representatives of diverse religious denominations and increase understanding and mutual respect among them, carry out relevant measures to ensure religious stability, take measures to eliminate radical and extremist tendencies among believers, including negative repercussions on the religious situation, and also eliminate elements of fanaticism and superstition, make use of the influence of religious leaders to ensure the stability of the religious situation in society, and organize religious education.

203. At the same time, the press took appropriate measures against journalists who insult religions. The court issued a decision to prosecute the authors of articles and the editor-in-chief for the publication of articles in the newspaper *Sanat* (Art) that insulted religious values.

204. The sector for expert religious studies of the State Committee on Cooperation with Religious Organizations gave a negative opinion of samples of religious literature with 90 titles, and took measures to prevent the import into Azerbaijan of religious literature advocating religious intolerance and discrimination.

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