



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

2024 ANNUAL REPORT

**of the Commissioner for Human Rights
(Ombudsman) of the Republic of Azerbaijan
on the protection of human rights**

Baku – 2025



The 2024 Annual Report of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan was prepared in accordance with Article 14 of the Constitutional Law on the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan.

The Ombudsman presents the annual report to the President of the Republic of Azerbaijan within two months until the end of the calendar year and subsequently speaks with that report before the Parliament of the Republic of Azerbaijan.

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

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FOREWORD

The measures consistently implemented in all spheres of life in the country, which aimed at supporting the economic situation and social welfare of the population, are important in the effective provision and reliable protection of human and civil rights and freedoms.

The continuous nature of social and political stability, innovations in the public administration system, as well as the participation of citizens in the decision-making process are one of the key factors in the reliable protection of human rights.

For us, 2024 was remarkable and memorized with significant events in the country's socio-political life.

Extraordinary presidential elections and extraordinary parliamentary elections in Azerbaijan, which were held for the first time in the entire area of our sovereign country, have become an important event.

Extraordinary presidential elections in Azerbaijan, which have been historically referred to as the victorious, were held with a high level of voter turnout, and Mr. Ilham Aliyev has been re-elected as the President of the country by a majority of votes. However, our people, in fact, have voted with great faith in the victory, rapid and sustainable development, and further achievements in the last 20 years. These elections, conducted transparently and justly in a free and democratic environment, reaffirmed our country's devotion to democratic values and traditions of national statehood.

Our country has done its utmost to maintain peace and stability, either regionally or internationally. The close participation of the country's President along with world leaders in discussions on issues of global importance has made Azerbaijan a great influence in the international world.

In 2024, our country hosted events of international significance, attended by heads of state and government, officials, and influential social, political, scientific, and cultural figures from many countries.

In order to strengthen international solidarity in the global fight against climate change, the declaration of 2024 as the "Green World Solidarity Year" has been of great importance in the country. The 29th Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP29) was held in Azerbaijan, and thanks to the successful moderation and high diplomatic dedication of our country, the achievement of agreement on the Baku Financial Goal, which aims to direct \$1.3 trillion in climate finance to developing countries annually, and other important decisions, has become an important outcome in combating climate change.

In accordance with the orders of the country's President, the return of former internally displaced persons (IDPs) to the liberated territories within "the Great Return program", the demining and clearance of unexploded ordinance (UXO), the establishment of modern living, production and service infrastructure, economic activities, as well as the continuation of measures undertaken to restore transport and communication lines last year, are also of utmost importance for the restoration of the rights and freedoms infringed upon those persons.

The crash of a passenger plane belonging to Azerbaijan Airlines on a Baku-Grozny flight in the vicinity of Aktau, Kazakhstan, which became known as the tragic event of 2024, shocked the whole community deeply. The establishment by the President of the country of an appropriate state commission for the control of issues related to the elimination of the consequences of the tragedy, the establishment of an appropriate state commission for the elimination of consequences of the crash and implementation of urgent measures, the declaration of mourning in the country for the commemoration of the victims, and the comprehensive support to the families of the victims and the survivors at the state level are clear manifestations of the state's attention and care for its citizens.

At the initiative of the Ombudsman, a joint Working Group (WG) consisting of the Ombudspersons of Azerbaijan, Kazakhstan, and Russia was established and held an exchange of necessary information in order to provide urgent assistance to our citizens injured by the plane crash. The Ombudsman also visited the wounded who were undergoing treatment in our country, got acquainted with the medical services and care.

Taking into account the full restoration of the territorial integrity and sovereignty of Azerbaijan, the 30th anniversary of the adoption of Constitution of the Republic of Azerbaijan and the 5th anniversary of our victory in the Patriotic War, the declaration of 2025 as the “Year of Constitution and Sovereignty” by the relevant Presidential Decree once again stated that the legal force of the Constitution of the Republic of Azerbaijan, whose supreme purpose is to be established, is announced throughout our country.

It should be noted that the Ombudsman has continued to work in effective cooperation with the relevant bodies (including public legal entities) and budgetary organizations and officials established in the Constitution of the Republic of Azerbaijan and international treaties to which our state is a party, in order to restore human rights and freedoms violated by the state institutions, and municipalities of the Republic of Azerbaijan, as well as legal entities that are in state or municipal ownership or whose controlling stake belongs to the state or municipality, as well as to prevent human rights violations in the cases specified, and to carry out the supervisory and monitoring functions.

In 2024, the Ombudsman received 29,371 applications.

Applications were submitted by post or email, by online application on the Ombudsman's official website (“Make a Direct Application” and “Request for Information”) and via the “E-Gov” sections, by official social network accounts, by reception at the Ombudsman Office and regional centers, by meetings of the Ombudsman, staff of her Office and regional centers with population groups across the country, or during monitoring visits conducted to penitentiary institutions, pretrial facilities, temporary detention centers, guardhouses, immigration detention centers, other institutions where detainees cannot leave at will, including during visits to relevant social, healthcare and educational institutions. The Ombudsman's Call Center “916”, which is open around-the-clock, received 11,008 calls during the year, of which 7,691 were answered orally and provided legal advice, and 3,317 calls were received.

The applications were reviewed and investigated in accordance with the Constitutional Law of the Republic of Azerbaijan “On the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan” (*hereinafter* the Constitutional Law); relevant government agencies were requested to address the problems and difficulties faced by people; necessary measures were undertaken to restore violated rights; and the competent government

agencies, were presented proposals and recommendations for effective enforcement and reliable protection of human rights.

The applicants were provided with legal advice both orally and in writing upon their requests, as well as explanations on forms and methods of protection of human rights and freedoms and on how to lodge complaints with relevant state institutions, offices, agencies, and organizations in connection with these or other matters.

In order to promote the culture of law, the Ombudsman continued awareness-raising activities throughout the country.

The "Human Rights Month-long Campaign" announced by the Ombudsman on the eve of Human Rights Day in the Republic of Azerbaijan, as well as the "Child Rights Month-long Campaign" dedicated to the anniversary of the adoption of the Convention on the Rights of the Child (CRC), events held in cities and districts of the country with the participation of representatives of state institutions, local self-governing authorities, civil society organizations, competitions and exhibitions at secondary schools and children's institutions, human rights programs broadcasted on TV and Radio channels, press releases, have resulted in the promotion of human rights and freedoms at the national level, as well as effective protection.

In the run-up to the elections, the Ombudsman Office and the Central Election Commission of the Republic of Azerbaijan organized a series of awareness-raising events on the topic of "Ensuring the Electoral Rights of Citizens" in the capital and regions.

The Ombudsman, as well as the staff of the Office and Regional Centers, made speeches on topics related to various areas of human rights at international events and shared views and experiences.

It is important to note that the Ombudsman was one of the members of the COP29 Organizing Committee, established by the Presidential Order dated January 13, 2024, the 19th Session of the Meeting of the Parties to the Kyoto Protocol, and the 6th Session of the Meeting of the Parties to the Paris Agreement.

In light of the above, and in order to support the implementation of the targets provided for in the Action Plan adopted by the COP29, a Working Group consisting of the responsible staff of the Office was established by the Ombudsman, as well as a series of events across the country on relevant topics included in the Ombudsman's 2024 Action Plan on Legal Awareness.

On the eve of COP29, the International Baku Forum of Ombudspersons on Climate Change and Human Rights: Role of Ombudsmen and National Human Rights Institutions (NHRIs) was held by the Ombudsman to discuss innovative approaches and strategies that could be applied nationally and internationally to the challenges posed by global climate issues in terms of human rights concerns.

The message of the President of the Republic of Azerbaijan, Mr. Ilham Aliyev, to the participants of the Forum is a clear manifestation of the highest level of appreciation for human rights and freedoms in the country. This message not only highlighted the positive progress of Azerbaijan in the field of human rights on the international stage and its contributions to global efforts in this area but also reaffirmed the country's strong commitment to the protection of human rights and the environment in line with the UN Sustainable

Development Goals (SDGs). The views and recommendations made in the message are important in determining the future activities of NHRIs in combating climate change.

The Forum has brought together more than 60 delegates from about 30 countries, including representatives of ombudsmen and NHRIs, information commissioners, representatives of international and regional networks of NHRIs, international experts, heads and representatives of international organizations operating in the country, executive structures, officials of judicial authorities, deputies, and local and foreign guests representing civil society organizations (CSOs). In conclusion, the Declaration of the participants of the International Baku Forum of Ombudspersons was adopted.

In general, the results of the activities carried out during the year are based on the fact that, in order to ensure the effective provision of human and citizen's rights and freedoms, government agencies and municipalities should increase their attention to the review the Ombudsman's appeals within the timeframes established by the Constitutional Law, the undue verification of the cases reflected in the complaints, the responding of inquiries properly, on the merits and in a timely manner, as well as the implementation of the suggestions and recommendations that have been prepared in the process of analyzing appeals, submitted to the competent government authorities and reflected in the annual reports.

I would like to note that the report reflects the analysis of the work carried out in the field of human rights and freedoms and further emphasizes the importance of strategic approaches to preventing their violations. The activities carried out to more effectively guarantee human rights and freedoms require the deepening of effective dialogue and cooperation between government agencies and civil society. Continuous implementation of legal and institutional reforms, expansion of educational activities, and application of positive international human rights experiences can provide a basis for more reliable protection of human rights.

I hope that this report will provide a new impetus for more effective protection of human rights and deepening legal reform, fostering a spirit of mutual responsibility and partnership between government agencies and the public, as well as contributing to systematic and sustainable improvements in ensuring human rights and freedoms, as well as enhancing the legal culture.

Sabina Aliyeva

The Commissioner for Human Rights

of the Republic of Azerbaijan

(Ombudsman)

Chapter I

PROTECTION OF HUMAN AND CITIZEN'S RIGHTS AND FREEDOMS

1.1. Protection of Civil and Political Rights

Right to liberty. According to the Constitution of the Republic of Azerbaijan, the right to liberty refers to the right of everyone lawfully present within the territory of the Republic of Azerbaijan to freely move, choose the place of residence, and leave the territory of the Republic of Azerbaijan and return to his/her country without barriers.

The identity card (ID card) of a citizen of the Republic of Azerbaijan ensures the free and unobstructed exercise of his/her right to liberty and other rights in accordance with the legislation.

The incoming complaints regarding the ID card, registration of residence, and place of residence mainly were about removal of persons registered with the administrative premises of the police authorities according to the Decision No. 55s of the Cabinet of Ministers of the Republic of Azerbaijan dated April 9, 2003, and refusing registration of persons without residence in administrative premises of the police authorities in accordance with the above-noted Decision. As a result of the investigation of these complaints in accordance with the legislation, legal measures were undertaken.

(App.No. 9483-24): Applicant A. appealed to the Ombudsman that since he had been denied the change of his expired ID card as he has no residence registration, and therefore, his constitutional rights were violated, and asked to be registered and assisted in obtaining a new ID card.

According to the letter of response from the Ministry of Internal Affairs of the Republic of Azerbaijan regarding the complaint, the applicant could be registered at the place of residence if he applied to the “Asan service” center with the relevant documents for registration on the place of residence; however, when reviewing the issue of his registration, the requirements of Decision No. 55s of the Cabinet of Ministers dated 9 April 2003 were not taken into consideration.

However, upon re-application to the Ministry, the issue of registration of the complainant has been ensured.

In some cases, invalidation of ID cards of de-registered persons makes it impossible to enter into employment contracts, to be admitted to educational institutions, and to use healthcare and other services, which consequently restricts the rights to social security, health, education, and other rights of these persons.

Incidentally, in order to address the problems that many people face with housing and place of residence registration and enable them to exercise their rights adequately, it is necessary to accelerate the state registration of arbitrary structures (buildings) and apartments in new buildings.

In addition to this, it is also recommended to amend Article 9 of the Law of the Republic of Azerbaijan “On Registration at the Place of Residence and Sojourn” to enable the application of a non-judicial simplified mechanism, allowing a new property owner to initiate the removal

of individuals previously registered at the address at the time of purchase or sale of the property.

Registration of birth, entering the relevant information into the appropriate E-system, as well as naming newborns according to the parents' wishes, are also factors that significantly affect the right to liberty. Similar applications addressed to the Ombudsman were also investigated, and taking legal action was ensured.

(App.No. 1687-24): Applicant R. appealed to the Ombudsman, complaining that the Goychay District Registrar refused to name his newborn child of his choice, and requested to address this issue.

After the Ombudsman's request to the Ministry of Justice of the Republic of Azerbaijan, the applicant's child was given the name of his choice, along with registration of the newborn baby's birth and issuance of a relevant birth certificate.

(App.No. 7890-24): Applicant I. contacted the Ombudsman's Call Center complaining that the Garadagh District Registrar's Office has issued a birth certificate for his child born in 2008 but has not included the information on the parents in the relevant centralized E-system and asked for legal measures to be taken.

Upon the Ombudsman's appeal to the Ministry of Justice in this regard, the relevant information about the applicant's child was entered into the information system by the district Registrar's Office.

The right of everyone within the territory of the Republic of Azerbaijan to leave the territory of the country and citizens of the Republic of Azerbaijan to return to their country of origin without hindrance is one of the important elements of the right to liberty.

Inquiries have been made regarding a number of incoming applications requesting the removal of restrictions imposed on exit from the territory of the Republic of Azerbaijan, and necessary measures have been undertaken to restore infringed rights.

(App.No. 3745-24): Applicant M. appealed to the Ombudsman, stating that he had not been criminally prosecuted, but his right to leave the country was restricted by the Ministry of Internal Affairs of the Republic of Azerbaijan.

Upon appeal of the complaint to the same ministry, the issue was addressed.

App.No. 8696-24): Applicant K. appealed to the Ombudsman, stating that the Main Organized Crime Department under the Ministry of Internal Affairs of the Republic of Azerbaijan restricted his right to leave the country, and requested an explanation the reason for the ban imposed on him and for protection of his rights.

After the Ombudsman's appeal to the same ministry, the issue was successfully solved.

The analyses of complaints raise concerns that in some cases, persons on whom restrictions to leave the country are imposed, they are not informed about this. In such a case, those persons get the relevant information on restriction when he/she changes his/her ID card (national passport) or crosses the state border, which causes a loss of time and financial burdens for these persons, along with the restriction of his/her other rights.

In light of this, it is necessary to establish by law the imperative requirement for immediate notification of this information to persons who are restricted from leaving and entering the country when entering the “Entry-Exit and Registration” interagency automated information-search system.

The issues of return to the country and protection of the rights of citizens of the Republic of Azerbaijan held hostage by armed groups fighting in the Syrian Arab Republic have been under the attention of the Ombudsman, as in previous years.

In recent years, a number of people have appealed to the Ombudsman, asking for help to bring back to our country their close relatives, especially women and children, held hostage in camps located in the territory of the Syrian Arab Republic. The Ombudsman repeatedly received those applicants and heard their requests for the repatriation of citizens of the Republic of Azerbaijan. The Ombudsman has continued to cooperate with the relevant state authorities on the mentioned issue and made proposals for taking measures to return our citizens to the country.

As a result of activities carried out during the year as part of this activity, a number of citizens of the Republic of Azerbaijan have been repatriated from Syria to our country. The meetings were held with those repatriates, information was obtained on rehabilitation measures implemented at the facility where they were placed, and necessary measures were undertaken to protect their rights. During the meetings, the repatriates were informed about the Ombudsman's activities and opportunities to apply, along with the assessment of their general and psychological state, and studying their problems and needs.

Subsequently, the actions taken by the Ombudsman to ensure the rights of repatriates, matters such as the issuance of birth certificates for children, provision of them with social assistance, access to psychological support services, and others have been ensured.

Implementation of the National Preventive Mechanism Functions. Within the Ombudsman's National Preventive Mechanism (NPM), monitoring visits have been conducted to 126 institutions of the Penitentiary Service of the Ministry of Justice, 90 facilities of the Ministry of Internal Affairs, 75 institutions of the Ministry of Science and Education, 25 institutions of the Ministry of Health, 21 institutions of the Ministry of Labor and Social Protection of Population, 9 facilities of the State Migration Service, 3 facilities of the State Security Service, 2 facilities of the Ministry of Defense, 1 temporary detention place (TDP) of the Main Department for Preliminary Investigation of Tax Crimes of the State Tax Service under the Ministry of Economy in order to investigate the treatment standards, conditions of detention and proper documentation of persons detained in those facilities. 108 of these visits were unscheduled.

During the monitoring visits, detainees held in places where persons cannot leave at their own free will have been met confidentially; the state of ensuring their rights, including their conditions of detention in the facilities, treatment, provision of healthcare services, visitations, access to phone calls, and other similar issues, as well as information published about these detainees in media and social networks, was investigated; and the Ombudsman's

recommendations for the elimination of defects and shortcomings found in the previous visits were followed up.

In the course of the visits, the requests of the interviewed detainees were investigated; some issues raised were resolved on the spot; and the Prosecutor General's Office, the Ministry of Internal Affairs, the Ministry of Justice, the Ministry of Science and Education, the Ministry of Labor and Social Protection of Population, and other relevant public institutions were appealed to if deemed necessary. The applicants were responded to about the results of the investigations in accordance with the legislation.

During monitoring visits, the availability of information boards on the Ombudsman's Call Center "916" was checked, and the elimination of that shortcoming at the designated establishments was ensured.

The maintenance of the repair and construction works in the facilities monitored, and the construction and use of new facilities in some cases, are important from the perspective of improving the conditions of detainees.

It is especially notwithstanding the inauguration of a modern penitentiary complex, in Lankaran. The complex with a total capacity for 1,300 people and consisting of two parts, will allow the holding of accused and prisoners from Lankaran and surrounding districts, thus enabling them to meet with family members without loss of time or incurring additional costs.

Although the inauguration of the aforementioned facility reduced the overcrowding, during the monitoring visits to the Baku Pre-trial Detention Facility, Pre-trial Detention Center No. 2, and Penitentiary Institutions No. 7, 15, and 17 conducted last year, it was found that this problem still remained.

Obviously, in Decision No. 2 of the Plenum of the Supreme Court of the Republic of Azerbaijan "On judicial practice on consideration of applications for detention and house arrest" dated November 3, 2009, it is recommended that the courts first check the possibility of selecting other restrictive measures specified in Article 154 of the Criminal Procedure Code of the Republic of Azerbaijan and, when providing a submission, make it impossible to choose a non-restrictive measure.

In addition, judicial and legal reforms involve the humanization of punitive policies and the decriminalization of crimes, compliance with the provisions of criminal procedure law on the grounds of imposition of restrictive measures in the selection of such measures, and expansion of the application of alternatives to punitive and procedural coercive measures.

Nevertheless, the result of the analysis is that alternatives to detention are applied in quite a few cases. The Ombudsman takes the view that it is necessary to extend the practice of non-custodial sentences and alternatives to detention (house arrest, bail, personal surety, etc.) without excluding them from society.

Selecting alternatives to detention, finalizing investigative actions at the earliest possible opportunity, strengthening procedural oversight by the prosecutor's office, and prioritizing alternatives to deprivation of liberty will also have a positive effect on addressing the overcrowding problem in penitentiary institutions.

Arrested persons and convicts should have access to healthcare services at any time, regardless of the level of security regime used in the penal system, and medical examination requests should be arranged without unnecessary delays.

Overcrowding issues in facilities also lead to delays in medical examination and treatment. During 2024, it was found that conducting preliminary medical examinations (X-ray, laboratory, USM) and the transfer to the relevant treatment departments of the convicts and the accused brought to the Penitentiary Service Treatment Facility basically took 3-4 days. The keeping of some convicts that have already undergone medical examination in the admissions office of the facility for some time due to existing congestion in the departments to which they will be transferred is another issue raising our serious concern.

It should be emphasized that the abovementioned facility does not have the proper equipment for performing Computer Tomography (CT) and Magnetic Resonance Tomography (MRI) examinations. There are also delays in organizing the medical examination for patients who need urgent MRIs, CTs, biopsies in other medical facilities. For instance, a prisoner admitted to the Treatment Facility on 19.04.2024 and sent to the Department of Neurology on 22.04.2024 with the diagnosis of acute radiculopathy was informed that he would have an MRI, but the necessary measures were not taken until 22.05.2024.

In order to address the adverse effects of the overcrowding problem on access to medical services, especially in the case of a high number of persons detained in pre-trial facilities, it is necessary that both medical staff and medicines and other medical supplies be adapted to the actual number of detainees rather than to the facility's capacity limit.

In the course of the monitoring visits to the penitentiary service establishments, it was found that the expired medicines (Pre-trial Detention Center No. 2, penitentiary institution No. 15), and an absence of records or incomplete documentation (registry books) at the medical and sanitary parts of the establishments (Pre-trial Detention Center No. 2, penitentiary institutions No. 5 and 7). In some facilities, it was also found that the medical supply is unsatisfactory, especially for neurological diseases (epilepsy, cerebral palsy, and others), as well as for those suffering from HIV/AIDS and diabetes (penitentiary institutions No. 2 and 5). During the visits, it was found that some facilities do not comply with the guidelines for the storage of medicines and medicines that need to be stored in a special refrigerator were stored openly (penitentiary institution No. 5). During interviews with some inmates held in the course of the visits, they complained about medical services and found it difficult to access the doctor and faced difficulties in examining and treating.

According to the criminal legislation, in the case of imprisonment prescribed by the courts, persons who commit a crime of the same nature and degree of public danger, depending on the duration of the sentence, should be punished at a different penal institution.

According to Article 56 of the Criminal Code of the Republic of Azerbaijan, persons sentenced to imprisonment for not more than five years for deliberate acts that do not pose public danger shall be punished in open penal institutions, and those sentenced to imprisonment for not more than five years shall be punished in general regime penal institutions. According to the same article, first-time offenders, convicted of crimes not representing a big public threat or less serious and minor serious crimes also serve their confinement in general regime penal institutions.

Keeping those who commit crimes by reckless imprudence in penal institutions of the same regime as those convicted of first-degree lesser or serious crimes may lead to the former being affected by the latter, along with a negative impact on their rehabilitation.

According to the UN Standard Minimum Rules for the Treatment of Prisoners (*also known as the Nelson Mandela Rules*), the different categories of prisoners shall be kept in separate institutions, or parts of institutions taking account of their sex, age, criminal record, the legal reason for their detention, and the necessities of their treatment. Under these Rules, the main purpose of the classification is to separate from others those prisoners who, by reason of their criminal records or bad characters, are likely to exercise a bad influence and to divide the prisoners into classes in order to facilitate their treatment with a view to their social rehabilitation.

In light of the abovementioned, as well as international practice regarding the confinement of persons who committed crimes by reckless imprudence in light-security penal institution, it is considered appropriate to establish separate penal institutions for persons committed crime by deliberate acts that do not pose public danger on the basis of open penal institutions and legally establish the provision of imprisonment of those who committed crime by imprudence regardless of the duration of the prescribed sentence.

Furthermore, it is also recommended to set up a special detention facility for the first-time juvenile offenders between the ages of 18 and 24 who have been convicted of first-degree offences for less serious and serious offenses, not representing a big public threat, and to transfer to such institutions those who are confined in correctional institutions and who are under the age of 18. Establishment of such institution, in which higher education opportunities will also be provided, can also have a positive impact on the process of societal rehabilitation of detainees, as well as their social adaptation after their release. Establishment of the mentioned penal institutions can also significantly impact the resolution of the existing overcrowding problem in penitentiary institutions.

According to the amendment made to the Code of the Execution of Punishments of the Republic of Azerbaijan, in which the Ombudsman's recommendations have also been considered, persons receiving determinate sentences are entitled to hold a fifteen-minute video meeting twice a week, and those sentenced to life imprisonment once a week.

According to the analysis, it was found that in 2024, in some facilities, the right of detainees to hold a video meeting had been imposed certain restrictions for reasons such as, in some cases, the video meetings were placed on social networks, and in other cases, the technical capability was limited.

Incidentally, the Ombudsman recommends amending the Law of the Republic of Azerbaijan "On ensuring the rights and freedoms of persons held in places of deprivation of liberty," to establish the right of persons held in places of deprivation of liberty to hold a video meeting with their relatives.

During the monitoring visits to the institutions under the Penitentiary Service, it was found that different categories of persons are held together. Although this is a violation of the legislation, in the course of the visit to the Pre-trial Detention Center No. 2 under the Penitentiary Service, it was observed that first-time offenders and an offender who had been previously convicted, as well as adults with juvenile offenders, shared the same cell.

Incidents of non-separation of different categories of detainees can also be observed in TDPs.

In 2024, during the visits, it was also discovered that a first-time offender (suspect) and a person previously convicted were kept together in a number of TDPs in Baku and in the regions, and the police officers were explained the requirements of the legislation regarding this case. During the explanatory conversation with the management and staff, it has sometimes been found that they are not aware of this requirement of the legislation.

The monitoring visits found shortcomings in some TDPs, such as problems regarding lighting, heating, lack of number of seats, noncompliance of walking areas with international standards, and lack of necessary conditions for the implementation of physical activities, and all these should be eliminated. The defects and shortcomings related to violations of legislative requirements and standards have been observed in TDPs of more than Saatli, Sabirabad, Siyazan, and Gakh district police departments.

The overcrowding remains in psychiatric institutions under the Ministry of Health of the Republic of Azerbaijan as a problem. There is a shortage of staff in these facilities across physicians and paramedical staff.

There are a good number of people waiting in line for treatment at narcological dispensaries. There is also a shortage of qualified staff - narcologists and clinical psychologists - so it is important to increase the number of professionals in this field.

Although suggestions and recommendations made in previous monitoring were observed during the visits to institutions under the Ministry of Science and Education of the Republic of Azerbaijan, it has been found that some problems still remain. It is important to improve conditions in facilities that need substantial overhaul under the Ministry, especially in boarding-type gymnasiums with integrated training.

It has been found that there are shortcomings in the supply of appropriate textbooks and manuals in boarding schools for children with disabilities (with limited health problems), especially for middle and upper secondary students involved in special education. It is recommended to increase the attention paid to the mental health of minors in these schools, to develop exemplary documents and forms of individual work plans in carrying out psychological work with children, and to supply visual aids for cabinets to conduct trainings in this direction.

During monitoring visits, it was found that children need to effectively organize their leisure time and study their interests and abilities, including their professional interests. The review found that most schools did not have a logistical base or workshops for conducting labor training and vocational training.

The children's houses, which fall within the monitoring activity of the Ombudsman's NPM and are subordinate to the city executive authorities, have been transferred to the jurisdiction of the Social Services Agency under the Ministry of Labor and Social Protection of Population of the Republic of Azerbaijan by the Cabinet of Ministers' Decision No. 436 of the Republic of Azerbaijan, dated 5 December 2023.

This process (conversion of those facilities into public legal entities and transferring them to the jurisdiction of the Social Services Agency) was completed in 2024. The transferring of these institutions to the jurisdiction of a body specialized in social services provides an advantageous opportunity to strengthen the social security and protection of children deprived of parental care, to take systematic measures to reintegrate them into society, and to better

ensure the rights of children of this category in general. The results of monitoring visits to these institutions reveal the need for reforms and new approaches.

The review found during monitoring visits a shortage of staff in social service institutions and a need to supplement vacant states. The vacancy of the psychologist (e.g., at Psychoneurological Social Service Institution No.3) restricts the right of the residents of the institution to receive free psychological care as defined by the Law of the Republic of Azerbaijan "On Psychological Assistance". Since the children's home No. 4 does not have a qualified speech therapist in the social service institution, children with speech disorders residing here can access speech therapy services only in the other institution. Therefore, it is recommended to allocate a speech therapist unit to orphanage social services institutions.

At the time of visits to social service institutions, it was determined that some residents did not have ID cards available. For instance, it was found that 8 people in the psychoneurological social service institution No. 3, 5 people in the psychoneurological social service institution No. 4, and 9 people in the social service institution for older persons did not have ID cards for different reasons. This causes difficulties in assessing their disability. It is necessary to provide legal assistance for these individuals to discover archival documents or establish facts of legal significance in a court of law.

During the monitoring visit to the Baku Detention Center for Irregular Migrants under the State Migration Service of the Republic of Azerbaijan, the persons detained there complained about the range and quantity of food provided. The center needs to improve the quality of medical services, increase the supply of medicines, and address nutrition issues.

During the visit to the Yevlakh Detention Center for Irregular Migrants, the review found the position for a doctor vacant. This makes it difficult for foreigners to undergo medical examinations by a doctor within 24 hours from the moment they are admitted to the Center, and to compile a personal medical file for each receiving foreigner in line with the requirements. It has also been observed that the Center does not have the proper equipment for X-ray and laboratory tests.

In general, it has been found that there is a shortage of qualified personnel, including doctors, in most facilities where individuals are not permitted to leave voluntarily during the monitoring visits carried out during the year. The Ombudsman recommends developing an appropriate mechanism for employing skilled retirees in such establishments.

According to the Memorandum of Understanding (MoU) signed between the Ombudsman and the Human Rights and Equality Organization of Türkiye (HREIT), a delegation of the head and staff of the HREIT during their visit to Azerbaijan, carried out monitoring visits to facilities where persons cannot leave at their free will – such as the Umbaki Penitentiary Complex of the Ministry of Justice and temporary detention of the Garadagh District Police Department together with the Ombudsman's National Preventive Group (NPG) and learned the experience of Azerbaijan.

Right of access to information. Exercising the right to information freely, without hindrance and on equal terms for all, makes it possible to ensure publicity and transparency in all spheres and to implement human rights and freedoms more efficiently.

The Ombudsman has continued to work towards ensuring the right to information, reviewing incoming complaints about violations of this right, organizing awareness-raising activities, and monitoring and analyzing them.

The complaints regarding violations of the Law on Access to Information received by the Ombudsman were investigated by the state agencies, municipalities, and their officials, and necessary measures were taken to address the violations.

(App.No. 9266-24): Applicant F. appealed to the Ombudsman that his information requests addressed to the Ministry of Agriculture, the Ministry of Digital Development and Transport, the Ministry of Ecology and Natural Resources, the Ministry of Energy, the State Committee on Urban Planning and Architecture, and the State Agency for Public Service and Social Innovations under the President of the Republic of Azerbaijan (ASAN) for the purpose of preparation of his thesis.

After appeals to these agencies in connection with the complaint, the applicant's request for information was ensured.

(App.No.585/15-24): Applicant A. appealed to the Ombudsman, saying that his information request addressed to the director of the secondary school named after V.Asgarov No. 4 in Saatly city was not provided, and requested assistance.

Upon the appeal of the complaint to the Ministry of Science and Education of the Republic of Azerbaijan, the citizen information request was responded to.

Information requests addressed to the Ombudsman, as the owner of the information, were also responded to in accordance with the requirements of the legislation and in periods of time.

(App.No. (5758-24): Considering the request for information addressed to the Ombudsman by the applicant A., he was informed of the measures taken by the Ombudsman to investigate appeals of violence against women, including domestic violence, and to restore the violated rights of the victims.

(App.No. 1445/5-24): The request for information addressed to the Ombudsman by Y. was reviewed, and the requester was informed of the Ombudsman's activities in the area of the rights of children, including the right to education, the investigation of appeals, and the monitoring visits carried out to public children's institutions, as well as the Ombudsman's Monitoring Group (MG) on the implementation of the CRC.

In order to increase the level of awareness of the right to information, educational events were carried out in the Khachmaz and Shabran districts as well as the Garadagh district of Baku, a presentation on the topic was made, views were exchanged, and questions of the participants were answered.

At the event held in Astara with the participation of the representatives of state agencies and other information-holding officials, they were informed about the requirements of the Law of the Republic of Azerbaijan "On Access to Information" and the Ombudsman's supervisory functions in this field.

In the framework of the 2024 Action Plan on Legal Education, approved by the Ombudsman, the Ombudsman Office has organized training in a hybrid format for employees of a number

of information-holder state agencies about the Ombudsman's activities in the field of ensuring the right to information.

The Ombudsman worked closely with a number of international organizations, as well as with the ombudspersons and NHRIs of other countries, in order to exchange experiences in the field of right to information.

As it is known, the Ombudsman is an institutional member of the International Conference of Information Commissioners (ICIC) were called on, which unites the information commissioners as well as other agencies in this field. As part of this cooperation, the Ombudsman participated in the XV International Conference of Information Commissioners on "Empowering Individuals through Access to Information: Ensuring Transparency and Inclusivity in an Interconnected World," held in Tirana, Albania. In this conference, organized to strengthen the role of information commissioners in protecting and promoting the right to information, and to exchange ideas for the study of positive experiences, comprehensive information about the activities of the Ombudsman carried out in this area and called on ICIC Members to support the resolution of the mine problem in our liberated territories. During the visit, the Ombudsman and the Information and Data Protection Commissioner of Albania signed an MoU for the development of bilateral cooperation in the field of right to information.

Within the framework of the International Baku Forum of Ombudspersons, a panel session entitled "Public accessibility to information about climate change and its impacts" was organized with the participation of NHRIs of different countries, including ombudsmen and information commissioners, representatives of government agencies, international organizations, civil society organizations, and experts in climate change and human rights. The issues related to ensuring information security and preventing disinformation were discussed.

During the year, the staff members of the Ombudsman Office also participated in online events such as "Management of Digital Tools for Integrity" and "Integrity, Mainstreaming, and Future Challenges of Access to Information in the Public Sector," organized by ICIC.

Right to suffrage. Right to suffrage which is the basis of democratic societies, has a fundamental role to play in ensuring citizens' direct participation in political processes.

The Constitution of the Republic of Azerbaijan establishes the right of citizens to elect and be elected to state bodies and to participate in referendum.

2024 was also remarkable due to the presidential elections and the extraordinary parliamentary elections in Azerbaijan.

It should be specifically noted that these elections, which are important in the life of our state, were held for the first time in the whole territory of our sovereign country.

On the eve of both the extraordinary presidential and parliamentary elections, the Ombudsman Office and the Central Election Commission organized a series of awareness-raising events on "Ensuring the electoral rights of citizens" in Baku, Ganja, Shaki, Masalli, Guba and Nakhchivan cities. Also, since the official announcement of elections, the Ombudsman and her staff members have observed open and closed places designated for election propaganda, and the situation of citizens' electoral rights and implementation of the requirements of election legislation was evaluated.

On the day of the extraordinary presidential elections, the Ombudsman and staff of the Office made observations on their initiatives in Baku and 41 other cities and regions, including settlements in the liberated territories and 885 polling stations in 115 constituencies, including the Autonomous Republic of Nakhchivan.

During the extraordinary parliamentary elections, the Ombudsman and staff observed 897 polling stations for a total of 117 constituencies, including the Nakhchivan Autonomous Republic.

During the observations, the Ombudsman met directly with both members of the polling commissions and with observers and voters, learned their views on the voting process, and did not watch violations and interference in elections by representatives of any government agency, including the executive body and police officers.

In addition to this, during elections, it has been seen that political parties, public associations, and non-governmental organizations (NGOs) are represented, and in this process, independent observers perform their duties in mutual respect in accordance with the legislation.

It should be noted that during the elections, necessary conditions for exercising the election rights of voters with disabilities (PWDs) were established. In the extraordinary elections, in order to ensure the right to vote more effectively, the positive relevant experience, such as ensuring the right to vote by PWDs independently, using ballot templates in Braille, and circulating video clips with subtitles, was continued, and the Ombudsman's relevant proposals were also considered.

In the days of the elections, the Ombudsman did not receive any complaint or appeal regarding the violation of the electoral rights, and subsequently, the right of citizens to suffrage was properly satisfied in line with the requirements of the legislation.

Extraordinary presidential and parliamentary elections held in Azerbaijan, which are important in the socio-political life of the country, were organized with a high level of voter turnout in a free, democratic, transparent, and fair way, as well as in compliance with electoral legislation and international standards.

Protection of the rights and freedoms of participants in pre-trial criminal procedures. The criminal proceedings in the Republic of Azerbaijan are carried out on the basis of equality of everyone before the law and court. The authorities carrying out the criminal proceedings must ensure that all persons involved in the criminal proceedings comply with the rights and freedoms enshrined in the national legislation.

An analysis of incoming complaints shows that the concerns were mainly about inadequate (biased) conduct of a preliminary investigation or investigation, failure to inform a citizen of the status of proceedings, unreasonable rejection of the initiation of a criminal proceeding, failure to initiate a fact-finding criminal proceeding, unreasonably terminating a criminal proceeding or halting proceedings, failure to make a procedural decision on complaints, or failure to make copies of a relevant decision, as well as rude treatment.

Complaints were investigated on the basis of requests from the Prosecutor General's Office, the Ministry of Internal Affairs, and other competent government agencies of the Republic of Azerbaijan, including investigation and inquiry authorities, and necessary measures were taken to restore violated rights.

(App.No. 428-24): Applicant A. appealed to the Ombudsman that he was defrauded and that his money had been seized, and the of Garadagh District Police Department No. 38 has not objectively investigated his case, and therefore, he asked for legal measures to be taken.

As a result of the preliminary investigation into the complaint, it was found that the investigator of that police department made a decision to dismiss the initiation of the fact-finding proceedings.

After the appeal to the district prosecutorial office, it was determined that the investigator failed to conduct a full, thorough, and objective investigation and that his decision to dismiss the initiation of a criminal proceeding was unreasonable. Consequently, the decision was reversed, and the material was sent on the basis of its relevance for further investigation.

(App.No. 17435-24): Applicant S. complained to the Ombudsman that his son had been beaten and seriously injured, and that the investigator of the Ganja City Main Police Department had not taken legal measures in connection with the fact.

After the appeal of the complaint to the city prosecutor's office, the criminal case was investigated in the city prosecutor's office, the decision to halt the proceedings was annulled because it was unreasonable, and the criminal case was sent to the police office to proceed with the investigation.

(App.No. 708/2-24): Applicant A. appealed to the Ombudsman that the Absheron District Police Office had been subjected to unlawful acts by its officers and that the investigation initiated on the fact have been conducted by the District Prosecutor's Office.

After appealing the complaint to the Prosecutor General's Office of the Republic of Azerbaijan, the decision to dismiss the start of the proceedings was annulled, and the material was sent to the Absheron District Prosecutor's Office for further investigation.

As a result of the internal oversight carried out on the Ombudsman's requests for the verification of the cases indicated in a number of complaints, some employees were found to be in breach of the law, and subsequently, appropriate disciplinary measures were introduced.

(App. No. 13105-24): Applicant B. complained to the Ombudsman that his car was surrounded by the police sergeants of the Post-Patrol Service Unit of the Jalilabad District Police Department, who used inappropriate remarks against him and asked for legal action.

Following the appeal regarding the complaint to the Ministry of Internal Affairs, these police officers were disciplined as a result of the internal oversight carried out.

The received calls by the Ombudsman's Call Center "916" regarding the provision of the right to free legal assistance, unlawful detention, delays in transferring from TDP to pre-trial detention facility, failure to inform family members about the detention of a person, and failure to ensure meeting of defense lawyer with their clients or a person they represent in private and without any hindrance in accordance with the legislation were promptly investigated.

(App.No. 7941-24): Applicant R. complained to the Ombudsman, stating that he was unreasonably detained in the Police Station No. 12 of the Sabunchu District Police Department and that he was made illegal demands for release, and asked for necessary measures to be taken.

Although the internal oversight carried out after the appeal to the Ministry of Internal Affairs regarding this complaint did not confirm the allegations by the applicant against the police officers about illegal demands, legal measures have been taken against these police officers because of the failure to timely release citizens held in the police section.

(App.No. 4501-24): Lawyer F. contacted the Ombudsman's Call Center, saying that his client was detained in the Police Station No. 43 of the Binagadi District Police Office and he was not allowed to meet with him, and asked for appropriate help.

As a result of the actions taken, the meeting of the lawyers and his client was ensured.

(App.No. 4712-24): Lawyer O. appealed to the Ombudsman's Call Center, noting that he failed to obtain information about his client, who is believed to have been detained in the Police Station No. 13 of the Sabunchu District Police Office and requested appropriate assistance.

As a result of the investigation into the complaint, it was found that the person has been detained in the Police Station No. 25 of the Nizami District Police Office and the lawyer was informed accordingly.

(App.No. 5986-24): Lawyer S. called the Ombudsman's Call Center and stated that his defendant was detained in the Balakan District Police Department and he was not allowed to meet with him and asked for appropriate assistance.

A meeting was ensured as a result of the actions undertaken.

Under Article 61 of the Constitution of the Republic of Azerbaijan, everyone has the right to receive qualified legal assistance. According to this article, every person has the right to receive assistance of a lawyer from the moment of detention, arrest, or accusation of a crime by competent state bodies. Furthermore, in specific cases envisaged by legislation, legal assistance is provided free of charge at the expense of cases provided by law.

However, less the amount provided for legal assistance at public expense during criminal proceedings has a negative impact on the quality of legal assistance provided. Thus, in the cases provided for in Articles 193.2, 193.4, and 194 of the Code of Criminal Procedure of the Republic of Azerbaijan, according to the legislation, the fee paid to the defendant (lawyer) for each working hour of legal assistance has been determined to be 6 AZN.

In this regard, in order to more effectively ensure the right to obtain qualified legal assistance, it is recommended to increase the amount paid per working hour to the defender (lawyer) for the provision of legal assistance as indicated in paragraph 1 of Decision 31 of the Cabinet of Ministers of 1 February 2001, "On the number of amounts due to defendants, translators, specialists and experts". However, it is also recommended to reconsider the amount (0.35

AZN) provided to the interpreter, specialist, or expert for each working hour in return for the work carried out during criminal proceedings in paragraphs 2 and 3 of this decision.

According to the results of the examination of incoming applications and the investigations carried out, it should be noted that, in particular, the problems of arranging meetings without hindrance with lawyers of persons detained in the Absheron, Binagadi and Nizami district police offices remain problematic.

Considering the above, there is a need to strengthen awareness among law enforcement officers, along with increasing the awareness of personnel of national legislation, relevant standards, guidelines, and recommendations of international organizations.

Judicial Guarantees for the Rights and Freedoms. The judicial guarantee of rights and freedoms, as one of the principles of the legal state, serves as the main mechanism for the protection of people's legal interests and the fair regulation of legal relations. This right implies objective and impartial investigation of violations of rights, settlement of disputes under the law and fairness, and ensuring citizens' access to court.

Despite measures aimed at improving efficiency and effectiveness in the judicial legal system, incoming applications received in 2024 were mainly about procrastination in the courts, dissatisfaction with the actions or omissions of judges, violation of procedural legal norms, including the principle of adversarial proceedings, non-compliance with procedural periods, failure to timely send copies of judicial decisions to participants in due process, dissatisfaction with judicial acts, unreasonable limitation of the right to appeal to a high instance court, failure to direct execution of judicial decisions that have entered into legal force or lack of execution, and other circumstances.

The incoming complaints were investigated, and if violations of citizen's rights were identified; necessary measures for solving them were undertaken, and the complainants were responded accordingly by explaining the legislative requirements for applications that did not fall within the mandate of the Ombudsman.

A number of complaints were about failure to timely send copies of court decisions to participants in the proceedings. Such a failure has also limited the right of the participants in the case to appeal that decision to the high instance court.

(App.No. 1232-24): Applicant Kh. appealed to the Ombudsman, stating that the Khatai District Court had not provided him with a copy of the relevant resolution of civil litigation, to which he was a party, and requested an investigation the matter and the taking of legal measures.

In the letter of response by the same court regarding the complaint, it was stated the relevant resolution was placed in the electronic cabinet of the applicant's lawyer, and a copy of the resolution was also sent to the address provided by the parties to the claim.

(App.No. 584/5-24): Applicant A. appealed to the Ombudsman, stating that the Sumgayit Administrative Court had not provided him with a copy of the relevant decision of the case to which he was a party, asking for his assistance.

In the letter of response addressed to the same court regarding the complaint, it was stated that the Registrar sent a copy of the court decision on the claim for the annulment of civil

status records related to marriage, divorce, and paternity determination to the parties by mail.

Although the number of responses to requests sent to the relevant courts based on the incoming complaints about the failure to make copies of judicial decisions indicated that copies of decisions were sent to the parties in a timely manner, and even resubmitted after our appeal, the large number of complaints of similar content raise concerns.

The use of modern information and communication technologies (IKT) in the judicial system is aimed at facilitating easy access to courts and improving their quality and efficiency.

In addition to this, the applications received by the Ombudsman also indicated a problem that a number of citizens faced difficulties with the use of the Electronic Court Information System due to limited access to technical means and internet resources, as well as due to the complicated structure of the form designed for appealing decisions of first-instance courts via the electronic cabinet, citizens were unable to use it independently and were therefore compelled to seek legal assistance.

In some cases, malfunctions in the electronic court information system have led to frivolous cases in the courts.

(App.No. 13676-24): Applicant N. appealed to the Ombudsman, saying that his appeal regarding resending the relevant resolution by the Ganja Court of Appeal for the execution has not been considered.

In a letter of response to the same court regarding the complaint, it was stated that due to a malfunction in the electronic court information system, the N's relevant application was not available for review.

It was noted that the issue was reported to the relevant authorities and also to the Office of Information Technology and Innovations of the Ministry of Justice of the Republic of Azerbaijan, but the problem was not eliminated.

The response also stated that the applicant will be duly notified of the place and time of the hearing after the malpractice is eliminated.

In view of the aforementioned challenges, it is recommended that the use of the electronic court system should be used by citizens by choice rather than imperative.

According to Article 129 of the Constitution of the Republic of Azerbaijan, judgements by the courts of law are rendered on behalf of the state, and the execution, thereof is obligatory.

Execution of judicial decisions is the final stage of legal relations relating to the administration of justice and aims at ensuring the legal force of judicial decisions.

Execution of decisions is important in order to safeguard citizens' rights and legitimate interests, restoring fairness and ensuring the rule of law.

The execution process also makes a significant contribution to strengthening legal discipline in society and preventing violations of citizens' rights. Therefore, timely and complete

enforcement of judicial decisions is an important strategic objective in terms of building a legal state.

Numerous incoming complaints about the failure to execute judicial decisions have been mainly about long-term non-execution of judicial decisions, frivolous prosecutions, and violations of ethical conduct by executive officers in relation to citizens.

Each complaint was investigated, and subsequently, execution of judicial decisions, whole or in part was ensured.

Numerous complaints have been made regarding the failure to comply with court decisions on alimony claims. The analysis of similar complaints suggests that in many cases there have been difficulties in the execution of judicial decisions because the property or income to which the debtor claim may be directed has not been discovered and the demand has not been voluntarily implemented. This necessitates the implementation of a compulsory approach in ensuring the employment of debtors.

(App.No. 2028-24): Applicant S Appealed to the Ombudsman, noting that the Executive and Probate Department of Khachmaz District had not executed the relevant judicial resolution on the alimony claim, asking for assistance.

As a result of the measures taken after the appeal to the General Department for Execution of the Ministry of Justice of the Republic of Azerbaijan regarding the complaint, the payment of a total of 1200 manats of debt for the benefit of the applicant was ensured.

(App.No.1931-24): Applicant B. appealed to the Ombudsman, stating that the Astara District Execution and Probation Office has not executed the relevant decision for the alimony claim of the civil litigation, which he was a party to.

Upon appealing the General Department for Execution of the Ministry of Justice regarding the complaint, the debtor's workplace was identified and the claim was directed to 70% of the salary, subsequently, alimony was withheld and transferred to the applicant's bank account.

Failure by the debtor to pay the alimony on time, or to withhold payment, or concealing of a debtor from executive bodies constitutes a serious obstacle to the execution of relevant judicial decisions.

While necessary measures are provided in a number of cases related to these, generally these issues are of particular concern.

(App.No. 13357-24): Applicant C. appealed to the Ombudsman, stating that the relevant court decision on the alimony claim had been carried out, and asked for assistance.

After the appeal to the Execution Service of the Ministry of Justice of the Republic of Azerbaijan regarding the complaint, a case was opened at Imishli District Police Department to determine the location of the debtor, who was apprehended and handed over to the local authorities, and full payment of the alimony was ensured.

In view of the assignment of alimony payments, the special approach to the implementation of alimony obligations in the legislation, as well as the problems in the implementation of

judicial decisions in this field, and the experience of other countries, the Ombudsman's recommendation for the establishment of the Alimony Fund indicated in previous annual reports maintain its relevance. In particular, recently, the support of this recommendation by parliamentarians and several government agencies has once again highlighted its importance.

The incoming applications about the execution of judicial decisions revealed serious problems existing in ensuring the right to communication.

When executing judicial decisions on claims for parental rights to communicate, in some cases, the parties and the executive officers do not take into account the principle of the superiority of the interests of the children and such cases have a negative impact on the psychological status of the children. In this regard, the methods of implementation of these decisions should be improved, the participation of a psychologist in the implementation process should be ensured, and also, appropriate changes should be made to the legislation in this regard.

The failure to execute or delay the execution of judicial decisions by the relevant government agencies involved as a debtor has also caused legitimate dissatisfactions of citizens.

In the letters of response to the appeals addressed to the relevant government agencies regarding the mentioned problem, it was justified that, as a rule, the debtor agency is budgeted from the state and that the court decision will be implemented if the required funds are allocated by the relevant executive authority.

Such difficulties as exist in the execution of judicial decisions in relation to the debtor governmental institutions are due to the lack of adequate mechanisms and means of effect and the absence of the effective organization of supervision over the execution of judicial decisions.

Therefore, it is necessary to develop a mechanism for the execution of judicial decisions in respect of the debtor state bodies, as well as to allocate funding from the State Budget of the Republic of Azerbaijan.

1.2. Protection of Economic, Social and Cultural Rights

Right to labor. Right to labor plays a significant role in ensuring public welfare and sustainable development of society by being one of the key elements of social justice and economic development. This right aims to protect the socio-economic interests of employees, to create fair, equitable, and safe working conditions, as well as to ensure their professional development. Effective protection of this right promotes social stability and economic development in the country.

(App. No. 6996-24): Applicant G. stated that he had been dismissed from Road Operation Department No. 8 of the State Roads Agency of Azerbaijan but that he had not been paid the full amount of the final settlement.

In the letter of response by the State Labor Inspectorate Service under the Ministry of Labor and Social Protection of Population, due to the violation of the requirements for payment of the final settlement a decision has been made to take an administrative disciplinary action against the director of "Special Purpose Road Operation No. 8" LLC, and the full payment to the applicant was ensured.

Complaints received by the Ombudsman on the violation of labor rights were mainly about dismissal, failure to pay wages and annual leave on time in violation of legislation, and failure to pay wage debts and final settlement in violation of the legislation. During the investigations into these complaints, necessary measures were taken to restore the violated labor rights. In a number of cases, mandatory enforcement orders have been issued to employers in connection with the facts of the infringement found, and the wrongdoers were subjected to administrative penalties.

(App.No. 1746-24): Applicant A. appealed to the Ombudsman, who stated that he had been unfairly dismissed from the music school in the Aghdam district, where he was working as a stoker, and that his appeals remained unsuccessful.

After the appeal to the Ministry of Culture of the Republic of Azerbaijan regarding the complaint, the complainant was restored to his previous job.

(App.No. 8163-24): Applicant A. appealed to the Ombudsman, saying that despite his dismissal from the local unit of "Azerbaijan Amelioration and Water Management" OJSC, he was not paid his final settlement in full.

In a letter of response by the Ministry of Labor and Social Protection of Population of the Republic of Azerbaijan regarding the complaint, it was determined that the applicant was not fully accrued monetary compensation for unused annual leave and days of employment leave for the 2006-2013 years and material assistance provided for in the collective agreement between the management of the enterprise and the trade union.

Due to the breach of labor legislation, a decision has been made to impose an administrative disciplinary action against the head of the enterprise according to Article 192.4 of the Code of Administrative Offences of the Republic of Azerbaijan, and the employer has been given the relevant instruction in order to recalculate the final settlement, to ensure the payment of the resulting difference as well as the financial assistance provided by the collective agreement.

As in previous years, there have been significant difficulties in conducting investigations into the facts of employee labor rights violations in business entities. Thus, the State Labor Inspectorate Service under the Ministry of Labor and Social Protection of Population of the Republic of Azerbaijan stated that complaints of this kind could not be investigated on the basis of the requirements of the Law of the Republic of Azerbaijan Law "On Suspension of Inspections in the Field of Entrepreneurship".

(App. No. 1709-24): Applicant G. appealed to the Ombudsman, stating that the Burger King chain restaurants had not paid his final settlement and that his relevant appeals had been unsuccessful.

In a letter of response to a request to the State Labor Inspectorate Service under the Ministry of Labor and Social Protection of Population regarding the complaint, it was stated that although a letter had been sent to the management of the entity in order to investigate the appeal, the required documents had not been submitted and the application could not be examined on the ground of the application, stemming from the requirements of the Law "On suspension of inspections in the field of entrepreneurship".

Thus, in cases of violations of labor rights by business entities, access to non-judicial protection mechanisms has been limited. Therefore, the Law "On suspension of inspections in the field of entrepreneurship" should make necessary changes to the list of inspections permitted in cases posing a significant threat to human life and health, state security and economic interests by directly providing for the investigation of violations of human rights and freedoms by business entities, including complaints in cases of violations of labor rights.

The recruitment of jobseekers by employers without concluding an employment contract also remains a problem. In order to resolve the aforementioned issue, necessary control measures should be strengthened.

(App. No. 2645/2-24): Applicant K. stated that he had participated in the relevant examination for the vacancy for head of the children's union organization in one of the secondary schools in the Lerik district, and accepted for the employment. However, an employment contract was not concluded with him.

In a letter of response to a request addressed to the State Agency for Pre-School and General Education under the Ministry of Science and Education of the Republic of Azerbaijan regarding the complaint, the applicant was appointed as the head of the children's union organization in the village's secondary school by the relevant order of the school director, and the school director was disciplined under the relevant order of the Lankaran-Astara Regional Education Office for the defects.

One of the serious challenges that exist in securing employment rights is making unsubstantiated layoffs. In some cases, the principles of management of human resources are not followed when it comes to creating new structural units in the process of improvement of management.

Failure to meet the requirements of the approved structure of the employee units or to carry out layoffs without specific duties designated for the structural units negatively affects the operation of the entity in general, leading to labor law violations, including increased workload of employees who continue to work.

(App. No. 4036-24): Applicant M. complained about the termination of an employment contract between his son and the Sharur district department of the State Social Protection Fund under the Ministry of Labor and Social Protection of Population (MLSPP) of the Autonomous Republic of Nakhchivan as a public-legal entity. The applicant's son was working as a specialist there.

During the investigation, it was found that the worker who had been discharged did not take into account his caregiving responsibilities for a child with a disability.

As a result of the actions undertaken, the person mentioned was appointed as a specialist in the Mobile Monitoring Unit of the Department of Investigation of Material and Living Conditions of the Foundation.

In light of the abovementioned, it is necessary to focus on recruitment of new staff in enterprises, institutions, and organizations; to improve legislation in this area; and to strengthen supervisory measures by competent state authorities.

The employer is committed to creating healthy and safe production and social and domestic conditions consistent with occupational health, technical safety, and manufacturing sanitation

(hygiene) regulations, ensuring the safety of labor and the elimination of harmful effects of factors affecting the health of workers.

Despite this, the norms and regulations of occupational and technical safety are not adequately adhered to in a number of areas, especially in the construction industry.

Based on research and observations, workers still work in hazardous labor conditions in many newly constructed buildings. However, it is also common for employees to be involved in outdoor work, contrary to the requirements of the legislation, in severe wind conditions or without complying with established air temperature regulations. Therefore, the state institutions responsible for this industry should strengthen their control over compliance with the norms and regulations of occupational health and technical safety within their competence.

Right to social security. The right to social security is considered one of the basic rights and freedoms of a human being, the fundamental principles of the welfare of society. Ensuring this right serves to ensure that people achieve decent living standards, protect social justice, and create equal opportunities.

Applications addressed to the Ombudsman about the violation of the right to social security were about the inaccurate calculation of the occupational pension or the suspension of pension payments, the assignment of targeted state social assistance, the inability to participate in the self-employment program, the current problems associated with determining a disability, as well as assistance in the appointment of social benefits, and requests for financial or food assistance.

As a result of the investigations into the complaints, necessary measures have been undertaken to address the violations.

(App. No. 4565/2-24): Applicant S. appealed to the Ombudsman, saying that he was not paid a part of the occupational pension accrued for the relevant period, asking for appropriate assistance.

Following the appeal to the Ministry of Labor and Social Protection of Population regarding the complaint, the difference amount calculated over the period was added to the monthly pension and transferred to the relevant card account of the applicant.

(App. No. 11232-24): Applicant G. appealed to the Ombudsman, stating that the old-age occupational pension was not calculated properly, and requested that his complaint be investigated and the legal action taken.

Following the appeal to the State Social Protection Fund under the Ministry of Labor and Social Protection of Population, the amount of the applicant's occupational pension was indexed to 551.04 manats, and the difference of 951.42 manats, calculated over the period, was transferred to the applicant's card account, adding to the monthly pension amount of 317.14 manats per month.

Protection of social security rights of low-income families and vulnerable groups of the population remains one of the priorities of the state's social policy. In this regard, it is of the utmost importance to provide targeted state social assistance to families whose average

monthly income falls below the aggregate of the need criteria for each household member, as determined by the legislation.

It should be noted that relevant requests have been made in connection with incoming complaints regarding the appointment and payment of targeted state social assistance, and in a number of cases, as a result of actions taken, issues have been addressed.

(App. No. 11232-24): Applicant M. stated that his requests for provision of state social assistance for his family remained unsuccessful and requested that his complaint be investigated and legal action taken.

Following the appeal to the State Social Protection Fund under the Ministry of Labor and Social Protection of Population, on the basis of the applicant's spouse's application registered in the "Targeted Assistance" subsystem of the Ministry's centralized electronic information system, the family was assigned a monthly allowance of AZN 623.42 for one year.

(App. No. 7694-24): Applicant E. contacted the Ombudsman's Call Center that his applications for the appointment of targeted state social assistance as a low-income family did not yield success.

Following the appeal to the State Social Protection Fund under the Ministry of Labor and Social Protection of Population, the applicant's family was assigned 747.95 AZN per month for one year.

An analysis of the incoming applications regarding the appointment of targeted state social assistance shows that there are difficulties and procrastination are still present in this area. Thus, according to paragraph 3.1 of the "Rules for Applying, Appointing, Granting, and Refusing Targeted State Social Assistance," approved by the Cabinet of Ministers' Decision No. 37 dated 5 February 2016, applications for social assistance are examined by the "Targeted Assistance" (VEMTAS) subsystem within 15 (fifteen) working days, and an appropriate decision is made on whether to appoint or refuse the assignment of social assistance. According to these rules, on the day of receipt of the application, VEMTAS assigned a related task of conducting an examination of the family's living conditions. Despite the exact length of time defined in these Rules, in many cases, oversight over the family's financial and domestic conditions is carried out over longer periods, which causes delays and procrastination in determining social assistance.

(App. No. 3887-24): Applicant G. appealed to the Ombudsman, saying that although he applied to the competent authority for appointment of targeted state social assistance, his living conditions have not been examined, and requested that necessary measures be taken.

Following the appeal to the State Social Protection Fund under the Ministry of Labor and Social Protection of Population, legal measures were undertaken, and the applicant's family was assigned a monthly state social assistance of AZN 546.80.

It is of utmost importance that the self-employment program is implemented to support and develop the labor and entrepreneurship initiatives, thereby helping the state to employ unemployed and underemployed persons. Thus, eliminating dependence on targeted state

social assistance with the provision of population employment and thereby improving the level of occupation is one of the main priorities of social policy in our country.

Investigations were also carried out on applications received by the Ombudsman regarding the assistance of individuals in securing assets by engaging them in the self-employment program.

(App. No. 11074-24): Applicant N. appealed to the Ombudsman, stating that he has been registered for engagement in animal husbandry, and has gone through all the stages provided for his involvement in the self-employment program, but was not provided with assets, and asked for assistance.

In a letter of response to our appeal to the State Employment Agency under the Ministry of Labor and Social Protection of Population regarding the application, it was stated that the applicant was involved in self-employment "Animal husbandry" and was provided with the relevant assets.

It should be noted that due to not specifying term for the provision of the relevant assets to the self-employed persons in the "Rules on the Organization of Self-Employment" approved by the Cabinet of Ministers Decision No. 168 dated 13 May 2020, such provisions sometimes may last for more than one year. On the other hand, due to the already taken decision regarding engagement in self-employment, these individuals also have limited opportunities to benefit from other forms of employment or to apply for targeted state social assistance during this period.

In light of the abovementioned, it is necessary to establish the general period of time between the decision of the person to be involved in self-employment and the provision of the person with the appropriate assets in the "Rules on the Organization of Self-Employment". However, where the definition of these periods is not possible for any reason, it is important to remove restrictions on the extent to which an individual involved in self-employment benefits from another form of employment or requests targeted state social assistance for a period of time with assets, and to make appropriate changes to the legislation in this regard.

Right to health. The right to health is a fundamental right that is at the core of the well-being of each individual and society as a whole, aiming to ensure the highest level of physical and mental health of people.

Creating healthy living conditions for every person without discrimination and ensuring access to quality medical services and health information are among the top priorities of modern times.

It should be noted that despite significant health-care reforms, there are still challenges to implementing this right.

The applications received by the Ombudsman regarding the right to health were mainly about current difficulties related to the use of medical services included in the Health Insurance Services Package, the failure to provide adequate access to medical rehabilitation facilities, the refusal to provide referrals to a treatment facility, existing problems in the provision of affordable medicines, as well as assistance in the organization of medical examination and treatment at public expense, the provision of specialized medical services, and other similar issues.

Following the Ombudsman's appeals regarding these issues to the Ministry of Health of the Republic of Azerbaijan and the Medical Territorial Divisions Management Union (TABIB), as well as to the medical institutions under them, as well as to the State Agency for Compulsory Health Insurance, necessary measures for the provision or restoration of rights infringed were undertaken.

(App. No. 8530-24): Applicant S. appealed to the Ombudsman stating that due to lack of ID, he had been refused to be examined at the Clinical Hospital No. 3 in Baku and asked for assistance.

Following the appeal to the TABIB, the management of Polyclinic No. 12 of the Public Legal Entity, Baku Main Health Center, which is located in close proximity to the address of the applicant's living area, was instructed to monitor the provision of appropriate outpatient care.

Furthermore, the applicant was informed about the requirements of the legislation on how to be registered at the place of residence and get an ID card, thus preventing any restrictions that may arise in the realization of his rights in the future.

(App. No. 5830/2-24): Applicant T. appealed to the Ombudsman, stating that he was not provided with a referral to be medically examined and treated in the Republic Psychiatric Hospital No. 1, and requested assistance.

Following the appeal to the Ministry of Health, the applicant was sent to the appropriate medical institution and was treated in an inpatient setting.

To ensure the health of newborns and prevent perinatal and neonatal deaths, immunization measures and other medical services need to be improved, whether during or after pregnancy.

(App. No. 4307-24): Applicant Y. appealed to the Ombudsman, noting that she was not able to benefit from compulsory health insurance at the medical institution where she was transferred with her newborn twins at her own expense due to their health complications, and asking for assistance.

Following the appeal to the TABIB, the newborn twins were examined and treated in accordance with clinical protocols approved by the Ministry of Health, were treated for anemia of premature births, were provided medical services for mothers and infants under the "Health Insurance Services Package" and were discharged for outpatient treatment.

An analysis of incoming complaints about the violation of the right to health reveals that complaints by individuals suffering from oncology (cancer), diabetes, kidney failure, and cardiovascular diseases were relatively predominant. It is important to increase attention to the medical examination, treatment, and rehabilitation of those suffering from these types of diseases.

(App. No. 8575-24): Applicant A., suffering from oncology, requested the Ombudsman to assist in his medical examination and treatment.

Following an appeal to the Ministry of Health regarding this, the applicant was sent to the National Center of Oncology, and the organization of his examination and treatment was directed to the management of the same center.

The Ombudsman believes that it is necessary to expand the spectrum of medicines used to treat oncological diseases, as well as to revise the “Program of Measures for the Provision of Cancer Patients with Inflatable Essential Medicines” approved by the Cabinet of Ministers’ Decision No. 178, dated 19 July 2006, by harmonizing it with modern standards.

Another important issue is the timely provision of prescribed medicines at the state expense of the privileged persons who are eligible to provide medicines at the state expense and who are registered with the dispensary, especially if there are few or no substitutes for the types of medicines or for the treatment of the relevant disease.

(App. No. 7645-24): Applicant S., suffering from diabetes, appealed to the Ombudsman, stating that he was denied necessary medicines, and asked for assistance.

As a result of the actions taken regarding the issues, the applicant was provided with diabetic medicines by the city polyclinic No. 2, where he was registered in the dispensary with the diagnosis of “Type 2 diabetes, moderate to severe”.

In addition to this, in order to ensure effective protection of the right to health, it is important to extend the package of health services covered by health insurance, to take necessary measures to ensure that those receiving outpatient treatment within the scope of the services are provided with medicines prescribed to them under the insurance package, and to strengthen the quality control of medicines imported into the country.

Improper communication between patients and doctors and other medical staff, and unprofessional performance of duties lead to dissatisfaction, as well as a lack of trust in medical services.

(App. No. 4717-24): Applicant G. appealed to the Ombudsman, stating that he was not provided the necessary medical assistance by the Aghsu Regional Central Hospital, and requested assistance.

Following the appeal to TABIB, the doctor of the Emergency Department of the hospital was disciplined for any defects in his work.

There are also problems in the issuance of referrals by relevant health care providers for the assessment of disability, improper clinical documentation of the results of recent patient diagnoses, examinations confirming complications, inclusion of symptoms of illness or incomplete recording. Situations like this led to procrastination, extending the disability assessment process.

(App. No. 5935-24): Applicant B., appealed to the Ombudsman that he was receiving outpatient and inpatient treatment in the Goychay Regional Central Hospital, where he was registered, and that he was denied clearance of the referral (Form-88) by that medical institution regarding his disability assessment, and requested assistance.

Following the appeal to TABIB, a formalization of the medical and social examination was ensured by the Physician Advisory Commission of Goychay Regional Central Hospital for the purpose of assessing the citizen's disability.

In order to address the indicated issues, it is necessary to enhance the professional capacity of medical staff in this field and to train them accordingly, simplify the complex and detailed documentation process, increase technical support and resources, and more effectively coordinate the activities of medical social expert commissions (MSEC) with medical institutions.

One of the important trends regarding the right to health is the use of modern digital technologies in health services. Implementing these technologies can facilitate access to medical services by enabling remote organization of scanning and treatment processes. In addition, digitization of health information makes it easier to store, process, and use.

The innovative solutions mentioned may also create specific challenges to the right to health on the other hand. Thus, digitization of health records can lead to data leaks, cybersecurity issues, and illegal use of personal information. Thus, although the use of digital technologies has made numerous contributions to the right to health, the proper and ethical application of these technologies is essential from the perspective of respecting and upholding human rights and freedoms.

A number of medically unreasonable information on health issues is published on websites and social networks, and medicines of doubtful quality that are sold over internet platforms, consequently may have negative effects on human health. Therefore, it is important to strengthen oversight, conduct regular monitoring, and address issues at the legislative level by relevant government agencies.

In general, in order to improve the effectiveness of medical services, it is necessary to strengthen the effectiveness of public health, expand programs, to enhance the promotion of healthy lifestyles, health, sports, and other preventive measures to prevent children and youth from becoming addicted to harmful habits, increase the broadcast of educational programs and videos, and strengthen other preventive measures

Right to education. As one of the fundamental human rights enshrined in various international legal documents, the right to education plays a crucial role in the formation and development of personality, society, and state. This right guarantees each individual equal, fair, and quality education and realization of his or her potential.

In recent years in Azerbaijan, the strengthening of the material and technical base of educational institutions, the use of modern ICTs in teaching, and the expansion of international relations in this field have had a positive impact on the educational process.

Despite the reforms implemented, certain gaps and shortcomings in the education system still remain.

Analysis of applications shows that educational institutions, especially secondary schools, vocational institutions, and colleges, should be regularly monitored. This approach helps to ensure that teaching is organized according to state standards, while helping to improve the quality of education. However, some educational institutions across the country still have some issues pending.

Applications received by the Ombudsman regarding the violations of the right to education were mainly about shortcomings existing in educational institutions, as well as the negligence of the institution's management in organizing the teaching and learning process.

Consequently, the investigations of such appeals, and necessary measures have been taken to remedy the rights violations.

Due to a lack of teachers or a shortage of students, classes in some secondary schools in the regions have been united. Particularly in remote rural schools, by combining certain (mainly two classes of different grades), the classroom is divided in half for each class accordingly, resulting in the same teacher being compelled to teach several classes together. Due to the fact that students of different age categories vary in educational level, learning speed, and perceptual skills, this makes it difficult for both classes to study effectively. Setting up grades leads to reduced quality of education as well as decreased teacher hours.

(App. No. 12598-24): Applicant F. lodged a complaint with the Ombudsman, saying that his appeals regarding the enrollment of his children to the first grade at the Pirkand village secondary school of Ujar district were rejected, but he was informed that the first and second-grades in that school would be united, so that 20 minutes of the 45-minute class period would be allocated to the first-grade pupils and the remaining 25 minutes would be allocated to the second grades. The complainant asked for assistance in the protection of his children's right to education.

In a letter of response to our appeal to the State Agency for Pre-School and General Education under the Ministry of Science and Education, it was stated that the norms under clause 4 of "Student Density Norms in Classes at the State General Education Institution" approved by the Cabinet of Ministers' Decision No. 212 dated 22 June 2020, provided that if the number of pupils in a class of primary education level is less than 10 persons, that class shall be combined with another class of primary education level with the number of pupils less than 10 and unified grades shall be arranged.

Unified classes are organized with no more than 18 students.

It was noted that in the 2024-2025 academic year, there were 8 pupils in grade 1 and 6 pupils in grade 2, and so their unification of those classes was carried out in accordance with these rules.

As it can be seen from the response, the unification of classes is regulated according to the relevant normative and legal act. However, despite the level of elementary education, combining classes with two different curricula due to the shortage of pupils has a negative impact on the quality of education and the way pupils perceive program materials. Therefore, it is recommended revising the "Student Density Norms in Classes at the State General Education Institution" approved by the Cabinet of Ministers' Decision No. 212 of 22 June 2020 with a view to increasing the number of teaching staff in these educational institutions for the purpose of ensuring that pupils acquire knowledge and skills in accordance with the state educational standards.

According to subparagraph 5.1 of the "Rules for the Organization of Psychological Service in Educational Institutions" approved by Decision No. 157 of the Cabinet of Ministers of the Republic of Azerbaijan dated 30 April 2020, the psychological service in such institutions is organized by mutual cooperation with the management of the institution, pedagogical workers, parents, or other legal representatives with the psychologist.

It should be noted that one of the problems observed in educational institutions is a tension existing in the interaction and communication of students, and a failure to observe the rules of conduct and discipline. Physical and psychological pressure from schoolchildren in relation to their peers can have a negative impact on the quality of education as well as more severe consequences.

(App. No. 4698-24): Applicant S. complained to the Ombudsman that his child, who was in the 5th grade, was repeatedly subjected to physical and psychological pressure by his classmates, that the school administration had neglected the incident and had taken no action, and that he should investigate the case and assist in protecting the violated rights of his child.

In a letter of response to our appeal to the State Agency for Pre-School and General Education under the Ministry of Science and Education regarding this issue, the school administration and psychologist had educational- preventive talks with students regarding the rules of conduct, the class was taken under specific supervision, and the head of this class was replaced by a more experienced teacher.

One of the reasons for misunderstandings among students is that teachers do not take into account their psychological status with respect to their age. In this respect, it is necessary for psychologists to promote cooperation with teachers and parents in the regulation of teacher-student relations, to protect students (pupils) from all forms of physical and mental violence, to warn them about harmful habits, and to carry out appropriate preventive work by participating in the safety and health of students.

In general, the role of school psychologists should be emphasized in resolving the problems mentioned, and addressing any psychological strain that may arise in children, and measures should be taken to match the student numbers of the unit allocated to psychologists in educational institutions.

One of the unresolved issues until now is the purchase of workbooks that are required to be used in the teaching process at personal expense. As you may know, textbooks and sets of textbooks should also be provided to students at no charge, as secondary education is funded on a compulsory and state budget. So that, it is recommended to provide other auxiliary workbooks to students at public expense, along with textbooks.

Based on the applications to the Ombudsman made by parents who are struggling to obtain necessary school supplies and school uniforms for their children, as a result of appeals to relevant authorities, appropriate measures have been taken to address those issues.

(App. No. 11756-24): Applicant V. appealed to the Ombudsman, stating that due to financial hardship in the family he could not afford to buy school supplies for his children and asked for assistance.

Following our appeal to the Sumgait City Executive Authority, the applicant's children were provided with necessary supplies before the new academic year commenced.

Measures should be strengthened at all levels of education to increase attention to the teaching and learning process, the quality of teaching, and the mastery of the subject by the students (pupils) and educators, and the loops identified in the organization of the teaching process should be eliminated at the time.

(App. No. (3813-24): Applicant R. appealed to the Ombudsman, noting that the attendance of students at Goychay State College of Management and Technology was at a low level, and that there were illegal actions taken. Therefore, he asked to investigate the case and take appropriate measures.

In a letter of response to our appeal to the State Agency for Science and Higher Education under the Ministry of Science and Education of the Republic of Azerbaijan, it was stated that the Agency monitored the college and in order to eliminate certain defects and ensure quality in the teaching process, reforms were initiated. Consequently, the college deputy director of teaching/temporarily acting director was dismissed from his post and a new director was appointed.

The role of higher education in the production of highly competent professionals should be emphasized. Expanding opportunities for students to study in leading universities internationally in priority specializations, gaining experience and access to innovative learning methods, and increasing career opportunities for young people are important not only for their personal and professional development but also for the country. Thus, by developing a progressive mindset, and gaining innovative knowledge and the latest technologies, the application of them in the country can contribute to socio-economic development as well as enhance the international reputation of Azerbaijan.

Considering the aforementioned, further attention should be given to encouraging young people to study in leading universities abroad and creating necessary conditions for them in order to train specialists who may be useful to the country.

Right to housing. This right plays an important role in ensuring decent living conditions and social equality, as one of the fundamental social and economic rights.

The main purpose of the provision of the right to housing is not only sheltering someone; instead, it aims to create a favorable environment supporting the psychological, social, and economic well-being of the individual. Ensuring this right is also an important tool in addressing broader social issues, such as urbanization, poverty reduction, and the pursuit of social justice.

In order to ensure the right to housing in Azerbaijan, it is of particular importance to support the construction of residential buildings affordable to the population. For the effective protection of this right, it is necessary to take into account legal support of accommodation and settlement, accessibility from the perspective of infrastructure, suitability of accommodation, and other factors.

The development of a mechanism for providing housing for low-income families can play a significant role in ensuring the right to housing for families in need and exploitation of affordable housing for the population.

In general, in order to ensure housing rights more efficiently, it is recommended to revise the terms of the affordable mortgage loan, considering real market prices and the purchasing power of the population, increasing the maximum amount of the loan, minimizing the original repayment amount, extending the term of the loan, lowering the interest rate, and expanding the list of people eligible for preferential mortgage loans.

It is obvious that a number of residential buildings built and commissioned at the beginning and middle of the last century, either in Baku or in the district centers and in some towns,

have not been renovated for many years and have fallen into disrepair and, in some cases, into disrepair due to expiry. In this regard, in order to improve the housing conditions of the residents living in these apartments, it is recommended to continue pilot projects related to moving them to new apartments.

Incidentally, some incoming appeals to the Ombudsman were about concerns about dissatisfaction with the amount of compensation offered by construction companies at the time of purchase from owners of housing units that are past their term or dilapidated.

It should be noted that the cases found in the incoming applications on the violation of the right to housing were investigated accordingly, and measures for the restoration of the violated rights have been undertaken.

Furthermore, there are serious defects associated with non-compliance with safety regulations in a number of high-rise buildings built by construction companies, particularly on roadsides, near pedestrians' walkways, and near residential homes. This endangers people's lives and health, as well as puts housing and other properties at risk.

(App. No. 7418-24): Applicant appealed to the Ombudsman G., complained that the construction work carried out in the area in which they lived posed a threat to their lives and health and to the housing in which they lived, and asked for help.

Following the appeal to the Baku City Executive Authority, Baku Palaces LLC was warned that the construction works on the site would be carried out in compliance with the requirements of current urban planning and construction legislation, and to refrain from inconveniencing residents.

In general, it is necessary for competent government agencies to strengthen the control for safety issues during construction.

In accordance with the Decree of the President of the Republic of Azerbaijan of 14 December 2020 "On payment of financial assistance for damages to civilian population as a result of the aggression of the Armed Forces of the Republic of Armenia on the territory of the Republic of Azerbaijan starting from 27 September 2020", each family for damage to household goods caused by collapsed or wrecked houses is provided with an amount of 6,000 AZN, each family member related to damage to personal belongings 1,500 and each family related to damage to household goods caused by other households. However, based on the analysis of incoming complaints, it can be seen that there are still some problems in this area.

(App. No. 5128-24): Applicant M. reached out to the Ombudsman's Call Center, reporting that his residential house had deteriorated as a result of a rocket strike in Ganja by the armed forces of Armenia, and no appropriate measures have been taken to restore the house; the legally established compensation has not been fully paid, and that, his relevant appeals have not yielded success.

In a letter of response to our appeal to the State Committee on Urban Planning and Architecture of the Republic of Azerbaijan, it was stated that during the re-monitoring of the same private house, an act of further renovation was drawn up; according to this act, the draft and construction documents were prepared and construction-renovating works started.

(App. No. 22-24): Applicant R. appealed to the Ombudsman, saying that his house was rendered useless by the Armenian armed forces as a result of the missile attacks on Ganja city; the rent was not paid, and his appeals on the occasion were fruitless.

In a letter of response to our appeal to the State Committee on Urban Planning and Architecture, it was stated that as a result of the re-monitoring of the State Commission, a decision was made to demolish and rebuild the applicant's private house, the house was redesigned and examined, and the estimated amount allocated for the construction of the house was provided to the applicant as compensation.

Investigations have also been carried out on applications of citizens facing problems in the field of registration of rights in real estate, and necessary measures have been taken to restore violated rights.

(App. No. 5916-24): Applicant T. filed a complaint with the Ombudsman, alleging that the relevant authority had unjustifiably refused to issue his property deed, causing him undue hardship. He requested appropriate assistance in resolving the matter. Following the application to the State Cadastre and Registry Public Legal Entity of Real Property regarding the complaint, the relevant territorial office approved the registration of the citizen's rights over the specified apartment in the state real property register, and a notification was issued accordingly.

Another important step in the direction of the right to housing is the documentation of unauthorized constructions (dwellings). Thus, while there is a legal framework for the documentation of apartments located in multi-floor buildings, the mechanism for the clearance (legalization) of unauthorized private houses is not yet available. This restricts residents' ability to use and manage their apartments, as well as hinders the enforcement of other associated rights. Given the above, it is recommended developing a regulatory framework for the documentation (legalization) of unauthorized private houses.

The incoming applications regarding the problems of utilities have also been continuously investigated, and the authorities have appealed to the relevant state institutions and entities, and measures have been taken to ensure the violated rights of citizens.

1.3. Protection of the Rights of Population Groups

Protecting the rights and freedoms of refugees, internally displaced persons (IDPs), and migrants, restoring their violated rights; and raising this issue internationally are among the priority tasks of the Ombudsman.

Rights and freedoms of refugee Azerbaijanis from Armenia. The restoration of the violated rights of hundreds of thousands of people occurred as a result of Armenia's long-standing ethnic cleansing and hatred policy against Azerbaijanis is of great importance in respect of the norms and principles of international law and international humanitarian law (IHL).

At various times, the Ombudsman carried out extensive action to restore the violated rights and freedoms of Azerbaijanis forcibly displaced from their ancestral lands, and who had been

compelled to live as refugees, and this issue has been continuously raised before relevant international organizations.

It is known that Azerbaijanis were deported and subjected to ethnic cleansing from present-day Armenia as a result of forcible transfer carried out in 1918-1921, and 1948-1953.

In Armenia, the destruction of historical and cultural monuments belonging to Azerbaijanis, and the change of place names have been part of the policy to remove traces of them from these territories and to distort their ethnocultural affiliation.

Using the silence of international organizations and an environment of impunity, Armenia's territorial claims and policy of ethnic cleansing have become more acute in the coming years, and more than 250,000 Azerbaijanis have been expelled from their native lands, being subjected to torture and inhuman treatment as a result of ethnic cleansing that lasted from 1987 to 1991.

A number of speeches by Armenian officials to date have featured examples of hate speech based on Azerbaijanophobia policy, and references to these materials have been made available in the Ombudsman's reports and videos.

In a recent video circulated on social networks, former Armenian President Levon Ter Petrosyan, during his speech in the meeting with members of the terrorist organization "Yerkrapa" in 1993, admitted that there were hundreds of thousands of Azerbaijanis in the territory of present-day Armenia by 1988 and that they had been expelled intentionally.

According to the Rome Statute of the International Criminal Court (ICC), deportation or forcible transfer of population is a crime against humanity. Despite joining the document in question, the environment of impunity is causing Armenia to commit similar crimes again and continue its policy of ethnic hatred against Azerbaijanis. Unfortunately, the Armenian side denies such crimes, and hateful remarks against Azerbaijanis are still evident today.

The safe and dignified return of Azerbaijani refugees from Armenia to their ancestral homes and the provision of property and other rights are highly important in terms of the requirements of current international documents in the field of protection of human rights.

The right of everyone to free movement and to return to their country is enshrined in a number of international human rights documents.

Every person has the right to leave and return to his/her country, including his/her own country, as defined in Article 13 of the Universal Declaration of Human Rights, the first universal document confirming the equality of all rights of human beings.

According to subparagraph (II) of paragraph (d) of Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination, to which Azerbaijan and Armenia are parties, the state parties undertake to guarantee the right to everyone to leave any country and to return to one's country, including one's own in particular, without distinction as to race, color, national or ethnic origin, and equality before the law.

According to Article 12 of the International Covenant on Civil and Political Rights, everyone shall be free to leave any country, and no one shall be arbitrarily deprived of the right to enter his own country. Violence by Armenia against Azerbaijanis based on their ethnicity and mass expulsion from the territory of the country may be regarded as a gross violation of this norm.

IHL also establishes the right of return for persons subject to voluntary or involuntary displacement on account of the conflict. According to international experience, forcibly displaced persons or their representatives are created an opportunity to travel to the country from which they have been forcibly expelled to assess the situation in terms of safety and financial means.

The 1993 UN Security Council's (UNSC) Resolutions specifically related to the Armenia-Azerbaijan conflict also highlighted the issue of supporting refugees and IDPs to return to their homeland in safety and with dignity.

It should be noted that the main points that emerge when refugees return to their own country are safety and integration in the community to which they return, including being free from discrimination. According to international documents, the Government of Armenia, in compliance with its international commitments, must guarantee the safe and dignified return of Azerbaijanis, and necessary measures must be taken to ensure that they do not experience any discrimination, and furthermore, it must increase intensive efforts to promote peace and coexistence by abstaining from politics that boost ethnic hatred.

In 2024, as a national human rights institution (NHRI), the Ombudsman of Azerbaijan submitted an alternative report to the United Nations Committee on the Elimination of Racial Discrimination (CERD Committee). The alternative report, which provided information about violations of the rights of Azerbaijanis forcibly transferred from the territory of present-day Armenia at different periods in history, was submitted to the relevant Committee for its consideration during the review of Armenia's next periodic report.

The issues of discrimination by Armenia against Azerbaijanis on the grounds of ethnicity are indicated in the report under various norms of the relevant Convention. The destruction of religious and cultural heritage belonging to Azerbaijanis living in Armenia and looting the property of those people have also been brought to attention.

At the conclusion part of the report, the recommendations are made for taking necessary measures by the Government of Armenia for the return of Azerbaijanis subjected to ethnic cleansing and deportation to their ancestral homes in safety and with dignity and restoration of their violated rights; for the return of property belonging to Azerbaijanis, plots of land used for various purposes to their owners; for compensation for the damage to property and for losses incurred due to the prevention of the use of property; for covering all expenses arising from the restoration of property rights; and for taking other necessary measures.

One of the important developments in this area was that, this issue was raised in the report of the OIC Independent Permanent Human Rights Commission (OIC IPHRC), which visited Azerbaijan on 2-6 September 2023 at the Ombudsman's invitation, and carried out a fact-finding mission (FFM) in the liberated territories and in civilian settlements subject to missile attacks during the Second Karabakh War. The report was approved in 2024 by the 50th Summit of the OIC Council of Foreign Ministers. Thus, in the conclusion of the report, prepared on the basis of the FFM findings, the Commission, among recommendations for other issues, also emphasized the importance of ensuring the right of return of refugees and IDPs.

The Ombudsman has also received numerous appeals filed by members of the Western Azerbaijan Community regarding the restoration of the violated rights of Azerbaijanis living as refugees for many years. The Community expressed its interest in cooperating with the Ombudsman to support the rights of refugee Azerbaijanis.

It should be noted that the “Return Concept” developed by that Community, as a substantive document aimed at addressing the consequences of this unfair policy against Azerbaijanis, covers important considerations related to historical aspects of the deportation problem, international legal approaches, and future steps.

Incidentally, the Ombudsman participated in the Second International Conference on “Right of Return – Advancing Justice for Azerbaijanis Expelled from Armenia”, organized by the Western Azerbaijan Community, attended by about 100 representatives from more than 50 countries.

In addition, at the Plenary Session 8 of the OSCE Human Dimension Conference on Tolerance and Non-Discrimination, the head of staff of the Ombudsman Office, in his speech, pointed out that Azerbaijanis were repeatedly deported from the territory of present-day Armenia during the 20th century and were subjected to various persecutions and their material and intangible cultural heritage was completely destroyed. It was also noted that ethnic hatred against Azerbaijanis was one of the main causes of international crimes committed by Armenia, and that the forcible transfer of the Azerbaijani population from Armenian territory violated the principle of equality, breaching international human rights conventions and treaties.

Protection of the rights of refugees, IDPs, and migrants. After more than thirty years of yearning for return, large-scale events have continued to address the sustainable settlement of our compatriots returning to their native lands in Karabakh and East Zangezur.

The commissioning of objects, socio-cultural facilities, and educational and health care facilities necessary for living in those regions; the introduction of smart city, and smart village projects, green technology; the opening of international airports; and the enhancement of transport and logistics facilities have provided a basis for enhancing well-being and ensuring decent living standards in these areas. The launch of Karabakh University in Khankendi is important for meeting the high-skilled staffing demand in line with the socio-economic needs of the region and living up to historically established educational traditions.

The Ombudsman has continued to act on the reliable protection and effective ensuring of the rights and freedoms of former IDPs and persons equated with them, and sent requests to competent government agencies and made recommendations where appropriate.

The incoming application about requests for improving the living conditions of those vulnerable groups of the population, the effective organization of social protection, their return to the newly established settlements in the cities and regions based on their registration upon place of stay, and other issues have been investigated, and appropriate measures have been undertaken.

(App. No. 11727-24): Applicant T., a former IDP, requested the Ombudsman's assistance in having his family included in the list of individuals eligible for relocation following the return to the liberated territories.

In a letter of response to our appeal to the State Committee for Refugees and Internally Displaced Persons of the Republic of Azerbaijan, the citizen's request was investigated, and his name was added to the list of the first families to be relocated to Kalbajar with his family.

(App. No. 8870-24): Applicant N., a former IDP, requested the Ombudsman's assistance, stating that his attempts to secure his family's settlement in the area in which he was registered have been unsuccessful and requesting appropriate support.

The State Committee for Refugees and Internally Displaced Persons responded to our appeal regarding this issue that within the implementation of the "State Program," the applicant was provided with a three-room apartment in a residential complex set up for the permanent settlement of IDPs in Fuzuli, where they are registered with family members of four persons.

The issues related to the adaptation of former IDPs returned to their native lands to new living conditions, the employment of individual entrepreneurship to meet the financial needs of their families, the allocation of non-residential facilities for use, and the consideration of the business projects they designed have been focused on, and some measures were taken in cooperation with the competent government agencies operating in these territories.

(App. No. 16741-24): Applicant M. appealed to the Ombudsman for assistance in reclaiming the land his family had used for business activities before their displacement in Ahmadli village, Lachin district, where he was born.

In this regard, the Ombudsman appealed to the Special Representative of the President of the Republic of Azerbaijan in the Lachin district of the East Zangezur Economic Region, and necessary measures were undertaken.

One of the issues of the Ombudsman's attention has been to increase the theoretical and practical knowledge of the employees at these institutions in order to improve the effectiveness of the work of the state agencies in the relevant field. Thus, thematic seminars and trainings on the IDPs rights and migrants, elimination of statelessness, and other related topics have been organized continuously, involving local and international experts.

The Ombudsman continues to work with relevant state agencies, foreign counterparts, and international organizations to protect the rights and freedoms of migrants, refugees, and asylum seekers and prevent unregulated migration. For the purpose of the development of this cooperation, and reducing and eliminating statelessness, extensive information and experiences on bilateral and multilateral and other areas were exchanged in order to increase public awareness.

In cooperation with the International Organization for Migration Office in Azerbaijan, an educational brochure entitled "Human Rights and Migration" was published in Azerbaijani and English, and an educational video was produced in cooperation with the UN High Commissioner for Refugees Country Office to address statelessness.

In order to legalize foreigners' stay in Azerbaijan, the Ombudsman focused on the issues of processing various migration documents, as well as the social protection of persons and their family members who leave their own country and come to Azerbaijan as a result of armed conflict.

Regular discussion, exchange of information, and consultation were held with the State Migration Service of the Republic of Azerbaijan on how to inform foreigners arriving in the country about the merits of the provisions on human rights and freedoms laid down in the

relevant regulatory and legal documents and to quickly resolve the problems faced by them. Consequently, the determination of the legal status of these persons, registration of their place of residence in the Republic of Azerbaijan, issuance of residence permits, and creation of favorable conditions for the lawful employment of foreign nationals.

(App. No. 12513-24): Applicant A., a foreign national, appealed to the Ombudsman, stating that he had completed his higher education in the Republic of Azerbaijan and requested assistance in obtaining legal residency in the country.

Following our appeal to the State Migration Service of the Republic of Azerbaijan regarding the case, the relevant documents were collected and submitted, and the foreigner was assisted in this direction.

It is well known, according to Article 1.7 of the Constitutional Law, that the Ombudsman may make proposals to the President of the Republic of Azerbaijan regarding the citizenship issues.

The work on obtaining certificates related to the determination of citizenship of the Republic of Azerbaijan, examining applications for admission, reinstatement and termination of citizenship of the Republic of Azerbaijan, and taking necessary measures has been continued.

In addition to this, the issues related to ensuring the rights of foreigners and stateless persons in Azerbaijan, as well as providing legal support to citizens of the Republic of Azerbaijan who left the country to live, study, and for other purposes and who were in difficult and vulnerable situations has also been paid to special attention to citizens of the Republic of Azerbaijan.

(App. No. 20483-24): Applicant T., requested the Ombudsman to facilitate his son, who has been accepted by the Vilnius University of Lithuania, to obtain the necessary residence permission for him to study.

Following the application to the Lithuanian Ombudsman and the migration department of that country, the applicant's child was granted a two-year residence permit for his education.

The measures for the protection of the rights of citizens of the Republic of Azerbaijan who remain indefinitely in foreign countries, clearance of certificates of return, as well as prompt resolution of the difficulties faced by migrants, proper identification, and protection of their interests were carried out.

(App. No. 932-24): Applicant M., a Ukrainian citizen temporarily living in Azerbaijan M., appealed to the Ombudsman for assistance in facilitating the return of young children to the Republic of Azerbaijan who were unlawfully placed in a children's home in Denmark.

With the Ombudsman's intervention, the children were returned to their families as a result of actions undertaken in cooperation with the Ministry of Foreign Affairs of the Republic of Azerbaijan and the Danish Ministry of Social Affairs, Housing, and Senior Citizens.

The incoming applications about the removal of the ban imposed on the right to enter and leave the country, as well as the prohibitions placed on entry to those countries by deporting them from foreign countries considering the principles of the protection of family values and

family reunification, have been investigated, and appropriate measures were undertaken, and the necessary work has been continued in this area.

(App. No. 12254-24): A foreign applicant appealed to the Ombudsman, saying that his sister N. was administratively fined due to the violation of the rules of stay in the Republic of Azerbaijan and was subsequently subjected to an administrative extradition from the state boundaries (deportation) based on a relevant decision. The applicant asked for the lifting the entry ban imposed on her by the State Migration Service of the Republic of Azerbaijan.

Following our intervention and appeal to the Service, considering that this was N.'s first administrative offense and that her father- residing in Azerbaijan, was suffering from a serious oncological disease, the entry ban was lifted, allowing her to return to the country.

Based on appeals from foreign colleagues addressed to the Ombudsman, the issues related of the execution of duplicates, copies and extracts of relevant documents, directing judicial decisions for execution. If deemed necessary, detailed information on the legal protection mechanisms is also provided, noting the relevant provisions of the legislation of the Republic of Azerbaijan.

(App. No. 8086-24): The Commissioner for Human Rights of the Volgograd Region of the Russian Federation appealed to the Ombudsman, stating that the Narimanov District Executive Department has not taken necessary measures to withhold funds from the defendant G. in a civil case on debt repayment in favor of a citizen of the Russian Federation, Kh. With the intervention of the Ombudsman, the Supreme Court of the Republic of Azerbaijan directed the implementation of a new executive paper.

According to the Ombudsman's instructions, monitoring visits were held to the State Migration Service's Immigration Detention Centers of the Republic of Azerbaijan. The treatment standards, detention conditions of foreigners and stateless persons, organization of medical sanitary services, provision of food and material support, and the monitoring of the condition of their rights were conducted. The detainees were received in a confidential manner; their appeals were investigated; and the implementation status of previous recommendations on a number of relevant issues was checked. A number of foreigners detained at these establishments were also supported to promptly return to their countries of origin. In addition, the situation of persons who do not have places to live and asylum seekers voluntarily placed in those centers is also supervised.

The Ombudsman, at various times, has addressed appeals to the State Migration Service of the Republic of Azerbaijan regarding the incoming complaints about dissatisfaction with refusals to grant refugee status.

The Ombudsman's representative continued her work in this field as a member of the Working Group on Statelessness issues under that Service.

In order to ensure inclusiveness and social protection of migrants and refugee families registered in the relevant Service, along with promoting the study and learning of Azerbaijan's cultural heritage, a series of different events, as well as excursions to the Gobustan State Historical-Artistic Reserve and other events, were organized.

In addition, within the framework of the regular awareness-raising activities for refugees and asylum-seekers in order to raise their awareness of the protection mechanisms and

procedures, meetings and individual talks were held with asylum-seeking families in which their rights were explained. They have also been informed about administrative responsibility related to different issues, along with the requirements of the migration legislation.

Protection of the rights of martyr families and war veterans. The measures were continued for strengthening the social protection of persons who have been recognized as having a disability, war veterans, and families of martyrs in connection with the defense of the territorial integrity, independence, and constitutional order of the Republic of Azerbaijan and improving their welfare, and meetings were held with this category of persons, and appropriate measures were taken to address their problems.

The applications received by the Ombudsman from families of martyrs and war participants were mainly about assistance in ensuring their social security rights and provision of rehabilitation services and tools, employment, and provision of medical and psychological assistance. Consequently, necessary relevant measures have been undertaken to address the issues in cooperation with relevant government agencies.

(App. No. 14117-24): Applicant Z. appealed to the Ombudsman that he had participated in the Second Karabakh War, and that as a result of organizational restructuring, he had been dismissed from the Office of Operation of the Siyazan Water Amelioration Systems. He noted that no alternative employment offered to him. Therefore, in light of his status as a war veteran and financial difficulties in his family, the applicant asked to solve his unemployment situation.

Following our appeal to the “Regional Water Amelioration Service,” a public legal entity under the Azerbaijan State Water Resources Agency, the applicant was employed.

(App. No. 6056/2-24): Applicant H. appealed to the Ombudsman, stating that his son was martyred in the Second Karabakh War, and that his attempts to gain access to the Bilgah Cardiology Sanatorium were unsuccessful, and asked for assistance.

Following our appeal to the Confederation of Trade Unions of Azerbaijan, the applicant was provided with a referral.

A number of incoming applications made by the war participants were about failure in the provision of title and license certificate for “war veterans”, assistance in the payment of the Presidential allowance provided for war veterans, and reward issues for participation in war. The applications have been investigated in cooperation with the relevant competent government agencies, and in a number of cases, violated rights were restored.

(App. No. 884-24): Applicant R. appealed to the Ombudsman that he participated in the Second Karabakh War, but that his requests to get licensed as a "War Veteran" remained unsuccessful.

After our appeal to the Ministry of Defense of the Republic of Azerbaijan regarding the complaint, the applicant has been got licensed as a "War Veteran" for his participation in the counter-insurgency operation against the armed forces of Armenia and the combat operations carried out for the liberation of our occupied territories.

(App. No. 11002-24): Applicant M. appealed to the Ombudsman that he got licensed as a "War Veteran" but was not paid the past term of the amount of the Presidential allowance designated for war veterans.

Following our appeal to the Ministry of Labor and Social Protection of Population, the applicant was provided with a lump sum payment of 2400 manats accrued for the past period.

(App. No. 9926/2-24): Applicant V. appealed to the Ombudsman that the payment of the Presidential allowance for war veterans was suspended since March 2022 because he had lost his "War Veteran" certificate. Subsequently, he has been issued with a new certificate since June 2024, but the difference made has not been paid to him.

Following our appeal to the State Social Protection Fund under the MLSPP, the applicant was paid the sum of AZN 2080 for the period from 1 April 2022 to 31 May 2024.

(App. No. 5824-24): Applicant E. appealed to the Ombudsman, stating that his son had participated in the Second Karabakh War but had not been awarded a medal for his service during the war.

After the appeal of the complaint to the Ministry of Defense of the Republic of Azerbaijan, the application was made before the top commanding officer to award the applicant's son the Medal of the Republic of Azerbaijan "for services in the backline in the Second Karabakh War".

As you may know, in connection with the protection of territorial integrity, independence, and constitutional structure of the Republic of Azerbaijan, certain benefits have also been applied in the field of education for PWDs, war veterans, and families of martyrs. The applications received by the Ombudsman regarding the difficulties faced by those categories in securing the right to education were also taken into account, and necessary measures were taken.

(App. No. 11884-24): Applicant Z. appealed to the Ombudsman that his two sons had participated in the Second Karabakh War and that their disability was determined due to the injuries they got. The applicant added that one of his sons was accepted to Khazar University in 2024 on a fee basis, but although the relevant documents have been submitted, he was not exempt from the payment of tuition fees as a person who has been recognized as having a disability as well as a war veteran in connection with the protection of the territorial integrity, independence, and constitutional order of the Republic of Azerbaijan.

With the intervention of the Ombudsman, the applicant's son was enrolled in Khazar University on a free basis.

In order to immortalize the martyr's name, names of martyred persons were given to streets, schools, and parks were set up, corners were created, and the bas-relief plaques with their names and pictures were fixed on buildings in various cities and cities of the country.

In this regard, special attention was also given to the incoming applications by the families of martyrs, and necessary measures were investigated with local executive authorities.

(App. No. 6257-24): Martyr's mother, S., appealed to the Ombudsman to assist in naming the Garachinar village secondary school in the Goranboy district in honor of her martyred son.

After our appeal to the Goranboy District Executive Authority, the Cabinet of Ministers was motioned in this regard to commemorate the memory of the martyr.

According to the "Rules perpetuating the name of martyrs and application of privileges granted to martyrs," approved by the Cabinet of Ministers' Decision No. 10 dated 15 January 1994, martyrs have the right to enjoy concessions and privileges provided for in the legislation. However, some existing relevant problems necessitate certain changes in the legislation. Thus, according to paragraph 2.1.4 of the current legislation, brothers and sisters who are brought up in the orphanage of the martyr are considered members of the martyr's family. Under Part 2 of these Rules, if the martyr has no next of kin, then considering his sisters and brothers, regardless of their presence in orphanages, as his family members will enable these persons also to benefit from the relevant concessions and privileges on equal terms.

The incoming applications about existing difficulties and friction in the organization of the medical examination and treatment of persons wounded in the Second Karabakh War, and in the documentation process regarding the assessment of their disability status have been investigated, and the taking of appropriate measures was ensured.

(App. No. 3977-24): Applicant S., appealed to the Ombudsman, saying that he participated in the Second Karabakh War and got seriously wounded and therefore, asked for assistance in his medical examination and treatment.

After our appeal to the TABIB, the applicant was provided with a medical reference by the Sumgayit Medical Center Public Legal Entity to the Republican Clinical Hospital Public Legal Entity named after Academician M.A. Mirgasimov for specialized inpatient treatment and instrumental examination.

(App. No. 1981-24): Applicant C. appealed to the Ombudsman, saying that he had participated in the Second Karabakh War, and was discharged from military service due to his health. Subsequently, his requests for the determination of disability for war-related injuries were unsuccessful.

Following our appeal to the Ministry of Labor and Social Protection of Population regarding this issue, the applicant was granted a disability due to the loss of 31-60% ability to function of his body as a result of defense of the territorial integrity, independence, and constitutional order of Azerbaijan and was assigned a monthly social benefit of the appropriate amount.

The issues of effective provision of social protection of martyr families and war veterans, improvement of their housing and living conditions, and ensuring the full living conditions and integration into society of persons who have been granted disability for the protection of territorial integrity, independence, and constitutional order of the Republic of Azerbaijan should always be focused on, and the activities of the relevant authorities in this field should be effectively coordinated.

Protection of the rights of military servicemen. Efforts have been further continued to ensure the rights of servicemen and to improve their living conditions.

The incoming applications by military servicemen and their family members were about delays in housing for military personnel, including active duty servicemen, reservist, and retired (resigned) servicemen (especially those who have been released on reserve or resignation from other armed units within the Armed Forces) at public expense, problems in releasing from the Armed Forces on reserve, in some cases, delays in the execution of the relevant court decisions, failure to timely issue monetary compensation for unused annual leave and tangible property, restrictions on the right of deferral and release in respect of some conscripts, although they were entitled to this right, problems found in the health of some young soldiers sent to active military service as a result of shortcomings allowed in the medical check-up of conscripts, failure to timely issue necessary documents by the relevant agencies, and other issues.

Sometimes, the recruitment of people with health problems into active military service not only severely affects their health and moral and psychological status but also their recruitment for work not related to combat training by the commanding officer, as well as leading to the additional expenditure from the military budget for organizing their medical examinations and treatments.

(Apps. No. 8517-24) and (Apps. No. 12131-24): Applicants B. and E. appealed to the Ombudsman, stating that although their children had serious health problems when they were involved in active military service, they have not been considered. The applicants asked for assistance in re-examining their children to medically determine if they were eligible for active military service.

Following our appeal to the State Service for Mobilization and Conscription of the Republic of Azerbaijan (hereinafter referred to as SSMC) regarding this issue, children of both applicants were re-examined by the relevant military doctor's commission, and consequently, both servicemen were dismissed from military service prematurely due to their health status with the decision "Unfit for military service in times of peace, limited fitness in times of war".

(App. No. 10105-24): As a result of the actions taken regarding the application made by the applicant A. with the same content, the applicant's son was re-examined by the relevant military doctor's commission and considered as "fit for service under emergency military mobilization."

In order to address the shortcomings in the implementation of the active military service call process, necessary measures should be taken to increase the professional capacity of specialists at conscription and military doctors' commissions operating in the SSMC's local agencies and to ensure their sense of responsibility and to strengthen the performance of these commissions.

The incoming applications about assistance in continuation of education or provision of the right of deferral to conscripts due to their health condition from active military service have been investigated, and legal action has been taken.

(App. No. 6598-24): Applicant V. appealed to the Ombudsman that his appeals to grant his son the right of deferral from active service for the continuation of his education were unsuccessful.

After our appeal to the SSMC, under Article 21.1.5 of the Law of the Republic of Azerbaijan "On Military Duty and Military Service," the applicant's son was granted a deferral from active military service for education, in order to continue his education and the relevant records were kept in his "Certificate of Initial Military Registration".

(App. No. 3320-24): Following the Ombudsman's appeal to the competent institution regarding applications about assistance in granting deferral from active military service for continuation of higher education (3320-24) and for health problems (1087-24, 3366-24, 4280-24, 5050-24, 7244-24, etc.), the persons were also granted deferral from active military service, as well as a restriction imposed on citizens to freely move throughout state borders in some appeals that have been addressed as well.

The issues related to procrastination in the issuance of military certificates and other documents to citizens due to various reasons, disobedience of appeals to relevant authorities, and unethical treatment of SSMC local authorities have also been investigated.

(App. No. 214-24): Applicant S. appealed to the Ombudsman, stating that his repeated appeals to the Khazar District Office of the State Mobilization and Conscription Service for the issuance of his military ID had not yielded any results.

Upon our appeal to the relevant authority, the applicant was provided with a military certificate, and subsequently, the officials who had defects in their work have been disciplined by the relevant order of the Chief of Service.

(App. No. 8303-24): Applicant I. appealed to the Ombudsman, stating that his son, a conscript for active service, had not been referred to the Central Military Medical Commission of the State Mobilization and Conscription Service for a medical examination and that he had been treated unethically by the Chief of the Sabirabad District Department of the Service.

Upon our appeal to the SSMC, the applicant was provided with a referral to get his son licensed, and subsequently, the chief of the department who committed the rude conduct was disciplined by the chief of service.

The unsuccessful applications by some servicemen received by the Ombudsman regarding assistance in release from the Armed Forces of Azerbaijan for various reasons, including upon their wishes after a certain period of service, expiration of service, marital status, health, and other reasons, have been investigated.

(App. No. 5308-24): Applicant I. appealed to the Ombudsman that he was serving as an officer in the "N" unit of the State Border Service of the Republic of Azerbaijan and that his application for release due to his marital status was irrevocable.

After our appeal to the Service regarding the complaint, the applicant was discharged from the Armed Forces in accordance with the Law of the Republic of Azerbaijan "On Military Duty and Military Service" and the Regulations "On Military Service".

There are still difficulties in the provision of monetary compensation designated for some reservists and resigned servicemen for unused property and upcoming annual leave during their actual military service.

(App. No. 3054-24): Applicant M. contacted the Ombudsman's Call Center, informing them that he was released on reserve from the "N" unit of the Ministry of Defense of the Republic of Azerbaijan; however, he was not provided with the monetary compensation for unused property during his military service, and requested help.

After our appeal to the Ministry of Defense, the compensation accrued by the relevant commission was transferred to the applicant's bank account.

The failure to timely execute legally binding judicial decisions regarding the release on reserve from the armed forces has also led to complaints.

(App. No. 12058-24): Applicant U. appealed to the Ombudsman asking for help in the execution of the judicial decision on the release of his son from the military service of the Ganja Administrative Court.

Following our appeal to the Ministry of Defense, the applicant's son was released from military service.

As in the past years, the Ombudsman and staff of the Office, in 2024 continued their activities toward on-site monitoring of the situation of ensuring the rights of servicemen and raising legal awareness of military personnel.

In accordance with the approved 2024 Action Plan, the Ombudsman and staff of the Office conducted monitoring visits to 10 military units and 1 special educational institution, including 4 institutions under the Civil Defense Troops of the Ministry of Emergency Situations of the Republic of Azerbaijan, 3 military units of the Ministry of Defense, 3 military units of the Internal Troops of the Ministry of Internal Affairs, and the Military Institute of the Internal Troops; inspected the relevant facilities; had meetings with personnel, answered their questions, and accepted their appeals to the Ombudsman.

It should be noted that the organization of such events is also important to help servicemen through checking the status of ensuring their rights on the spot, prompt elimination of deficiencies found, and thoroughly learning their issues within competences.

For instance, during an event in unit N, it was found that the soldier teahouse was dirty and the unit command was warned about this. The case was investigated; subsequently, the operation of the teahouse was suspended. Consequently, within a short period of time, it was renovated in a modern style and put into service after being supplied with new equipment.

During another event, a participant of the Second Karabakh War, serviceman S. (3122-24), appealed to the Ombudsman for assistance in receiving psychological assistance for his adolescent brother, who was martyred in the Second Karabakh War. After the Ombudsman's

appeal, the martyr's son was provided with the assistance of a long-term professional psychologist.

As a result of the measures taken, the conditions created to ensure the better living conditions of personnel, the quality of and accessibility to food and utilities, the quality of nutrition, the organization of medical treatment, the effective provision of leisure facilities and the availability of sanitary and hygiene means, and the training work carried out for the personnel were generally considered satisfactory. Furthermore, the unit command and the management of the unit were proposed recommendations for the elimination of shortcomings found and their causes.

Protection of women's rights and ensuring gender equality. Protecting women's rights and strengthening their role in society and achieving gender equality is one of the main goals in democratic societies. The activities of NHRIs in gender equality are of particular importance.

The Ombudsman has continued its multidisciplinary work to ensure gender equality by promoting the elimination of all forms of sex-based discrimination, to creating equal opportunities for men and women in the political, economic, social, cultural, and other spheres of public life, and improving, and enforcing relevant existing legislation.

According to the last amendments to the Constitutional Law, the new structural unit on anti-discrimination established within the Ombudsman Office and the Ombudsman's independent monitoring mechanism also play an important role in the protection of women's rights and ensuring gender equality.

The incoming applications regarding the protection of the rights of women as one of those coming from vulnerable groups were investigated; competent government agencies were sent requests, and necessary measures were taken to restore violated rights.

(App. No. 8048/2-24): Applicant S appealed to the Ombudsman, stating that she was subjected to bad treatment and physical pressure by her spouse and his family, also adding that her life was in danger. She asked for assistance in the protection of her rights.

Following our appeal to the Beylagan District Executive Authority regarding this matter, the Monitoring and Coordination Group to prevent domestic violence (DV) under the Executive Authority investigated this incident and issued a short-term protection order for sixty days, which was sent to the Absheron District Executive and Probation Department.

Based on analysis of the applications or the findings as a result of investigations (monitoring), it should be noted, given the greater exposure of women to violence, including DV, it is recommended expanding comprehensive measures to prevent gender-based violence in Azerbaijan, strengthening the fight against cybercrime, and improving legislation in this area.

The status of protection of the rights of women placed in shelters for women and social service institutions for senior citizens, held in immigration detention centers or penitentiary institutions, or pre-trial detention facilities, has been focused on; the monitoring visits were conducted within the Ombudsman's NPM mandate on a regular basis. The situation of women repatriated from the Syrian Arab Republic to Azerbaijan within the framework of the measures carried out for repatriation of our citizens who are in distress and in need of help abroad, protection of their rights and freedoms, was supervised by the Ombudsman; they were provided with legal advice and appropriate explanations were carried out.

The Ombudsman has also focused on advancing legislation regarding the protection of women's rights and ensuring gender equality. Thus, the opinion and suggestions made to the relevant legal and normative acts and the Cabinet of Ministers' Decision on the approval of the "Rules on the activity of the monitoring and coordination groups to prevent DV," drafts of the "2025-2029 National Action Plan (NAP) to Combat Domestic Violence in the Republic of Azerbaijan" and the 2025-2027 NAP on Gender Equality in the Republic of Azerbaijan were considered.

Incidentally, the adoption of the Law on "Reproductive Health" improving the quality of medical infrastructure and services, and increasing access to family planning are extremely important in addressing women's social protection issues.

Developing women's entrepreneurship is highly important for improving women's social activity, increasing their employment, and ensuring their economic independence. For this reason, it is recommended to extend initiatives to provide economic support and microcredit to women, to engage them in entrepreneurship trainings, and to introduce temporary special measures such as quotas.

The Ombudsman Office and regional centers constantly carried out legal awareness-raising activities for women and girls to promote the legal culture, as well as training and workshops in the capital and regions within the framework of the "16 Days of Activism Against Gender-Based Violence" campaign, as well as the "Human Rights Month-long" and "Child Rights Month-long" campaigns.

The teaching of "Introduction to Gender" was continued at Baku State University, and printed materials and related articles were prepared by the Institution.

As every year, in 2024, the Ombudsman continued collaborating with international organizations in the field of the protection of women's rights and ensuring gender equality. Discussions were held about the promotion of gender equality during the Ombudsman's meetings with representatives of international bodies, as well as the UN and its specialized agencies in Azerbaijan, exchanged views, activities in the field of the protection of women's rights, exchange of views on positive experiences and prospects for further cooperation, and signed documents on cooperation.

The Ombudsman, Office staff and regional centers highlighted the positive experience of the protection of women's rights and ensuring gender equality at international and local events they participated in during the year, and the role of women in society in Azerbaijan, the importance of their participation in the socio-political life of the country, and the improvement of national legislation in this area.

Protection of the child rights. During the year, the process of reviewing incoming applications on the protection of the rights of the child, responding to information requests, investigating information published in the media, implementing the monitoring, conducting analysis, preparing reviews and suggestions, and organizing educational activities was continued.

The incoming applications to the Ombudsman were about requesting assistance in ensuring the right to communication, in particular the failure to consider the principle of the superiority of the best interests of children during the enforcement of judicial decisions, the existing problems in child support payment (alimony), and violence in the family and educational institutions have prevailed.

The alimony (child support) serves as an important means of safeguarding their rights in ensuring their physical, emotional, and social well-being. In this respect, given the current loops in the payment of alimony, it is necessary to improve the methods of execution of judicial decisions in this area, as well as to establish a single state supervisory mechanism for the payment of alimony, as proposed by the Ombudsman in the previous annual reports.

The analysis of applications about DV suggests that there is a need for more responsive and prompt treatment by the authorities, further strengthening of preventive work with high-conflict families.

The incoming complaints about violence in educational institutions have been investigated and, in some cases, the facts indicated in the applications have been confirmed.

(App. No. 5714-24): Applicant K. called the Ombudsman's Call Center reporting that his child was regularly subjected to physical abuse by a classmate in the secondary school, and the school administration did not take any necessary actions regarding this matter upon his appeals.

In a letter of response by the State Agency for Science and Higher Education under the Ministry of Science and Education, it was noted that parents were invited to the school to have a conversation. The conflict between students was solved.

(App. No. 14788-24): Applicant V. appealed to the Ombudsman, saying that his second-grade child had been treated with prejudice and verbally abused by the teacher and that his relevant appeals were unsuccessful.

In a letter of response in connection with the complaint, a response to a request to the State Agency for Science and Higher Education under the Ministry of Science and Education stated that the teacher was disciplined due to shortcomings in his duty functions.

It is important that educational institutions implement a preventive and supportive mechanism to provide necessary support to children affected by violence and prevent its reoccurrence. An individualized support plan should be developed for a child affected by violence and monitored on a regular basis to assess the child's psychological state and development. In general, it is necessary to conduct regular monitoring of the educational process in relation to educators, to educate them on how to treat students, and to strengthen school- parents collaboration. Furthermore, measures should also be implemented to increase the number of school psychologists and strengthen their professional capacity.

The analysis of incoming applications or information published in the media suggests that it is important to take necessary steps against truancy and strengthen inter-institutional coordination in educating school-age children.

It is recommended to tighten sanctions imposed by Article 181 of the Code of Administrative Offences of the Republic of Azerbaijan with respect to natural persons and officials, given that psychological violence in educational institutions can have dire consequences, and that truancy can lead to early marriage, forced labor and other violations of law. In addition, taking into account the content of the deeds specified in the disposition of this article, it is also recommended consolidating paragraphs 181.0.1, 181.0.2, and 181.0.3 in a separate article.

Information published in the media about early marriage cases has also been monitored. It should be noted that the Ombudsman's several recommendations for the elimination of early marriages reflected in previous annual reports, including the proposal to withdraw Article 10.2 of the Family Code of the Republic of Azerbaijan with wording as such "*in the presence of valid reasons, the relevant executive authority of the area where the persons intending to marry but who are have not yet reached the legal marriage age, may, upon their request, permit the reduction of the marriage age by no more than one year,*" were considered in the Law No.4 1198-VIQD of June 28, 2024 "On amending the Code of the Family, the Criminal Code and the Code of Administrative Offences of the Republic of Azerbaijan". These changes aim at preventing existing problems related to marriage and consanguineous marriages.

Preschool education has a significant role in shaping children's personalities, developing social skills, and preparing them for further educational life. Based on the incoming applications, it has been revealed that in a number of cases, parents face difficulties in the assignment of their children in schools where they live. According to the letters of response given by the relevant authorities regarding this issue, the problem will be solved gradually when empty spaces for children will be available in educational facilities carrying out on the basis of rotation. So that, it is recommended to expand the network of state preschools, taking into account the current demand.

The Ombudsman also received complaints about issues of organization of the medical examination and treatment of children, guardianship and custody, social security, including disability assessment, education, etc. These appeals were also investigated, and necessary measures were taken to resolve the problems.

(App. No. 3392-24): Applicant T. submitted a complaint to the Ombudsman, stating that the decision to provide home education for his child had not been implemented, and requested assistance in resolving the issue.

Upon our appeal to the State Agency for Preschool and General Education under the Ministry of Science and Education, the applicant's child was engaged in home education.

(App. No. 838-24): Applicant G. appealed to the Ombudsman, raising concerns about insufficient heating at the educational institution attended by his child, and requested assistance in addressing the issue of cold classrooms.

Following our appeal to the State Agency for Pre-School and General Education under the Ministry of Science and Education, the school was reviewed by the responsible persons, and problems were fully addressed, and the heating supply in the school was ensured.

(App. No. 16979-23): Applicant I. appealed to the Ombudsman, explaining that his family has financial hardship, and that his child with disabilities (with limited health capacities) urgently need surgery due to severe problems in both his arms, and requested assistance.

Following our appeal to the TABIB, the applicant and child were invited to the appropriate polyclinic and examined by qualified physicians and subsequently directed to the Khatai Medical Center for the treatment of the child.

It should be noted that based on the last amendments to the Constitutional Law, according to the Ombudsman's Order, a relevant Monitoring Group was established to carry out functions of the independent monitoring mechanism for monitoring and promoting the implementation of the CRC.

As a result of the monitoring of the situation of the protection of children, it has been determined that media subjects and journalists do not comply with the requirements of the legislation when publishing information on minors, including the releasing of personal data, such as photos or videos of children in published or released materials. In order to prevent such cases, on the basis of appeals by the Ombudsman Office, necessary measures have been undertaken by the Media Development Agency of the Republic of Azerbaijan, and the Audiovisual and Press Councils, furthermore, the taking of measures for deleting certain information published on news sites, along with legal actions, was ensured.

In addition, the Ombudsman addressed a public appeal to media subjects and journalists concerning violations of child rights in the media briefed them on responsibilities and duties in this field, and advising them to prioritize the best interests of children and take a sensible approach in disseminating child-related information when they undertake professional activities.

The Ombudsman takes the view that media subjects and journalists should pay attention to what outcomes the publication of any material concerning children may cause, and respect personal and family life, and the honor and dignity of the child. The content of the prepared material should not contradict the rights and freedoms of children, but should be used in accordance with their legitimate interests. Furthermore, it is important to ensure the distribution of information materials that are child-safe and support their overall development and social integration.

In light of the abovementioned, the NPG and the Monitoring Group on Implementation of the CRC carried out more than 100 (one hundred) monitoring visits, without prior notice, to state childcare institutions in the capital city and districts; living conditions were investigated, meetings were held with children and facility staff, and necessary measures were taken to address existing shortcomings.

According to the Cabinet of Ministers' Decision No. 157 of 23 June 2006, "On the exemplars of managerial, administrative, teaching staff and service staff in general boarding schools, boarding schools of integrated training, sanatorium-type boarding schools, boarding lyceums and boarding gymnasiums, exemplars of managerial staff, administrative staff, teaching staff and service staff," a total of one (1) unit "psychologist" and two (2) "night nurse" are assigned, regardless of the number of classes available in the noted institutions. In these facilities with dormitories designated for 150 people, two (2) "night nurse" units are assigned for every 150 children.

During our monitoring, it was found that children from socially vulnerable families were accommodated in the noted institutions, children needed more psychological assistance and supervision, and the number of "psychologists" and "night nurses" in these facilities was insufficient comparing the number of children in these institutions. Therefore, it is recommended to amend the Cabinet of Ministers' Decision 157, dated 23 June 2006, to increase the number of staff units of "night nurse" and "psychologist".

In order to improve the quality of services provided to children in the relevant childcare facilities, it is also recommended to increase the number of staff units of "nurse," "night nurse,"

and “psychologist” in the “supervisory, administrative householding, educational assistant and service staff in special boarding schools for children with mental and physical development impairments” approved by the Cabinet of Ministers’ Decision No. 6, dated 9 January 1992.

For ensuring the development of children in early childhood, it is recommended inclusion of “child psychologist” to the “Exemplar staff units in budget-financed kindergartens” (No. 1) and “Exemplar staff units in nursery and kindergartens” (No. 2) approved by the Cabinet of Ministers’ Decision No. 61, dated May 29, 1996 “On exemplar staff units in budget-financed pre-school educational institutions”.

In addition to this, it is also advisable to increase the number of childcare workers in social services institutions for individuals with disabilities under the age of 18.

It is necessary to make appropriate changes to the legislation regarding the provision of specialized psychological assistance to an affected, suspected, or abused person and witness under the age of 18. Thus, it is recommended amending the Criminal Procedure Code of the Republic of Azerbaijan due to the fact that the concept of “teacher” indicated in Article 96 of the Code restricts participation of psychologists and other qualifiers who can contribute to the process. Moreover, it is proposed to amend Article 228.2 of this Code by including a new provision requiring the participation of a psychologist in the testimony of a child witness, as well as to amend Article 432.5 of this Code to establish responsibility for the involvement of a psychologist during investigative procedures involving individuals under the age of 16 and/or an adult with mental impairment.

It is also recommended making changes to Article 197.1 of the Code of Civil Procedure of the Republic of Azerbaijan regarding ensuring participation of a psychologist during interrogating a child witness.

To prevent violence in establishments, it is necessary to create opportunities for children to apply by ensuring confidentiality and installing centralized surveillance cameras (CCTV) monitored by their subordinates.

Studies have shown that in order to improve the work with difficult children, it is recommended to create an appropriate open facility for such a category of children, taking into account the negative impact they have on other children.

It is also necessary to improve existing legislation on the development of a mechanism to control the functioning of non-government aid centers for DV victims who are not accredited.

It is essential to improve professional capacity building of specialists working in child institutions, including psychologists, social workers, and speech therapists, in the field of child rights, and child treatment guidelines and involve them in training.

As mentioned above, one of the main activities of the Ombudsman in the field of child protection is its active participation in the process of improving legislation. The Ombudsman’s opinion and proposals to the new draft “Law on the Rights of the Child” of the Republic of Azerbaijan and other related legal and normative acts, as well as the draft “Action Plan for the Implementation of the Strategy on Children for 2026-2030,” have been submitted correspondingly. These proposals outline a number of issues aimed at protecting the rights of different types of children.

In order to organize leisure activities for the children of the Second Karabakh War martyrs, the Ombudsman Office, in cooperation with “Zafar” Public Union Support for Martyr’s Families,” organized an interesting event for children living in Guba, Gusar, Khachmaz and Siyazan districts on the occasion of June 1- the International Day for Protection of Children. The situation of protection of children’s rights was assessed during a conversation with families at the event.

In connection with June 1- the International Day for Protection of Children, the Ombudsman Office, the State Migration Service, and the Ministry of Culture jointly organized a festive event at the Gobustan State Historical and Artistic Reserve for children from refugee families for the purpose of contributing to their societal integration and education.

The Ombudsman met with participants of the 6th All-Republican Forum of Azerbaijani Children, listening to their views and answering their questions. She gave advice to them.

The Ombudsman, with the participation of representatives of the “Together and Healthy” Public Union, held meetings with persons with autism spectrum disorder (ASD), and discussed joint cooperation on how to address existing issues related to this category of children, where suggestions were made.

The protection of the rights of juvenile offenders detained in the correctional facility under the Penitentiary Service of the Ministry of Justice of the Republic of Azerbaijan was also supervised, and private talks with these children were held by the Ombudsman.

In order to protect the rights of our citizens who are in distress and in need of assistance in a foreign country, the staff of the Ombudsman Office had meetings with children repatriated from the Syrian Arab Republic in cooperation with competent government agencies, and their rights were investigated on the spot.

In order to implement the “2024 Action Plan on Legal Education of the Ombudsman Office of Azerbaijan,” a series of educational activities for children and persons who come in contact with them regarding the protection of children’s rights were organized in the capital and regions. These events had brought together more than 5,000 people.

Considering the measures indicated in specific clauses of the “Action Plan for the Implementation of the Strategy on Children for 2020-2025”, “The Action Plan on prevention of gender-biased sex selection for the period of 2020-2025”, “Action Program on Increasing Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan”, the Ombudsman Office launched a range of events for various target groups on the topics, such as the “Protection of children from sex-based discrimination: medico-social and legal aspects,” “Protection of children from threats to human trafficking and child abuse”, “Healthy lifestyle: strengthening the fight against drug addiction and other harmful habits among children and youth”, “Risks of early and consanguineous marriages”, “Role of educators in the protection of child rights”, “Legal and moral liability for gender-based education discrimination against young girls”, “The environment and child rights” and other subjects.

On the eve of the 35th anniversary of the adoption of the CRC, within the framework of the “Child Rights Monthlong Campaign” declared by the Ombudsman, appeals were addressed to state and local governing bodies, civil society members and other relevant authorities, and measures, aimed at more reliable protection of the rights of the child were implemented.

Last year, for the first time, the Ombudsman Office organized various educational events on and conducted monitoring of the protection of children's rights in the educational institutions located in liberated territories - Shusha, Fizuli, Jabrayil, Zangilan, as well as in Baku, Ganja, Tovuz, Dashkasan, Gadabay, Goranboy, Shamkir, Aghdash, Goychay, Sheki, Balakan, Gabala, Mingachevir, Guba, Gusar, Khachmaz, Siyazan, Shabran, Astara, Lankaran, Lerik, Yardimli, Masalli, Jalilabad, Bilasuvar, Salyan, Neftchala cities and districts.

The Ombudsman held online meetings and discussions with schoolchildren within the framework of the Joint Project on "Protecting Children from Harmful and Dangerous Information in the Digital Society" of the Ombudsman Office, the Ministry of Science and Education, the State Committee for Family, Women and Children's Issues (SCFWC), the Association of Cybersecurity Organizations of Azerbaijan, and ADA University, organized by the Regional Development Public Union, supported by "Nar." In addition, as part of the project, the Ombudsman's staff conducted trainings for children and parents in Baku, Ganja, Lankaran, and Gabala cities and districts.

The Ombudsman has continued to cooperate with international organizations in the field of protection of the child. Thus, in cooperation with the United Nations Children's Fund Office in Azerbaijan (UNICEF), an educational tool titled the "United Nations Convention on the Rights of the Child" has been generated. The tool explains the articles of the Convention in child-friendly language.

The necessary information to contribute to the Reports on universal birth registration and the use of digital technologies, as well as on ensuring quality education for peace and tolerance for every child (in relation to relevant Human Rights Council Resolutions), was submitted to the UN High Commissioner for Human Rights (OHCHR).

During the official visit to Helsinki, Finland, to attend the 28th Annual Conference of the European Network of Children's Ombudsmen (ENOC), the Ombudsman visited "Kaisaniemi" primary school in the same city, interested in the educational system applied at and conditions of the institution and the measures for ensuring the rights of children.

On the occasion of December 10 – International Human Rights Day, with the support of the Office of the United Nations High Commissioner for Refugees in Azerbaijan (UNHCR), a children's drawing competition for different categories of children was held in order to foster creativity in and education of children. Due to the fact that 2024 was declared in Azerbaijan as the "Green World Solidarity Year" and that our country hosted the 29th Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP29), the competition's theme was "Climate Change and Human Rights."

Protection of the rights of older persons. The issues relating to the protection of the rights of older persons as vulnerable groups of the population have come to the attention of the Ombudsman. Necessary work has been carried out by the Ombudsman in analyzing the current situation and legal framework in the field of social protection of these persons, advancing the legislation in line with international experience, improving the quality of medical services provided to older persons, broadening the range of social and rehabilitation services, organizing leisure time of older persons, carrying out legal awareness activities. Applications have been investigated, and legal measures have been carried out to restore violated rights.

Some of the incoming applications regarding the violations of the rights of older persons were about problems arising in the setting up or recalculation of pensions, as well as in the payment of them.

(App. No. 4358-24): Applicant M. appealed to the Ombudsman that his appeals in relation to the recalculation of the labor pension were unsuccessful.

Upon our appeal to the Ministry of Labor and Social Protection of Population, the applicant's labor pension has been recalculated.

(App. No. 8555-24): Applicant H. appealed to the Ombudsman that his appeal to the MLSPP regarding the recalculation of his labor pension according to the pension insurance capital collected was unsuccessful.

Following our appeal to the Ministry, the applicant was provided with the difference amount calculated for the past period labor pension in installments attached to his/her pension and transferred to his bank account.

A number of applications were about difficulties in the provision of sanatorium resort referral letters, accommodation in a social service institution, financial assistance, as well as the provision of food assistance and others. Consequently, necessary measures have been undertaken.

During an unannounced monitoring visit to the Bilgah social-care institution for older persons in Sabunchu district under the Social Services Agency subordinated to the MLSPP by the NPG and relevant staff member, although the review found many of the shortcomings revealed in previous visits resolved, some problems, in particular the lack of staff serving the older residents and the presence of vacancies on the state schedule, still remain.

This problem was brought to the attention of the facility management. Subsequently, several vacancies were occupied, and the issue of day and night shift care was solved. However, the staffing schedule of the institution reveals that several positions in the social service department — including one psychologist and two physician-therapists — are unfilled, which adversely affects the delivery of medical services and the social and psychological rehabilitation of the older persons.

The absence for ID cards of several residents living in the mentioned institution for various reasons prevents them from exercising their rights in full, including assessment of their disability.

The review found the lack of alarm buttons in rooms with bedridden patients, some rooms non-compliant with technical norms, and some mattresses damp, and it highlighted the need to update the equipment and heating system. Although the second building of the establishment is entirely uninhabitable, major renovation and repair work is necessary due to the fact that a considerable number of senior citizens are accommodated there.

During face-to-face meetings with residents, it was reported that members of families temporarily accommodated in the area were violating public order, contrary to the facility's regulations.

During the inspection conducted in the Psychoneurological Social Service Facility No.1 of the Social Services Agency under the Ministry of Labor and Social Protection of the Population, it was found that 6 out of 119 residents in total were older persons, two of whom were not assessed for disability, and that one resident did not have an ID card, made it impossible to assess his disability.

In view of a number of shortcomings discovered during the monitoring visits, including the fact that several positions necessary to provide quality social and medical services to residents have been vacant in accordance with the profile of the institutions, the relevant Ministry has been urged to address them.

It is recommended to further expand the network of social services and rehabilitation centers for older persons across the country, and strengthen the supervision of the performances in the institutions in question.

The Ombudsman recommends ratifying a number of articles of the Revised European Social Charter, including Article 23 on the right of elderly persons to social security to enable them to be fully valued members of society for as long as possible.

The Ombudsman attaches great importance to the application of international experience in the field of protection and promotion of the rights of older persons and the prevention of situations leading to their societal isolation, as well as cooperation with specialized international organizations.

During the “Human Rights Month-long Campaign” announced by the Ombudsman, an educational event was organized at the social service institution for older persons of the Social Services Agency under the Ministry of Labor and Social Protection of Population, where the participants were informed about the Ombudsman's activities in the relevant field, protection of equality rights of the elderly, and state care provided to older persons. An exchange of views on good practices was held.

At an interactive event on “Human Rights-Based Climate Justice: The Role of NHRI,” organized by the Ombudsman Office within the COP29 hosted by Azerbaijan, presentations by international experts in the field of protection of rights of senior citizens as one of the most affected by climate change vulnerable groups of the population were made, and experiences were shared.

Just before the World Azerbaijanis Solidarity Day and New Year, the Ombudsman and Office staff visited the social service institution for older persons, got acquainted with the conditions created for them, had comprehensive talks with them, and heard their problems separately. At the end of the event, which was attended by prominent artists, the residents of the facility were presented festive gifts.

Protection of the rights of persons with disabilities. Protecting the rights of PWDs, ensuring their full integration into society, and eliminating problems they encounter are important indicators of respect for human rights and commitment to social justice.

As an NHRI, the Ombudsman has continued its activities in the field of protection of PWDs through investigation of complaints and restoration of the violated rights, implementation of monitoring visits to the institutions where PWDs reside, improving legislation, and holding public awareness activities.

According to the amendments to the Constitutional Law, the establishment of monitoring groups on the implementation of the CRPD, as well as on ensuring equality and non-discrimination by the Ombudsman, as well as the establishment of monitoring groups, has been an important tool for more effective protection of the PWDs rights, as well as more effective monitoring and lobbying activities in this area.

The incoming applications about the problems in the protection of the PWDs rights were investigated, the appropriate measures have been taken to restore the rights infringed, and the applicants have been given legal advice if necessary.

(App. No. 11757-24): Applicant R. appealed to the Ombudsman to ensure that his child was suffering from congenital hydrocephalus and other diseases and was unable to continue treatment due to financial difficulties and that he would like to be assisted in the treatment of his child at public expense and the provision of the necessary medicines.

The applicant's child was provided with the medicines included in the "List of Most Outpatient Medicines for PWDs" by the medical institution after our appeal to the TABİB.

The situation of ensuring the rights of PWDs, including those in need of psychosocial support services in institutions where individuals cannot leave at their free will, and issues of accessibility are always focused on. When the program of NPM visits is developed, facilities accommodating PWDs as vulnerable categories of the population are given special importance.

The issues of treatment of PWDs, detention or living conditions, nutrition, organization of medical care, along with ensuring their right to appeal, and access to legal aid and others were investigated during scheduled and unscheduled visits to such institutions.

In general, providing reasonable accommodation or accessible infrastructure for PWDs in penitentiary institutions and places of deprivation of liberty is one of the current issues. Although providing a fully accessible environment for such institutions within the premises of old buildings is difficult, it is essential that possible measures be taken in this direction, as well as the organization of necessary infrastructure and consideration of flexibility in facilities under construction.

The findings of visits disclose a special need for the reconstruction or overhaul of psychiatry facilities, further improving food supply and medical support of persons receiving treatment in these facilities, and the strengthening of the social protection of doctors and staff.

There are still serious shortcomings in the provision of favorable conditions for PWDs in medical, educational, social service, and other institutions, as well as in transportation and on the roads. Ensuring access for PWDs and creating equal access to all services are important issues at all social infrastructure facilities.

To address the current legislative gaps related to housing for PWDs under the social lease agreement and to ensure accessibility in construction projects, it is essential to either develop regulations that incorporate standards, architectural design elements, and conditions aligned with international norms, thereby creating necessary living and functional environments for PWDs in buildings and facilities, or to make appropriate amendments to the existing legislation. Furthermore, it is necessary to strengthen the control over the implementation of the existing norms.

It is recommended addressing problems in the practical application of the requirements of the Law of the Republic of Azerbaijan "On the Education of Persons with Limited Health Capacities (Disabilities) (Special Education)," which provides education of PWDs equally with others, regardless of their physical, mental, intellectual, and other characteristics, and the "Regulation for Inclusive Education Arrangement" approved by Cabinet of Ministers' Decision No. 43 dated, 11 February 2023, as well as oversight measures should be strengthened.

Despite the removal of such phrases as “deaf,” “blind,” “defective” from the legislation, the inspection found pedagogical and staff members in some entities are still using such ableist phrases towards PWDs. So that, it is necessary to raise awareness among employees in these institutions, enhance their professional capacities through targeted training, and intensify educational efforts.

The examination of the incoming applications related to PWDs under the age of 18 revealed that there is a need to expand the network of state-funded rehabilitation and daycare services, and increase access to inclusive or special education opportunities throughout the country. In this regard, it is also necessary to improve existing mechanisms for developing social work institutes in compliance with progressive international experience.

It is recommended to adopt a sectoral state program to improve social protection services and medical and social rehabilitation of PWDs and to align with international standards; to ensure efficiency in the protection of their rights and to effectively coordinate the activities of relevant government agencies in this direction.

Moreover, it is appropriate to adopt a specific statutory legal act and targeted state program on public care for individuals with ASD, to expand the relevant educational institutions and rehabilitation centers, strengthen staffing, and holding of educational activities.

To guarantee free movement of PWDs in daily life, it is recommended providing accessibility to state authorities, offices, institutions and organizations, and in public spaces and social infrastructure facilities, along with installing new ramps (lifting platforms) meeting international standards and adapting the existing ones to the standards.

In addition to this, there is also a great need to increase attention to the provision of reasonable accommodation in public transport for PWDs, the adaptation or reconstruction of walkways and underground passages and subways to make them freely move, and the replacement of traffic lights at crossroads equipped with monte-pole flashing-warning with audible-vibratory signals (with touch-sensitive elements and repetitive audio signals).

To make the Ombudsman's official website more adjustable for people with visual impairments, an accessibility menu has been added, which allows those with sight disabilities to access the information more easily.

The Ombudsman's Parallel Report on the implementation of the CRPD in Azerbaijan was submitted at the 30th session of the relevant UN Committee.

In the framework of the 2024 Action Plan to Increase effectiveness of protection and promotion of human rights and freedoms approved by the Ombudsman, a training on “Promotion of the Implementation and Independent Monitoring of the Convention on the Rights of Persons with Disabilities (CRPD): Ombudsman’s New Mandate” was organized for relevant government agencies.

Various educational events promoting the PWDs rights were held in Baku and regions with the participation of state agencies, and civil society members, including NGOs and media outlets.

The Ombudsman gave an interview to the newspaper “Republic” on 3 December - International Day of Persons with Disabilities; she visited an inclusive cafe called “Kashalata”, where individuals with ASD and Down Syndrome are employed. Furthermore, the

Ombudsman run “Reading Hour” – an interactive, inclusive, and interesting discussion with children with disabilities (CWDs) at the Baku Book Centre by reading them short stories from books in gesture language, chosen by the children themselves.

The Ombudsman Office, as a member of the ENNHRI Working Group on the Rights of Persons with Disabilities, continuously participated in joint meetings with other members from different countries; the activities carried out in this field were reflected in quarterly newsletters, which were published on the official website of the network.

Protection of the rights of detainees and prisoners. The protection of the rights of prisoners and persons detained in custodial settings serves to promote justice, strengthen social integration, and ensure the rule of law in society.

Adapting TDPs, pre-trial detention facilities, and penal institutions to modern standards is important for providing them dignified standard of conditions, preventing violations of their rights, ensuring health and safety, and supporting rehabilitation and social adaptation.

Considering the Ombudsman’s recommendations for construction of new penitentiary complex meeting modern standards proposed during previous years, such a new complex has been commissioned in Lankaran for convicts and the accused. In addition, the review found, during the visits carried out, a number of penitentiary facilities repaired and renovated.

The issues related to provision of the right to meeting (visitation), right to phone call, right to receive parcel or banderol, as well as the right to access to medical services and others matters reflected in the incoming applications made by detainees, prisoners, their family members and lawyers have been investigated and necessary measures have been taken to address them.

(App. No. 101/6-24): Applicant N. appealed to the Ombudsman, stating that the rights to phone calls and visitation by family members of her spouse, who was temporarily put into custody in the Shirvan City Police Department were restricted, and asked for appropriate assistance.

With the Ombudsman’s intervention, the rights of the applicant's spouse to phone and meet with family members have been restored.

(App. No. 7389-24): Applicant H. reached out to the Ombudsman's Call Center, reporting that he could not obtain any information about his brother who was held in penal institution No. 17 of the Penitentiary Service under the Ministry of Justice of the Republic of Azerbaijan, and asked for assistance in contacting him.

As a result of the actions taken, the convict was provided with a phone call and a meeting with family members.

(App. No. 9980-24): Applicant I. contacted the Ombudsman's Call Center, reporting that the parcel that he brought to his detained brother was not accepted by the Pre-Trial Detention Facility No. 3 of the Ministry of Justice of the Republic of Azerbaijan for his brother, and asked for appropriate assistance.

Following our appeal to the Service, the parcel was delivered to the detained person.

Legal measures have also been taken to ensure the health state, medical examination, and outpatient and inpatient treatment of detainees and inmates in places of deprivation of liberty.

(App. No. 3800-24): Applicant S. called the Ombudsman's Call Center, saying that there were problems with his son's health while detained in the Baku Pre-Trial Detention Facility of the Penitentiary under the Ministry of Justice and requested assistance.

Following our appeal to the Main Medical Department of the Ministry of Justice of the Republic of Azerbaijan, the applicant's son was subjected to appropriate medical examinations by the doctors of the medical-sanitary unit of the facility, and upon his request, he was prescribed outpatient treatment.

(App. No. 8854-24): Applicant A. appealed to the Ombudsman, stating that his son, who was detained in the penal institution No. 8 of the Penitentiary Service under the Ministry of Justice, had health problems and requested help in the organization of his medical examination and treatment.

Following our appeal to the Main Medical Department of the Ministry of Justice, the applicant's son was transferred to the Treatment Facility of the Service, was admitted to inpatient treatment, and positive developments were monitored as a result of the actions undertaken.

The incoming complaints received by the Ombudsman about the failure to establish the disability of convicts in penitentiary institutions, including the formalization of the relevant referrals by the medical institution, were also promptly investigated and problems were resolved after appeals to the relevant state authorities.

(App. No. 6628-24): Convict F., who was serving his sentence in penal institution No. 2 of the Penitentiary Service under the Ministry of Justice, appealed to the Ombudsman, reporting that he suffered from pulmonary tuberculosis and that his disability related to his illness was not re-determined and asked for appropriate assistance.

Following our appeal to the State Medical-Social Expertise and Rehabilitation Agency under the Ministry of Labor and Social Protection of Population, the convict was examined by an expert doctor of Medical-Social Expert Commission No. 7 at the Treatment Facility of the Service, his health state was documented and sent to the Agency and a decision on the establishment of his disability was made.

In order to more effectively protect the health rights of detainees and prisoners, it is recommended to digitize the registration of medical records and take necessary measures to better integrate medical services and social services.

The incoming applications and complaints have been investigated; the Ministry of Justice of the Republic of Azerbaijan has been urged to address the shortcomings in the organization of medical services identified during monitoring visits, and necessary measures were taken to rectify the deficiencies.

Consequently, the number of beddings in the Treatment Facility of the Penitentiary Service was increased, and the other building of the Neurology Department was overhauled.

The necessity of immediate elimination of the cases of incomplete records in medical cards belonging to some patients, the careful compilation of medical documents, the complete and perfect recording of the journals, as well as the necessity of avoiding unreasonable holding of prisoners in the department, when the need for inpatient treatment is no longer necessary and the necessity of discharge from the department in a short time were brought to the attention of the management of the Medical Service of the Treatment Facility and staff of the facility.

The violation of the sanitary and epidemiological requirements found in the Ambulatory Care Room of the Medical-Sanitary Unit of the penal institution No. 2 of the Penitentiary Service, as well as the shortcomings existing in the patient registries and medical histories in the medical-sanitary units of the penal institutions No. 5 and No. 7.

As it is known, in criminal and penal legislation of the Republic of Azerbaijan, special attention is given to the legal mechanisms concerning the conditional early release of convicted persons, the substitution of the unserved portion of a sentence with a mitigated sentence, the change of the type of penitentiary (correctional) facility, and release from serving a sentence due to illness, which are significant factors that allow convicts to comply with the regime in penal institutions, to accelerate the process of rehabilitation, and to return them to their normal socially beneficial life.

Under Article 10 of the Code on Execution of Punishments of the Republic of Azerbaijan, the release from serving a sentence due to illness is defined among the rights of a prisoner when penalties are executed and served. According to Article 170 of that Code, as well as Article 511 of the Code of Criminal Procedure of the Republic of Azerbaijan, the case of release from serving a sentence due to illness of a prisoner, who suffers from a serious illness that prevents him from serving punishment, is considered on the basis of the application of the convict or his lawyer or legal representative or the submission of the head of the institution. Considering democratic values, the release from the punishment due to illness stems from the principle of humanism of legislation, which stipulates the release from punishment of a person who, after committing a crime, become so seriously ill that it prevents him from serving his sentence.

However, the analysis of incoming applications, as well as the outcomes of the monitoring visits to penitentiary institutions as part of the Ombudsman's NPM activities, shows that there are still problems in reviewing applications by convicts suffering from serious diseases, issuing medical reviews, and sending submissions to the courts by the appropriate commission.

The Ombudsman requested the Ministry of Justice of the Republic of Azerbaijan to make studies regarding these incidents, provide convicts suffering from serious illness with medical certificates for their release from serving a sentence due to illness, and provide statistical data on deaths in these institutions. According to the information received, 151 prisoners died in the penitentiary institutions in 2022 and 169 in 2023. Due to diseases among those detained in penitentiary institutions, there were 146 deaths in 2022 and 163 deaths in 2023, accounting for 96-97% of the total deaths for the relevant years.

Nevertheless, it was determined that in order to release severely ill convicts suffering from serious illness from serving the punishment, the Special Physician Expert Commission of the Main Medical Department had discussed the issues of a total of 24 convicts during 2022, and 23 convicts during 2023 and subsequently, issued a opinion regarding compliance of a total of 2 convicts during 2022 and 5 convicts during 2023 with the diseases listed in the "List of

Severe Diseases Preventing Punishment of Prisoners.” Furthermore, according to the statistics, 2 convicts in 2022 and 4 convicts in 2023 were released from their sentences by the court decisions based on the submissions for those opinions.

It seems that within two years, only seven (7) submissions were made to the courts by the institution or body responsible for execution of the punishment, six (6) of which were enforced by the courts.

Taking note of the above, it is essential that penitentiary institutions remove possible restrictions on the appeal of sentences of convicts who have suffered serious illness that prevented them from serving their sentence and take the necessary measures for the effective exercise of this right, as well as address the problems in sending appropriate submissions to the courts by the institution or body in charge of enforcing the penalty.

Under the relevant Constitutional Law, the Ombudsman may make proposals to the President of the Republic of Azerbaijan regarding pardoning, granting and citizenship, political asylum, as well as the declaration of an amnesty to the Parliament. In addition, the Ombudsman has the right to appeal to the court for the restoration of rights infringed by the decision or act (omission) of a state body, municipality, other institution, or official.

In light of the noted, it is recommended making an appropriate amendment to Article 511.2 of the Code of Criminal Procedure of the Republic of Azerbaijan, which stipulates “the release of a sentenced person from punishment,” regarding the examination of this issue on the basis of the submission from the Ombudsman as well.

In addition to this, it is recommended making necessary amendments to Article 513.1 of the Code of Criminal Procedure of the Republic of Azerbaijan regarding the commutation of the part of the sentence not yet served to a less severe penalty also on the basis of the application from the Ombudsman.

According to Article 65.1 of the Code of Execution of Punishments of the Republic of Azerbaijan, persons who received determinate sentences are, as a general rule, to serve their sentences in a correctional facility located near their place of residence.

The Penitentiary Service of the Ministry of Justice of the Republic of Azerbaijan were made requests in relation to the incoming applications by a number of convicts regarding the assistance to serve their sentence in penal institutions in the vicinity of their residence, and the issues were addressed as a result of the actions taken.

(App. No. 10672-24): Convict A., serving his sentence in the penal institution No. 1 of the Penitentiary Service of the Ministry of Justice, appealed to the Ombudsman, saying his family members who are living in Sheki city have to travel a long way in order to meet with him; therefore, he asked for help to transfer him to the Sheki penitentiary institution.

After our appeal to the Service, the convict was transferred to the institution in question for serving the remainder of his sentence.

(App. No. 11804-24): Convict S., who was placed in the correctional facility of the Penitentiary Service under the Ministry of Justice of the Republic of Azerbaijan, appealed to the Ombudsman, reporting that as he turned eighteen years old, he would be transferred to another penal institution. So that, consider this detail, asked for assistance in the transfer

of him to a penal institution located in the proximity of the area of the residence of his relatives.

Following our appeal to the Service, the convict was taken to the penal institution No. 6 to serve the remainder of his sentence.

The applications received by the Ombudsman regarding the citizens of the Republic of Azerbaijan residing in foreign countries and detained in places of deprivation of liberty were investigated in mutual cooperation of the Ombudsman with the NHRIs of those countries, and necessary measures were taken to protect their rights.

(App. No. 1151-24): Applicant M. appealed to the Ombudsman, noting that he had been unable to obtain information about his detained child in the Republic of Belarus and asking for appropriate assistance.

After the Ombudsman's appeal to the competent public authorities, a meeting was arranged between the applicant and his son. Furthermore, it was determined that the applicant's son did not complain about his detention conditions and that he was regularly provided with an interpreter and the necessary assistance.

During the year, the legal status of female convicts was also taken into account. During regular monitoring visits conducted at the institutions by the Ombudsman and her staff, their detention conditions, the situation of ensuring their rights were examined, and the requirements of the pardon statute and other legal and normative acts were reported. In addition, on the eve of the holidays, meetings with female prisoners were held, and their young dependents who were held with them were given holiday gifts.

In addition to this, the situation of juvenile offenders at the Correctional Facility of the Penitentiary Service of the Ministry of Justice of the Republic of Azerbaijan was also studied, and during the educational activities implemented there, they were informed on the requirements of the legislation, including rights and duties, legal protection mechanisms, and preventive measures.

Furthermore, the management of the facility were made recommendations for improving the level of nutritional regimen, psychological care and medical services provided, as well as the organization of sport and health program and leisure time.

Paragraph 8 of the Presidential Order No. 2668 of 10 February 2017, "On improvement of activities in the penitentiary sphere, humanization of the penal policy, and expansion of the application of alternative punishment and procedural coercive measures not related to isolation from society," is provided to strictly comply with the norms of the criminal procedure legislation on the grounds of imprisonment by the primary investigative authorities and courts, when choosing restraint measures and to extend the application of alternative punitive and procedural coercive measures to achieve the objectives of punishment and restraint measures without isolating them from society.

Although there has been a decrease in the number of arrest determinations compared to the previous period because of reforms to the implementation of the order, it is appropriate to further extend alternatives to detention.

The Ombudsman recommends expanding measures to minimize submissions regarding the selection of detention measures or extension of detention periods by the prosecuting authorities, taking alternatives to detentions in order to eliminate the overcrowding in penitentiary institutions, concluding investigative actions as soon as possible, and expanding measures to prioritize non-custodial sentences.

According to Articles 157.3 and 159-1 of the Code of Criminal Procedure of the Republic of Azerbaijan, a person arrested on the grounds of a court decision may not be held in a TDP for longer than 24 hours, and before the expiry of this period, he/she shall be transferred to the investigating authority's remand facility (this period shall not include the time spent transporting the arrested person to the remand facility). Under Article 159-1 of the same Code, if it is necessary to carry out investigative actions at a place far from the residence where the remand facility is located or to ensure the participation of the detained person in trial proceedings, and that, it is not possible to be brought every day, at the pre-trial stage of criminal proceedings, the detained person may be placed on TDP from the remand facility for a period not exceeding 10 days in a month by a reasoned decision of the court during the trial, the prosecutor carrying out procedural aspects of the preliminary investigation. On the basis of the detained person's petition, that period may be extended until the end of the trial by the court's reasoned decision.

The analysis of incoming applications in the past period suggests that there are delays in transferring detainees from one institution to another. Consequently, it causes delays in investigative procedures, bureaucratic hindrances, overdetention, thereby violating his procedural rights.

Considering the applications by prisoners and their family members asking for assistance in pardoning, the Ombudsman has regularly submitted solicitations to the Pardon Issues Commission under the President of the Republic of Azerbaijan and has also attended meetings of the Commission.

Incidentally, it should be noted that by the Presidential Order "On the pardon of a number of convicts," dated 25 May 2024, 154 imprisoned persons were also pardoned, taking into account the Ombudsman's recommendations. The Ombudsman, in person, participated in the implementation process of the relevant order and gave advice to the pardoned persons during the presentation of their release certificates.

Over the past period, a total of 12 acts of amnesty have been passed in Azerbaijan, and 70 pardon decrees and orders have been signed; subsequently, thousands of convicts were released from the remainder of their sentences. During the Ombudsman's tenure, a total of 879 convicts were pardoned by her motions, and 15 in 2024.

Chapter II

INTERNATIONAL COOPERATION

During 2024, our country gained recognition for hosting internationally significant events that made an essential difference to the world's resolve and international cooperation.

One of the biggest challenges that states encounter and fight today is the consequences emerging as a result of global climate change, posing a significant threat to humanity.

Taking urgent action to address this problem, and organizing global platforms for debate, have been significant contributors to our country's international efforts.

Holding of the 29th Session of the Conference of the Parties to the UN Framework Convention on Climate Change (COP29) in Azerbaijan reaffirmed our state's active role in combating this global challenge.

One of the main activity directions of the Ombudsman has been the issue of protection of human rights in combating climate change. To that end, collaborations with both local and international partners have been expanded, and advanced experiences have been learned and implemented nationally.

From international platforms where the Ombudsman took part, she highlighted the importance of protecting human rights, in particular while mitigating and reducing the effects of climate change, and made relevant recommendations.

At the 10th Meeting of the Association of Ombudsmen of the Organization of Islamic Cooperation (OIC Ombudsman Association) in Islamabad, Pakistan, the Ombudsman drew attention to human rights violations resulting from armed conflicts and natural disasters, and emphasized the importance of joint activities of ombuds institutions to address such issues.

At the Annual Meeting of the Global Alliance of National Human Rights Institutions (GANHRI) in Geneva, speaking on business and human rights, the Ombudsman noted the great importance of this issue in the context of protection of the environment and underscored the responsibility for states to take measures to prevent adverse human rights impacts under corporate responsibility under the UN Guiding Principles on Business and Human Rights (UNGPs). In addition, information about the national business and human rights baseline assessment, which has been prepared by the Ombudsman Office during the year, taking into account the recommendations of international experts, was provided at the event. It was noted that the noted document also provides an analysis of the interrelation between business activities and climate change and sustainable development goals (SDGs).

At the 11th Meeting of the OIC Ombudsman Association in Morocco, the Ombudsman of Azerbaijan stressed the role of ombuds institutions in promoting environmental rights, saying that strengthening the regional and international cooperation of these organizations is important, as well as drawing attention to the facts about damage and emerging threats to the ecosystem caused by Armenia's mine terror and expressing the significance of international solidarity in addressing this problem.

The Ombudsman, who joined online to the 4th Samarkand Forum on Human Rights on "Environmental Challenges: Ensuring Sustainable Solutions for the Future of Human Rights in a Changing World," stressed the need to implement global strategies to protect human

rights in the context of climate change, as well as strengthen cooperation. The Ombudsman, who considers armed conflicts as one of the main factors causing environmental pollution, stated that our country has suffered from occupation for many years, seriously damaging biodiversity, water sources, flora, and fauna in the liberated areas.

During the twenty-fourth (24th) regular session of the Independent Permanent Human Rights Commission of the Organization of Islamic Cooperation (OIC-IPCHR) in Jeddah, Saudi Arabia, the Ombudsman addressed thematic sessions on the topic of "The Right to Health: From an Islamic Perspective and a Human Rights Perspective." The Ombudsman made a speech about the adverse effects of climate change on human rights, outlining the complex actions taken to address this issue in Azerbaijan, the good experiences gained, and recommended strategies for cooperation within the framework of the OIC.

During the visit, the Ombudsman also met with Hissein Brahim Taha, OIC Secretary-General. The Ombudsman, at the meeting, briefing about Armenia's environmental crimes committed, the mine contamination of Azerbaijan, pointed out the utmost importance of increasing support by the OIC Member States for the elimination of the mine problem, which is a serious deterrent to the life and health of civilians, the safe return of former IDPs to their homeland, and the restoration and construction activities carried out.

Effective cooperation with the Asian Ombudsman Association (AOA) has continued. At the Ombudsman's suggestion, a Session on Business and Human Rights was included in the agenda of the 25th Meeting of the AOA Board of Directors (BoD) in Istanbul, Türkiye. During the session attended by the ombudspersons from Pakistan, Türkiye, Iran, Japan, China, Hong Kong, and Tatarstan, the Ombudsman informed the participants about the activities carried out in the field of business and human rights in our country. The recommendation to establish a regional cooperation network and to appoint focal points from each Member Institution to study good experiences and improve the performance in this direction within the framework of the Association has been welcomed by the participants.

Considering this recommendation, organization of an educational event on strengthening the activities of national human rights mechanisms in the field of business and human rights was included in the AOA 2024 Action Plan and subsequently, a joint online event on business and human rights was launched by the Ombudsman Office for the Member Institutions in December. At the event, which brought together ombudspersons and NHRIs of Malaysia, Indonesia, Pakistan, Türkiye, Tatarstan, and China, as well as other countries in the Asian region, the Ombudsman presented information on the educational activities implemented in the field of business and human rights and the national assessment baseline prepared in cooperation with the UNDP.

Taking into account the global agenda on climate change, within the framework of the events held ahead of the COP29, the International Baku Forum of Ombudspersons on Climate Change and Human Rights: Role of Ombudsmen and NHRIs has been organized by the Ombudsman. The forum was attended by more than 200 participants in total, including representatives of ombuds and NHRIs from nearly 30 countries, information commissioners, state officials representing legislative, executive, and judicial power, representatives of international organizations, international experts, and representatives of numerous civil society organizations (CSOs). A message of the President of the Republic of Azerbaijan, Mr. Ilham Aliyev, to the forum participants was made at the opening ceremony, which covered broad discussions on climate justice, corporate responsibility, access to environmental information, and other related topics. The message underscores the particular importance of the theme of the International Baku Forum to all mankind, highlighting a number of serious

challenges posed by climate change in terms of protection and ensuring basic human rights; that as a result of Armenia's prolonged occupation policy, Azerbaijan has been subjected to ecological terrorism; that complex measures have been taken to rebuild the ecosystem in the extensive construction work currently being carried out on the liberated areas; that NHRIs undertake important duties in addressing the damage to ecology and taking preventive measures in this process; and that joint cooperation is important. The message was highly appreciated and welcomed by the Forum participants from the perspectives of identifying key priorities for future activities in this field and establishing new priorities in the field of protection of human rights.

The video message by the UN High Commissioner for Human Rights, Walker Turk, was also presented at the event.

During her speech at the Forum, the Ombudsman reinforced the importance of paying special attention to ensuring human rights in the prevention of climate change, and global solidarity in this area.

Within the framework of the Forum, the Ombudsman Office awarded the winners of the research competition on "Climate Change and Human Rights" organized by the Ombudsman Office jointly with the support of the UNDP. The purpose of this student competition was to grab the attention of young people on issues related to climate change, and to encourage them to explore the field.

At the conclusion of the event, the Declaration of the International Baku Forum of Ombudspersons was sounded and adopted. The Declaration aims at strengthening the role of the ombudsmen and NHRIs in coping with environmental issues, raising awareness, and promoting partnerships.

As a part of the Forum, the participants also visited the liberated territories. The Ombudspersons, Heads of NHRIs, information commissioners, and human rights experts from Türkiye, Hungary, Kyrgyzstan, the Philippines, Kenya, Northern Macedonia, Morocco, and Moldova joined this field trip. Observations were made in the liberated areas, including Aghdam, during a field visit conducted to convey the facts of crimes, such as genocide, urbicide, ecocide, and culturicide committed as a result of Armenia's military aggression against Azerbaijan and other facts committed to the world community.

The participants of the International Baku Forum of Ombudspersons observed the mine-clearance process in Sarijali village of Aghdam district, and they were informed about demining activities carried out by the Mine Action Agency of the Republic of Azerbaijan (ANAMA), as well as the facts on the landmine-related casualties, involving thousands of people, including women and children, during the nearly thirty-year occupation, also pointing out that the planted landmines, along with the life and health of the people, are currently creating obstacles to the construction and restoration processes implemented in the region and the return of former IDPs to their native lands.

During the field trip, a tree-planting action was organized in the Shikhar settlement of the Tartar district with the active participation of Forum participants.

Within the framework of the COP29, an interactive discussion on "Human Rights- Based Climate Justice: The Role of NHRIs" was organized at the initiative of the Ombudsman. The discussion was attended by parliamentarians, representatives of state authorities, international organizations and CSOs, a representative of the Secretariat of the GANHRI, the

Executive Director of the Office of the Commissioner for Human Rights of Honduras, and international experts specialized in combating climate change.

During her speech at the event, the Ombudsman stated that large-scale and complex measures have been taken to combat climate change in Azerbaijan, which hosts such an important international event as COP29. The five national priorities of socio-economic development in Azerbaijan by 2030 include a “clean environment and green growth country,” as well as the identification of Garabagh, East Zangezur, and Nakhchivan Autonomous Republic as green energy zones. The Ombudsman emphasized that NHRIs play an important role in ensuring climate justice, upholding the right to live in a healthy environment, and protecting vulnerable groups affected by climate change.

One of the important events in Azerbaijan within COP29 was the GANHRI Symposium on Climate Change and Human Rights: The Role of NHRIs. In the event, attended by leaders and representatives of NHRIs from Europe, Asia, Africa, and the Americas, which was supported by the UNDP and the Office of the High Commissioner for Human Rights (OHCHR). A group of responsible staff members of the Ombudsman Office attended the event, detailing the Ombudsman's activities in the field of protection of human rights in combating climate change.

One of the main priorities in the international cooperation of the Ombudsman has been strengthening relations with international human rights organizations, ombudsmen, and NHRIs. In this context, the positive practices in the field of protection of human rights was studied, and the activities for the implementation of these practices at the national level were carried out.

In cooperation with UN Treaty Bodies, the Ombudsman makes a submission to the UN Human Rights Committee on Azerbaijan the State's activities regarding the implementation of the International Covenant on Civil and Political Rights (ICCPR) in response to a request for priority on the implementation of the ICCPR.

The Ombudsman's parallel report on the implementation of the CRPD was submitted to the United Nations Committee on the Rights of Persons with Disabilities (CRPD Committee) during the review of the State periodic report. This report outlines the activities of the Ombudsman for further effective protection of the rights of PWDs and the relevant proposals made.

The Ombudsman's parallel report has been submitted to the Committee Against Torture (CAT Committee) on Azerbaijan's implementation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) in relation to the 5th state periodic report. The representatives of the Ombudsman Office took part in a CAT Committee's special meeting about the issues indicated in the report in Geneva, Switzerland, in April, where representatives of the Ombudsman Office outlined the activities carried out within the NPM mandate of the Ombudsman, developments and preventive measures, and the Committee members' questions were answered.

As an alternative to the report submitted by the Government of Armenia to the CERD Committee, the Ombudsman prepared and submitted to the same Committee an alternative report on Armenia's ethnic-based hatred crimes against Azerbaijan, state-sponsored anti-Azerbaijani propaganda, and involvement of children in activities aimed at inciting hatred towards Azerbaijanis. The report also focuses on the violated rights of Azerbaijanis deported

from the territory of present-day Armenia for the past 150 years and contains the issues of provision of their right to return.

The Ombudsman has effectively cooperated with the European Network of National Human Rights Institutions (ENNHR). In this context, good experiences in strengthening the rule of law and various areas of human rights were exchanged.

The relevant inputs about the implementation of the rule of law principle in Azerbaijan were submitted to the “ENNHR Europe Rule of Law Report 2024” on the state of the rule of law in the European region. Subsequently, the report was placed on the updated e-database of the organization.

As well, the Head of the Office of the Ombudsman participated in the ENNHR General Assembly and the seminar on “Roles and Functions of NHRIs Operating in the Armed Conflicts.” During his speech at the events the Head of Office shared insights about the Ombudsman's activities during the conflict carried out in accordance with international law and IHL, pointing out grave violations of the legal norms of international law and IHL in the period of the three-decade occupation of Azerbaijani territories by Armenia.

During the last year, the Ombudsman has repeatedly brought to the attention of the international community the information about Armenia's mine terror, which poses a serious threat to human rights after the restoration of the territorial integrity and sovereignty of our country. However, the indifference of some international organizations to these challenges has been considered an open manifestation of double standards towards Azerbaijan.

Furthermore, the Ombudsman has demonstrated a strong stance against smear campaigns arising from some Western countries' double standards in relation to Azerbaijan.

In protest to the listing of Azerbaijan as a country that infringes on religious freedom in the report of the US State Department, the Ombudsman stated that these claims are prejudicial and that religious discrimination does not exist in our country, and also pointed out the facts of the destruction of our cultural and religious monuments as a result of Armenia's occupation policy, and noted the importance of preparing reasonable and objective reports. Reacting to the unfounded and prejudicial views voiced against our country at the US Congress Tom Lantos Human Rights Commission's hearing on “Human Rights in Azerbaijan Since the Fall of Nagorno-Karabakh,” the Ombudsman has condemned the double standards of the US Congress and called for attention to be paid to the ethnic cleansing and genocide committed by Armenia against Azerbaijanis.

On February 12, the Ombudsman voiced concerns over the violation of the ceasefire by the armed forces of Armenia, opening shootings in the direction of the settlement of Kokhanabi in the Tovuz district of the Azerbaijan Army, as well as in the directions of the positions of Troops of the State Border Service (SBS) of the Republic of Azerbaijan in the village of Kollugishlaq in the Zangilan district and the injury of the military serviceman of the SBS, and the threat to the peace in the region and the lives and health of the servicemen, and thereby, called on international authorities not to remain indifferent to the crimes committed by Armenia.

The Ombudsman issued statements concerning the 34th anniversary of the incidents that occurred on 20th January, the 32nd anniversary of the Khojaly Genocide, and March 31 – the Day of Genocide of Azerbaijanis, calling for legal evaluation by the international community of these violent actions, which are serious crimes committed against humanity.

The Ombudsman Office held a presentation of the OIC-IPHPR Report prepared on the basis of outcomes of fact-finding missions conducted in the territories liberated from Armenian occupation to assess the violations of human rights and the humanitarian situation.

The main purpose of the report was to conduct an on-site investigation into the destruction of religious and cultural monuments and cemeteries belonging to Azerbaijanis by Armenia and provide to the international community the facts of Armenia's violation of international law and IHL as a result of occupation and missile attacks. The report is available on the official website of the OIC-IPHPR, approved at the 50th Meeting of the Council of Foreign Ministers of the OIC.

The cooperation with ombudspersons and NHRIs of other countries has been continued. In the framework of this cooperation, study visits, and bilateral meetings were organized, joint activities were carried out to protect the rights of nationals living and working in foreign countries, and experiences were shared.

The activities for the purpose of expansion of mutual cooperation and organization of effective exchange of practices to protect human rights and freedoms were continued as agreed upon in the MoU signed between the Human Rights and Equality Institution of Türkiye (HREIT) and the Ombudsman of Azerbaijan.

At the invitation of the Ombudsman, a HREIT delegation, headed by the Chairman of the Institution, visited Azerbaijan. During the visit, as a part of the NPM mandate, monitoring visits were implemented to the Umbaki Penitentiary Complex of the Penitentiary Service under the Ministry of Justice and the TDP of the Garadagh District Police Office, and practices were shared. Furthermore, meetings of the HREIT Chairperson and his delegation with the Prosecutor-General, Chairman of the Constitutional Court, Deputy Minister of Justice, and Chief of the Penitentiary Service of the Republic of Azerbaijan.

During the visit of the Chief Ombudsman of Türkiye to Azerbaijan, the ombudsmen of the two countries discussed cooperation, and the work carried out. The Chief Ombudsman expressed his satisfaction with the meeting, emphasized the importance of developing cooperation between the ombudsman institutions and, during the meeting with the trainees of the Ombudsman Office, gave his advice on their future activities.

The Ombudsman visited the Turkish Republic of Northern Cyprus (TRNC) at the invitation of the Ombudsman of that country. During the visit, the Ombudsman also held a meeting with the President of the TRNC. During the meeting, the Ombudsman briefed about his activities in the field of the protection of human rights and freedoms and relations with international organizations, the ombudsmen of foreign countries, and NHRIs. The Ombudsman also held meetings with the TRNC Parliament Speaker, the prime minister, the attorney general, and the president of the Bar Association; shared insights on the mandate; and talked about the activities carried out to improve national legislation.

The Ombudsman received the Chairman of the National Human Rights Committee of the State of Qatar and exchanged views on developing cooperation at the meeting.

The Ombudsman also received the Independent Ombudsman of the Kingdom of Bahrain, who was on a visit to our country at her invitation, and during the meeting, they discussed issues of mutual interest. At the end of the meeting, an MoU was signed between the two institutions to strengthen cooperation.

The Ombudsman delivered an online speech at the international conference "Human Rights - An Important Factor in the Sustainable Development of States" organized by the Ombudsperson Institute of Uzbekistan, noting the importance of strengthening initiatives to achieve the implementation of the SDGs, ensuring gender equality, and protecting the rights of vulnerable groups.

The Ombudsman participated in the XV International Economic Forum "Russia-Islamic World: Kazan Forum 2024," held in the Republic of Tatarstan, Russian Federation, and spoke about increasing women's empowerment in the Republic of Azerbaijan. In her speech, the Ombudsman stressed the role of women in society and participation in social and political life in Azerbaijan. During the visit, the Ombudsman held meetings with the Head of the Association of Women Deputies "Marhamat/Mercy" of the State Council of the Republic of Tatarstan and female deputies, as well as with the organization "National and Cultural Autonomy of the Republic of Tatarstan."

The Ombudsman participated in the XV International Conference attended by Information Commissioners from various countries at the invitation of the Information and Data Protection Commissioner of the Republic of Albania.

Speaking at the first panel session of the International Conference on "Empowering individuals through access to information: ensuring transparency and inclusivity in an interconnected world," the Ombudsman informed the participants about her activities to protect and ensure the right to information, the public awareness activities carried out in this field, as well as the special attention paid to protecting the rights of vulnerable groups of the population.

The Ombudsman and Information and Data Protection Commissioner of the Republic of Albania signed an MoU for the purpose of strengthening bilateral cooperation in the field of human rights as well as the right to information.

During the visit, the Ombudsman held meetings with the Prime Minister, the Minister of Justice, the Deputy Chairman of Parliament, and the Information and Data Protection Commissioner of the Republic of Albania.

The Ombudsman participated in the International Conference of Ombudsmen on "The Role of the Ombudsman as a Guarantor of Rights," held in the Latzio region, Italy. At the panel session "Human Rights During Global Crises: the Role of the Ombudsman," the Ombudsman stated that effective protection of human rights and freedoms in the context of climate change has become one of the priorities in the activities of the ombudsmen and NHRs. She informed the participants about the numerous actions organized by the Ombudsman of Azerbaijan in the relevant field and also highlighted that various state programs, strategies, and NAPs have been implemented in order to improve the ecological situation in Azerbaijan and use natural resources more effectively.

The Ombudsman attended the ENOC 28th Annual Conference and General Assembly in Helsinki, Finland, where she spoke about its activities for the protection of children's rights. She proposed suggestions for improving legislation and stated that the landmines buried by Armenia threaten the lives of civilians, including children, and the importance of taking decisive steps in this area. In the course of the event, the activities and future action programs of the member institutions were discussed, and a statement on "Protection and promotion of children's rights in alternative care" was adopted.

The Head of the Office of the Ombudsman attended the Human Dimension Conference organized by the OSCE Office for Democratic Institutions and Human Rights in Warsaw, Poland. Speaking at the 8th Plenary Session on Tolerance and Non-Discrimination, as well as the 10th Plenary Session on the Elimination of Violence Against Women and Gender Equality, the Head of Office briefed about actions taken to protect women's rights, address impediments to gender equality, and issues of violence against women. He highlighted Armenia's occupation policy, which caused killed and missing women and children; the multiple casualties caused by Armenia's mine terrorism, and ongoing threats currently posed to the civilian population, and urged the international community to pay attention to these problems. The Head of Office also spoke at a side event dedicated to the right of return of Western Azerbaijanis, organized by the Western Azerbaijan Community and attended by international experts.

The Ombudsman participated in the VIII International Scientific-Practical Conference of Ombudsmen on "The Problems of Human Rights Protection: Exchange of Best Practices among Ombudspersons" in Moscow, Russian Federation.

The event was attended by around 60 ombudspersons and heads and representatives of NHRIs. The Ombudsman made a speech on "Current problems of the protection of human rights in the field of public health." She spoke about the role of NHRIs in investigating the problems related to the timely provision of equal access to health services, and in harmonizing legal frameworks with international standards by making recommendations. The Ombudsman also brought to the attention of the conference participants the information regarding the damage caused to not only the ecosystem of our country but also that of the entire region as a result of Armenia's ongoing policy of ecological terror, along with the gross violation of the rights to health and to live in a healthy environment of the population. Despite repeated requests from the Ombudsman of Azerbaijan to international organizations, it has been highlighted that the Metsamor NPP, which is based in Armenia, is still a serious threat to the region.

Talking about the use of digital technologies in the healthcare system, the Ombudsman emphasized that the efficiency of the work carried out in the field could be improved by leveraging the capabilities of artificial intelligence, however, noting that it also creates certain restrictions in the provision of healthcare services to some vulnerable groups of population, who do not have access to digital technologies.

The delegation consisting of the Ombudsman and the staff also participated as observers in the elections to the Legislative Chamber of the Supreme Assembly and local councils in the Republic of Uzbekistan. The Ombudsman and the delegation led by him were interested in the level of preparation for the elections and got acquainted with the conditions created at the polling stations and observed the election process. During the visit, the Ombudsman held a meeting with the faculty and staff of Tashkent State University of Law and informed the meeting participants about the preparation of reports based on the findings of the fact-finding missions carried out during the Second Karabakh War and the postwar period and about human rights violations, and hate crimes committed by Armenia during the period of occupation of Azerbaijani lands, and about sending them to international organizations, foreign ombudsmen, and NHRIs. She answered questions in detail.

The Ombudsman participated in the first international meeting of the Turkic World Mediators Union in Ankara, and, in her speech, she informed the participants about the close cooperation between the Institution and the Azerbaijan Mediation Council. She emphasized

the importance of joint work in investigating complaints about the mediation process, improving legislation, and raising public awareness in this area.

Head of Office took part in the International Ombudsman Summit organized on the occasion of the 35th anniversary of the establishment of the Ombudsman Institution of Hong Kong, a special administrative region of the People's Republic of China. At the conference, participants were informed about the Ombudsman's activities in the protection of human rights and freedoms, in protecting the environment and combating climate change, and about the consequences of Armenia's environmental terrorism.

In 2024, the Ombudsman held meetings with the Secretary General of the Inter-Parliamentary Union, the UNDP Resident Representative in Azerbaijan, the delegation of the OSCE ODIHR Electoral Observation Mission, the Chairman of the Moldova-Azerbaijan Parliamentary Friendship Group, the Member of the UN Economic, Social and Cultural Rights Committee, the President of the Constitutional Court of the Republic of Türkiye, the First Deputy Director of the National Center for Human Rights of the Republic of Uzbekistan and the Director of the Institute of State and Law of the Academy of Sciences of the Republic of Uzbekistan, the newly appointed representative of the UN Children's Fund (UNICEF) to Azerbaijan, the ENNHRI Secretary-General, the Public Defender of Georgia, the Deputy Secretary of the Central Commission for Discipline Inspection of the Communist Party of the People's Republic of China, and the Deputy Chairman of the National Commission of Supervision, ambassadors extraordinary and plenipotentiary of the United States of Mexico, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The issues of mutual interest and cooperation perspectives were discussed at the meetings.

Chapter III

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

Legal education in the field of human rights. In order to increase the effectiveness of activities in the field of protection of human rights, improve the professional capacity of employees of relevant government agencies, promote the rights and freedoms of different groups of the population, and consider the relevant state programs, the SDGs, the declaration of 2024 as the "Green World Solidarity Year" in Azerbaijan, and the hosting of COP29 by our country, the Ombudsman approved the 2024 Action Plan on legal awareness and implemented it, encompassing all regions of the country.

On the eve of the extraordinary presidential elections of the President of the Republic of Azerbaijan held on 7 February 2024, and on the eve of the extraordinary parliamentary elections of the Republic of Azerbaijan held on 1 September 2024, the Ombudsman Office and the Central Election Commission jointly organized a series of educational events in Baku, Nakhchivan, and several other cities and districts of the country, including in our liberated territories, on the topic of "Ensuring the Right of Citizens to Vote", "Rights and Duties of Observers," "The Voice of the Youth- The Voice of the Future" and "The Role of Elections in a Democratic Society."

The presentations regarding the "NPM Activities of the Ombudsman," regular monitoring visits conducted to investigate treatment issues and detention conditions, and recommendations and their implementation were presented at the relevant training organized for the senior management staff and staff of boarding general educational institutions of the Ministry of Science and Education in Baku, at the institutions, where persons cannot leave at their own free will in the country, as well as at the educational facilities.

The training on "Promotion of the Implementation and Independent Monitoring of CRPD: Ombudsman's New Mandate" was held. This training was organized for the employees of the MLSPP, the Ministry of Justice, the Ministry of Health, the Ministry of Science and Education, the State Agency for Compulsory Health Insurance, TABIB, the State Committee on Urban Planning and Architecture, SCFWC, and the Baku City Executive Authority. The participants in the training were informed about the State commitments under the relevant Convention, the CRPD Committee recommendations, the new mandate granted to the Ombudsman for the promotion of the implementation and independent monitoring of the Convention, as well as the activities carried out in this direction and the tasks ahead. In addition, during the training, information on 2 April – World Autism Awareness Day and also issues related to the protection of the rights of individuals with ASD.

The training on "Ombudsman's activities in the provision of the right to information" was held for employees of several information-holding state agencies. The attendants were informed about the existing international and national legal frameworks on the right of access to information, the Ombudsman's activities in the relevant field, including the supervisory function over the functions of information holders' deriving from the requirements of the Law on Access to Information, incoming complaints, and their implementation status. As well, insights on educational materials generated by the Ombudsman Office were shared.

The training session for the members of the deputy heads of local executive authorities in Baku city and members of the commissions for the protection of minors' affairs and rights

under the executive authorities on the theme "The role of local executive authorities in the protection of children's rights" was organized. The participants were provided with information about the Ombudsman's mandate on the promotion and monitoring of the CRC, issues revealed as a result of examination of incoming applications, UN CRC Committee's Recommendations made regarding the fifth and sixth joint periodic State reports, and the Ombudsman's proposals made in the annual reports.

An awareness-raising event dedicated to the protection of the rights of PWDs, the promotion of legal equality, and combating discrimination was held for the civil society members. During the event, the civil society members were informed about the new powers granted to the Ombudsman according to the latest amendments to the Constitutional Law "On Ombudsman of Azerbaijan" with regard to the implementation of CRPD and CRC conventions, ensuring the right to equality and preventing discrimination, the relevant monitoring groups, as well as the prospects for cooperation with CSOs.

Other legal awareness activities dedicated to the topics of how to increase public awareness, legal thinking, and legal culture through educating them about human rights were also organized; the staff of the Ombudsman Office and her Headquarters regional centers participated in similar events held by other agencies as speakers and trainers.

In 2024, the Ombudsman has traditionally urged authorities in connection with the declaration of 18 May - 18 June as "Human Rights Month-Long Campaign" on the occasion of 18 June - Human Rights Day in the Republic of Azerbaijan. Consequently, the public bodies, municipalities, scientific, educational, cultural, social service, healthcare, and penitentiary institutions, CSOs, including NGOs, media entities, trade unions, and other relevant organizations have actively joined our initiative and organized a series of educational events on a variety of relevant topics, focusing on similar topics. They also actively prepared, published, and distributed legal educational tools among the population; held events; and broadcast social commercials filmed through audiovisual, print, and online media; TV channels; social network accounts and shared information on social networking accounts with the hashtags #HumanRightsMonthLongCampaigns.

The Ombudsman called on the authorities working in the field of child rights by declaring 20 October – 20 November as the "Child Rights Month-Long Campaign" on the occasion of the anniversary of the adoption of the CRC. Consequently, legal awareness events were organized, which actively involve children and promote children's rights. These events are of great interest in the community and serve to increase attention and care for children and ensure their rights more effectively. In general, during the "Child Rights Month-Long Campaign," the Ombudsman Office and regional centers implemented various awareness-raising activities dedicated to the protection of children's rights in Baku, Shusha, Fizuli, Jabrayil, Zangilan, Ganja, Tovuz, Agdash, Goychay, Masalli, Astara, Jalilabad, Salyan, Neftchala, Lerik, Lankaran, Guba, Gusar, Siyazan, Shabran, Sheki, Mingachevir, and Balakan cities and districts.

It should be noted that awareness-raising activities within the framework of the "National Action Program on Increasing Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan", the "NAP on Combating Trafficking in Human Beings in the Republic of Azerbaijan for 2020-2024, the "Action Plan for the Implementation of the Strategy on Children for 2020-2025", and the "NAP for the Strengthening of the Fight against Corruption for 2022–2026," approved by the Presidential Orders, as well as the "Action Plan on prevention of gender-biased sex selection for the period of 2020-2025", approved by the Cabinet of Ministers' relevant Decisions, were continued in 2024. These measures also

covered children, CWDs, older persons, refugees, IDPs, and migrants, as well as other socially vulnerable groups of the population.

Incidentally, in the framework of the cooperation between the Ombudsman Office and the Ministry of Science and Education, the TABIB, trainings on “Protection of children from sex-based discrimination: medico-social and legal aspects” in the secondary schools of Khatai District No. 221 and Khazar District No. 216 in Baku were organized. The trainings covered themes, such as the Ombudsman's activities in the field of protection of children and the elimination of sex-based discrimination against children. In addition, training participants were informed of current legislative acts related to gender equality, forms of sex discrimination, early marriages, and truancies. During the training, detailed discussions were held about the rights and responsibilities of parents and teaching staff in the field, and participants' questions were answered.

The Ombudsman Office and the UNHCR in Azerbaijan jointly organized a seminar on the “Protection of the Rights of IDPs.” The experts from the UNHCR Headquarters and the Country Office, including experts from the OHCHR and UNICEF's local representatives, as well as the Headquarters of the International Organization for Migration, made presentations. The presentations covered the issues of international protection of refugees, the rights of IDPs and migrants under international law, their integration, the elimination of statelessness, and the registration of birth, including relevant procedures.

In order to increase the professional capacity of human rights specialists, a joint seminar on “Practical Aspects of Protecting the Rights of Special Category Persons within the Framework of International Humanitarian Law (IHL)” was organized at the Ombudsman's South Regional Center in Masalli by the Ombudsman Office and the Office of the International Committee of the Red Cross. The presentations on the “Mandate and activities of the Ombudsman Office in the context of IHL and national legislation,” the “Activities of the Ombudsman Office in support programs for families of missing persons,” and the “CRPD and the support activities of the Ombudsman Office for mine victims” were made. The questions of the participants were answered, and at the end, certificates were presented.

In a lecture delivered by the Head of the NPG on the “Ombudsman's Activities in Human Rights Protection and the National Preventive Mechanism” for the candidates for judges accepted to the Judicial Academy, penitentiary service, medical service, and the Centre of Expertise. The listeners were informed about the designation of the Ombudsman responsible for fulfilling the NPM functions by the Presidential Order on Ensuring the Implementation of the OPCAT, monitoring visits conducted at the national level to places where persons cannot leave at their own will in order to further effectively implement this activity, and the recommendations and follow-up process to evaluate their implementation status by citing examples from national and international experiences.

A roundtable on “Current Issues of Human Rights in the Modern Era” was organized with the participation of the employees of the Office of the Constitutional Court, the Institute of Law and Human Rights, the Academy's faculty and staff, and cadets at the Police Academy of the Ministry of Internal Affairs. The staff member of the Ombudsman Office delivered a speech on “Ensuring human rights and freedoms as the main objective of the State of Azerbaijan,” providing information about the legal reforms carried out at the national level, including the work implemented to improve the Ombudsman's activities.

The Ministry of Emergency Situations (MES) and the Ombudsman Office jointly organized a conference on “Great Leader Heydar Aliyev and Human Rights Reforms in the Republic of

Azerbaijan" at the MES Academy. The conference was attended by parliamentarians, the head of the Western Azerbaijan History Department of the Institute of History of ANAS, members of the Public Council under the MES, the Academy's teaching staff and cadets, and others. It was emphasized at the event that the National Leader's reforms to establish a legal state and the development of civil society accelerated the integration of Azerbaijan into the international legal system and provided the basis for creating effective mechanisms in line with modern challenges to protect the rights and freedoms of citizens.

A legal awareness event was launched for the employees of the State Committee on Religious Associations. The Ombudsman's representative outlined the concept of the principle of "Education for all," which is important for ensuring inclusive education, the essence of human rights and freedoms, the rights of different categories of population, the state's international commitments under international treaties, the activities of international treaty bodies, the Ombudsman's mandate as a non-judicial legal remedy, and the new powers conferred on it.

An awareness event on "State Guarantees for the Rights and Freedoms of PWDs" was held at the Vocational-Labor Rehabilitation Center of the Social Services Agency under the MLSPP. The information on the commitments under the CRPD, the new powers given to the Ombudsman on the promotion and independent monitoring of the implementation of the Convention, and the work carried out in this direction. The information about the content of the incoming applications about the PWDs rights, the promotion and protection of the PWDs rights to health, education, labor, and others, including the provision of accessibility, and the work aimed at creating an inclusive society.

An event on "Physical activity has no age" was organized in the social service institution for the elderly people under the MLSPP. The information on the Ombudsman's activities in the field of protection of rights of older persons, protection of equality rights of senior citizens, and state care of the elderly and on best practices was outlined.

A joint seminar on "International legal standards in the field of labor and their implementation in Azerbaijan" was held by the Azerbaijan Academy of Labor and Social Relations and the Republican Committee of the Azerbaijan Oil and Gas Industry Workers' Trade Union. The participants were informed about the Ombudsman's activities in the field of protection of the right to labor, which is one of the most important among human rights and freedoms.

The Ombudsman Office and the Academy of Public Administration under the President of the Republic of Azerbaijan held a signing ceremony of the MoU on cooperation. The rector of the Academy made a speech on the "Innovative public administration concept of the country's President, Mr. Ilham Aliyev: results and prospects." Afterwards, the MoU was signed between two institutions for further strengthening bilateral cooperation and developing relations in the promotion, teaching, and implementation of human rights.

Educational events dedicated to the right to information were organized with the participation of representatives of local executive authorities, municipalities, law enforcement bodies, health institutions, regional education departments, district education (city) education sectors, and other information-holding state bodies. During the events, the participants were informed about the Ombudsman's activities in the protection of human rights and freedoms, the Ombudsman's supervisory function over the activities of state institutions, municipalities, public legal entities, and officials under the requirements of the Law on Access to Information, and then a relevant presentation and video were demonstrated.

At the initiative of the Ombudsman, a seminar on “Mental Health Issues and the Rights of Persons with Mental Disorders in Azerbaijan” was conducted with the participation of deputies of the Parliament, officials of relevant state authorities and the World Health Organization Country Representative Office, and civil society members, psychiatrists, and experts. The participants were informed about the work carried out in Azerbaijan to improve access to medical care and address existing issues of mental health, and discussions were held and recommendations on the topic were provided. It should be noted that, taking into account the feedback and suggestions made at this event, the Working Group on Mental Health and Human Rights, consisting of Ombudsman Office staff, representatives of relevant government agencies, and experts in the related field, has been established in order to ensure the effectiveness of activities in the relevant field and to organize inter-institutional coordination.

The Ombudsman Office organized an awareness-raising event on “My Rights and Obligations” at secondary schools No.189-190 in Baku. During the educational meeting, the attendants learned about the Ombudsman’s role in protecting the rights of the child, the protection of children from all forms of violence and discrimination, as well as early marriages, internet safety, child labor, bullying, and other issues.

To increase professional capacity in the relevant field, a seminar on “Protection of the rights of foreign nationals and stateless persons held in institutions they cannot leave at their own will” was held. This seminar was conducted for representatives of several state institutions, NGOs, and international organizations, as well as local and international experts. During the seminar, information about the Ombudsman’s NPM mandate, as well as local and international experience and innovations gained in the relevant national experience, was presented.

The Ombudsman’s Regional Centers also organized educational activities on important topics such as protection of the rights of children, PWDs, and migrants, those detained in places where persons cannot leave at their will, as well as protection of the rights of other socially vulnerable groups of the population, early marriages, combating violence, drug addiction, corruption, protection of environmental rights, mental health and human rights, tolerance, and multiculturalism.

The Ombudsman’s West Regional Center organized a legal awareness-raising event on “Ombudsman’s NPM Mandate as an Essential Instrument for Preventing Torture” in the Pre-Trial Detention Facility No. 2 in Ganja of the Penitentiary Service under the Ministry of Justice. The participants were informed about the Ombudsman’s mandate in this field and the activities to protect the rights and freedoms of detainees, including women, and the protection of rights and freedoms.

During 2024, the Ombudsman Office and regional centers organized a series of educational events promoting human rights in connection with the commemorative events such as the 34th anniversary of the 20th January tragedy, the 32nd anniversary of the Khojaly Genocide, the 106th anniversary of the Genocide of Azerbaijanis, including the Day on 27 September - Remembrance Day, as well as 28 May – Independence Day, 18 October – Restoration of Independence Day, and the 101st birth anniversary of the Great Leader.

In cooperation with higher educational institutions, in 2024, 88 undergraduate and graduate students, including students of the State Academy of Public Administration under the President of the Republic of Azerbaijan, Baku State University (BSU), Azerbaijan University of Languages, Western Caspian University, Baku Eurasian University, Khazar University, and those studying in various specialties, as well as master students in “Human Rights” and

"Health Law" specializations of BSU Law Faculty, have internships and research at the Institution.

The Ombudsman chaired a specialized Scientific Council established in 2024 at the BSU Faculty of Law for the defense of master's dissertations on the specialization of "Human Rights," and theoretical and practical knowledge of undergraduates on the subject was evaluated during the defense processes.

The volunteering program for human rights and freedoms was continued in 2024 at the Ombudsman Office in order to use the potential of young people more effectively, develop their professional skills and enhance their practical knowledge, enable active youth participation in all areas of society, and support the unleashing of their creative and innovative potential. Undergraduate and graduate students from local and foreign higher education institutions benefited from this program. In accordance with the Law of the Republic of Azerbaijan "On Voluntary Activities," young people who successfully completed their contractual obligations as volunteers were awarded certificates by the Ombudsman at the end.

It should also be noted that the young people who volunteered for the Office as volunteers were differentiated, and graduates were sent to trainings held in collaboration with various international organizations in order to support career development. Thus, in 2024, 18 volunteers of the Ombudsman Office participated in a series of trainings on "Promoting Equality and Preventing Discrimination" within the framework of the European Union and the Council of Europe Partnership for Good Governance Program III (PGG III) "Promoting Equality in Azerbaijan" project. They also attended a joint training dedicated to the protection of the children's rights in the context of migration, organized in collaboration with the Ombudsman Office, the State Migration Service, and UNICEF, and a seminar on "Climate Change and Human Rights: A Young View" conducted with the joint cooperation of the Ombudsman Office and UNDP Country Office. All of them were awarded certificates.

In line with the Action Plan for the declaration of 2024 as the Green World Solidarity Year, the Ombudsman Office held an educational event with the participation of young volunteers. During the event, they were given detailed information about the importance of handing over waste paper to recycling facilities and saving electricity, as well as the roles and duties arising from the relevant legislation. Furthermore, youngsters' views on environmental protection and climate change issues were heard; and their questions were answered.

The organization of international educational events, along with nationwide events in the activities of the Ombudsman, also plays an important role, as this strengthens the international image of the country in the field of human rights, provides a basis for sharing legal knowledge and experience, and facilitates mutual human rights relations with different countries.

In this regard, considering the hosting of COP29 by Azerbaijan in 2024, at the initiative of the Ombudsman, the holding the Baku International Forum on Climate Change and Human Rights: The Role of Ombudspersons and NHRIs, as well as an interactive discussion on "Human Rights-Based Climate Justice: The Role of NHRIs," significantly contributed to promoting environmental human rights and raising public awareness in this area.

At the initiative of the Ombudsman and with the organization of the AOA, an online awareness-raising event on "Business and Human Rights" was jointly organized. The event was joined by representatives of ombudsmen and NHRIs from Pakistan, Indonesia, Türkiye,

Malaysia, Thailand, Tatarstan, and other countries, and the Members of the OIC Ombudsman Association, and representatives of state institutions and transnational corporations.

In this event organized for various ombudspersons and NHRIs in the Asian region, a comprehensive information on the national baseline assessment on "Business and Human Rights," prepared by the Ombudsman Office on the basis of opinions and recommendations by international experts, and also covering proposals that would boost the development of this industry in the country, was provided. An international expert made a presentation on the UNGPs on Business and Human Rights, invited by the UNDP Country Representative, as well as extensive discussions on strengthening the role of ombudsmen and NHRIs in this area were held.

During 2002-2024, at the initiative of the Ombudsman, 259 educational materials (books, booklets, leaflets, CDs, etc.) were prepared and published in Azerbaijani, Ukrainian, Russian, English, and French and were widely distributed among a broad audience, including state institutions, libraries, guests, education, social services, penitentiary institutions, and education institutions by the Human Rights Library in the Ombudsman Office. In addition, during events and business trips conducted at national and international levels, the Ombudsman and the staff of the Office presented those appropriate printed materials to the participants of events and meetings.

Publications of the Ombudsman Office were exhibited at the 10th Baku International Book Fair, organized by the Ministry of Culture at the Baku Expo Center. The Ombudsman's exhibited materials included educational resources on the protection of the rights of children, PWDs, convicts, migrants, prevention of DV, business and human rights, the right of access to information, and other topics. In addition to this, reports based on the findings of the on- site investigations implemented during the Second Karabakh War and the postwar period, as well as reports on human rights violations and hate crimes committed by Armenia during the thirty-years of occupation of Azerbaijani lands, were also exhibited.

The exhibitions organized in the Human Rights Library of the Ombudsman Office, such as "January 20," "Tragedy of Khojaly," "March 31 - Day of Genocide of Azerbaijanis," "Publications of the Ombudsman Office," "New Publications," "June 18 - Human Rights Day in the Republic of Azerbaijan," which were held according to the calendar of remarkable and historical days, as well as exhibitions on "Green Library," "Publications of the Ombudsman Office", "History and Culture of Azerbaijan," and "Nature of Motherland" organized in the framework of the International Baku Forum of Ombudspersons on "Climate Change and Human Rights: The Role of the Ombudsmen and NHRIs," have also contributed to the promotion of human rights.

Scientific-analytical activity. Analyzing the implementation of state programs, strategies, NAPs, and concepts and international documents in the field of protection and promotion of human rights and freedoms; studying international experience and its application at the national level; addressing violations of human rights that come to light through complaints and applications from citizens; and preparing and submitting feedback and suggestions to prevent them from recurring have been one of the Ombudsman's priority areas to work on.

During 2024, with regard to draft laws and regulations submitted for the Ombudsman's review, the relevant feedback (opinion) and proposals were prepared and submitted. The drafts included the draft Constitutional Law of the Republic of Azerbaijan "On Amendments to the Constitutional Law of the Republic of Azerbaijan" On the Commissioner for Human Rights of the Republic of Azerbaijan (Ombudsman)," the new draft of the Law of the Republic of

Azerbaijan "On the Rights of the Child," drafts of the Presidential Decrees on amending the Law of the Republic of Azerbaijan "On Amending the Code of Migration of the Republic of Azerbaijan" and the Presidential Decree No. 938 of July 8, 2013, as well as the draft of the Cabinet of Ministers' Decision on approval of the "Rules of Operation of the Monitoring and Coordination Groups in the Field of Domestic Violence," and draft on other legal and normative acts. Regarding the amendment of the "Rules on the Organization of Self-Employment," approved by the Cabinet of Ministers' Decision No. 168 of 13 May 2020, the relevant proposals have been prepared and considered.

Proposals for the draft "2025-2029 National Action Plan (NAP) to Combat Domestic Violence in the Republic of Azerbaijan" and "the 2025-2027 NAP on Gender Equality in the Republic of Azerbaijan" were prepared and considered in these draft projects.

In addition, under the requirements of the Constitutional Law of the Republic of Azerbaijan of 9 June 2023 "On Amendments to the Constitutional Law of the Republic of Azerbaijan "On the Commissioner (Ombudsman) for Human Rights of the Republic of Azerbaijan," opinions and proposals on amendments to a number of legal and normative acts of the Cabinet of Ministers and central executive authorities and normative acts have been prepared and submitted accordingly.

Considering the best experiences of foreign countries, it is recommended establishing the Ombudsman's right to legislative initiative in order to significantly increase the effectiveness of the Ombudsman's activities in relation to the improvement of legislation, to submit the draft of new regulatory legal acts to the legislature in a timely manner and without wasting time, thereby achieving more effective protection of rights and freedoms.

In the pursuit of the supreme purpose of the State for the protection of human rights and freedoms, cooperation between the Ombudsman and the Constitutional Court of the Republic of Azerbaijan is of particular importance. Thus, this cooperation aims to ensure the supremacy of the Constitution of the Republic of Azerbaijan, further improve legislation, prevent violations of human rights and freedoms, and increase the effectiveness of legal protection mechanisms.

Decisions and rulings have been adopted on the basis of the Ombudsman's inquiries submitted to the Constitutional Court of the Republic of Azerbaijan according to part VII of Article 130 of the Constitution of the Republic of Azerbaijan, Article 13.2.8 of the Constitutional Law, and Article 32 of the Law of the Republic of Azerbaijan "On Constitutional Court."

The Ombudsman submitted an inquiry to the Constitutional Court of the Republic of Azerbaijan to examine the compliance of paragraph "f" of Article 47 of the Labor Code of the Republic of Azerbaijan with Part I of Article 25 and Parts I-IV and VIII of Article 35 of the Constitution of the Republic of Azerbaijan. According to the inquiry, paragraph "f" of Article 47 of the Labor Code does not serve the interests of the employee. According to this provision, in cases when an employment contract is concluded, considering only the expression and conditions of the employer violates the right to equality of the parties under the contract.

The issue mentioned in that inquiry was considered; and the decision was adopted by the Plenum of the Constitutional Court of the Republic of Azerbaijan on 31 January 2024. In the descriptive and explanatory part of the decision, it is stated that in accordance with the labor legislation, in cases where it is foreseeable that the work or services provided in accordance with the conditions of the performance of the labor function are of a permanent nature, the term of the employment contract shall be concluded without determination, except for the

cases defined in Article 47 of the Labor Code.

The Ombudsman also submitted an inquiry to the Constitutional Court to examine the compliance of Articles 36-2.3 of the Law of the Republic of Azerbaijan No. 833 IIIQ of 19 June 2009 "On Education" and Article 1.4 of the "Certification Regulation of teachers working in public general educational institutions (other public educational institutions in respect of teachers of general education educators), approved by the Cabinet of Ministers Decision No. 155 dated 30 April 2020, with Article 79 of the Labor Code of the Republic of Azerbaijan (Employees and cases Whose Employment Contracts May Not be Terminated), Article 35 (right to work), parts I, III, V and VII of Article 149 (Normative legal acts) of the Constitution of the Republic of Azerbaijan. The Ombudsman's inquiry states that according to Article 79 of the Labor Code, although labor contracts of certain categories of employees are prohibited from being terminated (e.g., employees with dependent family members with limited health under 18 years of age, and employees with (insular) diabetes or multiple sclerosis), these persons were not considered in the "Law on Education" and the Certification Regulations. This can ultimately lead to labor rights violations.

The Constitutional Court, in its Decision of 6 November 2024, found the Ombudsman's inquiry to be reasonable, and stated that although the termination of the employment contract of teachers who have not passed certification is in accordance with Article 70 of the Labor Code, the restrictions imposed by Article 79 shall be considered, and fair regulation shall be ensured to eliminate any existing legal discrepancies.

During the Ombudsman's term, a total of 45 inquiries were generally submitted to the Constitutional Court. Out of these, the plenary of the Court adopted 25 decisions and 7 rulings on 32 inquiries, while the chamber issued 3 decisions.

Those decisions and rulings are important, both in theory and practice, in terms of proper understanding and application of the fundamental human and citizens' rights and freedoms laid down by legislation in a unified manner.

Within the framework of the Ombudsman's effective cooperation with the Constitutional Court in the protection of human rights and freedoms, and considering the relevant experience of Spain, Portugal, Romania, Kazakhstan, Uzbekistan, and other countries, it is recommended a legal mandate be established enabling the Ombudsman to request the Constitutional Court for interpretation of normative legal acts in cases of amending legislation and implementation of human rights and freedoms with a view to developing mutual cooperation with the Court.

The incoming complaints and applications about discrimination during the year were examined, and recommendations for ensuring non-repetition of rights violations were made. International experience in combating discrimination and promoting legal equality has been analyzed and the draft of the Anti-Discrimination Law has also been prepared, taking into account international legal norms.

In 2024, the Ombudsman authored articles offering scientific and analytical insights into various aspects of human rights.

The article on "National Leader Heydar Aliyev and Human Rights," dedicated to the 101st birth anniversary of the National Leader of the Azerbaijani people, Heydar Aliyev, provides information on key legislative and institutional reforms that guarantee the protection of human rights implemented under the leadership of the National Leader. The article analyzes

important steps taken to protect human rights, especially the right to life, and to humanize punitive policies, such as declaring a moratorium on capital punishment and its complete abolition, as well as the adoption of pardon and amnesty acts.

The article on “Protection of children’s rights is one of the main activities of the Ombudsman,” dedicated to 20 November - World Children’s Day, explores the international normative frameworks on the rights of the child in the country, reforms implemented to ensure the protection and realization of children’s rights in our country, granting the Ombudsman the mandate to serve as the independent monitoring mechanism for promoting and monitoring the implementation of the CRC, along with additional related functions.

Considering the declaration of 2024 as the Green World Solidarity Year, and just before the 29th session of the UN Climate Change Conference, one of the world's largest events, within the framework of the actions taken, a concept paper of the International Baku Forum of Ombudsmen and a program of events have been prepared based on the former document. Furthermore, the Declaration of the International Baku Forum of Ombudspersons, which includes a number of initiatives to protect human rights in combating climate change, has been adopted by Forum participants.

The declaration aims to work together to reduce the climate change effects on human rights, promote the right to a healthy environment, strengthen international cooperation, study and apply best practices, and fight against ecocide crimes.

In 2024, in order to encourage young researchers to address issues of climate change and human rights, at the initiative of the Ombudsman and with the support of the UNDP, the Hakaton-format research paper competition “Climate Change and Human Rights” was announced among university students. According to the concept paper, 6 teams consisting of 30 students from different universities in Azerbaijan participated in this competition held under the slogan “Climate change and human rights: Young view.” Research papers covered topics such as climate-induced forced displacement, health impacts, impacts on vulnerable populations and gender equality, corporate responsibility, and policy and governance.

The Ombudsman's article “New challenges and solutions: A global perspective on climate change and human rights,” dedicated to December 10 - International Human Rights Day, analyzed the significance of the Universal Declaration of Human Rights, but also environmental rights, the human rights impact of recent natural disasters, and climate change.

As part of the measures relating to the accession of the Republic of Azerbaijan to international treaties on the protection of human rights, the Ombudsman, once again, recommends the ratification of the following international treaties:

- The International Convention for the Protection of All Persons from Enforced Disappearance (CED), adopted by the UN General Assembly (UNGA) at its 61st session, was adopted and open for signature, ratification, and accession by Member States since 6 February 2007. The treaty was signed but not ratified by Azerbaijan on 6 February 2007.

- Revised European Social Charter, Articles 2 (the right to just conditions of work), 3 (the right to safe and healthy working conditions), 10 (the right to vocational training), 13 (the right to social and medical assistance), 23 (the right of elderly persons to social protection), 15 (right of PWDs to independence, social integration, and participation in the life of the community), 30 (the right to protection against poverty and social exclusion), and 31 (the right to housing);

- The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, adopted by UNGA Resolution 63/117 on 10 December 2008 and signed by Azerbaijan on 24 September 2009.

Public relations and cooperation with non-governmental organizations. In 2024, the Ombudsman's activities have been successfully continued to further develop public relations and cooperation with CSOs, and a number of important measures were implemented. This cooperation has significantly facilitated enhancement of the legal awareness of the population, broadening access to legal aid, ensuring public participation, promotion of respect for human rights, and exchange of ideas.

Holding events based on the principles of public participation, such as legality, volunteerism, transparency, pluralism, equality, and non-discrimination, facilitates taking significant measures to increase the legal awareness of the population.

Various trainings, seminars, and public discussions on human rights, organized with the participation of CSOs, became fruitful for the development of legal culture.

Discussions organized at the Ombudsman's initiative and with the participation of members of civil society covered important areas such as improving access to public services for women and girls with disabilities, the prevention of early marriages, health issues, the protection of the rights of persons with mental health problems, and human rights in the context of climate change. The Ombudsman held various events with CSOs on these issues, held broad discussions, and proposed new approaches and recommendations for addressing existing problems in these areas.

The “Union of Disabled People's Organizations (UDPO),” which unites more than 40 NGOs representing PWDs, “Azerbaijan Council of Elders,” “Disabled Women Society” Public Union, “Constitution” Research Fund,” “Modern Azerbaijan Psychologists Public Union,” Psychological Service and Research Center Public Union,” “Support to Psychological Development and Education,” “Young Psychologists Association,” “Together and Healthy” Public Union,” “Zafar” (Victory) Support to Martyrs' Families Public Union,” “Femida Volunteers “Organization,” ”For the Sake of Inclusive Society” Support to Persons with Disabilities Public Union,” “Public Union for Support to the Elderly and the Lonely,” “Gender Hub” Azerbaijan Public Union,” “Independent Living Center for People with Disability,” “Public Union “Clean World” Aid to Women,” “Reliable Future Social Initiatives Public Union,” and other relevant organizations.

Representatives of NGOs working in the field of human rights and relevant state institutions also actively participated in the discussions organized by the Ombudsman Office and put forward their proposals on socio-legal protection of different groups of the population.

The Azerbaijan National NGO Forum, UDPO, and other CSOs also participated in the discussion dedicated to the protection of the rights of foreign nationals and stateless persons, held in institutions where persons cannot leave at their own free will, organized at the initiative of the Ombudsman.

The coastal clean-up campaign, dedicated to the “Green World Solidarity Year” and held with the participation of the Ombudsman and civil society members under the slogan “Environmental Protection and Human Rights,” was an important step towards protecting the environment and improving the ecological situation.

The main objective of this campaign was not only to clean coastal areas of household garbage but also to promote increasing the public's role in the betterment of the ecological situation of the Caspian Sea and its coastal zone.

The waste collected during the campaign was transported to the Balakhani Solid Household Waste Sorting Plant. This has also served to reduce harm to nature and properly manage waste.

The organization of this action, which was aimed at increasing the level of public awareness and activism in the field of environmental protection, also served to shape a serious approach to environmental issues and responsible behavior in society.

Members of civil society actively attended the International Baku Forum of Ombudspersons on Climate Change and Human Rights: The Role of Ombudsmen and NHRIs, which was initiated by the Ombudsman, as speakers at the sessions.

The interactive discussion on "Human Rights-Based Climate Justice: The Role of NHRIs" was organized by the Ombudsman Office as part of the COP29, and the representatives of the CSOs, such as "Independent Living Center for People with Disability," UDPO, "EkoSfera" Social-Ecological Center," "UNEC Inclusive Education Center," ""For the Sake of Inclusive Society" Support to Persons with Disabilities Public Union," "Women, Development, Future Public Union," "Reliable Future Social Initiatives Public Union," and "Public Union for Support to the Elderly and the Lonely," participated in this discussion.

The representatives of the UDPO, Association of Patient Organizations, ""For the Sake of Inclusive Society" Support to Persons with Disabilities Public Union," "Independent Living Center for People with Disability," "Republican Association of Patients with Hemophilia," "Portec Network For Early Assistance to Disability" Public Union," "UMMAN" Public Association for the Care of Children with Disabilities, "Reliable Future Social Initiatives Public Union," and "Public Union for Support to the Elderly," "Disabled Women Society" Public Union," and "Melek" (Angel) Public Association for Support to Children in Need attended the workshop held in order to raise awareness of CSOs on monitoring of promotion, protection and status of implementation of human rights and freedoms of PWDs.

The workshop participants were informed about the new powers conferred on the Ombudsman to implement the independent monitoring mechanism for the implementation of CRPD, ensuring the right to equality and preventing discrimination. Furthermore, according to the last amendments to the Constitutional Law on the Ombudsman, the information about the establishment of three independent (separate) monitoring groups on the implementation of the CRPD, and CRC and ensuring equality and non-discrimination within the premises of the Ombudsman Office underlines the importance of cooperation with civil society in these areas.

Cooperation with media. In line with the Ombudsman's 2024-2026 Communication Strategy, cooperation with international and local media through traditional and social media was further developed to organize media relations more closely and efficiently.

The Ombudsman's diverse activities were regularly reported on the institution's official website, on social networking accounts (Facebook, "X," "Instagram," "YouTube," "Telegram", and "WhatsApp"), as well as on radio and television, and in local and foreign news agencies and periodicals.

The information prepared to inform the international community about the measures taken to protect human rights and freedoms in Azerbaijan and the Ombudsman's activities in this area was published through the BBC, CNN, Anadolu Ajansi, TASS, and other news and media outlets. A total of 203 relevant news items were published in the international media.

During the year, information on human rights issues published in the media was monitored, and appropriate actions were taken within the mandate of the Ombudsman in respect of any violations that came to light. Reactions and statements issued by the Ombudsman in protest against violations of human rights and freedoms, hate speeches, statements, and writings based on prejudice against our country and inciting hatred on religious, ethnic, and national grounds were released in Azerbaijani and English.

In addition, an important part of the Ombudsman's activities since the beginning of the 44-day Patriotic War has been to inform the global community about the facts of Armenia's provocations, which resulted in violations of international legal norms, including human rights violations. Thus, in the postwar period, repeated calls have been made on the need for sustainable peace in the region, the international community has been alerted through appeals and media statements on the consequences of the Armenian mine terrorism, and the discovery of mass graves in our occupied lands, and the widespread publication of relevant information and the Ombudsman's immediate response through social networking accounts were ensured.

The Ombudsman also took appropriate actions in relation to 370 cases of data shared via social networking accounts.

During the year, 268 news releases were issued in Azerbaijani and English related to the Ombudsman's activities.

Posters to raise public awareness of global events and special occasions were published on the institution's social media accounts. The Ombudsman also gave interviews on her activities to national and international television channels.

Meanwhile, the Ombudsman's statements, reactions, and public appeals on the 20 January tragedy, February 26 - the Khojaly Genocide, and the 31 March - the Day of Genocide of Azerbaijanis, and thematic issues of human rights, as well as the broadcasting of promotional and educational materials on radio and television channels, and publication in national and international online and print media, were provided, and these documents were sent to international organizations, ombudsmen, and NHRIs of different countries.

In addition, the Ombudsman's wide-ranging articles entitled "National Leader Heydar Aliyev and Human Rights", "Protection of Children's Rights is One of the Main Activities of the Ombudsman" and "New Challenges and Solutions: A Global Perspective on Climate Change and Human Rights" were published in the newspaper "Republic". As well as the Ombudsman's article "The perpetuation of Armenia's war crimes" was included in the book entitled the "History of the Patriotic War. Restoration of Territorial Integrity of Azerbaijan. Factor of Personality."

The Ombudsman gave an interview to Graeme Wilson, Head of "Media Prima Advertising" Co., for his book, "The Revival of Karabakh: From Tragedy to Triumph (A story of the Azerbaijani Revival)," and the news of this interview was widely disseminated in local and foreign media.

Furthermore, the Ombudsman has also announced a competition for journalistic writing on “Climate Change and Human Rights”. The winners of this competition were awarded at an event organized by the Ombudsman Office on 10 December- International Human Rights Day.

In 2024, a total of 5412 pieces of information about the Ombudsman institution were published in national and international media.

Through the Ombudsman's social networking accounts, 432 posts were shared on Facebook, 390 on Instagram, 228 on X, 22 on YouTube, 380 on Telegram, and 380 on WhatsApp.

RECOMMENDATIONS AND SUGGESTIONS

Based on the examination, monitoring, and observation of the incoming applications and information received by the Ombudsman, the recommendations and suggestions for more effective enforcement of human and citizens' rights and freedoms and for the improvement of legislation were prepared. The main objective is to address the challenges faced in the protection of human rights, to improve legislation and implementation mechanisms, and to further strengthen cooperation between state institutions, CSOs, and international organizations. The suggestions and recommendations presented are intended to contribute to the implementation of human rights reforms in accordance with international norms and principles, while at the same time serving the primary purpose of the state in this direction.

In light of the above, the Ombudsman *recommends*:

- (1) development and adoption of a new National Program of Action in order to increase the effectiveness of the protection of human rights and freedoms, in particular to set new priorities for more effectively ensuring the rights and freedoms of vulnerable groups of the population, to more effectively coordinate the activities of relevant authorities in this field, to develop the legal culture, to implement international legal norms and recommendations of international organizations into national legislation, and thereby to ensure the consistency of measures to improve the normative legal framework as well as the legal protection system;
- (2) development and adoption of a "State Program on Business and Human Rights" taking into account the relevant UNGPs and the "Guidance on National Action Plans on Business and Human Rights" and the best experiences of foreign countries in this field, in order to ensure the respect and observance of human rights by businesses, to provide access to legal remedies, to enable business enterprises to participate more actively in the socio-economic life of the country through the promotion and application of corporate social responsibility, and to achieve coordination of the activities of relevant bodies in this field;
- (3) amendment to Article 9 of the Law "On Registration at the Place of Residence and Sojourn" of the Republic of Azerbaijan in relation to the application of the non-judicial simplified mechanism (based on the application of the new owner) for the deregistration of individuals previously registered to that address by the new owner when the residence is alienated;
- (4) legal establishment of the imperative requirement for immediate notification of persons who are restricted from leaving and entering the country about this when entering the "Entry-Exit and Registration" interagency automated information-search system;
- (5) adding to paragraph 9.7 of the "State Registration Procedure for Citizenship Status Acts," approved by Decision No. 145 of the Cabinet of Ministers of the Republic of Azerbaijan dated 31 October 2003, the provision on the submission of birth registration data to the competent executive authority on the basis of its request for the issuance of a duplicate birth certificate to persons under the age of 16 who do not possess an identity card, in order to eliminate existing problems and cases of delay in the process of issuance of a duplicate birth certificate to this category of persons;
- (6) introducing an appropriate amendment to the Law of the Republic of Azerbaijan "On Budget System" in relation to the allocation of financial resources in the State Budget of the Republic of Azerbaijan to ensure the execution of judicial decisions and regulate the payment of debt by public bodies;

(7) taking necessary measures to apply the use of the "electronic court" system by citizens by determining choice rather than imperative, considering that citizens sometimes face difficulties in using the 'electronic court' information system due to limited access to technical means and internet resources; that they are often compelled to seek legal assistance due to the complexity of the form required to submit an appeal against decisions and rulings of first instance courts via the electronic cabinet; and that, in some cases, technical malfunctions in the 'electronic court' information system have led to delays in court proceedings;

(8) making necessary additions and changes to the legislation for blurring, pixelating, etc. the face images of suspects, accused, and convicted persons, as well as those held administratively liable in photographs and video materials issued (published) in order to prevent the use of information about criminal prosecution as a means of psychological pressure (bulling) against the family members of suspects, accused persons, and convicts, in particular their minor children, and serious repercussions that may result from such pressure (driving to suicide, self-harm, and the escalation of severe conflicts between parties, etc.) based on the right to personal integrity and in light of international experience;

(9) improving the methods of execution of judicial decisions on alimony (child support) issues and establishing a unified state control mechanism for alimony payments (the Alimony Fund), taking into account that alimony is an important safeguard for the protection of children's rights as it plays an important role in ensuring their physical, emotional, and social well-being, and the multiple complaints about non-execution of court decisions on alimony claims;

(10) improving the mechanisms for the implementation of child rights and making appropriate amendments to the legislation to ensure the participation of a psychologist in the implementation process guided by the requirements of the CRC and national legislative acts on children's rights, taking into account the disregard for the principle of the supremacy of children's interests by the parties and the executive officers in the enforcement of court decisions on guardianship, custody, and communication requirements in some cases, and the negative impact of such cases on the psychological status of the children;

(11) providing necessary qualified specialized personnel and increasing the professionalism of the district (city) commissions (local commissions) for child protection, taking into account the need of these commissions for such human resources;

(12) introducing appropriate amendments to the Cabinet of Ministers' Decision No. 157 of 23 June 2006, "On the exemplars of managerial, administrative, teaching staff, and service staff in general boarding schools, boarding schools of integrated training, sanatorium-type boarding schools, boarding lyceums, and boarding gymnasiums, exemplars of managerial staff, administrative staff, teaching staff, and service staff," regarding increasing the numbers of staff units of "night nurse" and "psychologist" in the relevant institutions considering the number of children these facilities serve in order to increase the effectiveness of children's health and safety supervision,";

(13) making amendments to the Law of the Republic of Azerbaijan Law "On Suspension of Inspections in the Field of Entrepreneurship," in relation to the inclusion of the list of inspections permitted in cases posing serious threats to human life and health, state security, and economic interests, by directly providing for the investigation of complaints of violations of human rights and freedoms, including complaints of labor rights violations by business entities, due to the limitations imposed by the Law in question on access to non-judicial grievance mechanisms;

(14) increasing attention to the problem of recruitment of jobseekers by employers without concluding an employment contract and strengthening control measures to address the mentioned issue;

(15) amending the "Rules on the Organization of Self-Employment," approved by Cabinet of Ministers' Decision No. 168 dated 13 May 2020, in order to establish the time period from the date of conclusion of the contract the relevant local commission established by the State Employment Agency under the MLSPP on the involvement of unemployed in self-employment is placed in the electronic cabinet of the unemployed or sent to his/her email and mobile phone by SMS until the conclusion of the contract on the provision of assets;

(16) making necessary amendments to the legislation to remove restrictions on the unemployed persons to benefit from other forms of employment or apply for targeted state social assistance until the self-employment process is complete (the property is transferred), taking into account that, in particular, in a number of cases, the process of providing relevant property to such persons has been extended for more than one year;

(17) In order to prevent misuse and other serious situations, as well as to improve the social protection of low-income families, the following amendments to the "Rules for Applying for, Appointing, Granting, and Refusing to Receive Addressable State Social Assistance," approved by the Cabinet of Ministers' Decision No. 37 dated 5 February 2016, are recommended:

- *Establishing a deadline (or a time frame) for conducting the assessment of the family's material and living conditions under paragraph 3.3 of the Rules;*
- *Exempting unusable vehicles from the assessment criteria in the allocation of targeted social assistance.*

(18) strengthening control over the application of quotas, encouraging the application of such quotas by studying good practices and encouraging leaders of enterprises in this process, and introducing incentive measures and benefits for those enterprises, according to the Law of the Republic of Azerbaijan "On Employment" and the "Rules on the Application of Quotas for Persons with Special Social Protection Needs and Those Experiencing Difficulties in Finding Employment" approved by Cabinet of Ministers' Decision No. 213 dated 22 November 2005, in order to ensure the employment of persons with special social protection needs and those with barriers in employment;

(19) making the necessary change to Article 5.8.3 of the Law of the Republic of Azerbaijan "On Employment" to specify the exact number of suitable jobs offers made to individuals registered as jobseekers within a (2) two-year period (e.g., offering at least 4 (four) jobs within 2 (two) years);

(20) amending Article 5.10.3 of the Law of the Republic of Azerbaijan "On Employment" to reduce to 6 (six) months the 1 (one)-year period provided for a temporary removal of a person from the job seekers' database in case of refusal of suitable job offers;

(21) changing paragraph 1.2 of the "Rules on the Organization of Self-Employment," approved by Cabinet of Ministers' Decision No. 168 dated 13 May 2020, to replace the two-year period stipulated for unemployed persons of pre-retirement age with a five-year period in order to increase the effectiveness of employment support for such individuals, and including

persons with three or more dependent children within the scope of this provision to strengthen the social protection of large families;

- (22) extending the package of health services covered by compulsory health insurance and taking the necessary actions to ensure that persons receiving outpatient treatment within the framework of these services are provided with medicines prescribed to them under this insurance package, in order to ensure the effective protection of the right to health;
- (23) expanding the spectrum of medicines used in the treatment of oncological (cancer) diseases and revising the "Program of Measures for the Provision of Cancer Patients with Inflatable Essential Medicines," approved by Cabinet of Ministers' Decision No. 178 dated 19 July 2006, by harmonizing it with modern requirements;
- (24) taking actions to address existing problems in the issuance of referrals (Form 88) by the medical advisory commissions for medical-social expert examination in order to ensure the assessment of disability; increasing professional capacity building of medical staff in this area and providing them with appropriate training; simplifying the complex and detailed documentation process; increasing technical support and resources; and ensuring more effective coordination between medical institutions and medical-social expert commissions;
- (25) strengthening oversight by competent state authorities in the area of health-related online content and pharmaceutical sales, conducting continuous monitoring, and addressing the issues through legislative measures, taking into account the potential negative impact of the widespread dissemination of medically unsubstantiated information and the sale of questionable-quality pharmaceutical products on human health.
- (26) increasing the quality of immunization and other health measures either during the pregnancy or postnatal periods in order to ensure the health of the newborn and prevent perinatal and neonatal deaths;
- (27) strengthening the control over the quality of medicines imported and other medical means (equipment);
- (28) ensuring the provision of textbooks and auxiliary materials for pupils free of charge, given that in our country secondary education is compulsory and that all textbooks, along with other workbooks and auxiliary supplements, are used as one set in the education programs;
- (29) revising the "Student Density Norms in Classes at the State General Education Institution" approved by the Cabinet of Ministers' Decision No. 212 dated 22 June 2020 and increasing the number of teaching staff in educational facilities, taking into account the problems in organizing the education process across different age groups and levels of education when two primary grades with fewer than 10 pupils each are combined, as stipulated in paragraph 4 of the Norms, as well as considering complaints about the negative impact of this arrangement on the quality of education and students' mastery of educational materials, in order to ensure that pupils acquire knowledge and skills in accordance with state educational standards;
- (30) taking measures to strengthen cooperation of psychologists with teachers and parents in regulating teacher-pupil relations and organizing psychological assistance in this regard, and implementing measures to adjust staffing units allocated to psychologists in educational institutions to the number of pupils;

- (31) strengthening the control over the activity of secondary school libraries; expanding the possibilities to access electronic libraries; increasing attention to the supply of books and computers; and taking motivational measures to get students involved in the libraries;
- (32) increasing attention to the food quality, security, and ration in pre-school, secondary, and higher education institutions, taking into account its special importance for human life or health; strengthening supervision over food products prohibited or considered inappropriate for adolescents; and conducting joint scheduled and unscheduled monitoring by the Ministry of Science and Education of the Republic of Azerbaijan, the State Agency for Antimonopoly and Consumer Market Control under the President of the Republic of Azerbaijan, and the Food Safety Agency of the Republic of Azerbaijan;
- (33) tightening sanctions specified in Article 189 of the Code of Administrative Offences of the Republic of Azerbaijan, taking into account the exceptional role of parents or persons acting in loco parentis in the protection of the right to education, the education and training of adolescents, and the principle of the best interests of the child prevails in any situation;
- (34) expansion of the network of state preschools accordingly, taking into account the key role of preschool education in shaping children's personality, developing social skills, and preparing for further educational life, and difficulties that parents, in some cases, encountered in assignment of their children in schools where they live;
- (35) improving the quality of services provided in childcare facilities by increasing the number of staff units of "nurse," "night nurse," and "psychologist" in the "Exemplar of supervisory, administrative householding, educational assistant, and service staff in special boarding schools for children with mental and physical development impairments" approved by the Cabinet of Ministers' Decision No. 6 dated January 9, 1992;
- (36) including "child psychologist" to the "Exemplar staff units in budget-financed kindergartens" (No. 1) and "Exemplar staff units in nursery and kindergartens" (No. 2)," approved by the Cabinet of Ministers' Decision No. 61, dated 29 May 1996, "On exemplar staff units in budget-financed pre-school educational institutions";
- (37) increasing the number of childcare workers in social service institutions for persons with disabilities under the age of 18;
- (38) developing and implementing supportive programs for the rehabilitation of children subjected to violence in educational institutions in order to implement actions outlined in the "Child Strategy of the Republic of Azerbaijan for 2020-2030" and "Action Plan on the Implementation of Child Strategy for 2020-2025) approved by the corresponding Presidential Orders;
- (39) conducting continuous monitoring of the social networks, platforms, and websites most frequently used by children in our country, including television programs, films, and games, and identifying and restricting content that may negatively affect the mental health, well-being, and behavior of persons in this age group; and introducing relevant amendments to the legislation, with a view to identifying and preventing instances promoting violence;
- (40) tightening sanctions imposed by Article 181 of the Code of Administrative Offences of the Republic of Azerbaijan with respect to natural persons and officials, and consolidating subparagraphs 181.0.1, 181.0.2, and 181.0.3 in a separate article, taking into account the content of the deeds specified in the disposition of this article, given that psychological violence

in educational institutions can have dire consequences and that truancy can lead to early marriage, forced labor, and other violations of law;

- (41) making an appropriate amendment to Article 228.2 of the Criminal Procedure Code of the Republic of Azerbaijan by adding a new provision requiring the participation of a psychologist in the testimony of a child (adolescent) witness and amending Article 432.5 of the Code to establish a responsibility for the involvement of a psychologist during investigative procedures involving individuals under the age of 16 and/or an adult with mental impairment;
- (42) making changes to Article 197.1 of the Code of Civil Procedure of the Republic of Azerbaijan regarding ensuring participation of a psychologist during interrogating a child witness;
- (43) advancing the existing legislation regarding the development of a mechanism to control the operations of non-government centers that provide unaccredited assistance to domestic violence victims;
- (44) improving professional capacity building of specialists working in child institutions, including psychologists, social workers, and speech therapists, in the field of child rights, and child treatment guidelines, and involving them in training;
- (45) amending the relevant decisions of the Cabinet of Ministers of the Republic of Azerbaijan to ensure that students enrolled in higher education, secondary specialized, and vocational education institutions who are unable to attend more than 25% of class hours in a subject due to temporary incapacity for work (as a result of illness, quarantine, or other reasons) are allowed to take examinations based on an appropriate medical certificate;
- (46) improving the efficacy of preventative efforts in general education institutions to stop juvenile delinquency, which are carried out by psychologists and police officers of the territorial unit;
- (47) increasing the number of day care and community-based social rehabilitation centers and shelters for neglected, orphaned, and socially vulnerable children in the regions, as well as improving the functioning of existing centers;
- (48) expanding the network of rehabilitation and day care services for children with disabilities, including in cities and district centers under republican subordination, ensuring the sustainability of financial support for these services, and recruiting qualified personnel for these institutions;
- (49) accelerating the state registration of arbitrary structures (buildings) and apartments in new buildings in order to address the problems that many people face with housing and place of residence registration and enabling them to exercise their rights adequately;
- (50) revising the terms of the affordable mortgage loans, taking into account real market prices and the purchasing power of the population, as well as increasing the maximum loan amount, in order to ensure more effective realization of the right to housing;
- (51) expediting the determination of the procedure for the management of multi-apartment buildings, as stipulated in Article 1.3 of Presidential Decree No. 1531 dated 14 July 2017, "On the implementation of the Law of the Republic of Azerbaijan on the approval, entry into force, and legal regulation of the Housing Code of the Republic of Azerbaijan," as well as the

implementation of Law No. 739-VQD of the Republic of Azerbaijan dated 13 June 2017, "On Amendments to the Housing Code of the Republic of Azerbaijan," in accordance with Article 141-1.1 of the Housing Code of the Republic of Azerbaijan;

(52) Considering that the "Model Rules for Registering Citizens in Need of Improved Housing Conditions and Allocating Residential Premises in the Territory of the Azerbaijan SSR," approved by Council of Ministers' Decision No. 418 of Azerbaijan SSR dated 14 October 1983, were adopted on the basis of the Housing Code of the Azerbaijan SSR, which has been invalid since 2009, and that references to the repealed Code are made in the said normative act—thereby rendering the Rules legally and functionally obsolete—and taking into account the requirements of the Presidential Decree No. 153 dated 27 August 2009, "On the Implementation of the Law of the Republic of Azerbaijan on the Approval, Entry into Force, and Legal Regulation of the Housing Code of the Republic of Azerbaijan":

- approving the housing space norm for registration purposes to ensure the allocation of living space from the state housing stock, as stipulated in Article 49.5 of the Housing Code of the Republic of Azerbaijan;
- expediting the process of approving the procedure for registering citizens as those in need of living space, as stipulated in Article 51.7 of the Housing Code of the Republic of Azerbaijan;
- accelerating the process of approving the procedure for the state registration of the housing stock, including ensuring the implementation of other tasks arising from the relevant Presidential Decree.

(53) developing and approving the "State Program on the Promotion and Protection (Social Support and Rehabilitation) of the Rights of Persons with Disabilities";

(54) eliminating the existing legal loopholes regarding housing of persons with disabilities based on the social rental contract;

(55) developing new regulations that incorporate standards, architectural design elements, and conditions aligned with international norms, thereby creating necessary living and functional environments for PWDs in buildings and facilities, or making appropriate amendments to the legislation and strengthening the control over the implementation of the existing norms in order to ensure accessibility in construction projects;

(56) providing accessibility to state authorities, offices, institutions, and organizations, and in public spaces and social infrastructure facilities, installing new ramps (lifting platforms) meeting international standards and adapting the existing ones to the standards;

(57) increasing attention to the provision of reasonable accommodation in public transport for PWDs, adapting or reconstructing walkways and underground passages, and subways to make them freely move;

(58) taking ongoing measures to ensure the public roads and pathways are accessible for persons with disabilities, and bringing movement-related infrastructure into conformity with accessibility standards, as well as replacing traffic lights at crossroads equipped with monte-

pole flashing-warning with audible-vibratory signals (with touch-sensitive elements and repetitive audio signals);

- (59) amending Article 33.2 of the Law of the Republic of Azerbaijan "On Civil Service" with regard to providing a one-time, non-taxable payment equal to six times the monthly pension calculated under general rules to both those who voluntarily leave public service after reaching retirement age and those who leave due to disability caused by an 81-100% loss of bodily functions, in order to strengthen the social protection of individuals who leave public service due to the determination of disability before reaching the retirement age;
- (60) adopting a specific statutory legal act and targeted state program on public care for individuals with ASD, expanding the relevant educational institutions and rehabilitation centers, and strengthening staffing;
- (61) adjusting the amount of the monthly monetary compensation paid to servicemen for food in line with the monthly value of food products specified in the 'Composition of the Minimum Consumer Basket in the Republic of Azerbaijan,' approved by Cabinet of Ministers' Decision No. 118 dated 23 June 2005, in order to strengthen social protection of servicemen;
- (62) establishing a separate term of service in Article 38 of the Law of the Republic of Azerbaijan 'On Military Duty and Military Service' for those with sub-baccalaureate and master's education, taking into account that Article 21 of the Law provides different age limits for granting deferment from conscription for the purpose of continuing education to those studying at general education institutions at the complete secondary education level, in sub-baccalaureate education institutions, as well as in bachelor's and master's programs in full-time education;
- (63) revising the amount of the allowance paid to a serviceman's children during the period of his active military service, based on the Law of the Republic of Azerbaijan 'On Social Benefits,' taking into account the minimum subsistence level established for children in the country;
- (64) increasing the amount paid per working hour (6 AZN) to the defense counsel (lawyer) for providing legal assistance in the cases stipulated under Articles 193.2, 193.4, and 194 of the Criminal Procedure Code of the Republic of Azerbaijan, as stated in paragraph 1 of the Cabinet of Ministers' Decision No. 31 dated 1 February 2001, 'On the Amounts Payable to Defense Counsel, Interpreters, Specialists, and Experts,' as well as the amount (0.35 AZN) in paras. 2 and 3 of the noted Decision for the services provided by interpreters, specialists, or experts during criminal proceedings, in order to ensure more effective access to high-quality legal assistance;
- (65) establishing a regional detention center for administratively arrested persons outside Baku city in order to eliminate overcrowding in the TDPs located within the district police departments under the Ministry of Internal Affairs of the Republic of Azerbaijan;
- (66) expanding the network of narcological dispensaries, increasing the number of qualified staff - narcologists and clinical psychologists, creating new rehabilitation centers, and applying new methods of treatment and rehabilitation for drug-addicted persons, taking into account a good number of people waiting in line for treatment at narcological dispensaries;

- (67) revising the “List of Severe Diseases Preventing Punishment of Prisoners” approved by the Ministry of Health, taking into account the health condition preventing the convict from serving his sentence;
- (68) digitizing medical records of persons held in detention places and prisoners and taking the necessary measures for further integration of social services into medical services in institutions in order to effectively protect their right to health;
- (69) making an appropriate amendment to Article 511.2 of the Code of Criminal Procedure of the Republic of Azerbaijan, which stipulates “the release of a sentenced person from punishment,” regarding the examination of this issue on the basis of the submission from the Ombudsman as well;
- (70) making necessary amendments to Article 513.1 of the Code of Criminal Procedure of the Republic of Azerbaijan regarding the commutation of the part of the sentence not yet served to a less severe penalty also on the basis of the application from the Ombudsman;
- (71) adapting both medical staff and medicines and other medical supplies to the actual number of detainees rather than to the facility's capacity limit, taking into account of high number of persons detained in pre-trial detention facilities, in order to address the adverse effects of the overcrowding problem on access to medical services in penitentiary institutions;
- (72) establishing separate penal institutions for persons who committed crimes by reckless imprudence on the basis of the precinct (open) penal institutions and legally establishing the provision of imprisonment of those who committed crime by imprudence regardless of the duration of the prescribed sentence, taking into account the good experiences of foreign countries regarding persons who committed crimes by reckless imprudence serving their sentences in lighter regime prisons;

Given the above, in order to increase the effectiveness of the Ombudsman's performance to protect human and citizens' rights and freedoms, to prevent violations of rights, and to implement supervisory and monitoring functions, as well as to bring its activities into full conformity with the Paris Principles, adopted by the UN General Assembly Resolution dated 20 December 1993, it is recommended:

- (73) establishing the Ombudsman's right to legislative initiative, taking into account relevant international experience, in order to significantly increase the effectiveness of his/her activities in relation to the improvement of legislation, to submit the draft of new regulatory legal acts to the legislature in a timely manner and without wasting time, thereby achieving more effective protection of rights and freedoms.
- (74) introducing an appropriate amendment to the legislation allowing the Ombudsman to participate in parliamentary discussions of draft human rights legislation and to provide opinions thereon, given the significance of the Ombudsman's collaboration with the Parliament in the process of advancing legislation;
- (75) establishing a legal mandate allowing the Ombudsman to request the Constitutional Court to interpret the normative and legal acts in cases of amending legislation and implementation of human rights and freedoms with a view to developing mutual cooperation with the Court, given the effective cooperation between the Ombudsman and the Court and

considering the relevant experience of Spain, Portugal, Romania, Kazakhstan, Uzbekistan, and other countries;

(76) considering the inclusion of the Ombudsman in the membership of the Judicial-Legal Council with a view to contributing to its activities, given the Ombudsman's mandate to review complaints about human rights violations related to judicial procrastination, loss of documents or failure to provide documents in a timely manner, and delays in the execution of court judgments, as well as the regular analysis of such complaints;

Considering all the above, in order to undertake improvement in the structure and organize services by the Ombudsman Office more efficiently, it is recommended:

(77) creating a relevant structural unit in order to ensure more effective organization of the Ombudsman's activities, considering the Ombudsman's mandate to submit proposals to the Parliament of the Republic of Azerbaijan concerning the adoption, repeal, or amendment of laws for the purpose of ensuring human rights and freedoms, as well as the Ombudsman's active engagement in this field, and the numerous draft normative and legal acts submitted to the Ombudsman for the purpose of providing opinions and proposals and endorsement in accordance with the legislation, and also, in line with the operations of various state authorities and international practice;

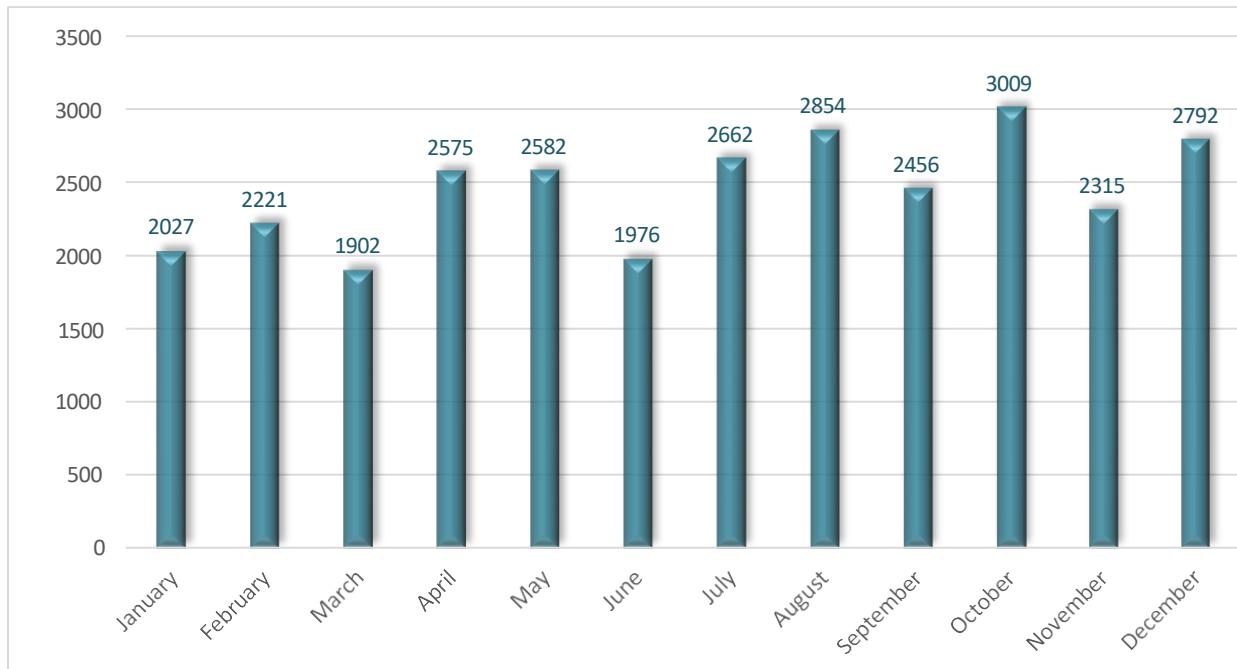
(78) creating a structural unit, "Business and Human Rights," within the premises of the Ombudsman Office, taking into account relevant international practice, in order to ensure the national implementation of the recommendations based on the UNGPs and the Edinburgh Declaration, adopted at the initiative of the United Nations, and that set out responsibilities for NHRIs concerning business and human rights at the international level, and increasing additional resources for strengthening the effectiveness of the Ombudsman in this field;

(79) strengthening human resources and logistical support and providing the necessary support for the financing of the activities of the National Preventive Group (NPG), implementing the Ombudsman's NPM functions, as stipulated by the OPCAT, as well as the Monitoring Groups (MGs), carrying out independent monitoring mechanism functions to monitor and promote the implementation of the CRPD and the CRC, ensuring the right to equality, and the preventing discrimination in accordance with Articles 1.2 and 1.3-1 of the Constitutional Law on the Ombudsman;

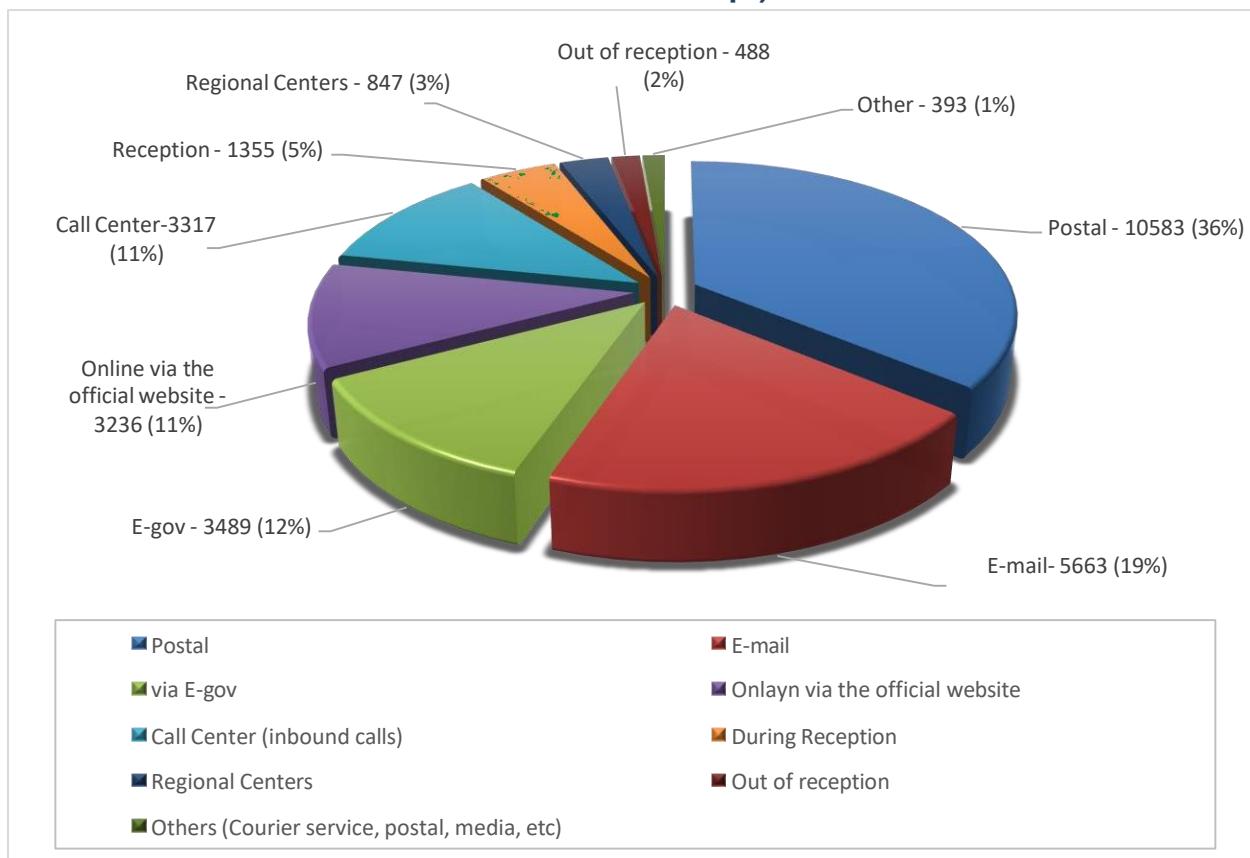
(80) providing financial support for the improvement of the internal electronic document circulation system (workflow), which ensures effective management of documents that are fundamental basis for the activities of the Ombudsman, data protection, implementation of transparency and control mechanisms, and preparation of more comprehensive reports and data;

(81) providing the necessary support for the application of artificial intelligence, given that the wide-spread application of the highest technologies at the global level and relevant international practice, to increase effectiveness of the implementation of innovative solutions in the initial classification and processing of applications, documents, and data at the Ombudsman Office, and enhancing efficiency in the preparation of analytical reports and conducting assessments, to forecast risks and preventive measures, to make Call Center services more effective, thereby significantly improving the activities in the field of protection of human rights and freedoms, and services provided to citizens;

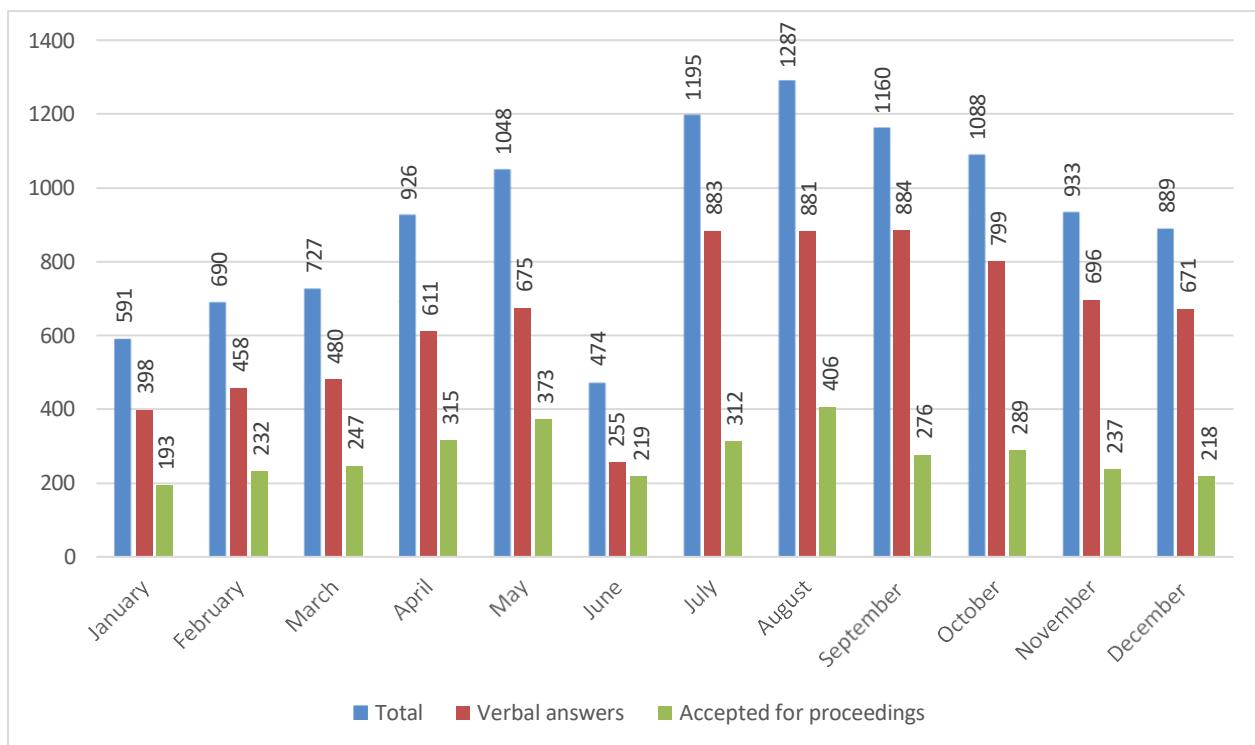
Monthly statistics (by number) of the incoming applications in 2024



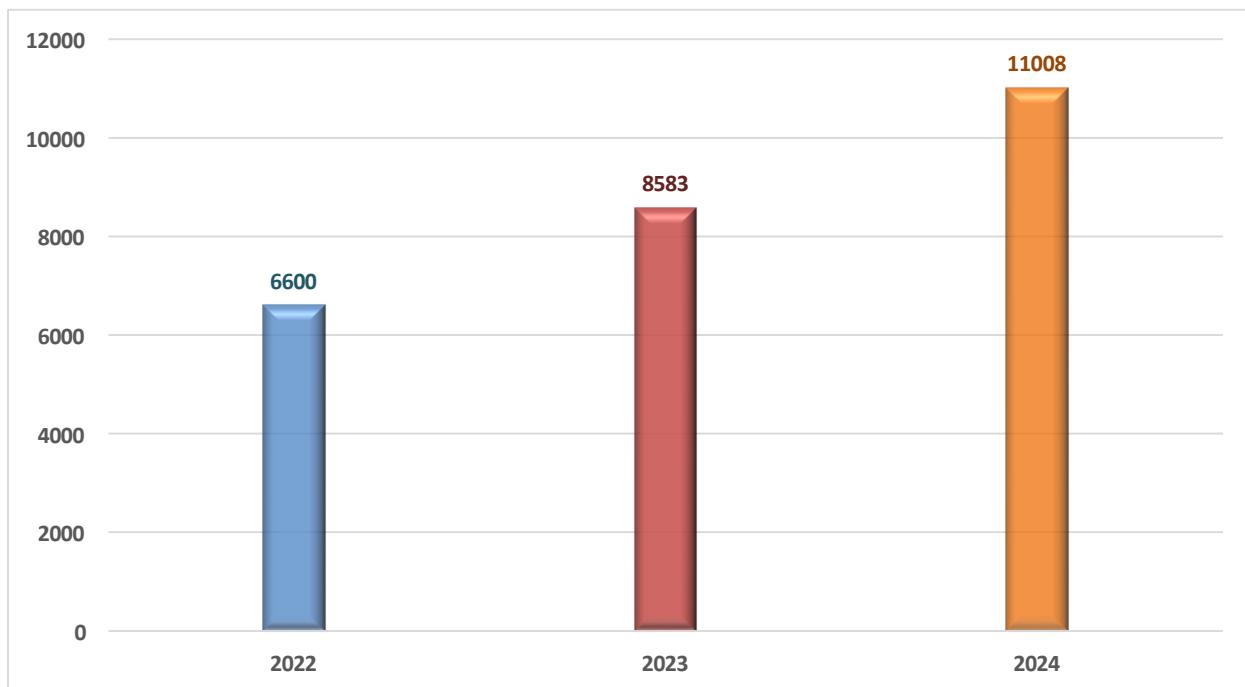
Statistics (by number and percentage) of the incoming applications (categorized by the method of receipt) in 2024



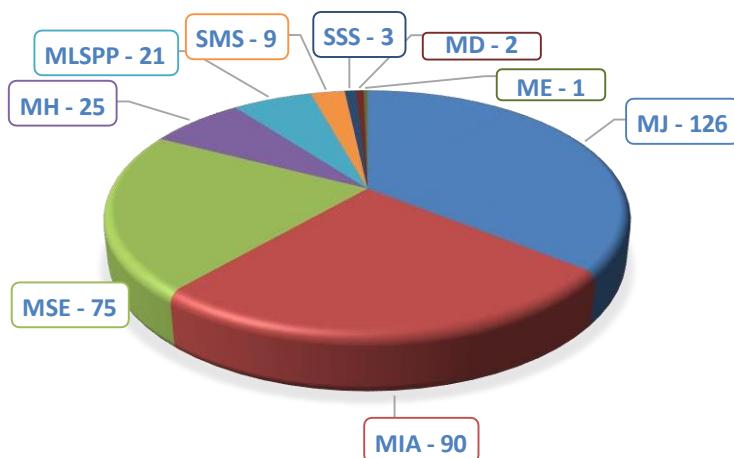
Monthly statistics of inbound calls to the Ombudsman's Call Center in 2024



Comparative statistics of inbound calls to the Ombudsman's Call Center during 2022-2024

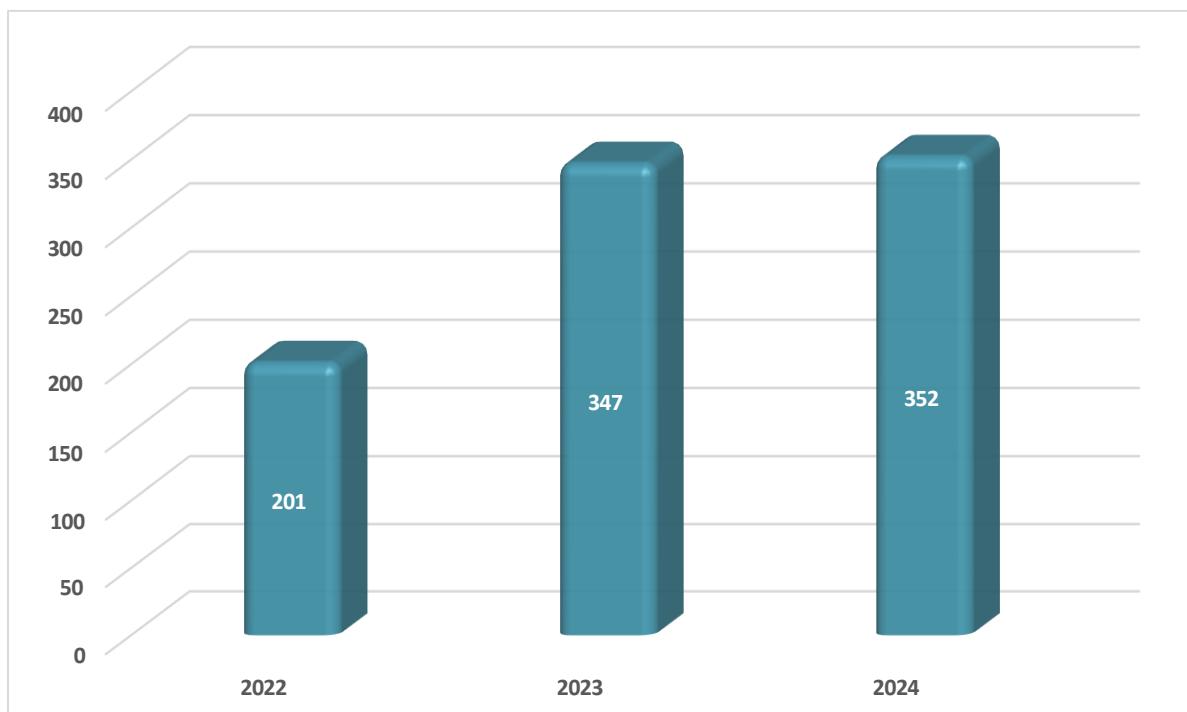


Statistics of visits in 2024 by the Ombudsman and her National Preventive Group (NPG) to institutions where detained persons cannot leave of their own will, under the jurisdiction of relevant state bodies



State bodies	Number
Ministry of Justice	12
Penitentiary Service (MJ)	6
Ministry of Internal Affairs (MIA)	90
Ministry of Science and Education (MSE)	75
Ministry of Health (MH)	25
Ministry of Labor and Social Protection of Population (MLSPP)	21
State Migration Service (SMS)	9
State Security Service (SSS)	3
Ministry of Defense (MD)	2
Ministry of Economy (MN)	1

Comparative statistics of the Ombudsman's NPM visits to the institutions where persons cannot leave at their own free will during the 2022-2024



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