



**Permanent Mission
of the Republic of Azerbaijan
to the UN Office and other
International Organizations
GENEVA**

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The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights, and has the honor to transmit herewith the information by the Government of the Republic of Azerbaijan for the report to be prepared in accordance with Human Rights Council resolution 47/21 on the “Promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers through transformative change for racial justice and equality”.

The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.



Enclosure: 2 pages

**Office of the United Nations
High Commissioner for Human Rights
GENEVA**

Inputs for the report of the United Nations High Commissioner for Human Rights pursuant to Human Rights Council resolution 47/21 on the “Promotion and protection of the human rights and fundamental freedoms of Africans and of African descent against excessive use of force and other human rights violations by law enforcement officers through transformative change for racial justice and equality”

In accordance with relevant provisions of the Constitution of the Republic of Azerbaijan, the State guarantees equality of rights and freedoms to everyone, irrespective of their race, ethnicity, religion, language, sex, origin, property status, belief, membership in political parties, trade unions, and other public associations. Any restriction on human and civil rights and freedoms, in this regard, is strictly prohibited. As a result, the topics related to the various forms of tolerance are being taught in general education institutions in Azerbaijan as part of the modules.

According to Article 42 of the Constitution of the Republic of Azerbaijan, every citizen has the right to education and the state shall guarantee the right to free compulsory general secondary education. The Law of the Republic of Azerbaijan “On Education” defines respect for human rights and liberties as one of the main goals of education in the Republic of Azerbaijan. This law guarantees every citizen’s access to education (general education) and non-discrimination regardless of sex, race, language, religion, political beliefs, ethnicity, social status, origin and health opportunities.

According to the Law of the Republic of Azerbaijan “On Employment”, all persons regardless of their race, ethnicity, religion, language, gender, persons with disabilities (except the cases where disability prevents from the fulfillment of job responsibilities), and family status, social origin, place of residence, property status, beliefs, affiliation with political parties, trade unions and other public associations, have equal opportunities in exercising the right to free selection of job and employment. Furthermore, there is no discrimination in the provision of active employment measures, including vocational training by the State Employment Agency.

School administration and psychologists take necessary steps to monitor possible negative cases on the basis of one’s race and gender in general education institutions of Azerbaijan. Within the framework of the project “Friend of Pupil” implemented by the Ministry of Education of the Republic of Azerbaijan since 2016, independent experts of the project communicate with students on a regular basis and provide necessary assistance, as needed. Currently, the project covers 226 general education institutions operating in Baku and the Absheron peninsula.

Actions aimed at inciting national, social or religious hatred and harm, humiliation of national dignity, or restricting the rights or enhancing the privileges of citizens depending on their national, racial, social or religious affiliation, including acting through the use of social media, are prohibited under Article 283.1 of the Criminal Code of the Republic of Azerbaijan. If the mentioned acts are committed on the basis of religious hatred, religious radicalism or religious fanaticism, as well as financing their commission on those grounds, or when the same acts are committed by force or threat of force, by a person using his official position, or by an organized group, they are punishable by imprisonment for the term of 3 to 5 years. Persons who openly incite violence and sexual harassment by targeting a particular social

group through hate speech (using the media) are subject to administrative and criminal liability in accordance with the law. Article 154.1 of the Criminal Code stipulates the criminal liability for the infringement of equality of citizens with causing harm to rights and legitimate interests of citizens depending on race, nationalities, creeds, language, an origin, property or official position, belief, a belonging to political parties, trade unions and other public associations.

According to the Article 69 of the Constitution, foreigners and stateless persons staying in the Republic of Azerbaijan shall enjoy all rights and fulfill all duties equally with citizens of the Republic of Azerbaijan, unless otherwise prescribed by law or international treaty to which the Republic of Azerbaijan is a party. The rights and freedoms of foreigners and stateless persons residing permanently or temporarily in the territory of the Republic of Azerbaijan may only be restricted in accordance with international legal rules and laws of the Republic of Azerbaijan.

The Ministry of Internal Affairs maintains unified crime statistics in accordance with the Regulations approved by Presidential Decree No. 518 of 30 June 2001, and ensures that all illegal acts established by the Criminal Code of the Republic of Azerbaijan are recorded in this process. No crimes such as persecution, racial discrimination, violation of the right to equality (Articles 109, 111, 154 of the Criminal Code, respectively) have been registered in the country in the last 5 years. In that period 19 crimes related to religious hatred and enmity have been committed under Article 283 of the Criminal Code.