



## AOA Fact Sheet *Ombudsman of AZERBAIJAN*

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INSTITUTIONAL OVERVIEW NUMBER 1

### *Legal Framework*

On December 28, 2001 the constitutional law on the commissioner for human rights of republic was adopted by the country parliament (Milli Mejlis). The first ombudsman was elected on July 2<sup>nd</sup> 2002 by 111 votes (from 112 possible) of the members of the parliament of the republic of Azerbaijan among three candidates, nominated by the country president.

Ombudsman institute have been set up to restore the human rights and freedom enshrined in the constitution of the republic of Azerbaijan and in the international treaties to which the republic of Azerbaijan is a party, violated by governmental and municipal bodies and officials of the republic of Azerbaijan.

### *Jurisdiction/ Functions*

According to the law, the commissioner shall not investigate the complaint if it is beyond of his competence, or it has been examined with in court proceedings, or the application is anonymous. Other grounds for refusing are the resubmitted petition does not contain any new information, facts and evidence. Except that a complaint may be lodged with the commissioner with in a period of one year from the date when an alleged violations of rights of the applicant occurred or he became aware of that violation.

Major function of the department on protection on human rights and freedom is consideration of the complaints on violation of human rights and freedoms and ensuring the measures falling under the ombudsman activity being undertaken in terms of restoring violated rights and freedom. This department includes five divisions: on protection of refugees and IDP,S rights ,protection of the rights of the convicted detained persons and protection of military servants rights.

### *Legal Powers*

Main powers and duties is the legal education, scientific analytical, information and international relations department which includes four divisions pertain to raising legal awareness of population in order to prevent violation on human rights and freedoms, analyzing the cases of human rights and freedom violations, ensuring information, maintaining cooperation with the organizations engaged in protection of human rights, acting republic of Azerbaijan and abroad, as well as organizing the commissioner's international relations.

*Implementation  
Arrangements*

A complaint may be logged by country citizens, foreigners and stateless persons, as well as legal entities, also by a third person or a non –governmental organization (NGO) but not the governmental bodies.  
Complaints addressed by imprisoned persons shall be delivered to commissioner with 24 hours, without censorship.

*Research &  
Analysis Wing*

*Investigative  
Techniques*

*Code of  
Conducts and  
Standards*

*FOI Standards*

*Use of  
Technology*

*Public  
Awareness &  
Outreach*

*Linkages with  
Civil Society*

