



**General Assembly**

Distr.  
GENERAL

A/HRC/5/NI/1  
8 June 2007

ENGLISH ONLY

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HUMAN RIGHTS COUNCIL  
Fifth session  
Item 2 of the provisional agenda

**IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251 OF  
15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”**

**Written statement submitted by the Office of the Commissioner for Human Rights  
(Ombudsman) of the Republic of Azerbaijan\***

**Trafficking in Persons**

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\* The present written statement is circulated as received in the language of submission only.

First of all I highly appreciate the inclusion of the trafficking in persons in the Agenda of the 5<sup>th</sup> session of the Human Rights Council to be held from 11 to 18 June 2007 and extend my best wishes to all participants of the session in advance.

Trafficking in persons is one of the oldest crimes in the mankind history and people always tried to find effective ways for combating this crime. Today's world is rich in terms of science and technical development and this provides more effective tools for fighting trafficking in persons. At first sight it seems easy to fight trafficking in persons by using sophisticated technical equipment as well as information technologies. But it is obvious that the development in technology also create suitable conditions for the criminals who deal with trafficking in persons. They especially use information technology for realization the transnational crimes. Such facilities help those criminals for creating their own network realizing organized crime through transnational corporation. So, this leads the societies to act more effectively and unite the forces for combating trafficking in persons.

After collapse of the Soviet Union, in the post soviet countries the amount of committed crimes of trafficking in persons began to rise rapidly. Especially disorder in social and economic life in these countries caused the increase in the rate of the crime of trafficking in persons.

The Republic of Azerbaijan regained its independence, on 17<sup>th</sup> October 1991, and within period of short time has been able to build the democratic, secular state, ruled by law, to remain faithful to universal human values, to live in peace and freedom with all the nations of the world and cooperate with them are the main intentions declared by the state.

**Combating trafficking in persons has been one of the primary obligations of the State of Azerbaijan and for this purpose it maintains the cooperation with different international organizations as well as United Nations. Being the member of UN Azerbaijan joined the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime on 13<sup>th</sup> May 2003.**

*Azerbaijan also ratified the final protocol of United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of others on 12 October 2004.*

*Apart from it the Parliament (Milli Mejlis) of the Republic of Azerbaijan has adopted law on trafficking in persons on 28 June 2005.*

*In respect of effective implementation of above mentioned UN Convention it was created a department on combating trafficking in persons at the Ministry of Internal Affairs of the Republic of Azerbaijan in 2006. It was also created a crisis center in the above mentioned department, in the same year, that serves as a temporary shelter for the victims of trafficking in persons.*

*Combating trafficking in persons has also been incorporated in national plan of action on Human Rights of the Republic of Azerbaijan adopted in 2006. According to this plan many*

*governmental organizations as well as Ombudsman Institution of the Republic of Azerbaijan were given obligations with regard to combating trafficking in persons. Trafficking in Persons is a human rights violation and it is obvious that in fighting such a violation Ombudsman is carrying out important mission. According to the article of 1.1. of the Constitutional Law on Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan, the aim of the establishment of the Office of Ombudsman is to restore the human rights and freedoms 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.*

Since the establishment of Ombudsman Institution in the Republic of Azerbaijan this institution has taken active part in combating trafficking in persons. Ombudsman Institution is an independence governmental body which was granted “A” status by International Coordinating Committee of UN on 26 October 2006. This status indicates that the law on Ombudsman of the Republic of Azerbaijan compliances with the Paris Principles.

The Ombudsman can not directly involve in the investigations carried out by the law enforcement bodies related to crime of trafficking in persons. She can, for example, act upon the complaint of the victim of trafficking in persons and examine the activities of the law enforcement body if it is caused the violation of the victim’s rights. Ombudsman also takes part in educating policemen and representatives of mass media with regard to keeping confidential the identities of the victims for preventing further violation of their rights.

Ombudsman may monitor general human rights situation in the country and prepare special reports. In recent years Ombudsman attaches great importance to monitoring general situation, in the country, regarding trafficking in persons and calling relevant governmental bodies as well as NGOs to work together in this respect. During the period of her term Ombudsman several times organized events on combating trafficking in persons. Recently it has been held a next round table discussion on trafficking in persons with participation of the members of the parliament, law enforcement bodies, NGOs and communities.

It is worth to mention the work of Child Rights Unit created in the Ombudsman Office by the initiative of the Ombudsman and support of UNICEF in Azerbaijan. This unit is specialized in the field of protection of child rights. The staff of this unit very often pays visits to different districts of Baku city and other country regions including rural places of the country. This unit prepares special reports on the situation related to violence against child and child victims of trafficking in persons. According to the seriousness of the situation Ombudsman may take necessary measures within the frame of Law.

Ombudsman also established good relations with international organizations and foreign embassies in Azerbaijan in order to find the ways of the joint activities in fighting trafficking in persons. Furthermore taking into consideration nowadays situation when the crimes are committed through more sophisticated technology such as creating computer network, it is needed to find out more effective ways to fight trafficking in persons. Because of that the joint activities of NGOs and governmental organizations seem very important in this regard. In doing this the role of the NHRIs is crucial.

Taking into account the importance of combating trafficking in persons and the role of NHRIs in this regard the Ombudsman of the Republic of Azerbaijan considers the following proposals as acceptable to be discussed at the session:

- To develop the capacities of the NHRIs in prevention women and child from being the victims of trafficking in persons through human rights and legal education;
- To create crises center where the victims can solve their documentation problem, receive medical, sociological and psychological services, and be provided with security by the State;
- To create special inquiry forms for the victims that will hold the identity of the victims strict confidentially in the data base; (recently this proposal has also been put forward at the Ombudsman's meeting with the representative of OSCE, Mrs. Astrid Ganterer, Anti-Trafficking Expert Human Rights Department.)
- To provide facilities for the victims to be rehabilitated and socialized;
- To create network of the relevant organizations located in rural districts including the districts nearby the state borders and provide effective coordination among these organizations;
- To create network at the notional and international level and provide interaction among them.

In conclusion as an independent human rights institution, Ombudsman of Azerbaijan maintains its cooperation with international organizations as well as governmental and nongovernmental organizations of the country and functioning as a coordinating and evaluating body according to the demands of the national plan of action and international and national legislation on trafficking in persons.

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