



*Check against delivery*

**UN Human Rights Council  
Thirty-fourth Session  
Interactive dialogue with the  
Special Rapporteur on the situation of human rights defenders**

**S t a t e m e n t**

**delivered by Amb. Vaqif Sadiqov, Permanent Representative of the Republic of Azerbaijan to  
the UN Office and other International Organizations in Geneva**

**March 2, 2017**

Mr. Chairman,  
Special Rapporteur Michel Forst,  
Ladies and gentlemen,

In recent years Azerbaijan has continued developing an enhanced interaction with the UN Human Rights Council and the Office of the UN High Commissioner for Human Rights. Close cooperation has been pursued also with the UN treaty bodies by regularly submitting reports on measures taken to further promote and protect basic rights and freedoms stipulated in the international instruments to which Azerbaijan is a party. Last year the UN special procedures mandate holders made several visits to Azerbaijan on the basis of a standing invitation issued by the Government of Azerbaijan to all mandate holders.

UN Special Rapporteur on the situation of human rights defenders Mr. Michel Forst visited Azerbaijan in September 2016, and the advance edited version of his report has been presented yesterday to this session. We have submitted the Addendum reflecting in detail the views of Azerbaijan on this report, and we stand ready to provide additional information and clarifications.

As regards the report itself, I would like to make the following general comments.

The visit of the Special Rapporteur to Azerbaijan was viewed as an important step which could contribute to further enhancement of constructive cooperation between Azerbaijan and the relevant UN mechanisms. All requested meetings with the authorities and other interlocutors including persons in detention were organized in due time.

However, the report of the Special Rapporteur unfortunately fails to reflect the spirit of cooperation between Azerbaijan and the UN human rights mechanisms. We regret that positive developments in my country achieved in recent years were not taken into consideration by the author of the report. Many positive assessments by the UN and other international organizations related to many aspects of human rights protection and the rule of law in Azerbaijan were ignored for the sake of creating a distorted picture of present day situation in my country.

During numerous meetings with the authorities of Azerbaijan a lot of factual information, detailed explanations and written materials were provided to the Special Rapporteur. Regretfully, the report contains very few, if any references to official information provided to him by the authorities of the UN Member State. Instead, the author has chosen to build his judgements and make assessments of the situation in Azerbaijan using biased and unreliable sources, like selectively picked-up numerous references to foreign newspapers, web-sites, local and foreign NGOs, and individuals whose credibility and knowledge of the situation in my country raise a lot of questions due to lack of their objectivity and impartiality.

Michel Forst's references to and claims about the political system of Azerbaijan are completely false and out of context. By making such references the Special Rapporteur oversteps

his mandate trying to impose his own political preferences and views on a constitutional system of a UN Member State.

Inclusion into the report of unsubstantiated assessments, particularly on economic situation of the country, is unrelated to the subject of the present report and offers no added value due to a very vague connection between the allegations of the complexity of economic situation and its impact on activities of human rights defenders.

The report is also full of groundless accusations disrespecting the independence of the court system and legitimacy of the court decisions.

It has to be stressed that the selection of a limited group of human rights defenders with certain political agendas whom the Special Rapporteur met with during the visit has failed to present a much wider spectrum of a vibrant civil society dealing with defence of violated human rights, in particular, of refugees, internally displaced persons, disabled war victims, etc. who were not given a chance to present their views to the Special Rapporteur.

The allegations on stigmatizing impact of the use of rhetoric against human rights defenders by government officials reflect a clear lack of understanding of the situation in the ground as such allegations overlook the presence of a proper environment conducive for efficient interaction between a civil society and the Government.

It should be also noted that in his references to the UN Declaration on Human Rights Defenders, an extensive assessment by the Special Rapporteur of the situation on freedom of expression, freedom of information, freedom of association, freedom of peaceful assembly and access to justice interferes into the mandates of other respective UN mandate holders.

Therefore, the overall view of my Government of the report of the Special Rapporteur is as follows: it is one-sided, biased and unbalanced, and that is why we have to reject this report which was prepared on the basis of groundless facts, unreliable sources, and distorted information, and is full of unfounded allegations by the Special Rapporteur. The approach taken by Special Rapporteur Michel Forst in preparation of the report does not serve the enhancement of interaction with the UN human rights mechanisms, on the contrary - it could negatively impact our future relations with them.

Mr. Chairman,

We witness obvious problems in the methodology of preparing reports by mandate-holders, and the evolving situation requires proper attention of the Human Rights Council. We respect the independent character of mandate-holders and of their judgements and assessments. On the other hand, all of the rapporteurs have their specific mandates elaborated and adopted by the UN Member States, which require, in particular, not only to consider, but most importantly to reflect in a fair manner all views expressed to mandate-holders during their visits, which will allow the UN Member States to get acquainted with full range of views expressed and to have the understanding of approaches of all stake-holders on a particular issue, and not only of those who enjoy sympathy of an author of a report.

In general, the report prepared by Mr. Michel Forst is not in compliance with the Code of Conduct for Special Procedures Mandate-holders adopted by the Human Rights Council in its Resolution 5/2. In accordance with the Code of Conduct, the sources of information shall be credible and objective, and while expressing their considered views concerning allegations of human rights violations, mandate-holders shall also indicate fairly what responses were given by a concerned State, which the Special Rapporteur has failed to do. The Human Rights Council has to take into account that the continuation of such a vicious practice would prompt valid questions of authorities of a visited country about the need to organize meetings with mandate-holders in future and the added value of such meetings.

Recent discussions in the sessions of the Human Rights Council about subjective character of some of the reports of mandate-holders highlight an alarming trend, which if unabated could eventually cast shadow on impartiality of the important work carried out by mandate-holders.

In the meantime, we are also concerned with the information on a direct external financial support of certain Member States and entities provided to some of mandate-holders which raises questions about the independence of mandate-holders.

In view of the above-mentioned, Azerbaijan calls on the UN Human Rights Council, its special mechanisms and the UN High Commissioner for Human Rights to seriously consider the deficiencies in the methodology of preparing reports which are used as instruments of political pressure and go well beyond the established mandates of their authors.

Finally, I would like to reiterate that Azerbaijan is ready to continue an enhanced dialogue and interaction with the UN human rights mechanisms on the basis of mutual respect and understanding, constructive dialogue, balanced and objective assessments, and expects these mechanisms to express the same attitude to the UN Member States free of double standards.

Thank you.