

## About the Human Rights Commissioner (ombudsman) of the Republic of Azerbaijan

### CONSTITUTIONAL LAW OF THE REPUBLIC OF AZERBAIJAN

#### Chapter I

#### Basis of activities and appointment of human rights commissioner (ombudsman)

##### Article 1. Basics of activity of the Commissioner for human rights

1.1. The position of the Commissioner for human rights of the Republic of Azerbaijan (hereinafter referred to as the "Commissioner") is to restore human rights and freedoms established in the Constitution of the Republic of Azerbaijan and international treaties to which the Republic of Azerbaijan is a party, and which are violated by the state and local self-government bodies and officials of the Republic of Azerbaijan, and this Constitutional Law is established for the prevention of human rights violations in cases determined by [\[1\]](#)

1.2. The Commissioner performs the functions of the national preventive mechanism provided for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In order to prevent torture and other cruel, inhuman or degrading treatment or punishment, he shall visit places where detainees are unable to leave of their own volition on a regular basis or whenever he deems necessary. [\[2\]](#)

1.3. The commissioner supervises the fulfillment of the duties of state bodies, local self-government bodies and officials who have information, arising from the requirements of the Law of the Republic of Azerbaijan "On Obtaining Information".

1.4. The commissioner cooperates with local, regional and international organizations in accordance with the directions of activity.

1.5. The activity of the commissioner does not limit or replace the powers of other state bodies that ensure the protection of human rights and the restoration of violated human rights and freedoms.

1.6. Checking the activities of the President of the Republic of Azerbaijan, deputies of the Milli Majlis of the Republic of Azerbaijan and judges of the Republic of Azerbaijan does not belong to the powers of the Commissioner.

1.7. The commissioner can make proposals to the President of the Republic of Azerbaijan regarding the resolution of issues of amnesty, citizenship, and political asylum.

1.8. The Commissioner may make proposals to the Milli Majlis of the Republic of Azerbaijan on the adoption , *cancellation or changes of laws for the purpose of ensuring human rights and freedoms*. The commissioner can make a proposal to the Milli Mejlis of the Republic of Azerbaijan to declare amnesty. [\[3\]](#)

1.9. The commissioner has the right to consider complaints about human rights violations related to procrastination in courts, lost and untimely delivery of documents, as well as delays in the execution of court decisions.

1.10. The commissioner's activity is based on the principles of openness, transparency, legality, justice, and impartiality.

##### Article 2. Election of the Commissioner

2.1. The representative is elected by the Milli Mejlis of the Republic of Azerbaijan with a majority of 83 votes from among the three candidates presented by the President of the Republic of Azerbaijan.

2.2. If the Milli Mejlis of the Republic of Azerbaijan does not accept the decision on the election of the Commissioner, the President of the Republic of Azerbaijan submits the candidacy of three other persons to the Milli Mejlis of the Republic of Azerbaijan within 15 days.

##### Article 3. Requirements for the nomination of the Commissioner

3.1. A citizen of the Republic of Azerbaijan who is not younger than 30 years old, has higher education, experience in the field of human rights protection and high moral qualities can be elected to the position of Commissioner.

3.2. Having dual citizenship, having obligations to other states, serving in the legislative, executive and judicial power systems, engaged in other paid activities, except for scientific, pedagogical and creative activities, whose incapacity has been confirmed by the court, convicted of serious and especially serious crimes a person cannot be a Commissioner.

3.3. The commissioner cannot engage in political activities and be a member of any political party. The commissioner cannot be represented in the management of any non-governmental organization.

3.4. Within 5 days from the day of being elected to the position of commissioner, he must stop the activities that are not compatible with his status.

3.5. On the day of his election, the Commissioner takes an oath at the meeting of the Milli Majlis of the Republic of Azerbaijan: "I swear that I will fulfill my duties as the Commissioner for Human Rights of the Republic of Azerbaijan with honor and dignity, I will follow the Constitution and laws of the Republic of Azerbaijan, and I will act independently and impartially."

#### Article 4. **Term of office of the commissioner**

4.1. Commissioner is elected for 7 years.

4.2. The same person cannot be elected to the position of Commissioner more than twice.

4.3. If a new Commissioner is not elected on the day the Commissioner's term of office expires, he continues to exercise his powers. In this case, his term of office is considered to have expired from the day of the election of the new Commissioner. [\[4\]](#)

#### Article 5. **Guarantees of the commissioner's independence**

5.1. The commissioner is independent and is subject only to the Constitution and laws of the Republic of Azerbaijan.

5.2. The following guarantees are given to the independence of the Commissioner:

5.2.1. immutability;

5.2.2. immunity;

5.2.3. inadmissibility of interference in its activities by any state or local self-governing body, official;

5.2.4. material and social security.

5.3. The declaration of emergency or martial law does not suspend or limit the activities of the Commissioner.

#### Article 6. **Immunity of the commissioner**

6.1. The commissioner is inviolable during his term of office.

6.2. During the term of office, the commissioner cannot be brought to criminal responsibility, arrested and detained, administrative sanctions cannot be imposed on him, he cannot be subject to a search, he cannot be personally examined, except in cases of being caught in the act of committing a crime. If the commissioner is caught in the act of committing a crime, the arresting body must inform the Prosecutor General of the Republic of Azerbaijan and the Milli Majlis of the Republic of Azerbaijan about this within 24 hours.

6.3. The immunity of the commissioner can be terminated only by the decision of the Milli Mejlis of the Republic of Azerbaijan adopted by a majority of 83 votes based on the presentation of the Prosecutor General of the Republic of Azerbaijan.

6.4. Immunity of the commissioner also extends to his apartment, service room, means of transport and communication, postal and telegraphic correspondence, personal property and documents.

6.5. A person who has worked as a Commissioner is inviolable after leaving office due to his activities and opinions during the period when he exercised the powers of the Commissioner. For the crimes committed during this period and the legal violations for which administrative disciplinary measures are prescribed in the court order, that person is held accountable in the manner specified in Article 6.3 of this Law.

#### **Article 7. Premature termination of powers of the commissioner**

7.1. The authority of the Commissioner is terminated prematurely in the following cases by the initiative of the Milli Majlis of the Republic of Azerbaijan or by the decision of the Milli Majlis of the Republic of Azerbaijan adopted by a majority of 83 votes on the basis of the presentation of the President of the Republic of Azerbaijan:

7.1.1. When the requirements related to the commissioner are violated;

7.1.2. When the commissioner has completely lost the ability to exercise his powers;

7.2. When the following cases are announced at the meeting of the Milli Majlis of the Republic of Azerbaijan, the chairman of the Milli Majlis of the Republic of Azerbaijan terminates the powers of the Commissioner ahead of time by his order:

7.2.1. When the trustee dies;

7.2.2. If there is a legally binding conviction of the court against the commissioner;

7.2.3. When the commissioner voluntarily resigns in writing.

7.3. In the case of early termination of the authority of the Commissioner, the President of the Republic of Azerbaijan submits the nomination of three persons to the Milli Majlis of the Republic of Azerbaijan for the election of a new Commissioner within 30 days. The Milli Mejlis of the Republic of Azerbaijan adopts a relevant decision on the election of the Commissioner within 15 days.

## Chapter II

Reviewing complaints about human rights violations and implementing the functions of the national preventive mechanism [\[5\]](#)

#### **Article 8. Procedure for filing complaints about human rights violations**

8.1. The Commissioner examines the complaints of citizens of the Republic of Azerbaijan, foreigners and stateless persons, legal entities (hereinafter referred to as "applicants") regarding human rights violations.

8.2. Complaints can be filed by third parties, including non-governmental organizations, with the consent of the person whose human rights have been violated. If it is not possible to obtain the consent of the person whose human rights have been violated (when that person is dead, incapacitated, etc.), third parties or non-governmental organizations can file a complaint without obtaining consent.

8.3. State bodies cannot file a complaint with the Commissioner.

8.4. A complaint may be filed within one year from the day the applicant's rights were violated or he became aware of it.

8.5. Complaints addressed by persons detained in penitentiaries, pretrial detention centers, and temporary detention centers must be sent to the Commissioner within 24 hours without censorship.

#### **Article 9. Contents of the complaint about the violation of human rights**

9.1. In a complaint about the violation of human rights, the applicant's name, father's name, surname, and address must be indicated, as well as the nature of the decision or action (inaction) that violated the applicant's rights, the place and time of the complaint, and the applicant's signature. If there are other materials related to the complaint or a decision issued by the court, it can be attached to the complaint.

9.2. If the applicant's name, patronymic, surname, address *and signature (in the case of legal entities, the name and legal address of the legal entity, the signature of its head) are not included in the complaint, the appeal is considered anonymous, and those complaints are not considered, except for the cases specified in Article 9.3 of this Law.* [6]

9.3. If the circumstances specified in the anonymous complaint are confirmed by sufficient evidence and substantial facts, those complaints *are accepted for consideration by the Commissioner.* [7]

9.4. When a complaint is given orally, an employee of the Commissioner's office records the content of the complaint on a special form and the applicant signs that form.

9.5. At the request of the applicant, the Commissioner shall keep information about him confidential.

#### Article 10. **Adopting a decision on a complaint about violation of human rights**

10.1. When a complaint about violation of human rights is received by the applicant, the Commissioner *makes* one of the following decisions : [8]

10.1.1. to accept the complaint for consideration;

10.1.2. the appeal should be rejected.

10.2. If the commissioner refuses to consider the complaint, he gives the applicant a reasoned answer in writing within 10 *working days*. [9]

#### Article 11. **Grounds for refusing to consider a complaint about violation of human rights**

11.1. The commissioner does not consider the complaint in the following cases:

11.1.1. if the requirements of Article 8.4 of this Law are violated;

11.1.2. if the complaint does not belong to the powers of the Commissioner;

11.1.3. if the complaint is anonymous, except for the cases specified in Article 9.3 of this Law;

11.1.4. when there is a court proceeding related to the complaint;

11.1.5. in the absence of new information, facts and evidence in the resubmitted complaint.

#### Article 12. **The procedure for considering a complaint about the violation of human rights and implementing the functions of the national preventive mechanism** [10]

12.1. During the investigation of the cases reflected in the complaint about the violation of human rights, the commissioner should learn the opinions of the body or official against whom the complaint was filed. The opinion must be submitted to the Commissioner within 10 *working days*.

12.2. The Commissioner has the following rights during the investigation of the cases reflected in the complaint about the violation of human rights and the implementation of the functions of the national preventive mechanism: [11]

12.2.1. at any time, without hindrance and without prior warning, to state authorities and local self-government bodies, military units, as well as police stations, temporary detention facilities, pretrial detention facilities, prisons, garrison headquarters, psychiatric facilities, detention centers for illegal *immigrants* and entering other places where detained persons cannot leave of their own volition; to meet and talk with detained persons, as well as any other person who can provide relevant information, one-on-one or, if deemed necessary, with the presence of a specialist or an interpreter; to get acquainted with and receive copies of all documents confirming the legality of the detention of detained persons, as well as relating to the treatment of those persons and the conditions of their detention; to draw up an act, to record the progress and results of the actions carried out; to make relevant recommendations to the competent state bodies and receive answers to those recommendations within the specified time; [12]

12.2.2. to receive necessary information, documents and materials from state authorities and local self-government bodies, officials within 10 *working days* ;

12.2.3. to get acquainted with legally binding decisions on criminal, civil and administrative cases, as well as materials on the rejection of the initiation of criminal cases;

12.2.4. to receive written references from officials during the investigation of the complaint;

12.2.5. instructing relevant bodies to verify the circumstances described in the complaint (the verification cannot be assigned to the body or official whose decision or action (inaction) is complained of);

12.2.6. instruct relevant state bodies and organizations to prepare an expert opinion;

12.2.7. Heads and other officials of state authorities and local self-government bodies, commanders of military units, police stations, temporary detention centers, detention centers, prisons, garrison headquarters, psychiatric institutions, detention centers for illegal immigrants and other places where detained persons cannot leave *voluntarily* . be accepted without delay by the management. [13]

12.3. It is not permissible to put pressure on any person or organization or to harass a person or organization for providing information to the commissioner. [14]

12.4. *With the consent of the person whose human rights have been violated, the Commissioner conducts* an investigation on his own initiative in cases of special public importance or in cases where the interests of persons who are not capable of defending their rights are affected . [15]

12.5. If other cases not mentioned in the complaint are discovered during the investigation, if the investigation is within the powers of the Commissioner, it will be conducted by him, and if it is not within his powers, the materials will be sent to other competent state bodies.

12.6. The complaint is considered within 30 days. If it is necessary to conduct an additional inspection or request materials to consider the complaint, the application review period *is extended up to 30 days* . *In the event that it is necessary to conduct an additional inspection with the written request of the complainant, the period of consideration of the complaint is extended up to 30 days.* [16]

### Article 13. Results of consideration of a complaint on violation of human rights

13.1. The commissioner informs the applicant in writing about the measures taken and the results related to the consideration of the complaint within 5 *working days* .

13.2. When the commissioner discovers cases of human rights violations during the investigation of the complaint, *he takes* the following measures : [17]

13.2.1. to demand the restoration of those rights from the state and local self-government bodies and officials who have violated human rights as a result of their decision or action (inaction) (relevant bodies and officials must inform the Commissioner in writing about the measures taken within 10 working days . *in cases where it is not held, the Commissioner applies* to the higher body of that organization or other state bodies ); [18]

13.2.2. when signs of a crime are detected, to apply to the relevant authorities to initiate a criminal case;

13.2.3. apply to subjects who have the right to appeal in the additional cassation procedure;

13.2.4. to make suggestions to the relevant bodies about bringing to disciplinary responsibility the officials who violated human rights as a result of their decision or action (inaction);

13.2.5. to acquaint the mass media with the results of the inspections carried out in connection with the violation of human rights;

13.2.6. In cases where the violation of human rights is of special public importance, if the powers of the Commissioner are not sufficient for their restoration, to apply to the President of the Republic of Azerbaijan, to make a report in front of the Milli Majlis of the Republic of Azerbaijan;

13.2.7. apply to the court for the restoration of rights violated as a result of the decision or action (inaction) of the state or local self-government body, official;

13.2.8. to apply to the Constitutional Court of the Republic of Azerbaijan when the rights of a person are violated by the normative acts in force.

#### Article 13-1. Peculiarities of consideration of a complaint on the violation of the right to access to information [19]

13-1.1. The commissioner investigates the cases reflected in the complaint regarding the violation of the right to access information within 10 working days. If the complaint requires clarification or it is necessary to collect additional explanations and documents to investigate the complaint, the Commissioner extends the period of consideration of the complaint by an additional 10 working days by notifying the complainant in writing.

13-1.2. The commissioner does not consider the complaint in the following cases:

13-1.2.1. if the complaint is not about the activity of the state body, local self-government body or official who has specific information;

13-1.2.2. if there is a legally binding decision of the court on that case;

13-1.2.3. if the applicant does not effectively use the opportunities created by the state body, local self-government body or official to obtain information.

13-1.3. The commissioner clarifies whether the following requirements of the Law of the Republic of Azerbaijan "On Access to Information" have been observed by the state body, local self-government body or official who owns the information during the investigation of the cases reflected in the complaint about the violation of the right to access information:

13-1.3.1. registration of an application for obtaining information (hereinafter - an information request);

13-1.3.2. provision of information request in the manner, period and method prescribed by law;

13-1.3.3. that the refusal to execute an information request complies with the requirements of the law;

13-1.3.4. accurate and complete fulfillment of the task of disclosing public information;

13-1.3.5. Meeting the requirements of the law for the creation of Internet information resources;

13-1.3.6. determination of restrictions on obtaining information in accordance with the law.

13-1.4. The commissioner requests the elimination of the violations from the state body, local self-government body or official who has the information in connection with the complaint about the violation of the right to obtain information.

13-1.5. After receiving the Commissioner's instruction, the state body, local self-government body or official who has the information must inform the Commissioner in writing about the measures taken within 10 *working days*. In cases where information is not provided or the requirements of the Commissioner are not fulfilled, the Commissioner applies to the relevant higher authority.

#### Article 14. Commissioner's annual report

14.1. No later than 2 months after the end of the current year, the Commissioner submits an annual report to the President of the Republic of Azerbaijan on the protection of human rights in the country and presents the report to the Milli Majlis of the Republic of Azerbaijan.

14.2. In the annual report, the names of state and local self-government bodies and officials who violate human rights and do not comply with the Commissioner's requirements are mentioned and the measures taken in this regard are provided.

14.3. The commissioner's annual report should reflect the general opinion, opinion and recommendations related to the provision of human rights.

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

14.5. The report is published in "Azerbaijan" newspaper and "Legislative collection of the Republic of Azerbaijan".

#### Article 15. Confidentiality of certain information by the commissioner

15.1. Protection of information constituting a state secret known to him in connection with the activities of the Commissioner is carried out in accordance with the Law of the Republic of Azerbaijan "On State Secrets".

15.2. During the investigation by the Commissioner of the cases reflected in the complaint, it is not allowed to disseminate the information about the personal and family life of the applicants without their consent.

### Chapter III

#### Organization and provisions of the commissioner's activity

##### Article 16. **Social, financial and other guarantees of the commissioner**

16.1. The commissioner receives a monthly *salary of 3060 manats* . [\[20\]](#)

*16.1-1. The commissioner is paid in addition to the official salary in the amount of 1.65 times of the monthly official salary.* [\[21\]](#)

16.2. The commissioner is exempted from military conscription and military assembly.

16.3. A diplomatic passport is issued to the commissioner during his term of office.

16.4. The commissioner is granted leave in accordance with the legislation of the Republic of Azerbaijan.

16.5. The commissioner's term of office is included in his general, special and continuous work experience.

~~16.6. When the commissioner goes on leave, he is given a financial guarantee in the amount of two months' salary for his treatment and rest.~~ [\[22\]](#)

*16.7. The pension provision of the commissioner, former commissioner and his family members is carried out in accordance with the Law of the Republic of Azerbaijan "On Labor Pensions".* [\[23\]](#)

##### Article 17. **Commissioner's office and regional centers** [ [24](#) ]

17.1. His apparatus is created for the implementation of legal, organizational, scientific-analytical, informational, material-technical, financial and economic support of the commissioner's activity. Regional centers of the Commissioner can be established in places.

17.2. The commissioner's apparatus has seals and forms with the State coat of arms of the Republic of Azerbaijan depicted on it.

17.3. The apparatus and regional centers operate in accordance with the Regulation "On the apparatus and regional centers of the Commissioner for Human Rights of the Republic of Azerbaijan" approved by the Commissioner.

17.4. The structure, staffing and estimated costs of the Commissioner's office and regional centers are determined by the Commissioner.

##### Article 18. **Rights and duties of employees of the Commissioner's office and regional centers** [\[25\]](#)

18.1. The employees of the Commissioner's office and regional centers are hired and dismissed by the Commissioner.

18.2. The rights, duties and responsibilities of the employees of the commissioner's office and regional centers are determined by the Labor Code of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan "On Civil Service" and other legislative acts of the Republic of Azerbaijan.

##### Article 18-1. **National preventive group** [\[26\]](#)

18-1.1. In order to implement the functions of the national preventive mechanism provided for in Article 1.2 of this Constitutional Law, a National preventive group is created in the Office of the Commissioner. A person who is not younger than 25 years old, has a higher education, experience in the field of human rights protection and high moral qualities is appointed as a member of the National preventive group. Members of the national preventive group are appointed by the Commissioner for a period of 3 years based on transparent procedures.

18-1.2. The national preventive group has the following rights:

18-1.2.1. at any time, without hindrance and without prior warning, to police stations, temporary detention centers, pretrial detention centers, prisons, garrison headquarters, psychiatric institutions, *detention centers for illegal immigrants* and entering other places where detained persons cannot leave of their own volition; to meet and talk with detained persons, as well as any other person who can provide relevant information, one-on-one or in the presence of a specialist or an interpreter if deemed necessary; to get acquainted with and receive copies of all documents confirming the legality of the detention of detained persons, as well as relating to the treatment of those persons and the conditions of their detention; to draw up an act, to record the progress and results of the actions carried out;

18-1.2.2. to be received without delay by the management of police stations, temporary detention centers, pretrial detention centers, penitentiaries, garrison headquarters, psychiatric institutions, *detention centers for illegal migrants* and other places where detained persons cannot leave of their own free will.

18-1.3. A member of the national preventive group may not be forced to testify about the facts known to him in connection with the performance of his functions or to disclose these facts in any other way. This guarantee remains valid even after the member of the National preventive group leaves the group.

18-1.4. A member of the national preventive group may not be arrested or detained, searched, or personally examined while performing his duties in places where the detained persons cannot leave of their own free will. It is not allowed to seize, check or seize mail, telegraph and other shipments of a member of the national preventive group.

#### Article 19. Funding of the commissioner's activities

19.1. The activities of the commissioner, [\[27\]](#) his apparatus and regional centers are financed from the State budget of the Republic of Azerbaijan.

19.2. The amount of current expenses in the annual funds allocated for the financing of the activities of the Commissioner cannot be less than the amount provided for this purpose in the previous financial year. [\[28\]](#)

#### Article 20. Liability for obstructing the commissioner's activity [\[29\]](#)

The persons who are guilty of obstructing the activities of the Commissioner bear the responsibility provided by the legislation of the Republic of Azerbaijan.

**HEYDAR ALİYEV, President of the Republic of Azerbaijan**

Baku city, December 28, 2001

No. 246-IİKQ

-  
-  
-  
-  
-



1. Constitutional Law of the Republic of Azerbaijan No. 722-IIKQD dated September 1, 2004( Legislative Collection of the Republic of Azerbaijan, 2004, No. 9, Article 665 )
2. Constitutional Law of the Republic of AzerbaijanNo. 71-IIKQD dated March 3, 2006( Legislative Collection of the Republic of Azerbaijan, 2006, No. 3, Article 207 )
3. Constitutional Law of the Republic of AzerbaijanNo. 431-IIKQD dated October 19, 2007( Legislative Collection of the Republic of Azerbaijan, 2007, No. 10, Article 928 )
4. Constitutional Law of the Republic of Azerbaijan No. 832-IIKQD datedJune 19, 2009 ("Azerbaijan" newspaper, November 5, 2009, No. 247, Legislative Collection of the Republic of Azerbaijan, 2009, No. 10, Article 761)
5. Constitutional Law of the Republic of Azerbaijan No. 912-IIKQD datedNovember 26, 2009 ("Azerbaijan" newspaper, December 24, 2009, No. 286)
6. Constitutional Law of the Republic of Azerbaijan No. 102-IVKQD dated May 6, 2011 ("Azerbaijan" newspaper, June 9, 2011, No. 123)
7. Constitutional Law of the Republic of Azerbaijan No. 163-IVKQD dated June 24, 2011 ("Azerbaijan" newspaper, August 10, 2011, No. 174)
8. Constitutional Law of the Republic of Azerbaijan [No. 1011-IVKQD dated June 27, 2014](#) (" Respublika " newspaper, July 13, 2014, No. 148; Legislative Collection of the Republic of Azerbaijan, 2014, No. 07, Article 757)
9. Constitutional Law of the Republic of Azerbaijan [No. 201-VKQD dated April 15, 2016](#) (" Respublika " newspaper, April 29, 2016, No. 91 , Legislative Collection of the Republic of Azerbaijan, 2016, No. 4, Article 655 )
10. Constitutional Law of the Republic of Azerbaijan [No. 1233-VKQD dated October 1, 2018](#) ("Azerbaijan" newspaper, November 15, 2018, No. 257 , Legislative Collection of the Republic of Azerbaijan, 2018, No. 11, Article 2184 )
11. Constitutional Law of the Republic of Azerbaijan [No. 1335-VKQD dated November 27, 2018](#) ("Azerbaijan" newspaper, December 20, 2018, No. 287 , Legislative Collection of the Republic of Azerbaijan, 2018, No. 12, Book I, Article 2480 )
12. Constitutional Law of the Republic of Azerbaijan [No. 9-VIKQD dated March 13, 2020](#) ("Azerbaijan" newspaper, April 15, 2020, No. 70 , Legislative Collection of the Republic of Azerbaijan, 2020, No. 4, Article 384 )
13. Constitutional Law of the Republic of Azerbaijan [No. 778-VIKQD dated December 30, 2022](#).( official website of the President of the Republic of Azerbaijan, January 12, 2023, "Azerbaijan" newspaper, January 13, 2023, No. 7 )

-

**LIST OF AMENDMENTS AND AMENDMENTS TO THE ACT**

-

---

[1]\_Withthe Constitutional LawRepublic ofAzerbaijanNo.163-IVKQDdated June 24, 2011("Azerbaijan" newspaper, August 10, 2011, No. 174)in Article 1.1 after the word "making"and with this Constitutional Law"prevention of human rights violations in certain cases" were added.

[2]\_Articles 1.2-1.7 ofthe Constitutional LawRepublic ofAzerbaijanNo.163-IVKQDdated June 24, 2011("Azerbaijan" newspaper, August 10, 2011, No. 174)and Articles 1.5-1.10 respectively and articles 1.2, 1.3 and 1.4 were added to the article in new content.

[3]\_Constitutional Law of the Republic of Azerbaijan[No.9-VIKQDdatedMarch 13, 2020](#)("Azerbaijan" newspaper, April 15, 2020, No. 70, Legislative Collection of the Republic of Azerbaijan, 2020, No. 4, Article 384)inthe first sentence of Article 1.8, the words "or to review"were replaced by the wordsto **cancel or amend the laws**

[4]\_Articles 4.2 and 4.3 were revised by the ConstitutionalLawRepublic ofAzerbaijanNo.912-IIKQDdatedNovember 26, 2009("Azerbaijan" newspaper, December 24, 2009, No. 286)

The previous editorial said:

4.2. The same person can be elected to the position of Commissioner only once.

~~4.3. 30 days before the end of the mandate of the Commissioner, the President of the Republic of Azerbaijan submits the nomination of three persons to the Milli Majlis of the Republic of Azerbaijan for the election of a new Commissioner. The Milli Mejlis of the Republic of Azerbaijan adopts a relevant decision on the election of the Commissioner within 15 days.~~

[5] With the Constitutional Law Republic of Azerbaijan No.163-IVKQD dated June 24, 2011 ("Azerbaijan" newspaper, August 10, 2011, No. 174), the title of Chapter II was given in a new redaction.

The previous editorial said:

~~Consideration of complaints about human rights violations~~

[6] Constitutional Law of the Republic of Azerbaijan No.9-VIKQD dated March 13, 2020 ("Azerbaijan" newspaper, April 15, 2020, No. 70, Legislative Collection of the Republic of Azerbaijan, 2020, No. 4, Article 384) in Article 9.2, the word "if not indicated" was replaced by the words **if there is no signature**

[7] Constitutional Law of the Republic of Azerbaijan No.9-VIKQD dated March 13, 2020 ("Azerbaijan" newspaper, April 15, 2020, No. 70, Legislative Collection of the Republic of Azerbaijan, 2020, No. 4, Article 384) in Article 9.3, the words "can be done" are replaced by the word **is done**

[8] Constitutional Law of the Republic of Azerbaijan No.9-VIKQD dated March 13, 2020 ("Azerbaijan" newspaper, April 15, 2020, No. 70, Legislative Collection of the Republic of Azerbaijan, 2020, No. 4, Article 384) in the first paragraph of Article 10.1, the words "can" have been replaced by the word **does**.

[9] Constitutional Law of the Republic of Azerbaijan No.9-VIKQD dated March 13, 2020 ("Azerbaijan" newspaper, April 15, 2020, No. 70, Legislative Collection of the Republic of Azerbaijan, 2020, No. 4, Article 384) in Article 10.2, in the second sentence of Article 12.1, in Articles 12.2.2, 13.1, in the first sentences of Articles 13.2.1 and 13-1.5, the word "day" was replaced by the words **working day**.

[10] In Article 12 of the Constitutional Law Republic of Azerbaijan No.163-IVKQD dated June 24, 2011 ("Azerbaijan" newspaper, August 10, 2011, No. 174), the name of the article is given in a new version.

The previous editorial said:

~~The procedure for considering a complaint about violation of human rights~~

[11] Constitutional Law of the Republic of Azerbaijan No.163-IVKQD dated June 24, 2011 ("Azerbaijan" newspaper, August 10, 2011, No. 174) Article 12.2 after the words **investigation and the implementation of the functions of the national preventive mechanism "holding"** have been added.

[12] Article 12.2.1 of the Constitutional Law Republic of Azerbaijan No.163-IVKQD dated June 24, 2011 ("Azerbaijan" newspaper, August 10, 2011, No. 174) has been revised.

The previous editorial said:

~~12.2.1. to enter state authorities and local self-government bodies, military units, penitentiary institutions, pretrial detention centers, and temporary detention centers without hindrance and without prior warning, to meet and talk one-on-one with persons detained in penitentiary institutions, pretrial detention centers, and temporary detention facilities, to get acquainted with the documents confirming the legality of their detention in those places;~~

With the Constitutional Law of the Republic of Azerbaijan [No. 201-VKQD dated April 15, 2016](#) ("Respublika" newspaper, April 29, 2016, No. 91, Legislative Collection of the Republic of Azerbaijan, 2016, No. 4, Article 655) 12.2. In articles 1 and 18-1.2.1, after the words "psychiatric institutions" the words "in centers of detention of illegal migrants" were added.

[13] Article 12.2.7 of the Constitutional Law Republic of Azerbaijan No.163-IVKQD dated June 24, 2011 ("Azerbaijan" newspaper, August 10, 2011, No. 174) has been revised.

The previous editorial said:

~~12.2.7. to be accepted without delay by the heads and other officials of state and local self-government bodies, commanders of military units, management of penal institutions, detention centers and temporary detention facilities.~~

With the Constitutional Law of the Republic of Azerbaijan [No. 201-VKQD dated April 15, 2016](#) ("Respublika" newspaper, April 29, 2016, No. 91, Legislative Collection of the Republic of Azerbaijan, 2016, No. 4, Article 655) 12.2. In Articles 7 and 18-1.2.2, after the words "psychiatric institutions", the words "detention centers for illegal migrants" were added.

[14] Articles 12.3-12.5 of the Constitutional Law Republic of Azerbaijan No.163-IVKQD dated June 24, 2011 ("Azerbaijan" newspaper, August 10, 2011, No. 174) were considered Articles 12.4-12.6, respectively, Article 12.3 was added in the new content.

[15] Constitutional Law of the Republic of Azerbaijan [No.9-VIKQD dated March 13, 2020](#) ("Azerbaijan" newspaper, April 15, 2020, No. 70, Legislative Collection of the Republic of Azerbaijan, 2020, No. 4, Article 384) in Article 12.4, the words "can take" were replaced by the word takes

[16] Constitutional Law of the Republic of Azerbaijan [No.9-VIKQD dated March 13, 2020](#) ("Azerbaijan" newspaper, April 15, 2020, No. 70, Legislative Collection of the Republic of Azerbaijan, 2020, No. 4, Article 384) in the second sentence of Article 12.6, the words can be extended by a day should be replaced by the words "extended up to a day" and the third sentence is given in a new edition.

the previous editorial said:

~~With the written consent of the applicant, the application review period can be extended again if it is necessary to conduct an additional inspection.~~

[17] Constitutional Law of the Republic of Azerbaijan [No.9-VIKQD dated March 13, 2020](#) ("Azerbaijan" newspaper, April 15, 2020, No. 70, Legislative Collection of the Republic of Azerbaijan, 2020, No. 4, Article 384) in the first paragraph of Article 13.2, the words "may" have been replaced by the word "shall".

[18] Constitutional Law of the Republic of Azerbaijan [No.9-VIKQD dated March 13, 2020](#) ("Azerbaijan" newspaper, April 15, 2020, No. 70, Legislative Collection of the Republic of Azerbaijan, 2020, No. 4, Article 384) in the second sentence of Article 13.2.1, the words "can" have been replaced by the word does

[19] Article 13-1 of the Constitutional Law Republic of Azerbaijan No.163-IVKQD dated June 24, 2011 ("Azerbaijan" newspaper, August 10, 2011, No. 174) was added.

[20] Article 16.1 was revised by of the Republic of Azerbaijan 722-IKQD dated September 1, 2004 (Legislative Collection of the Republic of Azerbaijan, 2004, No. 9, Article 665)

The previous editorial said:

~~16.1. The commissioner receives a monthly salary equal to the monthly salary of the first deputy speaker of the Milli Majlis of the Republic of Azerbaijan.~~

With the Constitutional Law of the Republic of Azerbaijan No. 832-IIIKQD dated June 19, 2009 ("Azerbaijan" newspaper, November 5, 2009, No. 247, Legislative Collection of the Republic of Azerbaijan, 2009, No. 10, Article 761) 16.1- The words " in the amount equal to 1,200 times of the conventional financial unit " in Article c have been replaced by the words " in the amount of 1,320 manats ".

Article 16.1 of the Constitutional Law of the Republic of Azerbaijan No. 102 -IVKQD dated May 6 , 2011 ("Azerbaijan" newspaper, June 9, 2011, No. 123) " 1320 " number " 1800 " replaced by the number

16.1-with the Constitutional Law of the Republic of Azerbaijan [No. 1011-IVKQD dated June 27, 2014](#) (" Respublika " newspaper, July 13, 2014, No. 148; Legislative Collection of the Republic of Azerbaijan, 2014, No. 07, Article 757) in article c " 1800 " numbers " 2025 " replaced by numbers.

The Constitutional Law of the Republic of Azerbaijan [No. 1335-VKQD dated November 27 , 2018](#) ( "Azerbaijan" newspaper, December 20, 2018, No. 287 , Legislative Collection of the Republic of Azerbaijan, 2018, No. 12, Book I, Article 2480 ) in Article 16.1 " 2025 " numbers " 2230 " replaced by numbers .

Article 16.1 of the Constitutional Law of the Republic of Azerbaijan [No. 778-VIKQD dated December 30 , 2022](#) ( official website of the President of the Republic of Azerbaijan, January 12, 2023, "Azerbaijan" newspaper, January 13, 2023, No. 7 ) "2230 " figuresby " 3060 " figures, and " salary " wordswere replaced by " postal salary " words.

-  
[\[21\]](#) In new contentwiththe Constitutional Law of the Republic of Azerbaijan[No.778-VIKQDdatedDecember 30, 2022](#)(official website of the President of the Republic of AzerbaijanJanuary 12, 2023, "Azerbaijan" newspaper, January 13, 2023, No. 7)Article 16.1-1 has been added.

[\[22\]](#) The Constitutional Law of the Republic of Azerbaijan[No.778-VIKQDdatedDecember 30, 2022](#)(official website of the President of the Republic of AzerbaijanJanuary 12, 2023, "Azerbaijan" newspaper, January 13, 2023, No. 7)and16.6- Article c has been canceled.

[\[23\]](#) Constitutional Law of the Republic of Azerbaijan[No.1233-VKQDdatedOctober 1, 2018](#)("Azerbaijan" newspaper, November 15, 2018, No. 257, Legislative Collection of the Republic of Azerbaijan, 2018, No. 11, Article 2184)Article 16.7 has been revised .

The previous editorial said:

~~16.7. Regardless of the time, when a person who has worked as a Commissioner reaches retirement age, he receives a pension in the amount of 80 percent of the current salary of the Commissioner.~~

[\[24\]](#) The Constitutional Law of the Republic of AzerbaijanNo.71-IIIKQDdated March 3, 2006(Legislative Collection of the Republic of Azerbaijan, 2006, No. 3, Article 207) shall be amended in the following content:

1. After the word " **apparatus** " in the name of Article 17, the words " **and regional centers** " are added;
2. The second sentence with the following content has been added to Article 17.1 : " **Regional centers of the Commissioner can be established in places.** ";
3. In Article 17.3, the words " **and regional centers** " are added after the word " **Apparatus** ", and the words " **and regional centers** " are added after the word " **apparatus** " ;
4. In Article 17.4, the words " **and regional centers** " were added after the word " **apparatus** " ;

[\[25\]](#) In the name of Article 18, Articles 18.1 and 18.2 of theConstitutional Lawof the Republic of AzerbaijanNo.71-IIIKQDdated March 3, 2006Legislative Collection of the Republic of Azerbaijan, 2006, No. 3, Article 207)the words"**and regional centers**wereadded"**apparatus**;

[\[26\]](#) Article 18-1 ofthe Constitutional LawRepublic ofAzerbaijanNo.163-IVKQDdated June 24, 2011("Azerbaijan" newspaper, August 10, 2011, No. 174)was added.

[27] In Article 19.1 the Constitutional Law Republic of Azerbaijan No. 71-IIIKQD dated March 3, 2006 (Legislative Collection of the Republic of Azerbaijan, 2006, No. 3, Article 207) and its apparatus" and its apparatus and regional centers were replaced by the words ".

[28] Article 19.2 of the Constitutional Law Republic of Azerbaijan 431-IIIKQD dated October 19, 2007 (Legislative Collection of the Republic of Azerbaijan, 2007, No. 10, Article 928)

The previous editorial said:

~~19.2. The annual funds allocated for the financing of the Commissioner's activities cannot be reduced compared to the previous financial year.~~

-

[29] Article 20 of the Constitutional Law Republic of Azerbaijan No. 163-IVKQD dated June 24, 2011 ("Azerbaijan" newspaper, August 10, 2011, No. 174) was added.