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**Statement by
Deputy Foreign Minister of the Republic of Azerbaijan
H.E. Mr. Mahmud Mammadquliyev**

1st session of the UN Human Rights Council

Geneva, 20 June 2006

Mr. President,
Excellencies, Ladies and Gentlemen,

It gives me a great honour and pleasure to address the first session of the newly established Human Rights Council.

At the outset, I would like to sincerely congratulate you, Mr. President, and other members of the Bureau on your election and express our confidence that your able guidance will lead us to successful and productive activity.

I wish to congratulate the first Member States of the Council and thank all countries, which considered us worthy of this honorable membership. Let me assure you that the Government of Azerbaijan realizes fully its responsibility and will do its utmost to use the years of membership in the Council for close contribution to the process of formalization of strong and efficient human rights body.

Dear Colleagues,

Let me share with you our approaches to some of the important and concrete issues that need to be addressed.

We believe that Council should focus on the implementation of the obligations and commitments undertaken, as well as on the mandates and mechanisms that need further scrutiny. In this regard, we suggest to reduce the number of resolutions to the expedient one, with due regard given to the main aspects of human rights and roots and conditions conducive to their violations. Effective monitoring mechanism for decisions' implementation within the Council should be established. The General Assembly should not only take note of decisions of the Council, but assist in making them workable in reality.

We also favor enhanced interaction between the Council and the Office of High Commissioner on Human Rights that would increase the sense of collective ownership by the Members of the overall UN human rights machinery. We would welcome stronger emphasis on the part of the Office on areas like human rights education, capacity, first of all, human capacity building and other forms of technical assistance to countries in need.

The role of the Sub-Commission on the protection and promotion of human rights in development of relevant standards and examination of complaints should be reviewed and enhanced as a subsidiary body of the Council providing the latter with much needed expert advice.

Recognizing the instrumental role of special procedures in highlighting issues and providing independent expert contribution, we look forward to participating in the

process of scrutinizing and rationalizing their number and work within the broader process of screening all mandates transferred from Commission to Council. The special procedures should not focus their activity by receiving answers to their questionnaires from governments, but should rather be actively engaged in dialogue with them and give practical recommendations for the improvement of the situation in particular sphere of their activity.

With regard to **review of all mandates**, mechanisms, functions and responsibilities and elaboration of the **universal periodic review**, we support the idea of setting up by the Council two inter-governmental working groups as soon as possible to address these clusters in a formal and transparent manner. We do hope that this new mechanism can be a departure from selective and sometimes politicised approach and will be based on the principles of universality, impartiality and objectivity as well as on constructive international dialog and cooperation.

It is our opinion that we have to consider the reports of the Working Groups on standard setting and take further steps, as required.

In order to encourage global dialogue and partnership on enhancing the promotion and protection of human rights worldwide it is crucial to benefit from efforts of other international organizations actively involved in protection of human rights, such as the Council of Europe, OSCE, OIC, EU, African Union, Organization of American States.

Mr. President,

While we understand that all issues cannot be tackled by the Council and that we should strive to achieve a realistic and workable agenda, certain urgent human rights issues should be dealt with as pressing issues at this session to be followed up as part of the program of work for the first year:

- Armed conflicts, resulted in foreign military occupation and its implications and consequences on human rights;
- Promotion of tolerance and respect for the freedom of religion and belief.

We have to articulate that gross and systematic violations of human rights mainly occur in situations of armed conflicts. Azerbaijan is a clear example, when as a result of military aggression of neighboring Armenia large part of our territory fell under foreign occupation and hundreds of thousand of people were subjected to notorious policy of “ethnic cleansing” and forced to leave their homes to become IDPs and refugees with huge number of missing persons. This is a very manifestation of gross violation of human rights.

Intensive mediation efforts undertaken in the last 14 years so far have not produced any tangible results and have not brought us closer to the settlement, which will

take off a hard burden of our States, will release necessary resources for further development of democratic institutions and socio-economic improvement, and will pave the way for full scale cooperation in the South Caucasus.

The ground of such a stalemate lies in the entrenched obstructive position of Armenia, which tries to consolidate the results of its illegal and inhumane actions, such as occupation and ethnic cleansing, including massive transfer of Armenian population to the occupied territories through the carefully planned and well-funded campaign. This policy constitutes a gross violation of international humanitarian law, namely the Geneva Conventions of 1949. It creates additional obstacles on the way towards durable peace, first and foremost, for the future return of the forcibly displaced Azerbaijani population to their homes in safety and dignity, which is a fundamental element of the peaceful settlement.

Azerbaijan believes that just solution to this conflict cannot be found with disregard to universally recognized principles and values of democracy, human rights and rule of law.

Regarding the status of the self-rule of the Nagorno Karabakh region within Azerbaijan it can only be defined through constitutional, peaceful and democratic process and cannot be based on the military occupation and ethnic cleansing.

Unfortunately, we are not the only country that suffers from this continuing injustice. Human rights of millions of affected people throughout the world escaped the spotlight of international community, and the fact that the above-mentioned conflicts became protracted and therefore forgotten should not imply that they do not deserve necessary scrutiny on the part of international human rights community. By ignoring the plight of these millions of victims of gross violations of human rights, the international community is appeasing the perpetrators and emboldens them to proceed with impunity for the committed crimes.

Mr. President,

I believe it is our common responsibility to ensure that the Council becomes a credible, effective and responsive global human rights body, adequate to its elevated status and huge expectations surrounding it. Transparency, inclusiveness, consistency and persistence should constitute our toolbox. We should not shy away from the difficult issues, but realizing our common responsibility should join in genuine efforts to stand up to the challenges ahead of us and thus provide our solid contribution to the lofty goal of protection and promotion of human rights. Azerbaijan is ready to deliver its own contribution to this process.

I thank you for your attention.