

**THE IX BAKU INTERNATIONAL CONFERENCE OF OMBUDSMEN
ON
"CULTURAL RIGHTS OF NATIONAL MINORITIES AND
MIGRANTS: LEGAL ASPECTS AND IMPLEMENTATION" DEDICATED
TO 18 JUNE - HUMAN RIGHTS DAY OF AZERBAIJAN, THE
20TH ANNIVERSARY OF THE STATE INDEPENDENCE OF THE
REPUBLIC OF AZERBAIJAN, 45TH ANNIVERSARY OF THE
ADOPTION OF THE INTERNATIONAL COVENANTS ON CIVIL AND
POLITICAL RIGHTS AS WELL AS ON ECONOMIC, SOCIAL AND
CULTURAL RIGHTS**

BAKU DECLARATION

16-18 June 2011

We, the participants of the IX International Ombudsman Conference on "Cultural Rights of National Minorities and Migrants: Legal Aspects and Implementation" dedicated to 18 June - Human Rights Day of Azerbaijan, the 20th Anniversary of the state independence of the Republic of Azerbaijan, 45th Anniversary of the adoption of the International Covenants on Civil and Political rights as well as on Economic, Social and Cultural Rights held over the period from 16 to 18 June 2011 in Baku upon the initiative of the Commissioner for Human Rights of the Republic of Azerbaijan,

Noting that UNESCO in order to ensure the respect to human rights and freedoms set the objective to assist to strengthening peace and security through enlarging the cooperation of nations in the spheres of education, science and culture,

Stressing the importance of the first universal International Covenants on Civil and Political Rights as well as on Economic, Social and Cultural Rights having obligatory character,

Declaring that migration process having global character entirely influences the implementation of civil, political, economic, social and cultural rights as well as of individual and collective human rights at a whole,

Emphasizing that effective protection of main human rights and freedoms, including cultural rights, is a national priority of countries adhered to leading the way of legal and democratic states and formation of free civil society,

Considering the necessity of the promotion of effective protection of migrants and ethnic minorities' rights and freedoms, including cultural rights,

Recognizing the necessity of development of opportunities of National Human Rights Institutions in the sphere of migrant workers and ethnic minorities' rights, including cultural rights which hold a prominent place among these rights,

Appraising peaceful coexistence of more than 90 national minorities and ethnic groups in Azerbaijan – place of tolerance, as the best practice, and applauding that the Commissioner for Human Rights of the Republic of Azerbaijan pays attention towards the state of ethnic minorities and migrants,

We agree on the following:

The necessity of creating norms which through considering the scope and importance of labor migration joining millions of people and numerous states will be helpful in provision of protection of migrant workers' rights and in coordination of positions of National Human Rights Institutions;

Development of universal, regional and bilateral cooperation for effective provision of human rights of migrants, national minorities, refugees and internally displaced persons;

Providing of definition of normal, fair and humanistic conditions for international migration of workers;

Paying special attention to the protection of social, economic, cultural, civil and other rights of migrant workers and their families, including the results of such migration to appropriate society;

Legal regulation of migration processes and expansion of experience of bilateral agreement on more effective provision of migrants' rights;

Importance of national legislation acts including main state policy principles in migration sphere, status of migrants of various category, prevention of illegal labor migration, migration quotas, migrants' rights and their legal interests;

Necessity of the adoption of universal and regional international agreements with participation of National Human Rights Institutions which through consideration that fast development of illegal migration becomes a global problem requiring coordinated actions by international community will regulate the issues of prevention and elimination of illegal international migration;

In accordance with the UN General Assembly Declaration of 18 December 1992 on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, to strengthen the efforts on preservation of cultural diversity and cultural heritage on national minorities as well as on inadmissibility of discrimination,

Necessity of the adoption of national legislative acts on effective provision of rights of migrants and national minorities as well as of the cooperation of National Human Rights Institutions with legislative structures in this sphere;

Necessity of setting the issue of efficient provision of human rights as important objectives of National Human Rights Institutions and taking important measures in this regard;

Development of the cooperation with relevant state agencies and non-governmental organizations in order to efficiently protect the rights of migrants and national minorities; promotion of the “Education for Sustainable Development” decade (2005 – 2014) in compliance with the UNESCO “Education for All” principles by means of capacity of civil society and communities;

Promotion of the dialogue of cultures as well as the cooperation between religions and nations through mobilization of National Human Rights Institutions’ efforts;

Taking into account Millennium Development Goals, Universal Periodic Review Mechanism of the UN Human Rights Council, recommendations submitted by treaty bodies and special rapporteurs to states, to hold regular experience sharing events with regard to more efficient provision of rights of all population groups, including migrants and national minorities, in order to remove obstacles by sharing best practice as well as considering regional cooperation as an integral part of global cooperation to strengthen the collaboration between International Ombudsman Institute, European Ombudsman Institute and Asian Ombudsman Association;

Necessity of taking into consideration the recommendations on migrant workers adopted within the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the European Convention on the Legal Status of Migrant Workers adopted by the members of the Council of Europe during the formation of domestic legislative acts on migration;

Inevitability of being guided by the Framework Convention for the Protection of National Minorities, international legal norms and principles while creating the normative base on national minorities;

Broadening the cooperation with universal and regional international organizations, UN and its specialized agencies, United Nations Office of the High Commissioner for Human Rights, Human Rights Council, UNESCO, International Migration Organization, Council of Europe, European Union, OSCE and other organizations as well as National Human Rights Institutions;

Complying with the UN Declaration on the Right to Development adopted by the UN General Assembly resolution dated 4 December 1986, coordinate activities on full implementation of international norms and principles on all human rights, cultural rights as well as migrants and national minorities without any discrimination;

Use the capacity of mass media resources for efficient ensuring rights of migrants and national minorities as well as for the promotion of international and national legal acts adopted at universal and regional levels;

Mobilization of capabilities of National Human Rights Institutions, civil society and local communities through the support to the activities carried out by the state for the promotion of the protection of migrant and national minorities’ rights and tolerance;

at the same time:

Calling all participants of the IX Baku Ombudsman Conference to joint efforts and cooperation in the implementation of provisions of this Declaration at national and international levels;

and

Highly appreciating efficient work of the Commissioner for Human Rights of the Republic of Azerbaijan we express our gratitude to Azerbaijan Ombudsman for organizing and conduction of the Conference at high level;

The Declaration was adopted by Ombudspersons of Azerbaijan, India, Sweden, Moldova, Norway, Pakistan, Poland, Russian Federation and its subjects – Daghistan and Tatarstan Republics, Moscow city, Astrakhan, Kaluqa, Krasnodar, Moscow, Novqorod, Saratov, Sverdlovsk, and Volqograd regions, Slovenia, Thailand, Ukraine or their representatives, International Ombudsman Institute, European Ombudsman Institute, Asian Ombudsman Association, UNESCO Moscow office, National Commission of the Republic of Azerbaijan for UNESCO as well as well-known international experts on human rights.