Information for the report on the adverse impact of climate change on the full and effective enjoyment of human rights of people in vulnerable situations

in accordance with the

Human Rights Council resolution 47/24 “Human rights and climate change**”**

1. In recent decades, along with the rest of the world, the Republic of Azerbaijan has also observed an intense climate change, which entails an unfavorable impact on the population, in particular on people in vulnerable situations. Global warming, an increase in the average annual air temperature entails frequent extreme weather conditions, abnormal heat, problems of hydropower and water supply, losses in agriculture, more frequent forest fires, deterioration of infrastructure in rural areas) - all these negatively affect health, quality of life and realization of human rights.

An example of the adverse effects of climate change can be the fact that the duration and number of periods of abnormally hot weather on the Absheron Peninsula, in particular in Baku, increased. According to the National Hydro meteorological Service under the Ministry of Ecology and Natural Resources of Azerbaijan, in the summer of 2021, the air temperature reached record levels in Azerbaijan + 44, in Baku + 39 degrees. Both the frequency and duration of heat waves were observed. As a result, the risks to public health have increased, primarily for people with problems of cardiovascular diseases, hypertension and allergies. Given the fight against the COVID-19 pandemic and the workload of medical personnel in these conditions, there were interruptions in the provision of ambulances, which adversely affected the full and effective exercise of the human rights of people in vulnerable situations.

2. In accordance with international standards in the field of human rights protection, Azerbaijan has also ratified following international conventions and protocols: UN Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (16.02.2001); Geneva Convention on Long-Range Transboundary Air Pollution (09.04.2002); Stockholm Convention on Persistent Organic Pollutants (09.12.2003); Convention on the Transboundary Effects of Industrial Accidents (04.05.2004,); Framework Convention for the Protection of the Marine Environment of the Caspian Sea (04.04.2006); European Landscape Convention (24.06.2011).

One of the main goals of the Development Concept "Azerbaijan 2020: a Look into the Future" adopted in 2012 was to achieve environmentally sustainable socio­economic development. The necessary measures to protect biodiversity, neutralize the negative impacts of the fuel and energy complex on the environment, eliminate pollution of the sea, its water area and protect them, restore green areas and effectively protect existing resources will continue in the future. It was envisaged to bring the amount of energy and emitted carbon dioxide used to produce an average of one GDP unit in Azerbaijan closer to the corresponding indicator for the countries of the Organization for Economic Cooperation and Development during the period indicated by the Concept, which is important from the point of view of the implementation of the Millennium Development Goals.

The basic provisions regarding compliance and enforcement the mechanisms for environmental requirements in Azerbaijan are contained in Chapter XI of the Environmental Protection Act (1999). These mechanisms include:

a) State monitoring of compliance and law enforcement activities of the competent law enforcement agencies, namely the competent sectoral executive bodies;

b) Compliance monitoring independently carried out by industrial operators;

c) State environmental control on appeals and complaints of individuals and non-governmental organizations.

3. During almost 30 years long occupation of the 20% of territories of the Republic of Azerbaijan Armenia destroyed unique ecosystem of those territories, through its deliberate illegal acts against landscape, forests, and water basins leaving huge detrimental impact on wildlife and nature of the area. Moreover, the results of the same illegal acts undertaken both during the occupation and at the time of withdrawal of armed forces of Armenia in accordance with the Trilateral Statement of 10 November 2020, are among the main reasons negatively affecting the situation of Azerbaijani IDPs as a vulnerable group of population, in particular their safe and dignified return to their native lands in the near future. During the 44 days war of 2020 Armenia has committed an immense number of war crimes and crimes against humanity including but not limited to using heavy missiles and cluster munitions while conducting indiscriminate attacks targeting civilians and civilian objects in Ganja, Mingachevir, Barda and other cities of Azerbaijan located far away from the combat zone and thereby terrorizing the civilian population of Azerbaijan. All these crimes were accompanied by irreparable damage to the environment in the region and to the region as a whole. These acts represent grave breaches of the norms of international human rights and humanitarian law, including Geneva Conventions of 1949, in particular norms relating to the protection of natural environment against widespread, long-term and severe damage in an armed conflict. Armenia did not abide by the prohibition on the use of means of warfare causing damage to the environment either. Namely, it continuously utilized poisonous substances once again demonstrating its real intention of inflicting as much as possible damage upon the territories and population of Azerbaijan. All these violations negatively impact climate in the region and eventually undermine promotion, protection, and fulfillment of the human rights of people, particularly those in vulnerable situations, such as displaced persons, children, the elderly.

4. Regarding the mechanisms and tools used to measure and monitor the impacts of climate change on the full and effective implementation of human rights, the monitoring of compliance, entrusted to environmental executive bodies is carried out in Azerbaijan by environmental inspectors within the framework of inspections of the following types:

a) Routine inspections of enterprises;

b) Unscheduled inspections;

c) Inspections on citizens' appeals and facts of non-compliance revealed by the media.

In 2003, the Ministry of Ecology and Natural Resources launched a hotline to receive applications and complaints from the general public regarding violations of environmental legislation. The system for ensuring the implementation of environmental legislation on requests from citizens works under the supervision of the Presidential Administration. Compliance tools are - fines, penalties, and payments for non-compliance, include administrative, criminal and civil remedies.

5. The following can be considered Azerbaijan's positive experience in the field of protection and fulfillment of human rights of people in vulnerable situations in the context of the negative effect of climate change: bringing national environmental legislation in line with international standards in the field of air quality standards; cleaning of soils in areas of oil pollution, reducing the volume of emissions that pollute the atmosphere; transformation of the Baku industrial working zone "Black City" into the "White City" with green zones and parks; transfer of the Baku International Sea Trade Port from the center of the city to the Alat village.

The recent set of strategic planning documents were 12 strategic roadmaps (SRMs), namely the main “Strategic Road Map on National Economy Perspectives” and 11 Sector Roadmaps, several of which are related to energy and climate policy development. The SRMs were adopted by a Presidential Decree on 6 December 2016 and cover the 2016- 2020 economic development perspective, a mid-term outlook up to 2025 and target vision after 2025. As part of its international commitments under UNFCCC, the Government of Azerbaijan ensures regular reporting of climate change related trends and developments in the form of national communications and biennial update reports. With this respect, Republic of Azerbaijan submitted its first, second, third and fourth National Communication (NC) in 2001, 2010, 2016 and 2021 respectively. In addition to the NCs, Azerbaijan has also presented its first and second Biennial Updated Reports (BUR) respectively in 2015 and in 2018. At present, one of the main goals of the relevant state programs in the country is to ensure the utilization of 80% of solid waste in the short-term. For this purpose, in order to improve the institutional structure, “Tamiz Shahar” OJSC was established on March 12, 2009. “Tamiz Shahar” OJSC receives and disposes solid waste generated in Baku (approximately 500,000 tons per year).

6. The President of Azerbaijan Ilham Aliyev set the task to bring the share of renewable energy sources to 30 per cent in the total investment capacity by 2030. In addition, a favorable investment climate and conditions to attract private investment and to implement large-scale projects are being created in various energy sectors in Azerbaijan as a result of the signed orders.

A relevant bill has been prepared and cooperation with the European Bank for Reconstruction and Development has been established to arrange auctions in the field of the use of renewable energy sources. Investment, power purchase and grid-connection agreements for the wind farm project have been signed with "Acwa Power".

Liberation of the territories of Azerbaijan from Armenian occupation opened up new opportunities for sustainable development in the region. According to the instructions of the President, the liberated territories will be turned into zones of "green energy", and cooperation in this direction will be established with international companies.

Azerbaijan and the UK signed a Memorandum of Understanding on cooperation in the field of environment and climate change in February 2021. Within the framework of the agreements, Azerbaijan announced its desire to achieve the set goals in the field of climate, including the transition to renewable energy sources and further reduction of carbon dioxide emissions by 2030. In April 2021, Azerbaijan joined a new regional initiative, EU4Climate. The initiative is to be implemented by 2022 and aims to address a range of climate­ related challenges faced by the countries of the Eastern Neighborhood Region, including Azerbaijan, from water and energy shortages to energy intensity and inefficiency resulting from the overreliance of some countries on fossil fuels in domestic energy demand.

Azerbaijan is preparing a Long-Term Low Emissions Development Strategy (LTS/LEDS) and climate change mitigation strategy in close cooperation with international aid organizations such as the UNEP, UNDP, FAO etc. Agriculture and forestry, water resources, and the Caspian Sea coast, tourism, and health care are recognized as the most sensitive sectors of the economy in terms of climate change. The policies related to these areas are going to be integrated into the country’s mid-term and long-term climate change adaptation strategy and sectoral development programs, and practical solutions must be sought.

7. International community may support actions aimed at preventing climate change, *inter alia* through following measures:

- Commit and mobilize all their potential to take measures to adapt and increase the resilience of the population in connection with climate change. Given that the negative effects of climate changes will grow exponentially, concrete steps and close international cooperation are needed;

- Provide effective remedies in case of harm to human rights as a result of climate change, especially for the people in vulnerable situations (for example: residents of high-mountain villages cut off from other settlements, as a result of the lack of ambulances, food supplies, water, etc.);

- Be liable to right holders for the aggravation of climate change, including the lack of adequate regulation of greenhouse gas emissions due to entrepreneurial activities in their jurisdiction , regardless of where these emissions and harm actually occur;

- Develop and implement the necessary measures for coordinated work of the health sector with other actors, often within the framework of a single strategy to fight with climate change (adoption and implementation of plans, strategies, programs for adapting universal health care to climate changes);

- Contribute to the improvement of mechanisms for monitoring health problems as a result of climate change, provide necessary medical services in emergency situations, and supply essential medicines.

- Awareness and involvement of the society in the Action Plan for adapting the population to the negative consequences of climate change, public control over the performance of duties by the state under the Plan, participation of volunteers.

- Encourage the transit to sustainable transport, reducing deforestation, landscaping of residential areas and creating forest parks.