



## Reporting in Azerbaijan

### *National reporting procedures for cyberbullying, hate speech and hate crime*

The information below is extracted from a mapping study of national reporting mechanisms in the countries involved in the [No Hate Speech Movement](#) of the Council of Europe. It aims to provide:

1. Contact information of national reporting mechanisms for cyberbullying, hate speech and hate crime where they exist
2. Information about the legal grounds for acting on cyberbullying, hate speech and hate crime where they exist

The views expressed in this document do not necessarily reflect the opinions of the Council of Europe<sup>1</sup>.

## 1. Reporting Mechanisms

### Reporting hate crime

Reports can be submitted through police and a helpline.

Website: [www.helpline.initiative.az](http://www.helpline.initiative.az)

Website: [www.childhelpline.az](http://www.childhelpline.az)

There are no mechanisms **for reporting hate speech and Cyberbullying.**

## 2. Background information

There is no definition for hate crime, but there's described responsibilities on hate crimes in the Criminal Code (<http://e-qanun.az/code/11>):

According to the Criminal Code of Azerbaijan (Article 61), among the circumstances that aggravating the punishment, committing of a crime on grounds of national, racial, religious hatred or fanaticism, revenge from lawful actions of other persons, with mercenary purpose or other low prompting.

Another article which can legally regulate the punishment of hate crimes is Article 111:

Article 111. Racial discrimination (apartheid)

111.0. The acts accomplished with a purpose of the organization and maintenance of superiority of one racial group for destroying of other racial group:

111.0.1. denying of a members right of racial group or groups on life and freedom, that is murder of members of racial group or groups, drawing of heavy harm to their health or serious harm to mental faculties, application to them of tortures or reference severe, brutal or humiliating advantage and punishments, as well as any arrest or illegal imprisonment;

111.0.2. creation for racial group or groups of the living conditions designed for their full or partial physical destruction;

111.0.3. realization of any legislative or other action with a purpose ,of hindrance to participation of racial group or groups in political, social, economic and cultural life of the country, to development

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<sup>1</sup> The authors of this document aimed to be accurate and complete, if however you find corrections or have additions please contact the European campaign secretariat at [youth.nohatespeech@coe.int](mailto:youth.nohatespeech@coe.int). Reproduction of material from this publication is authorised for non-commercial education purposes only and on condition that the source is properly quoted.

of such group or groups by denying belonging to members of this group or groups of rights and freedom of a person, including a right to work, creation of trade unions, education, departure and entrance to the country, citizenship, a freedom to move and a choose of a residence, idea and word, associations and assemblies;

111.0.4. implementation of any measures, including legislative, with the purpose of division of a population into racial groups by means of creation of reservoirs and ghetto, prohibitions of mixed marriages between various racial groups, forced take of ground areas belonging to racial group or groups or their members without their consent;

111.0.5. operation of work of persons belonging to racial group or groups;

111.0.6. prosecution of organizations and persons opposing apartheid, by means of deprivation of their right and freedom – shall be punished by imprisonment for the term from ten up to fifteen years or life imprisonment.

According Article 120 which is about punishment of the crime for deliberate murder, it says, deliberate murder on motive of national, racial, religious hatred or enmity is aggravating the punishment.

283.1. The actions directed on excitation of national, racial or religious hostility, humiliation of national advantage, as well as actions directed on restriction of citizens rights, or establishment of the superiority of citizens on the basis of their national or racial belonging, creeds committed publicly or with use of mass media – is punished by the penalty at a rate from one up to two thousand of nominal financial unit, or restriction of freedom for the term up to three years, or imprisonment for the term from two up to four years.

283.2. The same acts committed:

283.2.1. with application of violence or with threat of its application;

283.2.2. by person with use of the service position;

283.2.3. by organized group – is punished by imprisonment for the term from three up to five years.

Also, there's an Article 12 of the Law on Advertisements which also talks about hate speech (<http://e-qanun.az/framework/30348>):

Article 12. Protection of minors in advertising

12.1. Minors to prevent harmful effects on mental and physical point of view, the following shall be prohibited in advertising:

12.1.2. In respect of another person roughness, hatred, aggression, instilling bad habits;

And Article 10 of the Law on Mass Media ([http://www.azerbaijan.az/portal/Society/MassMedia/massMedia\\_e.html](http://www.azerbaijan.az/portal/Society/MassMedia/massMedia_e.html)):

Article 10. An inadmissibility of abusing the freedom of the mass information Draft on funds of the mass information with the purposes of distribution of secrets guarded by the legislation of the Azerbaijan Republic, violent overthrow of an existing constitutional state formation, attempt on integrity of the state, propagation of war, violence and cruelty, national, racial, social hate or intolerance, printing under cover of a title of an authoritative source of hearings, lie also of prejudiced publications humiliating honour and a dignity of the citizens, pornographic materials, slander or undertaking of other unlawful operating is not enabled.