**Information provided by the Ministry of Science and Education of the Republic of Azerbaijan on academic freedom and freedom of expression in educational institutions in Azerbaijan**

* **Autonomy of educational institutions**

1. Please explain the autonomy and self-governance enjoyed by educational institutions at the different tiers of education. Please explain what autonomy and self-governance entail. Are there restrictions on police or military personnel entering educational institutions? If so, please share the rules.

According to Article 1.0.48 of the Law of the Republic of Azerbaijan “On Education”, the autonomy of an educational institution means the independence granted to a state educational institution by the relevant executive authority. According to Article 14.11 of the law, a state higher educational institution may be granted the right (status) of autonomy within the powers determined by the relevant executive authority. An educational institution that has the right to autonomy has the right to carry out pedagogical, research, personnel, financial, economic, and other activities following the law and its charter.

<https://e-qanun.az/framework/18343>

In addition, the autonomy of the educational institution includes giving permission to police officers or military personnel to enter higher education institutions in other cases, except in cases provided for by national legislation. Thus, according to Article 17 of the Law of the Republic of Azerbaijan “On Police”, a police officer has the right to enter residential buildings or other buildings, land plots, territories and buildings of enterprises, departments, and organizations only in cases when and in the manner established by law. In other cases, permission from the higher education institution is required.

<https://e-qanun.az/framework/2937>

According to Article 30.6 of the Law of the Republic of Azerbaijan on Education, to ensure the democracy and transparency of the management of the educational institution, administrative and self-governing bodies in the educational institution (general meeting, guardians, scientific, scientific-methodical, pedagogical, school, parents, students, trustees, and councils) can be created. The rules and powers of the establishment of these institutions are determined by the charter of the educational institution.

According to Article 5.2 of the Law of the Republic of Azerbaijan on Education, the state ensures that every citizen, regardless of their gender, race, language, religion, political beliefs, ethnicity, social status, origin, and health, has the opportunity to get an education and does not allow discrimination.

According to Article 5.3 of the Law of the Republic of Azerbaijan on Education, regardless of the form of state ownership, in recruitment, appointment, or selection to all educational institutions, labor stimulation, admission to educational institutions, provision of scholarships to students, selection of specialties, evaluation of knowledge, in employing graduates, in continuing education at the next pillar, in advancing qualifications and other issues in the field of education the state ensures the creation of equal opportunities for men and women.

* **Funding**

1. How is funding, including for research, regulated? Is the process transparent, and are there any guarantees put in place to ensure respect for academic freedom?

According to Article 38.1 of the Law of the Republic of Azerbaijan on Education, the state allocates funds from the state budget and other sources for the development of education.

According to Article 38.3 of the Law of the Republic of Azerbaijan on Education, the profits obtained by state higher and secondary educational institutions can be directed only to the development of education, and social protection of students and educators.

According to Article 39.0 of the Law of the Republic of Azerbaijan on Education, state and municipal educational institutions are financed from the following sources.

39.0.1 resources of the state budget and local budget in accordance with the legislation;

39.0.2 funds received from paid education;

39.0.3 grants, bequeathed funds, donations, and assistance of legal and natural persons, including foreigners and stateless persons, foreign legal persons in accordance with legislation;

39.0.4 scientific research grants allocated by the state based on competition;

39.0.5 funds received by the educational institution from education, science, production, advice (consulting), and other services defined by legislation;

39.0.6 funds allocated by legal entities and individuals for specialist training, professional development, and retraining of personnel based on a contract;

39.0.7 the funds received for targeted programs and projects financed by state bodies;

39.0.8 funds obtained in accordance with the law from the sale of physically and morally obsolete equipment, vehicles, and other property unsuitable for educational purposes owned by the educational institution;

39.0.9. grants and funds received by the educational institution in accordance with the law as a result of international cooperation;

39.0.10 funds obtained from other sources not prohibited by legislation.

According to Article 40.1 of the Law of the Republic of Azerbaijan on Education, a private educational institution is financed from the following sources:

40.1.1 funds received for educational services;

40.1.2 funds of the founders (patrons);

40.1.3 the amounts of grants and loans received by them in accordance with the law;

40.1.4 donations, assistance, bequeathed property, and gifts of legal and natural persons;

40.1.5 the funds they get from education, science, production, advice (consulting), and other services defined by legislation;

40.1.6 funds received from other sources not prohibited by legislation.

40.2 A private educational institution manages its financial resources freely.

40.3 The private educational institution freely determines the amount of the tuition fee according to the educational programs for each educational level.

40.4 Relations between a private educational institution and students, parents, or other legal representatives are regulated by a contract.

* **Surveillance**

1. Please explain whether and the extent to which academic staff and students, at all levels of education, are subject to surveillance by public authorities, for example through on-site cameras or online scrutiny. Has this led to undue restrictions to academic freedom and freedom of expression in educational institutions?

No. To ensure security in some general educational institutions, cameras are placed in areas that do not infringe on students' right to privacy such as hallways, common areas, and building perimeters. The camera footage is monitored by the school administration.

* **Freedom of expression in teaching and access to books**

1. Do teachers and professors, at all levels of education, enjoy freedom of expression in their teaching? Are there any limitations imposed, such as remaining “neutral” or forwarding a particular perspective, e.g. on religious and political matters?

According to Article 47 of the Constitution of the Republic of Azerbaijan, everyone has freedom of opinion and speech. No one can be forced to express or change his or her opinions or beliefs. Agitation and propaganda inciting animosity and enmity based on racial, national, religious, social, and any other criterion is not allowed.

According to Article 33.2.1 of the Law of the Republic of Azerbaijan on Education, educators should be provided with normal labor, scientific-pedagogical work, educational conditions, and technologies that meet modern standards;

According to Article 33.2.2 of the Law of the Republic of Azerbaijan on Education, educators have the right to participate in the organization and management of the educational process following the charter of the educational institution;

According to Article 33.2.3 of the Law of the Republic of Azerbaijan on Education, educators have the right to freely choose the form, methods, and means of teaching.