



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Consideration of reports submitted by States parties under  
article 18 of the Convention on the Elimination of All Forms  
of Discrimination against Women**

**Fourth periodic report of States parties**

**Azerbaijan**

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*Note:* The present report is being issued without formal editing.



## **1. INTRODUCTION**

Since it ratified the Convention on 30<sup>th</sup> June 1995, it has fostered changes in discriminatory laws and practices. After it ratified the Optional Protocol to the Convention in 2001, it has been inspired to look closely at the remedies available for preventing and addressing violations of rights of women and to create an environment where women and girls can enjoy all their human rights fully. It continues to promote the advancement of women as a big part of its commitment to ensure a society and an economy where women can play a full role, where their contributions are acknowledged and valued, where they can make choices about their lives and where they can live free from fear of violence.

The Government of the Republic of Azerbaijan considers the Convention on the Elimination of All Forms of Discrimination Against Women a critical instrument for the advancement of women and gender equality. It is hence continuously striving to create favorable conditions for a full implementation of its international obligations under the Convention on Elimination of Discrimination Against Women.

On 14<sup>th</sup> January 1998 the President of the Republic of Azerbaijan signed an Order ‘On increasing women’s role in Azerbaijan’ putting obligations on relevant structures to prepare proposals for strengthening women’s social protection with focus on refugees and IDPs. On 6<sup>th</sup> March 2000, the President of the Republic of Azerbaijan signed a decree on ‘Implementation of Women Policy in the Republic of Azerbaijan’, aimed to better protect women’s rights, to bring relevant legislation and amend existing ones to ensure equality between women and men, especially equality in decision –making positions. Under that Decree, the State Committee for Family, Women and Children’s Affairs is under an obligation to submit annual reports on the implementation of the above mentioned Decree to the Cabinet of Ministers.

In accordance with article 18 of the Convention, the Government of Azerbaijan undertakes to submit reports to the Committee on the Elimination of Discrimination Against Women every four years, on the measures adopted to give effect to the Convention. The Committee considered the initial report of the Republic of Azerbaijan in 1998 at its 7<sup>th</sup> session and its second and third periodic reports at its 37<sup>th</sup> session on 23<sup>rd</sup> January 2007. Following consideration of these reports the Committee issued its concluding comments that were widely disseminated amongst government, government officials, parliamentarians, women’s and human rights organizations and the judiciary.

The report was compiled by the State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan in close partnership with state bodies. Extensive collaboration between different Ministries and Government departments was a high priority during the drafting phase of the report, reflecting the cross-cutting nature of gender issues.

The State also places great value on incorporating women’s views into the report. For this reason, women’s NGOs were extensively consulted during the drafting phase of the report.

The amendment to the 1<sup>st</sup> paragraph of the Article 20 of the Convention on Elimination of All Forms of Discrimination Against Women came into force on December 22, 1995 has been approved according to the Law #570-IIIQ of April 1, 2008 and has been ratified by the Republic of Azerbaijan by presenting instrument of acceptance to the Secretary General of the United Nations on May 23, 2008.

The present report focuses on the most significant measures adopted by the State since 2004 to eliminate discrimination against women in the Republic of Azerbaijan, including measures adopted to address the Committee's concluding comments.

The report outlines the legislative, judicial, administrative measures that the Republic of Azerbaijan has adopted between 2004 and 2008 to give effect to the Convention, as well as follow-up to the concluding comments of the Committee. The report is structured following the articles of the Convention and covers new measures across the State as well as new and planned legislation aimed at eliminating discrimination against women.

The Republic of Azerbaijan is also fully committed to the follow-up to the Beijing Platform for Action – specifically the actions to be taken in regard to the 12 critical areas of concern identified in the Platform-as well as further actions and initiatives to implement the Beijing Declaration and Platform for Action agreed by the twenty-third special session of the General Assembly, 'Women 2000: gender equality, development and peace for the twenty-first century' (referred to as Beijing + 5). In Azerbaijan, the promotion of gender equality through legislative and non-legislative means, as described in this report, fall within the framework of the Beijing Platform for Action and the Beijing + 5 outcome document.

The Government recognizes that women in Azerbaijan still face a number of challenges. In contrast with the abovementioned successes and progress, Azerbaijan still faces a range of difficulties in the provision to certain women of qualitative education, healthcare services and employment. The occupation of the territories of Azerbaijan by neighboring Armenia is one of the main obstacles to the full implementation of the Convention.

As in every country involved in armed conflict, in Azerbaijan the heaviest burden of war lays upon women. The conflict in and around Nagorno-Karabakh, that emerged as a result of Armenian occupation of historical territory of the Republic of Azerbaijan is the main obstacle for full economic development of Azerbaijan hindering democratization process in the country. Armenia-Azerbaijan conflict resulted in deportation of over a million refugees and IDP Azerbaijanis from Armenia and Nagorno-Karabakh over half of which are women and children.

Continued compliance with the Convention and a determination to eliminate all forms of discrimination against women are themes running through the State policy aimed at removing any obstacles to women's equal opportunities with men. In this context, the Republic of Azerbaijan will continue to work in partnership with civil society towards the goals set out in the Convention.

## **PART I**

### **Article 1 - Definition of discrimination**

The Constitution of the Republic of Azerbaijan enshrines a philosophy of equality between men and women. Article 25 reaffirms the principle of equality between men and women, the inadmissibility of discrimination of any kind and provides that men and women shall enjoy equal human rights and fundamental freedoms. Under the Constitution there shall be no discrimination on any ground including race, nationality, religion, language, sex, origin, property etc.

On the 10<sup>th</sup> of October 2006, the Republic of Azerbaijan enacted another Law "On guarantees of gender equality" which defines "gender-based discrimination" and extended it to include sexual

harassment, any distinction or preference that restricts or prevents equal realization of rights on the basis of sex (Article 2.4).

The Law of the Republic of Azerbaijan “On guarantees of gender equality” and its definition of ‘gender-based discrimination’ is inspired by the broad definition of ‘discrimination’ in article of the Convention. It is intended to cover multiple and compounded discrimination suffered by certain categories of women and to address indirect and/or unintentional discrimination.

An important aspect of the Law of the Republic of Azerbaijan “On guarantees of gender equality” is its recognition of some entrenched discrimination against women, past and current which impede women’s enjoyment of their human rights and fundamental freedoms and accordingly Article 3.2 provides for the adoption of special measures whenever necessary to accelerate de facto equality and realize substantive equality for women.

Article 3.2 also explicitly provides for some measures of positive discrimination in favour of women in certain specific areas. These measures were introduced as it was felt that the lives of women must be considered in a contextual way and measures, which are no longer based on historically determined male paradigms of power and life patterns, be taken accordingly.

Therefore article 3.2 also stipulates that the following are not to be considered discriminatory:

- Preferential treatment for women on the ground of pregnancy under the Labor Code of the Republic of Azerbaijan;
- ‘**Optional**’ military service for women whilst it remains compulsory for men;
- more favorable pension rights including earlier retirement age as an option for women;
- different age of marriage for men and women under the Family Code;
- limited rights of husband’s to petition for divorce under Article 15 of the Family Code of the Republic of Azerbaijan;
- Better facilities for women in correctional centres;

Since the examination of the 2<sup>nd</sup> and 3<sup>rd</sup> periodic report by the UN CEDAW Committee and the recommendation concerning different age of marriage for women and men, the State Committee for Family, Women and Children Affairs has submitted a proposed amendment to the Family Code in order to make the marriage age similar for men and women. The proposals are in the process of consideration.

In all recent workshops and seminars organized by the Ministry of Justice for the Judiciary, CEDAW and the scope of the equality provisions and the definition of ‘gender-based discrimination’ were addressed.

Besides, according to the Constitution of the Republic of Azerbaijan in case of discrepancies between domestic legislation and international agreements ratified by the Republic of Azerbaijan, the international agreements are given superiority.

Following the recommendation of the UN CEDAW Committee concerning wide dissemination of its concluding comments, in or about April 2007, only two months after receipt of the

concluding comments, same were translated into Azerbaijani language and popularized and disseminated widely among relevant State bodies, including Parliamentarians, representatives of NGOs, the media and at the public at large.

## **Article 2. Obligations of State parties to eliminate discrimination**

During the current reporting period several important policies have been reviewed and new ones designed. Major laws have also been enacted and other state programs and administrative measures have been adopted by the Government to eliminate all forms of discrimination against women.

### **Legislative measures**

1. A major Law **“On fight against trafficking in human beings”** was adopted in June 28, 2005. It is a comprehensive law aimed to combat trafficking in human beings by introducing a firm legal and organizational basis for the fight against trafficking, by giving legal protection and support to victims of trafficking.
2. Several major consequential amendments, all designed to reinforce the protection of women, were brought to the **Criminal Code** of the Republic of Azerbaijan in 2005 relating to:
  - Trafficking in human beings – article 144-1;
  - Forced labor – article 144-2;
  - Dissemination of confidential information about victims of trafficking in human-beings -316-1;

The amendments brought to the Criminal Code of the Republic of Azerbaijan were necessary in order to recognize trafficking as a crime according to the UN Convention on Transnational Organized Crime, the Optional Protocols to that Convention and other international agreements in this sphere. The amendments include harsher punishment for the offences of:

- trafficking in human beings;
  - illegally crossing with the person the border for the purpose of exploitation;
  - hiding the person;
  - forcing the person to do specific work by the use of threats;
  - collection or deliberate dissemination of the confidential information about the victim of the trafficking.
3. Sexual harassment in the Code of Administrative Infringements of the Republic of Azerbaijan:

A new article, namely article 60-1 has also been added to the Code of Administrative Infringements of the Republic of Azerbaijan to introduce the offence of “Exerting pressure against employees subjected to sexual harassment”. Under this new legal provision, it is an

offence punishable by a severe fine for officials to exert pressure on an employee who has filed a complaint of sexual harassment against an employer or administrator.

4. In pursuance of a proper implementation of the **Law of the Republic of Azerbaijan “On guarantees of gender equality”**, there have been made relevant consequential amendments to the “Law on Education of the Republic of Azerbaijan”, where it is henceforth explicitly stipulated that the State is obliged to provide equal opportunities for men and women in admission to all educational institutions, to provide needy students, especially girls and women with education grants, to ensure that there is selection of curriculum and assessment of knowledge regardless of economic situation.

### **Proposed legislative amendments**

1. In response to the concluding comments of the CEDAW Committee and realizing that there is a need to eliminate all remaining discriminatory provisions against women in all matters relating to marriage and family relations, the State Committee for Family, Women and Children Affairs has submitted proposals for equalization of marriage age for women and men. There are also proposals to make medical examination before the marriage and marriage contract compulsory.
2. A draft Law “**On prevention of domestic violence**” was drafted by the State Committee for Family Women and Children Affairs and submitted to the National Parliament and the Cabinet of Ministers of the Republic of Azerbaijan. All relevant State bodies as well as NGOs were actively involved in the preparation process of the draft law. The draft law which has obtained the approbation of all relevant State bodies, as per procedure, is currently being discussed at the Permanent Commission on Social Policy of the Parliament. The draft law will next be submitted for hearings at the Parliament and be adopted after the third hearing. The Draft Law aims to provide adequate and effective protection to all women against family violence and to respect their integrity and dignity. It contains a comprehensive range of provisions to overcome family violence and includes protective measures, including refuges, counseling, rehabilitation and support services for women victims, punishment of perpetrators etc. It also provides for the creation of a statistical database and a data collection methodology, since lack of data has been identified as a major gap.

### **The Commissioner for human rights (Ombudsperson) and its work in the promotion of gender equality**

The activities of the Ombudsman who also holds the position of Commissioner for Human Rights of the Republic of Azerbaijan are very crucial. The promotion and protection of women’s rights and gender equality ranks high on the agenda of the Ombudsman and to that end, an advisor in women’s rights to the Ombudsman, has recently been appointed.

Regular round tables are held at the initiative of the Ombudsperson on the implementation of the Convention with the participation of the State Committee for the Family, Women and Children’s Affairs, parliamentarians, State structures, NGOs and the Experts’ Council.

## **Development of plans/policies/programs in Azerbaijan**

### **1. National Action Plan on Family and Women's Issues for the period of 2008-2012**

After the National Plan of Action on Women's Issues for the period 2000-2005, a National Action Plan on Family and Women's Issues for the period of 2008-2012 has been prepared with the purpose of strengthening and developing family and inter-family relations on the basis of gender equality and building a healthy society, thus contributing to the progress of the country. Its implementation is underway. This Action Plan envisages activities in two areas, firstly, family issues which cover mainly demographic problems, family planning, reproductive health and secondly women issues which seek to address critical areas such as the need to increase women's participation in decision-making process, political, economic and social life etc.

### **2. "National Plan of Action on protection of human rights in the Republic of Azerbaijan"**

In line with other human rights, measures on protection of women's rights are also envisaged in the "National Plan of Action on protection of human rights in the Republic of Azerbaijan" which was approved by the Presidential Order dated 28<sup>th</sup> December, 2006. Implementation of international obligations stemming from international agreements on human rights and fundamental freedoms ratified by the Republic of Azerbaijan, bringing the legislation in compliance with international legal documents, involvement of NGOs in the drafting process of reports submitted to the treaty bodies of the United Nations etc. Combating all forms of violence against women including domestic violence, provision of psychological and medical assistance, legal protection of victims of such violence, provision of necessary compensation and rehabilitation of the victims of violence, organization of large-scale sensitization programs are actions envisaged as the measures to be taken to better protect women's human rights in the National Plan of Action.

### **3. The State Program on Poverty Reduction and Sustainable Development – 2008-2015**

In order to support the realization of the Presidential decrees, orders issued on women's issues, the Government of Azerbaijan has also developed State programs, mainstreaming gender component. Thus, whilst in the first phase of the State Program on Poverty Reduction and Economic Development (2003-2005), gender component was only included as a cross-cutting issue, the second phase of the Program, the State Program on Poverty Reduction and Sustainable Development – 2008-2015 fully incorporates gender component into the Program.

At the initial stage of the elaboration of the document on "Poverty Reduction and Sustainable Development", the Poverty Reduction and Sustainable Development Secretariat opened a temporary gender expert position based on a contractual basis. At the second stage of the Program, a gender expert joined the staff of the Poverty Reduction and Sustainable Development Secretariat. Regular meetings and constant collaboration with the UN Gender Focal Point and the UN Gender Theme Group were conducted and as a result Poverty Reduction and Sustainable Development Gender Component has been assessed as one of the strongest gender components among Central Asia and Caucasian countries, and proposed to be referred as "good practice" in the region. The Program is expected to be adopted within short period.

#### **4. The “Complex Program of the Republic on combating daily violence in democratic society”**

The “Complex Program of the Republic on combating daily violence in democratic society” was approved by the Cabinet of Ministers of Azerbaijan Republic with the Order dated 25 January, 2007. It envisages the elaboration of strategic plans on every sphere in order to eliminate domestic violence, gender and other type of inequality and cruelty in the society; working out proposals on elaborating law on protection of women from violence against them, as well as laws regulating the realization of CEDAW. The Complex Program also envisages organization of social rehabilitation for refugee and IDP women and children subjected to recurring violence under conditions of forced displacement and increased cases of domestic violence, organization of retraining courses in order to reduce unemployment rate among women, determination of criteria of violence against women, elaboration of academic programs in universities on equality and especially on violence against women and etc.

#### **5. “XXI century without violence against women” project**

The State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan and the Heydar Aliyev Foundation and United Nations Population Fund (UNFPA) have signed a joint project “XXI century without violence against women”. The Project will be implemented within 20 months until September 2009 and will cover all the regions of Azerbaijan. (For detailed information please see the Article 5).

#### **6. The Development Report on Gender Attitudes in Azerbaijan - 2007**

The State Committee for Family, Women and Children Affairs and the United Nations Development Program have jointly prepared the Human Development Report on Gender Attitudes in Azerbaijan for 2007 with the purpose of revealing achievements and gaps and elimination of these gaps in the field of gender equality. This Report reflects the findings of such large-scale survey on gender attitudes, ever conducted in Azerbaijan as well as in the former Soviet area. The main objective of the survey was to define gender attitudes in Azerbaijan, analyze their impact on gender equality and work out recommendations according to the outcomes.

#### **7. Ratification of International Labor Organization Conventions**

The Government of Azerbaijan has ratified International Labor Organization Conventions on improvement of conditions of women and families. At the moment the process of adoption of ILO Conventions No #156 On Workers with Family Responsibilities and # 183 on Maternity Protection is underway. There have recently been meetings of the ILO Office for Eastern Europe and Central Asia with representatives of different state bodies, local NGOs and international organizations where the process of adoption has been supported.

#### **8. The UN Theme Group on Gender Equality and Empowerment of Women**

The UN Theme Group on Gender Equality and Empowerment of Women was established in April 2006 under the guidance and extended support of UN Country Team. The function of the UN Gender Theme Group is based on the Resource Guide for Gender Theme Groups developed jointly by the United Nations Division for the Advancement of Women (DAW), UNDP, UNICEF, UNFPA and UNIFEM. The UN Gender Theme Group supports the Government of the Republic of Azerbaijan in the elaboration and development of legislative acts, highlighting vital

problems in mass media, as well as conduct of awareness-raising activities among the population, etc.

### **9. Training of the Judiciary and the legal profession**

In line with the concluding comments of the UN CEDAW Committee, in order to raise the awareness of judges, law enforcement officials and the legal profession, the Ministry of Justice of the Republic of Azerbaijan has taken a series of initiatives and has organized regular training for them on the CEDAW Convention, the Optional Protocol to CEDAW, the General Recommendations and the concluding comments of the Committee. The Ministry of Justice has also published special manuals for their use.

Seminars in collaboration with the Office of the High Commissioner has recently been organized by the Ministry of Justice, for the benefit of judges, prosecutors and lawyers, on CEDAW and other UN treaty bodies. The Ministry of Justice is also engaged in an on-going project for the judiciary and the legal profession on the 'Application of the European Convention on Human Rights in the Courts' with the European Commission. The Ministry of Justice also has a long standing collaboration with the Europe General Juridical Center of Greece on 'legal education' whereby regular seminars and workshops are conducted for the benefit of the judiciary and the legal profession.

The staff of the State Committee for Family, Women and Children Affairs as the central body responsible for the implementation of the gender policy in the country, gender focal points in State bodies and representatives of NGOs have also received similar training conducted by the Ministry of Justice.

In line with the recommendations of the UN CEDAW Committee in its last concluding comments, the training dispensed by the Ministry of Justice also focused on General Recommendation No 25 on 'temporary special measures' and the concept of 'substantive equality'.

### **10. Dissemination of concluding comments**

The concluding comments, submitted to the Republic of Azerbaijan after the examination of the 2<sup>nd</sup> and 3<sup>rd</sup> periodic report by the UN CEDAW Committee, were widely disseminated and discussed between the State officials, including members of the National Parliament and representatives of women NGOs. After the discussions, according to the procedure, the proposals on the implementation of the comments has been compiled and submitted to the President of the Republic of Azerbaijan.

### **Refugees**

A key element of the State's commitment as a safe heaven for those fleeing persecution is how we help those who have the right to remain here to rebuild their lives and to fulfill their potential as full members of society. Many refugees find it difficult to make the transition from support to independence, particularly women with children. The State has put into place some measures to address the plight of refugees and IDPs and to improve refugees' access to education, health care and employment.

### **Some projects targeting refugees and IDPs**

- i) A ‘Stop violence against women’ project was launched in October 2006 with the financial support of UNFPA and the organizational support of Azerbaijan Refugee and IDP Youth Organization.
- ii) A “Prevention of HIV/AIDS among refugee and IDP youth” program was launched in November to December 2006 with the financial support of Global Foundation on Combating AIDS, tuberculosis, malaria. The program provided free, anonymous consultation and treatment.

### **Article 3. The development and advancement of women**

#### **The State Committee for Family, Women and Children Affairs (SCFWCA)**

The State Committee for Family, Women and Children Affairs has lead responsibility within the territory of the Republic of Azerbaijan for policy on women and gender equality. It was established according to the Presidential Decree dated 6<sup>th</sup> February, 2006 and replaced the State Committee for Women’s Issues of the Republic of Azerbaijan, which had been operating as a state body on women’s issues since 1998.

The national machinery responsible for gender and women’s advancement has been strengthened by way of capacity building training through provision of equipment, institutional restructuring and staff motivation.

The mandate of the new Committee was expanded and the staff increased according to the “Charter on the State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan” approved by the according to the Presidential Decree # 444 of August 9, 2006 and its. With a much broader activity directions, the budget allocated to the Committee for its activities has also been increased considerably.

According to the Charter of the Committee, the mandate of the State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan are as follows:

- To ensure protection of human rights and civil liberties, particularly those of women and children and prevent violation of these rights within its authority;
- To implement normative regulation in the relevant field concerning its competencies given by the legislation;
- To participate in elaboration of state programs in the relevant field;
- To ensure implementation of state programs and development concepts within its authority;
- To coordinate other executive bodies’ work in the relevant field;
- To ensure implementation of the international treaties ratified by the Republic of Azerbaijan within its authority;
- Implement state family policy;

- To explore social problems of refugees and IDPs (children and women) and poor families and involve related state bodies in resolution of these problems;
- To conduct joint activities with relevant state bodies to raise awareness of women on modern management and market economy in order to develop woman entrepreneurship and family business;
- To elaborate projects and coordinate activities of relevant bodies in assisting women in gaining new professions and developing professionalism of women in accordance with state employment strategy;
- To file petitions addressing relevant state bodies to resolve problems of martyr's families who lost householder, single mothers, especially disabled women and children by state bodies;
- Provide training of professionals in the relevant field, development of professionalism and specialization of the Committee staff;
- To apply modern scientific achievements, learn modern international experience, conduct researches and studies in relevant sphere;
- To provide effective use of the budget, credits, grants and other financial resources in the relevant field;
- Provide population with the information on the Committee's activity;
- To take measures within its authority to improve the structure and the activity of the Committee;
- To consider applications and complaints related to the Committee's activity and take measures in accordance with the legislation;
- To implement measures to improve social protection, labor and living conditions of the Committee's staff;
- To fulfill other duties set up by the legislation in accordance with activity directions.

In addition to developing national mechanism to achieve gender equality and better protection of women's rights, the State has also created favorable conditions for the activities of NGOs in this sphere; there are nearly 90 NGOs dealing with women's problems and gender equality in the country.

The State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan closely collaborates with local and international NGOs in its activity. Local and international NGOs are closely involved in the elaboration and implementation of legislative acts and administrative activities relating to gender equality and improvement of women's status. The role of women NGOs and international organizations in the establishment of network for efficient solution of gender related problems is undeniable.

Since its establishment the State Committee for Family, Women and Children Affairs has established a Coordination Council consisting of representatives – focal points from all state

bodies, active women in the sphere of culture, education, healthcare and mass Media. Besides, the Committee has created and systematized database on representation of women in the sphere of education, women entrepreneurs, women in decision-making positions and other spheres through comprehensive questionnaire filled out in all the regions of the country.

Within the process of implementation of the National Action Plan of the Republic of Azerbaijan on Women's Issues for 2000-2005, important actions have been undertaken in preventing violence against women, combating human trafficking, expanding participation of women in decision-making process and empowerment of women. These will be discussed in details under the relevant articles.

### **Gender mainstreaming**

Gender mainstreaming is central to the Government's efforts to improve policies, strategies and programmes. Ministries, independent departments and agencies have also been strengthened by the establishment of Gender Focal Points. As a result gender continue to be mainstreamed in policies and programmes of those structures. It has also become easier on the part of the ministries to monitor progress made in gender mainstreaming throughout the Government institutions and structures.

In recent years the gender mainstreaming policy has been successfully implemented. One concrete example is the second phase of the State Program on Poverty Reduction and Sustainable Development (2008-2015) which has been elaborated with comprehensive reflection of gender issues.

### **Improving data collection**

Since 1999 the annual statistical directory "Men and Women in Azerbaijan" was issued in the country with the support of UNFPA. This Directory comprises correlation in such spheres like education, healthcare, employment as well as international comparisons. In its turn, the State Committee for Family, Women and Children Affairs has created data base collected on the basis of questionnaires sent to the executive powers of the regions in order to explore the most vital problems in the sphere of gender equality by means of statistics.

There are still significant gaps in the availability of sex disaggregated data, especially in some areas such as violence against women, employment, women in decision-making positions. Improving data collection is a major challenge for the State Committee for Family, Women and Children Affairs which is fully aware of the crucial importance of available and accurate statistical information. Data collection requires finance and it is a fact that with the ongoing military conflict in the country, financial resources are limited. Efforts to improve the proper collection of sex disaggregated data and to establish an adequate data collection methodology is being addressed and the formulation of a request for technical assistance is being envisaged.

### **Article 4. Temporary special measures**

The Republic of Azerbaijan is committed to create an enabling environment for women to enjoy their human rights and fundamental freedoms on an equal basis with men. The State is convinced that to correct past injustices and entrenched discrimination which women have been subjected to, special measures are required and constitute a necessary strategy to accelerate women's de facto equality.

To that end, the provisions have been included to the legislation of the Republic of Azerbaijan which will allow to adopt and facilitate the adoption of special measures. The Law of the Republic of Azerbaijan “On guarantees of gender equality” covers a range of such measures.

After the adoption of the Law of the Republic of Azerbaijan “On guarantees of gender equality”, some consequential amendments were made to other laws, to introduce the establishment of favorable condition for the advancement of women in certain fields such as to political and public positions as follows:

1. Law of the Republic of Azerbaijan “On non-governmental organizations (public unions and foundations)” – which provides that membership to non-governmental organizations must be opened in equal terms for women and men and equal opportunities must be created for them. The requirement does not refer to non-governmental organizations established with the purpose of protection of certain sex’s rights.
2. Law of the Republic of Azerbaijan “On political parties” – which provides that membership to political parties must be opened in equal terms for women and men and equal opportunities must be created for them.
3. Law of the Republic of Azerbaijan “On trade unions” – which provides that membership to trade unions must be opened in equal terms for women and men and equal opportunities must be created for them.

#### **Article 5. Sex roles and stereotypes**

Research studies conducted during recent years confirm that men in Azerbaijan hold leading position in the society. It must not be considered as gender inequality. Traditionally, women in Azerbaijan are engaged in family life, child care and similar activities voluntarily and it constitutes a part of the mentality.

Azerbaijan continues to make considerable progress in the elimination of gender stereotypes and at the present women share equal responsibilities both in private and public life. The young generation is the people who are constructing and forming new gender values. Women pursuing a career have increased considerably in Azerbaijan.

Comparing the biographies of grandmothers and mothers with those of the younger Azerbaijani women today, it is clear that Azerbaijani women have made real gains in many aspects of life. In particular this can be seen in three main areas, education, work and family. Women are better educated and better qualified today, and hence have a wider range of job opportunities available to them. They hold better paying jobs and are able to rise to the same levels as their male counterparts. Through pro-family and flexi-work arrangements, women are better empowered to pursue their career and family life.

Current emancipation of women in Azerbaijan is also reflected in their choosing of professions and promotion on the academic stage. Thus, a few years ago there were only four women academicians, according to the statistical data collected by the State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan. This number has risen to 11 women.

Fully aware of the challenge, the State is nevertheless committed to making use of the full range of means at its disposal to remove any barriers to equality of opportunity and to enable women

to reach their full potential. In this context the government is working to provide good quality, broadly based education and offer good advice on education and career choices breaking down sex stereotypes, in order to reduce job segregation, the skills and pay gaps, as well as fulfilling the potential talent.

Recognizing that gender stereotypes are developed from childhood through people's surroundings in family and society, efforts have to be made to ensure that unhealthy gender stereotypes are not perpetuated. The media plays an important part in shaping values. The State can do its part to promote strong family structures and values while addressing gender stereotypes.

The following areas demonstrate some of the current efforts of the State:

### **Education:**

The national curriculum caters to a broad-based education for all students. Both girls and boys study a common range of subjects at the schools of general education. No attempt is made to steer girls or boys towards subjects 'commonly associated' with each gender (for example science for boys and arts for girls).

The syllabi and textbooks do not allow for gender stereotypes or bias against either sex. Conscious attempts are made to ensure that all textbooks and other educational materials approved by the Ministry of Education of the Republic of Azerbaijan do not stereotype the position of women in a derogatory manner that will hinder their progress, welfare or career opportunities.

In secondary schools, gender role stereotyping and prejudice is addressed by teaching the students the difference between biologically-based and socially-conditioned gender characteristics. Students are encouraged to evaluate their views toward self and others with regard to gender differences and stereotypes, and strongly advised against gender role stereotyping. The CEDAW Convention is also introduced and disseminated in secondary schools through training programs conducted by the State Committee for Family, Women and Children Affairs. The programs include the analysis of stereotypes and its negative impacts to the realization of women's rights.

### **Media**

Recognizing that the media exerts a strong influence over the community, the State Committee for Family, Women and Children Affairs works closely with the media to ensure that programmes do not encourage gender stereotyping and sex discrimination. Several prominent women have been featured in the media. Their very successes as individuals causes gender stereotypes to be challenged.

### **Public education programmes**

The State Committee for Family, Women and Children Affairs is aware that any programme aimed at correcting sex role prejudice but which leaves out the men as a target audience group will certainly not be effective in achieving its objectives. It has realized that men cannot and must not be alienated in the process of gender equality education. Public programmes have begun to involve men and boys and highlight the importance of their roles in eradicating gender stereotypes and violence against women.

## Violence against women

Stopping violence against women in all its forms and bringing perpetrators to justice is a priority for the Azerbaijani State. It is a complex social problem that causes poverty, ill health, social exclusion and loss of life. As every country, Azerbaijan is also concerned about the violence against its women, especially domestic violence. As a state body implementing gender policy in Azerbaijan the State Committee for Family, Women and Children Affairs conducts awareness-raising campaigns in all parts of the country. Legislation is being improved at the same time. In this regard, the role of international organizations, especially contribution of the United Nations has to be stressed. Azerbaijan is a participant in a 2 year Campaign of the Council of Europe on Combating Violence Against women, including domestic violence that was launched in November, 2006. According to the rules of the Campaign, member states should take measures to combat violence against women through the following four steps:

- a) Laws and policies to combat violence against women
- b) Support and protection of victims
- c) Collecting population based and administrative data
- d) Raising awareness on violence against women.

The goals of the Project “XXI century without violence against women” signed between the State Committee for Family, Women and Children Affairs, the Heydar Aliyev Foundation and the United Nations Population Fund (UNFPA) are:

- Creation of additional opportunities for women to use their rights;
- Increasing women’s participation in the society;
- Prevention of violence, early marriages and reduction of influence of such cases over the children;
- Protection of women and children against domestic violence;
- Enlightenment of population in the field of gender issues.

The following measures are expected to be taken within the framework of the Project:

- Studying international experience as well as involving an international expert in the Project;
- Conduction of wide-ranging awareness-raising campaigns on human rights and gender equality, organization of regional workshops, publication of relevant materials;
- Raising awareness on trafficking and early marriages in secondary schools;
- Broadcasting awareness-raising TV or radio programs;
- Working out strategy on services for victims of gender-based violence;

- Improvement of cooperation mechanisms between gender focal points in state organizations etc.

The Annual Work Plan (2008) has been worked out regarding the future activities. These activities include awareness-raising activities, assistance and rehabilitation of victims of violence, elaboration of models of rehabilitation centers for victims of violence etc.

The National Plan of Action on Family and Women's Problems (2008-2012) contains a separate chapter on the prevention of domestic violence, violence against women and early marriages. This Chapter envisages special measures for making perpetrators of violence accountable for their criminal actions, protection of victims of violence, improvement of legal and socio-psychological protection of victims of violence, working out proposals for elimination of reasons of domestic violence and violence against women.

Since 1999, through many state bodies different measures have been taken for the elimination of violence against women. However, special legislation would help the elimination of problems in relevant sphere.

Up to now, only the Criminal Code of the Republic of Azerbaijan contains legal provisions to address violence and it does so in a context of human rights and infringement of persons' rights and freedoms. It contains provisions on offences such as rape, compulsion to prostitution, sexual violence, compulsory sterilization, causation of physical and psychological sufferings, application of torture, battery and hurting by violent actions, regular battery and causing of sufferings, kidnapping, compulsion to sexual relations and other actions of sexual character, pedophilia, sexual actions and sexual relations with persons under 16, indecent actions without violence towards person under 14.

In January 2007, with the Order of the Cabinet of Ministers of the Republic of Azerbaijan "Complex Program of Republic to Combat Daily Violence in Democratic Society" was adopted. To effectively realize the Program a Plan of Action was adopted envisaging establishment of network of crisis centers on the territory of the country, arrangement of awareness-raising campaigns, work with victims of violence, conducting researches in relevant sphere etc. In 2007, awareness-raising campaigns under the motto "Fight against violence and trafficking in human-beings – our common deal (work)" in a range of regions of the country. In the framework of these campaigns there were trainings, workshops and round tables held in the regions and cities of the republic for regional authorities, representatives of civil society, activists of youth movement. The follow-up of the campaigns is expected to be in 2008.

Although national legislation envisages necessary measures for punishment of a range of actions of violent character committed within family, the thorough legal regulation of these problems in this sphere is still under elaboration. Notwithstanding prevention of domestic violence is always on the agenda of the Government. The Ministry of Internal Affairs has worked out a plan of action on combating crimes committed against women in accordance with the Decree of the President of the Republic of Azerbaijan on strengthening fight against crimes against public morality. The Ministry registers investigates and includes crimes committed against women, including cases of domestic violence and violence in other forms into unified database and twice a year sends this information to the State Statistical Committee.

In early 2006 1983 women and 35 girls were defined victims of 1900 crimes committed on the ground of jealousy, conflict and other domestic problems. For that period 85 crimes on sexual

violence were registered (including 11 cases of rape and attempt to rape; 74 cases of forced involvement to prostitution) as a result of which 53 persons were arrested.

According to the Demography and Health Survey (DHS) for 2006, conducted by the State Statistical Committee women at the age of 15-49 who have ever experienced physical violence since age 15 made 12% in urban and 15% in rural areas. Women at the age of 15-49 who have experienced physical or sexual violence by their husband/partner made 13% in urban, 14% in rural areas.

A working group has already been established to draft the **law on fight against domestic violence** and the State Committee for Family, Women and Children Affairs is taking the lead role in its elaboration. The State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan recognizes that preventing and eliminating domestic violence requires a unified and multi faceted national approach, including active joined-up working across relevant structures to deliver coordinated policy action on this important issue which will need to include legal, educational, financial and social components, in particular support for victims. The vision of the State Committee for Family, Women and Children Affairs is to increase safe choices for women and children, whether inside or outside the home, hold all those responsible accountable for perpetrating this crime, develop effective interventions to prevent repeat attacks and challenge the 'just a domestic' culture and ensure that this crime is no longer excused, tolerated or ignored.

The five areas for recommended actions by the State Committee for Family, Women and Children Affairs are:

- i) early and effective healthcare intervention;
- ii) increasing safe accommodation choices for women and children;
- iii) improving the interface between civil and criminal law jurisdictions;
- iv) awareness raising and education; and
- v) appropriate and consistent response from the police and Courts.

#### **Article 6. Traffic in women and exploitation of prostitution**

The Azerbaijani State is fully committed to combating trafficking in women and its associated activities. In 2003, it ratified the United Nations Convention Against Transnational Organized Crime and its Optional Protocol to prevent, suppress and punish trafficking in persons, especially women and children. This requires signatories to ensure trafficking is a punishable offence, alongside the introduction of prevention, education and support initiatives for victims. These instruments have laid the foundation for the adoption of a National Action Plan to combat human trafficking as well as national law on the fight against **trafficking in persons** adopted in 2004 and 2005 respectively. A Department on combating human trafficking has also been established within the Ministry of Internal Affairs and a hotline has been launched with the assistance of the Organization for Security and Co-operation in Europe and relevant non-governmental organizations.

Within Azerbaijan there are currently comprehensive laws and programmes in place to deal with those who engage in activities associated with trafficking and prostitution.

One of the main steps taken in the fight against trafficking in human-beings was the adoption of a “National Plan of Action on Combat Against Trafficking in Human beings” with the Presidential Order dated May 6, 2004. The main measures set out in the National Plan of Action are the improvement of legislation, the appointment of a National Coordinator, the establishment of special police agency against trafficking in human-beings within the Ministry of Internal Affairs of the Republic of Azerbaijan (hereinafter referred to as the “Special police agency”) and ensuring the protection of victims and potential victims of trafficking.

The Law “On fight against trafficking in human beings” also provides for the appointment of a National Coordinator on trafficking and the establishment of a special police agency to fight against trafficking in human beings. According to Article 7 of the Law “On fight against trafficking in human beings”, the role of the National Coordinator is to make necessary contact with security, boundary service, police, state prosecutor bodies, courts, other state bodies and non-governmental organizations for the efficient realization of criminal prosecution and operation-investigation activity related to trafficking crimes. The National Coordinator has to submit annual information on the status of the fight against trafficking in the Republic of Azerbaijan to the President of the Republic of Azerbaijan, National Parliament (Milli Majlis) and the Commissioner on human rights of the Republic of Azerbaijan (Ombudsman). According to the Plan of Action the deputy Minister of Internal Affairs has been appointed National Coordinator – responsible for the implementation of the National Plan of Action.

A Task Force composed of the participant agencies of the National Plan of Action was also established in order to create a unified system of mutual cooperation among them and which will efficiently coordinate the activity of those agencies by the National Coordinator. Since the establishment of the Task Force, members have created a mechanism for mutual cooperation and information exchange. As a result of information exchange, an information bank was established which included information on children adopted by citizens of the Republic of Azerbaijan or foreign citizens from boarding schools, legal and natural persons who obtained license for mediation in employment and assistance to the citizens of the Republic of Azerbaijan in foreign countries and etc.

In connection with the implementation of the National Plan of Action, members of the Task Force have met several times for an evaluation of the work done in the field of the fight against trafficking, the determination of existing problems and future tasks for possible way of their solution.

In 2004, the Office for Fight against trafficking in human-beings was established under General Office for Fight against Organized Crime of the Ministry of Internal Affairs. Taking into consideration the importance of combating trafficking, recommendations of international organizations in this sphere and experience of European countries, the Office was defined as an independent agency within the Ministry of Internal Affairs according to the Presidential Decree dated August 1, 2006. The Office functions in compliance with its Charter approved by a corresponding Order of the Minister of Internal Affairs. The Office has well-trained staff that regularly participate in international events on the issue.

National legislation includes provisions for the establishment of shelters and assistance centers for victims of trafficking and relevant legal basis has been established to regulate their activity. Thus, besides the Law “On fight against trafficking in human beings” and the Presidential Decree dated August 04, 2005 on application of the Law, the Orders of the Cabinet of Ministers on adoption of “Establishment of special institutions for the victims of trafficking, financing, activity of the centers as well as the Rules controlling their activity” dated November 9, 2005,

on adoption of “Charter on assistance Fund for the victims of trafficking” dated January 12, 2006, adoption of “Rules for realization of social rehabilitation of victims of trafficking” dated March 6, 2006 and on “Definition of the amount of allowance paid during reintegration phase for persons suffered from trafficking” dated June 17, 2006 have all enabled the improvement and social rehabilitation of victims of trafficking in addition to constituting the legal basis for the establishment of shelters and assistance centers.

Articles 13 and 14 of the Law “On fight against trafficking in human beings” set the shelters as temporary places for the victims of trafficking that are established to provide them with proper living conditions, ensuring their security, provision of the victims with food and medical products, urgent medical, psychological, social and legal assistance. The victims of trafficking in shelters are given opportunity to speak on the phone and take advantage of translation services. Special rooms are allocated for making confidential conversations. Anonymity of the victims are to be ensured and no information about them are to be passed on to crime prosecution bodies and other state bodies without their own consent. If children are the victims of trafficking, information about them shall be immediately submitted to guardianship and patronage bodies and the Commissions on the issues of juveniles and protection of their rights. Shelters are provided to the victims of trafficking for 30 days regardless of willingness to cooperate with crime prosecution bodies or testifying against traffickers in human-beings and the victims are assisted by the assistance centers. Assistance centers are established for raising-awareness about existing administrative and legal procedures on protection of rights and interests of the victims of trafficking, rendering medical, psychological and other necessary assistances, as well as social rehabilitation of the victims of trafficking. If a person is supposed to be a victim of trafficking, according to the Article 13 of the Law, measures are taken for placing the person in shelters for victims of trafficking.

Pursuant to the National Plan of Action, a well-equipped 3-storeyed building has been allocated for temporary stay of the victims of the trafficking. The personnel of the shelter – representatives of different NGOs have been trained by international organizations. According to the information as of January 2008, 27 persons have benefited from the services of the shelter, 7 persons have been repatriated. The victims and alleged victims of trafficking are provided with free of charge medical, psychological, legal and other assistance and lump sum allowances. A hotline is also functioning within the shelter serving the victims and support victims of trafficking, security and confidentiality of utilizing persons. The population is being regularly informed about the existence of the “hotline” through Mass Media. There are hotlines functioning within some NGOs dealing with women’s rights, including trafficking in women.

In order to ensure reintegration of the victims of trafficking in the society, their psychological, medical rehabilitation and elimination of their illiteracy a Charter of Assistance Center have been approved according to the Orders of the Cabinet of Ministers on adoption of “Establishment of special institutions for the victims of trafficking, financing, activity of the centers as well as the Rules controlling their activity” dated November 9, 2005 and “On adoption of the Rules of social rehabilitation of the victims of trafficking” dated March 6, 2006.

Awareness-raising plays a great role in the implementation of National Action Plan and the Law on Trafficking in Human-beings. All relevant state bodies, as well as NGOs working in this sphere are actively involved in the organization of awareness-raising campaigns.

Intensive and efficient measures have been taken for preventing the cases of trafficking and revealing persons committed these crimes.

According to the official data during the period of 2004-2007, 769 cases of trafficking have been registered, 766 persons have been prosecuted, 291 persons have been defined as victims of trafficking. 91 criminal groups, as well as 17 organized groups have been exposed. 1,383 persons have been called to administrative responsibility according to the Article 308 (*Prostitution*) of the Code of Administrative Infringements of the Republic of Azerbaijan.

Comprehensive analysis of contingent of citizens subjected to trafficking shows that, in most of the cases the victims of the violence are persons from families without one parent, single women having 1-3 or more children in guardianship, women without high education or literacy. In order to prevent trafficking in children adoption process always remains at the focus of attention of the administration of boarding schools and orphanages as well as related state and non-governmental institutions.

In order to sensitize large audience on this matter mass media is also actively involved in the awareness-raising activities held by different state bodies, as well as non-governmental organizations. Social ads and documentaries were produced and demonstrated, TV programs were prepared with the support of the international organizations.

According to the National Plan of Action on Fight Against Trafficking, preventive work among youth is regularly being conducted. Since 2005, training courses on trafficking in human-beings are held for experts of departments of youth and sports in the regions and towns of the country, representatives of local youth NGOs and activists of youth movement. Participants are provided with information about national and international legislation on this sphere and also about methodology on prevention of trafficking against human-beings. In its turn, regional and municipal directions of youth and sport regularly conduct meetings with young people in order to inform them of trafficking cases and its consequences.

In 2006-2007 awareness-raising campaigns under the motto “Healthy family is a basis of the society” were held in the regions of the country. Campaigns were mostly dedicated to such acute problems like trafficking in human-beings, violence, healthy lifestyle etc. In the framework of the campaigns brochures were distributed with the purpose of raising awareness on this problem, concerts with the participation of talented youth were organized.

A twenty-four-hour hotline functions with the support of the Ministry of Youth and Sport that provides social services for youth, rendering them first psychological aid in problematic situations as well as, cases of domestic violence and trafficking in human-beings.

In August 2005, the State Program “On youth of Azerbaijan” (for 2005-2009) was approved with the Order of the President of the Republic of Azerbaijan. According to the Program, in the capital and regions of the country “Houses of Youth” have been established where youth will be provided with social, psychological services and also leisure. Such houses have been already established in some regions of the country.

## **Part II**

### **Article 7. Public and Political Life**

The integration of women into social and political life of the society is one of the core elements of democratization.

The transition period that Azerbaijan has passed through was accompanied by difficulties in women's representation in political and public life which was above all characterized with economic challenges.

There are no discriminatory provisions in the legislation of the Republic of Azerbaijan prohibiting women to participate in public, as well as political life of the country. The Constitution of the Republic of Azerbaijan (1995) guarantees its citizens the right to vote, be elected and participate in referendum regardless of sex. Only in case of incapacity determined by a Court decision as well as in a range of cases prescribed by the Election Code of the Republic of Azerbaijan, persons do not have the right to participate in elections and referendum.

It is worth mentioning that, Azerbaijani women gained electoral rights long before most developed countries of the world that is, in 1918, and in 2008 Azerbaijani women will celebrate the 90<sup>th</sup> anniversary of gaining equal rights and freedoms with men.

Though the legislation of the Republic of Azerbaijan does not provide quotas for the advancement of women in parliament and leading positions, for the past years, the number of women in political and public decision-making has considerably increased.

When analyzing women's participation at the National Parliament – Milli Mejlis – we can say that the number of women representing their electorate at the National Parliament have increased compared to the first parliamentary elections in 1992 when Azerbaijan just gained independence from the Soviet Union. Thus, in 1992 in Milli Mejlis of the independent Republic of Azerbaijan female MPs constituted only 6% of all deputies, whereas in 2005 elections female parliamentarians held 11,2% of the Parliament. The percentage of women candidates in 2005 elections has also risen in comparison with previous elections.

The State Committee compiles database on the average percentage of women in state bodies, including in decision making positions.

In the regions of the country, women are mainly represented at the level of deputy heads of executive bodies (there are no women among heads of executive bodies). Three deputy Ministers (Ministry of Education, Ministry of Economic Development and Ministry of Culture), one Chairperson of the State Committee (State Committee for Family, Women and Children Affairs – (the Chairperson of the State Committee is equal to the Minister)), one Chairperson of the State Commission (State Commission on Admission of Students) are women. Besides, one deputy of the chairman of the National Parliament out of three, Ombudsperson, deputy Prime Minister of Nakhchivan Autonomous Republic and Ombudsperson of Nakhchivan Autonomous Republic are women.

In the past years the number of deputy heads of executive bodies has considerably increased. In comparison to 2005, the number of deputy heads constituted 12 persons, whereas, according to available information, in 2007, this number rose to 28 persons in 85 regions of Azerbaijan. There are 45 women heads of departments at the executive bodies.

On the contrary, proponents think that women can bring stability, peace and friendship to politics. To their opinion the more women engage in politics, the more peace and friendship in international affairs would be.

Men still prevail in leading positions in sectors occupied mainly by women, such as for instance education. According to the information of the Ministry of Education, in 2006-2007 in all

pre-school institutions 100% of heads are women, whereas high positions in secondary schools, vocational schools, schools of higher education are held by men.

The State Committee in its turn pays great attention to the advancement of women to leading political and public positions. It includes this issue in its agenda and organizes town-hall meetings in the regions of the country to raise awareness on the matter, and regularly holds meetings with active women in key positions.

In “New Azerbaijan Party” – ruling party of the Republic, gender share of the members are as follows:

**Total number of members:** 421,677 persons

*Out of which:*

**Women:** 46, 6%

**Men:** 53, 4%

Furthermore, Article 28 (Admission to public service) of the Law on public service of the Republic of Azerbaijan prohibits announcing competition for representatives of certain sex with the exclusion of those cases prescribed by law.

It worth mentioning, that in state judicial bodies, 1070 women work in the judicial sphere as well as 89 women are employed in the central apparatus of the Ministry of Justice. 101 women are in the decision making positions. Share of women in the bodies of justice is described in the following Table.

<b>Total number of women employees</b>	<b>1070</b>
<b>Number of women in leading positions</b>	<b>101</b>
<b>Number of women employed in central apparatus of the Ministry of Justice</b>	<b>89</b> <i>( including 3 women in high positions)</i>
<b>Number of women employed in medical service</b>	<b>145</b> <i>(including 10 women in high positions)</i>
<b>Number of women employed in penitentiary service</b>	<b>313</b> <i>(including 1 women in high position)</i>
<b>Number of women employed as supervisors in courts and executors</b>	<b>15</b>

<b>Regional divisions of state registration of physical persons, central enrolment departments of physical persons, «Law» journal and “Justice Publishing House” LTD</b>	<b>39</b>	
<b>Number of women working in state notarial offices</b>	<b>179</b>	<b>Notary officer</b> 29 <i>(1 senior notary officer)</i>
<b>Number of women employed in registry offices</b>	<b>175</b>	<b>Director</b> 57
<b>Number of women working in the state enrolment service of the population of the Republic of Azerbaijan</b>	<b>10</b>	
<b>Number of women working in archives of registry services</b>	<b>10</b> <i>(1 person in leading position)</i>	
<b>Number of women employed in the centre of legal expertise</b>	<b>72</b>	
<b>Number of women employed in the centre of legal studies</b>	<b>23</b>	
<b>Number of women succeeded in last recruitment process (2007)</b>	<b>14</b>	

It should be noted, that 87 of approximately 2500 non-governmental organizations registered till December 1, 2007, were NGOs dealing with women's issues in the Republic of Azerbaijan. Nowadays, women are represented in both state and non-governmental sectors. 3 members of Public Committee, providing participation of community in realization of public control on activity of penitentiary institutions and readjustment of condemned people working in our country, are women.

Azerbaijani women living abroad, besides integrating into public and political life of the country they are living in, play a great role in the establishment of a unified diaspora, advocating national and cultural heritage, preserving national and cultural values among compatriots and making the world aware of realities of Azerbaijan.

In June 10-11, 2008 Baku Forum “Expanding role of women in cross-cultural dialogue” was held with the initiative of the first lady of the country, President of Heydar Aliyev Foundation. First ladies of 7 countries and political and public figures of many countries took part in the Forum. The objective of the Forum was discussion of increasing role of women in intercultural dialogue.

### **Article 8 – International representation**

The State does not prohibit or prevent participation of women on international level and creates equal opportunities for men and women to represent the country in foreign countries.

According to the questionnaire compiled by the State Committee for Family, Women and Children Affairs, the total percentage of women working in the Ministry of Foreign Affairs of the Republic of Azerbaijan is 19, 4%, from which 5, 1% are women occupying leading positions.

There are 56 diplomatic missions of the Republic of Azerbaijan (embassies, consulates and permanent representatives) abroad. Two diplomat women are representing Azerbaijan on the international level (one ambassador and one permanent representative). But the international activity of our women is not limited by this. Azerbaijani women from state, as well as non-governmental organizations take an active part in international events conducted by leading international organizations. Almost every delegation authorized by government to represent the country includes women members.

### **Article 9 - Nationality**

There are no changes regarding citizenship issues in the Republic of Azerbaijan.

## **Part III**

### **Article 10. Education**

Recognizing that education opens the equal opportunities for all children regardless of sex, Azerbaijani State is committed to root out inequality and under-achievement and raise standards in all schools and colleges to those of the very best. The Government is intensifying its efforts to build an inclusive society by creating opportunities for women, men, girls and boys to develop their learning, realizing their potential and achieving excellence in standards of education and levels of skills.

The “Law on Education of the Republic of Azerbaijan” guarantees free and compulsory secondary education for all citizens of the country irrespective of sex.

Articles 13 and 14 of the Law of the Republic of Azerbaijan “On guarantees of gender equality” contain provisions prescribing equal opportunities in the realization of the right to education and the elimination of discrimination on sexual ground in all educational institutions.

According to Article 13, of the Law, the State is obliged to provide equal opportunities for the full realization of the right to education for both women and men. The State is also obligated to provide equal opportunities for women and men with regard to admission in all educational institutions, in the provision of grants for students, in the choice of curriculum and grading, regardless of economic situation.

Employer also have a duty to ensure equal opportunities for women and men employees in getting basic and additional education and for usage of rights for academic leaves.

According to Article 14, application of different and the creation of different opportunities for women and men in the choice of field of education during admission, in making up curriculum

or in grading can be considered as discrimination on sexual grounds in the activity of educational institution.

The share of the educational sector in the State budget has grown during recent years. Since 2003 the budget allocations for education have increased by 25.2%. As from 1999, a ten-year State Program on Educational Reforms in the Republic of Azerbaijan (supported by international organizations) was adopted. The main aim of the State Program was the improvement of the quality of education through reform of educational courses, the elaboration of national educational standards, the publication of new textbooks and the computerization of schools.

The Government of Azerbaijan adopted a “National Plan of Action on the protection of human rights in the Republic of Azerbaijan” in which the following measures related to the promotion of and training on human rights in educational institutions, have been taken:

- Establishment of “Law Clinics” within the faculties of law of higher education, institutions and assistance to their activity in order to provide the population with more accessible legal assistance and to enhance the practical experience of the students of law faculty as well;
- Preparation of teaching materials on human rights in compliance with the decade on Education with sustainable development of UNESCO, “Education in the sphere of human rights” and “Enlightenment in the sphere of human rights” declared by the UN General Assembly;
- Increasing attention to teaching of human rights in secondary and higher educational institutions and improvement of teaching program with the same purpose;
- Conducting competitions, festivals and exhibitions on human rights and other events on promotion of human rights for pupils and students;
- Preparation and publication of teaching materials and resources dealing with human rights;
- Realization of simple and interactive teaching methods on human rights, preparation of special methodic on this process;
- Conducting academic researches on the problems of human rights and freedoms in higher educational institutions;
- Improvement of cooperation with specialized, national and international scientific research and educational institutions in the sphere of human rights etc.;

The Heydar Aliyev Foundation as a non-governmental organization has chosen education as one of its main activity. It focuses on the implementation of Programs on the improvement of education especially for children from vulnerable groups. “Orphanage and Boarding Schools Development” Program can be mentioned as one of them. As a result of monitoring conducted in the child welfare institutions located in all regions of the Republic, there have been identified four main directions as a priority in all activities aimed at problem-solving: technical support, education, health and social activities.

In the “New school for the new Azerbaijan” Program the focus has been directed to the creation of joint opportunities for education and for the solution of those problems, which directly influence level of education, namely construction of new school buildings, improvement of the financial base; activities that create an opportunity for the new generation to become aware of academic knowledge. To meet students’ requirement, the schools that have been reconstructed were equipped with heating systems, libraries, canteens, laboratories, computer rooms and repair shops; new sports grounds have been constructed. Construction of the schools with more than 70 thousand seats has been implemented in the country within the project period. 190 new school buildings have been constructed within the framework of the Program during 2005-2006 in all 62 regions of Azerbaijan; educational centers have been completed with the up-to-date equipment.

In the framework of the “Support to Education” Project, 6 kindergartens have been completely repaired and equipped as an institution of first stage of education. According to the Project 60000 students, who went into the first grade in 2004-2006 and who were from families with financial difficulties or left their permanent places of residence as a result of Armenian aggression towards Azerbaijan were provided with schoolbags and school materials. Besides, the schools are regularly provided with books and other publications.

Women have equal rights and opportunities to participate in sports and physical education and these rights and opportunities are not restricted at all. All sports facilities are equally available to both men and women.

There is no sex stereotyping in educational programs and curricula. The gender analysis of textbooks has been conducted by the support of the Ministry of Education.

There are also specialized schools in different spheres to make easier vocational choices for both men and women.

## **Article 11. Employment**

### **Women’s participation in the labour market**

The State recognizes that women make a crucial contribution to the economy, both in their role as workers and carers, and is fully committed to equal opportunities in the labour market, encouraging family-friendly employment policies. One of the most important changes in Azerbaijani society in recent decades has been women’s increased participation in the labour market. The proportion of women in the labour force has been increasing and this trend is likely to continue. The main challenge of the Republic of Azerbaijan is now the creation of new high-paid jobs with high salary and the policy in this sphere is being constantly conducted by the Government.

Whilst in 2005, 9163 women were provided with relevant jobs by the placement services of the Republic and over 572 women were involved in professional trainings, in 2007, 70 527 women were provided with relevant jobs by the placement services of the Republic out of which 7476 women received trainings to enhance their skills in different fields, retraining and courses of professional development; 8295 women were involved in paid social jobs.

During the above mentioned period of time 23 935 women have got the unemployment status and were granted unemployment allowance.

Guiding the Decree of the President of the Republic of Azerbaijan “On implementation of State women policy in the Republic of Azerbaijan” dated March 6, 2000 and the Law of the Republic of Azerbaijan “On employment”, stipulates that preference is to be given to the employment of women by Employment Services. In Labour Fairs organized by Employment Services in 2007, special attention was given to the provision of women with relevant jobs. Thus in 2007, in those fairs out of 9056 persons, 3321 women (36,7%) were provided with jobs. In the same year, out of 1698 persons, 824 women (48,5%) were provided with jobs by quota.

In 2007, out of 30700 persons who were provided with relevant jobs, 11331 (36,9%) were women. 45,5% of 2623 persons involved in professional trainings were women.

In pursuance of a full implementation of the Law of the Republic of Azerbaijan “On guarantees of gender equality”, there have been several amendments to the Labor Code of the Republic of Azerbaijan. According to some of these amendments, employers are obliged to:

- provide equal treatment and equal opportunities for women and men in the process of recruitment, promotion, raising professional skills, retraining, assessment of labor quality and dismissal;
- Create equal working conditions for employees occupying the same positions regardless of sex, impose the same penalty for the same breach, undertake necessary measures to prevent gender discrimination and sexual harassment.

One of the amendments prohibits the advertisement of a vacancy for one sex to the exclusion of the other sex except in special cases as prescribed by legislation.

### **Vulnerable groups of women**

The State Program on implementation of Employment Strategy approved by the Order of the President of the Republic of Azerbaijan on 15<sup>th</sup> May 2007, aims at increasing the employment of socially vulnerable groups of the population especially women and young people. The Strategy includes professional training of unemployed women, conducting researches on the underlying causes of unemployment among women etc.

The Republic of Azerbaijan provides additional guarantees to persons especially those in need of social protection and facing difficulties with job placement (young people, girls under 20, parents, bringing up one or more children under full age, women bringing up disabled children, citizens released from prison, IDPs, war veterans, families of martyrs) through creation of new job places and specialized enterprises, as well as organization of special educational programs and other relevant measures.

The issues of provision with jobs of population, especially socially vulnerable groups – single mothers and mothers of many children, women bringing up children under full age and disabled children is always under supervision of placement services through directing them to jobs in organizations and institutions by quota. During the period of 1997-2005, 4696 women were provided with job places by quota.

The labor fairs periodically organized in the cities and regions of the country are also directed at provision of women with jobs. 712 women (37%) out of 18123 women provided with jobs as a result of these labor fairs were involved in paid social jobs.

During the recruitment process, preference is given to women, especially to those from the territories occupied by Armenia by placement services. Thus, out of 1800 persons provided with relevant jobs in functioning enterprises and household, 462 are women.

### **Pension and retirement**

According to the Law “On retirement pension” which has come into force in January 1, 2006, men who have reached the age of 62 with work experience of not less than 5 years, and women who have reached the age of 57 with work experience of not less than 5 years have the right to retire and receive retirement pensions from the Government. Women having three children and bringing them up till the age of eight, with work experience of more than 5 years, have the right to retire on a pension at the age of 51. With increasing the age of each child, woman’s retirement age and number of years at work reduces by a year.

### **Family-friendly employment policies**

In recognition of the importance of and growth in women’s participation in the labour market, the State is committed to helping women and men to balance work and family life. Accordingly, a range of family friendly rights have been introduced.

Guarantees on parental leave have been included in the new amended Labour Code of the Republic of Azerbaijan as follows:

- i) Article 117 – provides additional leave to women with 2 children under 14, to women with disabled children under 16, to men bringing up children alone; the article applies to adopted children.
- ii) Article 125 – paid maternity leave for a term of 126 calendar years; special leave for women working in agriculture.
- iii) Article 126 – Rights for leave to women with adopted children.
- iv) Article 246 – guarantees and rights of employees bringing up children without mother.

According to the amendment to the Labour Code, social vacation for child care will be provided for all employees regardless of sex.

### **Labour Inspectorate**

The State Labour Inspection has expanded its activities in order to strengthen State control over implementation of all labour legislation. Whilst in 2006, 1064 institutions were subjected to the state control, in 2007 the number rose to 2421. In 2007, 12127 cases of alleged violations of rights were reported.

### **Women in business**

Women entrepreneurs make an increasingly important contribution to the business sector. The number of women engaged in entrepreneurship activities has increased by 6,2% (79147) according to information as at 1<sup>st</sup> January 2008.

Both the State Program on Poverty Reduction and Sustainable Development in the Republic of Azerbaijan and the Employment Strategy of the Republic of Azerbaijan for 2006-2015 approved by the Presidential Order of 26 October, 2005 envisage a set of measures aimed at ensuring women's employment, including by fostering women's entrepreneurship, providing gender equality in the process of development of small enterprises etc. A separate section in the Employment Strategy envisages wide application of flexible forms of work for women that would allow for better reconciliation of family and career.

Women entrepreneurship in Azerbaijan has mainly developed in the spheres of textile and agriculture mainly. Government is fully conscious that policy support for women can be successful in increasing both the number of start-ups and the long-term growth potential of women-owned businesses.

In recent years, a range of significant measures have been taken and different mechanisms have been established for the development of women entrepreneurship. Since 2007, the National Foundation for Support to Entrepreneurship has expanded the sources of financing to women entrepreneurs. In addition, the established micro-credit mechanisms are playing a great role in the provision of primary capital. The mechanisms of credit lines on the financing of small and medium enterprises in the country, established together with international and regional financial institutions have created wider opportunities for those starting their business activities.

Another major state support to the development of women entrepreneurship has been in the form of increasing technical provision of a series of services including- consultation, information services etc.

Within the framework of the State Program "On Social-economic development of regions of the Republic of Azerbaijan" (2004-2008) approved by the Presidential Decree of February 11, 2004, #24, the establishment of a Business Training Center is envisaged which will provide entrepreneurs with consultation, information, marketing and training services. Regional departments have already been established in several regions of the country. Regional Business Centres will improve the information, consulting and training services. There are already a number of public unions of women entrepreneurship. In 2005, the Association of Women Entrepreneurs was established in order to actively deal with all the problems of women entrepreneurs.

According to another amendment to the Labor Code of the Republic of Azerbaijan women who are on maternity leave until their children reach three years and working for less than a year in a certain position after the end of the leave and men bringing up their children alone can not be subjected to attestation.

According to the relevant provision of the Labor Code of the Republic of Azerbaijan regulating the rules of denunciation of labor contract by employee, labor contract of the employee can be denounced on the day mentioned in the application in case of retirement for age and disability reasons, entering educational institution to continue his/her education, moving to a new house, making labor contract with another employer, facing sexual harassment and other cases prescribed by legislation.

According to the amendment to the Labor Code of the Republic of Azerbaijan, employer bears financial responsibility in case of employee's facing sexual harassment.

## **Article 12. Women and health**

The Republic of Azerbaijan places a high priority on healthcare. It not only grants women equal access to healthcare resources, but also pays attention to the special healthcare needs of women. The Government recognizes that gender is an important aspect of health inequalities. The Ministry of Health of the Republic of Azerbaijan continues to place a gender perspective at the centre of all its policies and programmes when it addresses women's health. The Government also closely monitors the quality of the provision of health services to women by both the public and the private sector, to ensure equal access and quality of care.

In 2006 the Ministry of Health of the Republic of Azerbaijan initiated a project on healthcare reforms which involved related state bodies and international organizations (UNFPA, World Bank, USAID, WHO, UNICEF). It incorporates a comprehensive national strategy to promote quality health care with a focus on women's health throughout their life span. Within the framework of the project, emphasis was placed on an increase in the number of beds; on the need for increased financial resources and the development of quality medical care.

### **Preventive services**

The Ministry of Health of the Republic of Azerbaijan plays a major role in educating and encouraging the public to maintain a healthy lifestyle. Many programmes and health promotion activities targeting both men and women, are regularly organized. The State pays special attention to female illnesses and special programmes are organized for women. The focus of the Ministry of Health of the Republic of Azerbaijan is firstly on the regular provision to women of information and education on their health, especially in the area of sexual and reproductive health and adequate resources for such programmes have been allocated.

### **Maternal services**

The Ministry of Health of the Republic of Azerbaijan remains committed to the principle of putting women at the centre of maternity services planning. In recent years it has focused a lot of attention and invested tremendously in the provision of health care services to women in the area of family planning, pregnancy, confinement and during the post-natal period. The Ministry of Health of the Republic of Azerbaijan is prioritizing on the prevention of unwanted pregnancy through family planning and sex education, the reduction of maternal mortality through safe motherhood services and prenatal assistance.

Firstly, considerable progress has been made in developing readily available information sources aimed at ensuring that women are getting full information and choices throughout pregnancy and childbirth. In the period 2004-2006, the number of free, state obstetrical institutions (prenatal and neonatal centers, maternity departments, antenatal clinic) which provide qualified medical service during pregnancy and puerperal period had increased.

Existing infrastructure for pregnant women and newborn children is also regularly expanding with the developing private sector. Thus, at present there are 559 private medical institutions in the Republic from which 536 are outpatient departments and 7 are obstetrical institutions.

### **Family Planning services**

Family planning services are also widely available. Measures on family planning and the establishment of medical-social patronage services were efficiently realized during recent years.

Well-equipped family planning centers that protect reproductive rights of women have been established with the assistance of international organizations such as UNFPA, WHO, USAID. These centers raise awareness among population on reproductive rights of women and provide free consultations, advice and contraceptives. The focus is on increasing and improving access to contraception, sexual health advice, pregnancy testing through a wide dissemination of publications in order to better sensitize them and to provide them with a broader understanding of the issue.

### **Programmes**

In 2000-2006, the **“Protection of Reproductive Health” project** was implemented in cooperation with international organizations. During the realization of the project, a special IT program was prepared for the collection of information on indicators of family planning and reproductive health. The staff of such centers was also trained in the collection and analysis of statistical data.

The **“State Program on Azerbaijani Youth”** for 2005-2009 approved by the Presidential Order on 30 August, 2005 includes a separate section on state support to young families. This section *inter alia* provides for a set of measures aimed at increasing knowledge of young people on reproductive health and family planning.

A National office on Reproductive Health and Family Planning was established with the assistance of UNFPA. Within the framework of the “Protection of reproductive health” project, all centers were provided with contraceptives in a total sum of \$ 1 450 000.

27 trainers were trained by the experts of Johns Hopkins University. Training materials on “Family planning”, “Reproductive Health” and “Safe maternity” topics were prepared for trainings conducted for medical staff. More than 2500 obstetrician-gynecologists, about 250 obstetricians, 300 ambulatory doctors and nurses and more than 100 pharmacists attended these trainings.

Organizational-methodological support to the maternal hospitals and family planning centers were provided by the Institute of Scientific-research on Obstetrics and Gynecology for rendering qualified and specialized services to women.

From 2007 a “GYNUITY, New York” project on the application of medical abortion was commenced in maternal hospitals. Within the framework of the project researches are being successfully conducted.

At present the medical staff of the country consists mainly of women. There are sufficient number of hospitals and ambulatory-policlinics that render necessary medical services to women.

### **Challenges ahead**

A major challenge for the Government is equal access of all women. Although central regional hospitals are functioning in each administrative region of the country including advanced medical service departments and cabinets for women, access of the population to these services is spread out unequally according to the social-economic and geographical situation. In line with it, part of the community, especially women, still remain ignorant about health issues especially about their sexual and reproductive health.

**i) Rural women**

One of the priorities of the Republic of Azerbaijan is the provision of necessary medical services to rural women. There are 1746 first-aid and obstetrical stations, 792 ambulatories and 50 area hospitals in rural areas of the country.

Women and children living in provinces have easy access to advanced medical services, such as therapy, pediatrics, obstetrical and gynecology, surgery.

12 first-aid regional stations provided with ambulance cars and necessary equipments are established by the Ministry of Health of the Republic of Azerbaijan in order to improve medical services for women living in mountainous regions.

**Major indicators on Health (State Statistical Committee of the Republic of Azerbaijan)**

	<b>2004</b>	<b>2005</b>	<b>2006</b>
Number of all doctors (thousand)	29,7	30,1	30,6
For every 10 000 people	36,4	36,6	36,6
Number of paramedical personnel (thousand)	59,5	59,7	60,8
For every 10 000 people	73,1	72,6	73,1
Number of the hospitals	734	732	729
Number of the beds, thousand	68,1	68,4	68,9
For every 10 000 people	83,6	83,1	82,9
Number of the maternity hospital (independent)	26	26	26
Number of maternity sections	85	90	90
Number of ambulatory polyclinics	1591	1594	1595
Capacity of ambulatory polyclinics (thousand)	105,0	105,3	104,1
For every 10 000 people	128,9	127,9	125,2
Number of the women consultations and number of institutions that include women consultation	314	321	321
Number of the beds for pregnant women and women recently confined (including medical examination and gynecologist beds) (thousand)	7,4	7,4	7,4
Number of the family planning centers	26	26	27

**Number of doctors and paramedical personnel (State Statistical Committee of the Republic of Azerbaijan)**

	<b>2004</b>	<b>2005</b>	<b>2006</b>
Number of the recruited employees in healthcare and social services (thousand)	130,2	131,9	135,3
Number of recruited women in healthcare and social service (thousand)	97,8	100,4	103,2
Percentage of women recruited in healthcare and social service	75,1	76,1	76,3

The Ministry of Health of the Republic of Azerbaijan pays great attention to provision of refugees and IDPs with medical services (1/8 part of the population, especially women and children). Major part of this group of population that lived before in 12 tent settlements were resettled in urban settlements with advanced social infrastructure and medical centers by the Government.

**ii) Refugees and IDPs**

Provision of refugees and IDPs with health services is much more difficult than provision of medical care for other group of population. In spite of it, all medical centers in districts resettled with refugees and IDPs are supplied with medical equipments and necessary medicament for first medical aid. It facilitates operation of special mobile doctor brigades organized by the Ministry of Health of the Republic of Azerbaijan for medical examination of refugees and IDPs. Despite all undertaken measures, there are still some problems in provision of this vulnerable group of population, especially those of women and children with health services, consisting of usage of drinkable water, adherence to hygiene and sanitary conditions, lack of medicaments and contraceptives and also migration of that group of population causing increase of infectious diseases.

Azerbaijan has achieved substantial progress in immunization of children that covers 98% of children who are under 1 year. Immunization of the child is compulsory and this service is provided free of charge.

Analysis of demographic situation in the country is conducted on the basis of information gathered with the help of unified methodology for data collection and analysis regarding protection of maternity.

In recent years reproductive behavior of women has changed, general indicator of birth rate has increased from 16,1 (2004) to 17,8 (2006), whereas death indicator has decreased to 6,2 (2006). Natural increase of the population has grown in 1,6 times.

Total number of population is 8 436 400 for January 1, 2007. Women consist 50,8% of this population from which 59% belong to childbearing age groups. Respectively, number of men constitute 49,2% of the population. One can observe equalization of number of women and men in recent years. Life duration during last 3 years reached 72,0 (women – 75,1, men – 70,0).

### Demographic indicators (State Statistical Committee of the Republic of Azerbaijan)

Indicators	2004	2005	2006
Total number of population (mln)	8265,4	8347,3	8436,4
Women	4207,2	4243,6	4284,2
	50,90%	50,80%	50,80%
Men	4058,5	4103,7	4152,2
	49,10	49,20	49,20
Birthrate (for every 1000 persons)	131,6	141,9	148,9
	16,1	17,2	17,8
girls	60,6	65,7	68,7
boys	71,0	76,2	80,2
Death rate (for every 1000 persons)	49,5 (6,1)	52,0 (6,3)	52,2 (6,2)
Women	23,5	24,5	24,6
Men	26,0	27,5	27,6
Natural increase (for every 1000 persons)	10,0	10,9	11,6
Fertility indicator	2,1	2,3	2,3
Average life duration (in whole country)	72,0	72,4	72,0
Women	75,2	75,1	75,1
Men	70,0	69,6	70,0

New definition of maternity death has been determined since 2001 that is in compliance with standard definition adopted by the World Health Organization (WHO).

In spite of high pregnancy level that consists 94%, maternal death rate still remains high -39,5 (for every 100 000 live born child). In line with it, coverage of qualified medical service at birth is high (98%), but quality of these services is not in proper level, rate of complications in hypertensive derangements during pregnancy is caused by lack of qualified prenatal care. In comparison with previous years in 2006 maternal death has increased in 1,05 times in towns and 1,4 times in regions. In general, maternal death rate has increased in 2006 in comparison to 2005 in 1,2 times.

### Maternal death (Ministry of Health of the Republic of Azerbaijan)

	2004	2005	2006
Total number of people died	34	41	51
For every 100 000 live-born children	25,8	33,3	39,5

The structure of maternal death have not changed. Bleeding (34,0%), gestosis (21,3%), embolism (19,2%), septic conditions (19,9%) and extragenital pathologies (8,5%) prevail among the causes of maternity death. According to preliminary research of Information Department of the Ministry of Health of the Republic of Azerbaijan risk of fatal outcome during pregnancy are different in towns (1:1250) and regions (1:600). Unfortunately there is an imbalance and deficiency in provision with personnel. The staff of obstetrics gynecologists is 40% of all medical staff in the regions.

### Maternity death on major causes of death

Death causes	2004	2005	2006
Total number of women died from all causes	565,2	582,8	579,9
From which:			
Diseases of blood circulation	346,4	347,2	349,1
Neoplasm	66,3	68,1	67,7
Accidents, poisoning, trauma	13,3	15,9	14,6
Diseases of respiratory apparatus	37,2	35,3	32,9
Diseases of digestive system	34,4	36,0	36,7
Infectious and parasitogenic diseases	6,8	6,2	5,2

For last five years (2002-2006) in Republic there can be observed tendency to reduction of child mortality. Child mortality indicator made 10,1 (for every 1 000 live-born), indicator of neonatal death – 7,1 (for every 1 000 live-born).

**Infant mortality (children under 1 year) (State Statistical Committee of the Republic of Azerbaijan)**

	<b>2004</b>	<b>2005</b>	<b>2006</b>
Total number of died children until 1 year	1287	1321	1508
Of which:			
Boys	757	747	859
Girls	530	574	649
<b><u>For 1000 live-born infants</u></b>			
Total number of died children under 1 year	9,8	9,3	10,1
Of which			
Boys	10,7	9,8	10,7
Girls	8,7	8,7	9,4

**Infant mortality on major causes of death, boys (children under 1 year)**

<b>Causes of death</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>
Total number of infants died under 1 year of all causes	1141	959	879
Diseases of respiratory apparatus	294	284	219
Conditions arising during prenatal period	565	416	459
Infectious and parasitogenic diseases	83	63	49
Inborn anomalies	82	77	67
Accidents, poisoning, trauma	9	16	5

**Infant mortality on major causes of death, girls (children under 1 year)**

<b>Causes of death</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>
Total number of infants died under 1 year of all causes	751	621	620
Diseases of respiratory apparatus	230	240	158
Conditions arising during prenatal period	309	217	301

Infectious and parasitogenic diseases	59	44	38
Inborn anomalies	64	48	50
Accidents, poisoning, trauma	5	7	5

Child mortality rate has considerably decreased.

Causes of death	2004	2005	2006
Total number of died children under 5 years from all causes	1582	1411	1181
From which:			
Diseases of respiratory apparatus	173	186	109
Infectious and parasitogenic diseases	33	31	24
Inborn anomalies	25	23	25
Accidents, poisoning, trauma	47	49	38

#### Child mortality on main reasons (under 5 years), girls

Reasons of mortality	2004	2005	2006
Number of all children died under 5 years old	1132	995	872
<i>Of them:</i>			
Respiratory organs diseases	177	184	94
Infectious and parasitic diseases	39	34	28
Congenital aperiodicities	20	19	14
Accidents, poisonings and traumas	28	37	24

<b>To every 1000 of born alive</b>			
Number of all children died till 5 years	16.5	14.5	12.7
<i>Of them:</i>			
Respiratory organs diseases	2.6	2.7	1.4
Infectious and parasitic diseases	0.6	0.5	0.4
Congenital aperiodicities	0.3	0.3	0.2
Accidents, poisonings and traumas	0.4	0.5	0.3

Contraceptives was brought to Azerbaijan by the United Nations Population Fund (UNFPA) but since 2004, the donor aid for the provision of contraceptives was stopped. Demand for all types of contraceptives among women remains at 7%, whereas the demand for modern types of contraceptives makes 31%. The main matter of concern is that, the same figure makes 12% and 53% among married women (CDC, Reproductive and Health Survey, 2001). The situation has worsened in the country as a result of lack of production of contraceptives, as well as provisional system of guaranteed contraceptives. The majority of population, as well as vulnerable groups can not get contraceptives because of the financial problems.

#### **The use of contraceptive methods (State Statistical Committee of the Republic of Azerbaijan)**

	2004	2005	2006
The total number of women using intrauterine contraceptive - thousand persons	33.0	29.5	24.5
To every 100 women within 15-49 ages limit	1.3	1.2	1.0
The total number of women using hormonal contraceptives – thousand persons	42.7	33.8	25.4
To every 100 women within 15-49 ages limit	1.7	1.3	1.0
The total number of women subjected to sterilization	189	239	187
To every 100 women within 15-49 ages limit	7.6	9.5	7.3
The total number of women using condoms – thousand persons	-	-	8.5
To every 100 women within 15-49 ages limit	-	-	1.4

## Abortions

Naturally, as a result of suspension of provision with contraceptives, the increasing number of abortions is observed (The Ministry of Health). According to official data the registration of all abortions is not conducted. Thus, the abortion factor had comprised 7.8-8.1 for every 1000 women (15-49 ages) during last 5 years.

But, according to the latest information, the average number of abortions had comprised 3.2 for every reproductive aged women (CDC – 2001 year) and this is one of the highest indicator among countries of European Region of World Health Organization.

### Abortions on age limits (State Statistical Committee of the Republic of Azerbaijan)

	2004	2005	2006
The total number of abortions	19806	19586	20867
Of them:			
Till the age of 20	725	822	1014
Till the ages of 20-24	4555	4731	4765
Till the ages of 25-29	6681	6104	6643
Till the ages of 30-34	4832	4623	4896
Till the ages of 35-49	3013	3306	3549
The total number of every 1000 women (15-49)	8.0	7.8	8.1
Of them:			
Till the age of 20	1.6	1.8	2.2
Till the ages of 20-24	12.0	12.1	11.7
Till the ages of 25-29	19.9	17.8	19.0
Till the ages of 30-34	14.8	14.4	15.3
Till the ages of 35-49	3.0	3.2	3.4

## **HIV/ AIDS**

Major responsibility on combating AIDS lies upon the Republican Center on Combat against AIDS and its functions comprise of awareness raising, prevention, education, registration and treatment of HIV/AIDS in the country. According to the information received from the Republican Centre on Combat against AIDS, an increasing number of HIV infected cases is registered in the country. During 1987-20.11.2007 years the HIV infections was registered totally in 1232 persons. 83.7% of them were men, 16.3% of them are women.

Major ways of HIV infection spread are injection usage of narcotics – 58.6% and heterosexual infection – 23.1%. 95.5% of HIV infected persons are the citizens of Azerbaijan.

For the first time, with the financial support of the Global Fund on “Combat with AIDS, tuberculosis and malaria” the Ministry of Health of the Republic of Azerbaijan implements project on the prevention, treatment and support to HIV/AIDS infected persons, improvement of access to medical services and needs of high risk groups is realized since 2004.

Since 2006 the prevention of HIV infection of child from mother is realized within the framework of this program.

A Program has been initiated by the Republican Center on Combat Against AIDS with the support of UNICEF and the Ministry of Health of the Republic of Azerbaijan for the organization of Adults Friendly Medical services. A Task Force was established for training of medical staff in the field of principles of healthcare of adolescent persons on the Program “Orientation and National Basis”.

Medical and social aid to HIV/AIDS infected persons and their family is being improved. The children born of HIV-positive mothers are provided with artificial feeding free of charge. Palliative aid was organized for HIV/AIDS infected persons in hospitals and at home.

Beginning from November 2006, the application of High Active Antiretroviral Therapy (HAART) to HIV/AIDS infected people was started. Number of infected persons involved to treatment made 85, of which 23 of them are women. With the purpose of prevention of infection of child acquired HIV from mother, a pregnant woman and a child had already received treatment. 5 pregnant women are taking treatment at present.

In 2006 5 children of 6 were born of HIV-positive mothers and in 2007 all the 7 children were born of HIV-positive mothers were provided with artificial feeding regime.

The other problem is the increase of sexually transmitted diseases, along with the HIV/AIDS. During 2004-2006 the cases of sexually transmitted diseases (STD) have increased as well as among pregnant women. Latent forms of syphilis have also increased and there are individual cases when neurosyphilis is registered. The cases of chronic diseases connected with sexually transmitted infections causing infertility, as well as breach of sexual health of both women and men are increasing.

Treatment and consultation with STD patients are held by experts of dermatovenereological service, and anonymous testing is also practiced. But, because of the absence of necessary equipment and supply, as well as low level of awareness of the community and lack of qualified personnel negatively impacts the quality of the service on STD.

In the National Strategy plan of action (2008-2010) on Reproductive Health , the Ministry of Health has envisaged control and prevention of HIV/AIDS/STD.

### **Activities on protection of health of mother and child**

The analysis connected with the current situation had given a push to the establishment of demographic policy by the Government focused on reduction of mother and child mortality cases, strengthening of actions on reproductive health, protection of health of mother and child.

In 2005-2005 several Orders were adopted by the Republic of Azerbaijan directed to elaboration and application of effective preventive actions on improvement of health of mother and child, preventing of hereditary and acquired diseases: on thalassemia, hemophilia and pancreatic diabetes.

Number of persons having diabetes made 79698 in 2006 and 44166 of them were women (55%).

According to the Order #101 of the Cabinet of Ministers dated June 7, 2005 the Order “State Program on diabetes mellitus” was adopted. The Order envisages registration of pancreatic diabetics and establishment of data bank connected with the diabetic situation of population, on prevention of pancreatic diabetes among population, as well as organization of preventive actions among pregnant women and newborn children, provision of diabetics with free medicines and health resort treatment in state institutions.

The Ministry of Health of the Republic of Azerbaijan together with other ministries (the Ministry of Education, the Ministry of Youth and Tourism, the Ministry of Finance) actively realizes the actions envisaged within the framework of the project.

In general, the system of medical and social actions focused on strengthening of health of children and mothers, assistance in organizing of actions on early revealing and preventive treatment of hemophilia and thalassemia by the State is more important.

High infection danger of population is observed in the country. Azerbaijan is in the leading ranks for the number of persons with thalassemia. One of every 12 persons is carrier of thalassemia. 200 children are born every year with this inherited pathology.

Hemophilia that transmits from women by heredity is also in the forefront. At present, the number of persons having hemophilia is 671 and 118 of them are women.

Taking into account the current demographic situation connected with inherited diseases comprising high percentage for early neonatal mortality reasons, a large scale State Program “On inherited blood diseases of hemophilia and thalassemia” was adopted for 2006-2010 by the Government. Several ministries and organizations as Ministry of Health, Ministry of Education, Ministry of Youth and Sport, the Ministry of Finance, the Ministry of Labor and Social Protection of Population, the Ministry of Internal Affairs of the Republic of Azerbaijan, Trade Unions are involved in the implementation of the Program.

The main duties of the program are: activities on reduction of infecting and mortality cases of thalassemia and hemophilia; establishment of register of patients with such diagnosis; prevention of aggravations in persons with thalassemia and hemophilia; improvement of medical services; provision with comprehensive service and treatment in state institutions as well as medicines and blood.

With the purpose of prevention of children born with thalassemia a system of preventive measures are envisaged in the Program: voluntary treatment of young people in getting identity card; voluntary treatment of pregnant women appeal to obstetrical institutions with the purpose of determining thalassemia.

Establishment of centralized medical-genetic laboratory and the laboratory on prenatal diagnosis of thalassemia are envisaged In order to treat hemophilia, on the molecular-genetic level (2006-2010).

“Electron health card” has been initiated by The Ministry of Health and approved by the Cabinet of Ministers (Resolution #143 dated June 12, 2006) with the purpose of improvement of information system and reliability of information on health of the population. According to this system in The Ministry of Health was established register about health condition of every member of society. This register includes information about person, medical institution, given inoculations and other medical information permitted by legislation.

Elaboration of “Passport of newborn child” and its mainstreaming to the health system are planned by The Ministry of Health of the Republic of Azerbaijan.

The State Program “On protection of health of mother and child” for the period of 2006-2010 has been adopted in accordance with the Order of the Cabinet of Ministers of September 15, 2006. The State Program suggests more substantial strategy on strengthening of health of mother and child, protection of reproductive health of population, and first of all, it has focused on preservation of healthy gene pool.

The main issues of this Program are: protection of reproductive health of population and provision of safe maternity; increase level of proficiency medical staff working in the sphere of obstetrics and pediatrics, establishment of regional prenatal centers, improvement of material-technical resources of medical institutions providing obstetrical and pediatric services etc.

The Program also envisages elaboration of Plan of Action and Coordination Council has been established for conducting monitoring of the implementation of the Program. The foreseen Action Plan aims at construction of 7 prenatal centers in towns and regions of the country (2006-2010); provision of obstetrical institutions and neonatal departments with modern equipments (2006-2007); development of unified system of collecting and analyzing data base on health of mother and child (2006-2007); arrangement of documentation on application of live-birth criteria recommended by WHO (2006-2007), increasing level of proficiency of medical personnel working in the sphere of protection of maternity and childhood on reproductive health and family planning (2006-2010 years) etc.

21 324 000 (25 087 000 \$) manats were allocated by the Government for the realization of the State Program. Financing is realized in phases according to the sum assigned by years. At present the State Program is carried out with full capacity.

Taking into account unsatisfactory indicators in reproductive health of women, high mother and child mortality rate, National Strategy on Reproductive and Sexual Health has been elaborated on the basis of analysis of situation in the sphere of reproductive health by the Ministry of Health with the support of World Health Organization (WHO), UN Population Fund (UNFPA) and other international organizations. The Strategy covers the period between 2008 and 2015.

The National Strategy is a model of complex solution of problems in reproductive health sphere and reflects the main directions, strategic objectives and tasks of the state policy in this field. Assuming the main issues as a basis, summary of the specific objectives has been defined and key tasks for its implementation; possible ways of solution and expected outcomes are considered and defined.

The National Strategy aims at improving reproductive health of all groups of population.

The crucial fields defined through analysis of reproductive health status included to the Strategy are:

- ❑ Health of mother and newborn children;
- ❑ Reproductive choice (family planning and safe abortion)
- ❑ HIV/AIDS/STD;
- ❑ The health of adolescent people;
- ❑ Gender-based violence and sexual exploitation.

The solution of important issues in the field of reproductive health is reflected in the Plan of Action of the National Strategy: establishment of national legislative base on reproductive health of population; improvement of information system for collection, analysis and report of data in accordance with medical standards; increasing of access to family planning services and contraceptives; improvement of level of services on reproductive health; providing population with safe contraceptives etc.

The Plan of Action on implementation of National Strategy widely reflects Concluding Comments of the 37<sup>th</sup> session of UN CEDAW Committee regarding provision of population with contraceptives and improvement of access to medical services for women living in rural areas as well as in mountainous regions.

In the Plan of Actions, there is envisaged to include all types of contraceptives into basic list of medicines of the Ministry of Health during the period of 2008-2009. The Plan of Actions also envisages activities on improvement of reproductive health of women living in rural and mountainous areas.

**Article 13. Equality in economic life**

Recent years the economy of Azerbaijan has been considerably developed. For the last 5 years Gross Domestic Product (GDP) of the country has been increased and it is expected to grow up to 2.3 times in 2008 in comparison with 2003.

Economic advancement of women, who constitutes more than a half of the population, is one of the main tasks of the Government. According to the statistical data from 3369, 7 thousand women who is over 15 years old, 2865, 3 (85%) thousand are able-bodied. For distribution of able-bodied women by the economic regions please see the Table:

<b>Economic regions</b>	<b>Persons</b>	<b>Percentage</b>
Baku city	666,5	23,3
Absheron economic region	147,6	5,2
Ganja-Gazakh economic region	376,5	13,1
Sheki-Zagatala economic region	181,7	6,3
Lenkeran economic region	261,1	9,1
Guba-Khachmaz economic region	155,1	5,4
Nakhchivan economic region	124,9	4,4
Fully or partly occupied regions		
<i>as well as</i>		
Upper Garabagh economic region	211,1	7,4
Kelbejer-Lachin economic region	71,6	2,5

The State Statistics Committee has shown 2014,4 thousand women (70,3%) from 2865,3 thousand able-bodied women as economic active population, 1880,2 thousand women (65,5%) as employed women. Please see following Table for distribution of employed women in country's economy.

	Total	<i>as well as women</i>		Distribution of 1880,2 thousand employed women by the spheres, %
		thousand persons	percentage	
Employed persons	3983,5	1880,2	47,2	100
Production sphere	2073,0	889,3	42,9	47,3
Agriculture, hunting and forestry	1565,0	812,2	51,9	43,2
Fishery	8,3	1,9	22,7	0,1
Industry	257,1	60,1	23,4	3,2
Extractive industry	57,6	5,6	9,8	0,3
Manufacturing industry	146,8	48,9	33,3	2,6
Electric energy, gas and water production and sharing	52,7	5,6	10,7	0,3
Construction	242,6	15,0	6,2	0,8
Service industries	1910,5	990,9	51,9	52,7
Gross and retail sale, repair of cars, furnishings and items of personal use	744,3	432,4	58,1	23,0
Hotel and public catering	46,4	15,0	32,4	0,8
Transportation and communication	159,6	16,9	10,6	0,9
Financial activity	51,5	22,6	43,8	1,2

Activity regarding immovable property	23,8	5,6	23,7	0,3
Public administration, social security	142,5	39,5	27,7	2,1
Education	351,3	229,4	65,3	12,2
Healthcare and social services	166,1	118,5	71,3	6,3
Services on household	83,8	37,6	44,9	2
Other public, social and personal services	131,6	71,4	54,3	3,8

A number of initiatives have been taken by the Government, international organizations, as well as local NGOs to increase the employment opportunities of women and to provide them with necessary resources and skills to start and develop their businesses.

In this regard the Order of the President of the Republic of Azerbaijan “On provision of activity of subjects dealing with entrepreneurship on the basis of “one window” principle” from October 25, 2007 worth mentioning. The new system has been applied since January 1, 2008. Application of this system will considerably simplify the registration of entrepreneurship activity. This is especially important for strengthening small and medium business in Azerbaijan. The essence of the system is simplifying the procedure for starting business for the persons willing to deal with entrepreneurship activities.

Establishment of gender budgeting system is a major guarantor of equal division of state financial resources in favor of both sexes, ensuring economic equality between women and men. In order to solve gender problems arising from financial reasons, it was deemed necessary to develop the concept of gender budgeting. As an initial result of the researches in this sphere, our Committee together with the United Nations Population Fund has published a book on “Gender Review of the Budget of Azerbaijan”. It highlights gender analysis of the budget and statistical data in this field.

Besides, the State Committee for Family, Women and Children Affairs has prepared proposals on gender budgeting in Azerbaijan and has submitted it to the Cabinet of Ministers. The objective of the proposals is to conduct gender review of the state budget and take into consideration the gender factor in distribution of financial resources.

In order to support the development of women entrepreneurship, regular meetings are held with women entrepreneurs in order to find out their problems. A recent Conference was held in cooperation with the Ministry of Economic Development in April 18, 2008 where a CEDAW expert had the opportunity to participate.

### **Social welfare fund**

According to the legislation of the Republic of Azerbaijan, there is no any difference between women and men in any payment and social protection.

According to the existing legislation, a range of allowances are provided for families with children.

- Allowances for maternity and birth for working women *at the rate of 100% of average wage*;
- Monthly allowance *at the rate of 30 manats* (equals to approx. 35 USD) for child care at the period of vacation until reaching age of three;
- One-time dowries *at the rate of 35 manats* (equals to approx. 40 USD) on birth of each child;
- Monthly allowance *at the rate of 20 manats* (equals to approx. 25 USD) to the children of military servants;
- Monthly allowance *at the rate of 5 manats* (equals to approx. 8 USD) to the children of disabled veterans of 1990 January events;
- Monthly allowance *at the rate of 10 manats* (equals to approx. 15 USD) to the children of the martyrs' family;
- Monthly allowance *at the rate of 5 manats* (equals to approx. 8 USD) to the juvenile children of the families suffered from Chernobyl NPP tragedy;
- Allowance at the rate of *100% of average monthly wage* for looking after a sick child.

The above mentioned social allowances which target women specifically, and in some cases men as well, lead to an improvement in the welfare of families.

At present social welfare system is undergoing reforms which are directed to reinforce its ability to target and provide social allowances to low-income families. In this regard, the Law of the Azerbaijan Republic "On state direct social aid" has come into force.

This tendency facilitates the adoption of state programs on reducing the level of poverty, on social-economic development of the regions, on reforms of pensions system, on direct social aid, on a new national employment strategy, on forming of the state migration policy and on improvement of welfare of the population including young people. Special attention is paid to the reforms and improvement of the living standards of the population in the country, because developing rate of employment and comprehensive social policy are main factors of the development of economy.

### **Recreational activities and sports facilities**

On 23<sup>rd</sup> December 1997, Law of the Republic of Azerbaijan "On physical training and sport" came into force. The main object of the Law is provision of healthy lifestyle and comprehensive human development through physical training and sport, prevention of diseases and harmful habits among population, increasing lifetime and etc. One of the main duties of the Law is ensuring rights of citizens to indulge in sports.

With Order of the Cabinet of Ministers dated 3<sup>rd</sup> February 2000 "State Program on development of physical training and sport" for the period of 2004-2008 was approved. Main objectives of the Law are raising the level of physical development of population, creation of necessary

conditions for ensuring the development of physical training and sport among population, ensuring training of perspective and professional sportsmen and etc. In accordance with this Program, creation and improvement of system for development of sport and physical training among children and youth is one of the major aspects of governmental and non-governmental organizations of the country. With this purpose, 12 Olympic complexes function in different regions of Azerbaijan, 17 of such complexes is constructed at present. More than 400 sport centers and facilities exist in the country where both boys and girls can realize their rights to sport and physical training without any difficulties. Basketball, volleyball, handball, track and field athletics, table tennis, draughts and chess are among the prevalent kinds of sport among women.

One of the major directions of state youth policy is care for young families. The Republic of Azerbaijan takes serious measures for increasing state care for young families, increasing the role of state in solution of social problems that young families face in society, preparation of young people to family life through awareness-raising activities, organizing leisure of young families, raising awareness about the right way of child upbringing in families, maintaining of and propaganda about moral and ethnic values, cultural and historical heritage of the Azerbaijani nation. Thus, every year on the eve of International Family Day national festival "My family" the participants of which are young families with their children. In the framework of the festival exhibitions, contests and competitions are held among the young families and winners are awarded with prizes.

Besides, in order to give the families access to healthy lifestyle and raising attention to physical development of population sporting event "Father, mother and I are sporting family"

#### **Article 14. Rural women**

Rural women consist 48.2% of women population of the country and 63% of them are able-bodied.

Traditional women professions are revived and become the source of income of the families. In the result of land reforms, land becomes private property regardless of sex.

A range of NGOs and international organizations take necessary measures for strengthening the leadership qualities as well as increasing economic activities of women in regions. Thus, with the support of OSCE/ODIHR and local bodies regional women's network has been established for solution of their problems.

Since 2001, large-scale program on development of agriculture in mountainous regions is implemented for 12 years.

## Part IV

### Article 15. Equality before the law

#### Women in detention

Under the Constitution of Azerbaijan, all persons are equal before the law and entitled to the equal protection of the law.

Like in other fields, in the penitentiary system too, necessary actions have been taken to ensure the protection of rights of sentenced women as a part of reforms carried out during recent years. Thus, the activity of the only existing punishment institution for sentenced women is in the limelight of Penitentiary service as well as numerous non-governmental and state organizations existing in the country, including human rights advocates. More than 30 visits and regular monitoring were realized by the non-governmental organizations in that institution during 2007. This matter is also the focus of attention of the State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan. The State Committee repeatedly visits the penitentiary institution for women, monitor the detention conditions of sentenced women and whenever necessary addresses the problems identified. In order to improve the health conditions of sentenced women, the State Committee for Family, Women and Children Affairs cooperates with the Ministry of Health of the Republic of Azerbaijan of the Republic of Azerbaijan. As a result of this cooperation, a medical brigade was established consisting of therapist, neuropathologist, cardiologist, oncologist, gynecologist, and laboratory assistant in order to examine the health conditions of imprisoned women. Different diseases were revealed in 324 sentenced women examined by therapists, 150 of them underwent electrocardiogram (ECG) examination. Pathological signs in blood were revealed in 273 women. The authority of the penitentiary institution was informed about these findings and requested to make appropriate arrangement for the treatment of those diseased women in proper hospital conditions.

At present, 266 women are serving sentence in the penitentiary institution for women. 241 of them are the citizens of the Republic of Azerbaijan, and 23 are foreign citizens. The majority of the sentenced women are imprisoned for the crimes of illegal circulation of drugs and murder. More detailed statistical information about imprisoned women is presented below:

	<b>Total number of imprisoned persons</b>	<b>Of them women</b>
2004	13.353	1.319
2005	13.711	1.272
2006	14.206	1.392
2007 (first 6 months)	6.823	577

The involvement of imprisoned persons in socially useful work in the institution is one of the central issues. Thus, up to 130 persons of this group of women were involved in paid jobs. Those women are engaged in carpet weaving and needlework shops, as well as in agricultural brigade. 90 sentenced women are involved in education. They receive professional training in five areas.

Another matter of concern is the efficient arrangement of leisure time of imprisoned women and their acquiring religious and moral values. In accordance with the existing legislation, amateur organization of imprisoned women also takes part in this process.

According to the Article 92.1 of the Code on Implementation of Punishments, in the prisons mothers together with their children under 3 years are provided with the special medical personnel and the 2<sup>nd</sup> special floor-space for their living. Feeding of children living with their mothers in prisons is also in the center of attention. These women are provided with special baby food and hygienic equipment.

According to the legislation, these children can be delivered to their close relatives or other persons in accordance to the legislation or child institutions after reaching 3 years with the consent of their mothers. In spite of this, the sentenced women keep contact with their under-age children via telephone conversations and constant meetings organized by the staff of the punishment institution.

In the mentioned institution there is a medical unit with a bed capacity of 15 beds. Together with other medical services, there are services in gynecology as well as a laboratory; there is also a pediatrician available for the children.

Women with health problems are regularly seen by medical officers. If necessary, specialist doctors are called to attend to them. Comprehensive medical examination of imprisoned persons is regularly organized with the participation of the Ministry of Health and the State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan. Besides, according to an agreement achieved between the Ministry of Justice and the Ministry of Health of the Republic of Azerbaijan, a children's clinic situated close to the penitentiary institution has been created in order to provide quality medical services to under-aged children from the institution.

### **Court system**

Ensuring the right of appeal to the Court on an equal basis for women and men as one of the mechanisms for the realization and protection of human rights and fundamental freedoms during judicial process, is one of the main judicial reforms realized in the country. Within the framework, of these reforms at the next stage of modernization of judiciary system the Decree of the President of the Republic of Azerbaijan dated January 19, 2006 on application of the Law of the Republic of Azerbaijan "On modernization of judiciary system in the Republic of Azerbaijan" and "On changes and amendments to some legislative acts of the Republic of Azerbaijan" aiming at the establishment of new courts to meet demands of population for legal institutions and legal aid, ensuring the efficiency of judicial system as well as facilitating court appealing opportunities is one of the major steps in this direction. The Decree also envisages the establishment of below mentioned new courts:

Baku Court of Appeal – in Baku city;

Ganja Court of Appeal – in Ganja city;

Sumgayit Court of Appeal – in Sumgayit city;

Shirvan Court of Appeal – in Ali Bayramly city;

Sheky Court of Appeal – in Sheky city;

Court of Felonies of Nakhchivan Autonomous Republic – in Nakhchivan city;

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**Article 16. Eliminating discrimination against women in marriage and family relations**

Taking into consideration the need for protection of women's rights within the family and concluding comments of treaty bodies in accordance with implementation of international obligations on human rights the State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan has submitted proposals to the National Parliament for equalization of marriage age for women and men, making medical examination before the marriage and marital agreement compulsory.

**Marriage age**

In the Republic of Azerbaijan, marriage age is regulated on the basis of the Family Code. Thus, according to the Article 10.1 of the Family Code of the Republic of Azerbaijan, marriage age for men is set as 18, for women 17. Equalization of marriage age of women and men first of all stems from ensuring equal rights between women and men.

At the same time, the UN Convention on Elimination of All Forms of Discrimination Against Women puts an obligation on state parties to take all measures including legislative measures to eliminate discrimination against women.

**Medical examination**

Medical examination of persons entering the marriage is one of the acute problems that is often being discussed. At the present, this issue is regulated in accordance with the Article 13.1 of the Family Code of the Republic of Azerbaijan. According to the Code medical examination of persons entering the marriage is conducted in state and municipal medical institutions free of charge on their consent.

The analysis of the appeals entering the State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan shows that the lack of information of women and men about each other's health status creates problems in the future.

In order to protect health of future generation, prevention of problems stemming from marriage, elimination of cases resulting in divorce, there is a suggestion to submit the results of medical examination to the relevant executive body.

**Marital agreement**

Although, the provisions connected with the concept, content and settlement of the marital agreement is existing Family Code of the Republic of Azerbaijan, its application has not been broadly spread in the country. The amendments to the legislation on the issue puts an obligation on state body accepting the appeal of the persons willing to enter the marriage to explain the legal importance, its duties and consequences and suggest to conclude marital agreement.

In relation with it, the State Committee for Family, Women and Children of the Republic of Azerbaijan intends to conduct awareness-raising activities among population on importance of marriage contract.