



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

Pre-sessional working group

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Implementation of the International Covenant on Economic, Social and Cultural Rights

List of issues in connection with the consideration of the third periodic report of Azerbaijan concerning articles 1 to 15 of the International Covenant on Economic, Social and Cultural Rights (E/C.12/AZE/3)

Azerbaijan

I. General information

1. In view of the fact that international treaties can be applied directly in courts, please provide example of cases where the provisions of the Covenant have been invoked before or by national courts.

II. Issues relating to the general provisions of the Covenant (arts. 1-5)

Article 2, paragraph 2 – Non-discrimination

2. Please provide disaggregated statistical data on the enjoyment of the right to work, to education and to health by ethnic minorities, foreign citizens and stateless persons, as requested by the Committee in its 2004 concluding observations.

Article 3 – Equal rights of men and women

3. Please provide information on the measures taken to overcome gender role stereotypes which continue to negatively affect women and girls' equal enjoyment of economic, social and cultural rights.

III. Issues relating to the specific provisions of the Covenant (arts. 6-15)

Article 6 – The right to work

4. Please provide updated statistical data on unemployment and employment, disaggregated by full-time/part-time employment, nationality, urban and rural residence, sex, age group and year, as collected during the 2009 census. Please also provide updated statistical data on employment among refugees and IDPs.

5. Please provide information on the practical application of the quota system mentioned in paragraph 132 of the State party's report and its effectiveness in improving the employment of persons with disabilities, including information on the percentage of public and private employers complying with it.

Article 7 – The right to just and favourable conditions of work

6. Please indicate the steps taken to improve the monitoring of working conditions, including in the informal economy. Moreover, in view of the prohibitive cost of the work permit for migrant workers, please indicate whether measures, other than the one-stop procedure introduced by the April 2007 Presidential Decree, are being taken to reduce the number of migrant workers working in the informal economy. Please also indicate the steps taken to ensure access by migrant workers employed in the informal economy and their families to basic services and social protection.

7. Please provide information on cases recorded during the reporting period where the administrative and criminal responsibility of employers have been established for failure to provide healthy and safe working conditions, as provided for by article 238 of the Labour Code.

Article 9 – The right to social security

8. Please provide information on the legislation and mechanisms in place to protect the economic, social and cultural rights of older persons in the State party, including on whether the amount of the old age allowance and other social benefits they are entitled to takes account of older persons' health care and other needs and enables an adequate standard of living. Please also provide information on the implementation of laws and programmes against abuse, abandon, negligence and ill-treatment of older persons, including those in nursing homes.

Article 10 – Protection of the family, mothers and children

9. According to information available to the Committee, children placed in different care facilities are exposed to violence. Please provide information on the mechanisms in place to guarantee the protection of children placed in various types of care facilities.

Article 11 – The right to an adequate standard of living

10. Please provide updated statistical data on poverty, including on the number of persons under the poverty line, disaggregated by year, sex, ethnic group, and urban and rural residence.

11. Please indicate, in the context of the general housing situation in the State party, the number of persons and families evicted within the last five years, and in particular, in relation to the renovation of Baku and the construction of the Eurovision venue. Please also provide information on the legal provisions regulating these evictions as well as on the measures taken to ensure that evictions are carried out with due process safeguards and that effective remedies are available to those affected.

Article 12 - The right to physical and mental health

12. Please provide information on measures taken to ensure access to affordable/free basic sexual and reproductive health services, particularly in rural areas and in refugee and IDP settlements and also provide information regarding educational programmes and continued medical training for health-care staff.

13. Please provide information on measures taken to address the problems in the provision of mental health services, as identified jointly by the Ministry of Health and the Institute of the Commissioner for Human Rights.

Articles 13 and 14 – The right to education

14. Please provide information on measures taken to address the shortage of pre-school and day-care facilities, as well as the inadequate educational and teaching conditions especially in rural areas.

15. Please provide statistical data on school dropout rates at various levels of education, disaggregated by sex, region, and urban/rural areas.

Article 15 – Cultural rights

16. Please provide more information on how cultural identity is protected particularly for marginalized groups of society, including for ethnic minorities.

17. Please indicate the measures taken to ensure affordable access to the Internet by disadvantaged and marginalized groups.

18. Please provide information on the measures taken for protecting the moral and material interests resulting from any literary, scientific or artistic production and on measures taken to ensure the freedom of scientific research.