



**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**

**Fifth periodic report of States parties due in 2013**

**Azerbaijan\***

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\* The present document is being issued without formal editing.



## Introduction

1. The fifth periodic report of the Republic of Azerbaijan on the Elimination of All Forms of Discrimination against Women (hereinafter the “present Report”) was prepared in accordance with the Revised Guidelines for the Preparation of Reports by States Parties of 3 June 2009 (HRI/GEN/2/Rev.6). It addresses the issues and recommendations raised in the Concluding Comments of the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW) during the consideration of the fourth periodic report of the Republic of Azerbaijan (hereinafter the “previous Report”) and covers the developments on elimination of discrimination against women and gender equality during the period 2008-2012.

2. The present Report has been prepared by the State Committee for Family, Women and Children’s Affairs (SCFWCA) which is entrusted with ensuring compliance by the Republic of Azerbaijan with its reporting obligations under the Convention on the Elimination of All Forms of Discrimination Against Women. It was compiled on the basis of information and data provided by all relevant Ministries and Services to the National Machinery for Women’s Rights (SCFWCA), the competent authority for the purposes of the Convention. Information was also obtained from NGOs, especially women’s organizations. The present Report has been prepared in a participatory manner with the participation of all relevant Ministries, State Committees and Departments. There was regular consultation with civil society organizations and NGOs working in the area of women’s human rights and the final report was communicated to all of them.

### **Article 1 — Definition of “discrimination against women”**

3. Since 2006, the Law of the Republic of Azerbaijan “On Guarantees of Gender Equality” has included in its Article 2.4, a definition of “gender-based discrimination” which is in line with and was inspired by the definition of “discrimination against women” contained in Article 1 of the Convention.

4. Moreover, according to Article 12 of the Constitution of the Republic of Azerbaijan, all international agreements and Conventions that the Republic of Azerbaijan has ratified, are considered to be a part of its domestic legislation so that in the case of any discrepancy between the definition of “discrimination against women” as contained in Article 1 of the Convention and the definition of “Gender based discrimination” as contained in the Law of the Republic of Azerbaijan “On Guarantees of Gender Equality”, the definition in Article 1 of the Convention will be given superiority. Article 12 (2) of the Constitution of the Republic of Azerbaijan further provides that human rights and liberties listed in the Constitution shall be applied in accordance with international conventions ratified by the Republic of Azerbaijan.

5. There is also regular and ongoing training organized by the Academy of Justice under the auspices of the Ministry of Justice of the Republic of Azerbaijan for all Justice and law enforcement and court officials including Judges, lawyers, notaries and the Prosecutor’s Office. The training programmes cover all the articles of the Convention and more particularly, the importance of giving a broad interpretation to the definition of “gender-based discrimination” in line with Article 1 of the Convention.

## Article 2 — Core obligations of States Parties to eliminate discrimination against women

6. The Government of Azerbaijan is fully committed to the elimination of all forms of discrimination against women. Since the previous report, it has continued to review its laws, policies, regulations, programmes, administrative procedures and institutional structures to ensure that they do not in any way, directly or indirectly result in the denial of the equal enjoyment by women of their civil, political, economic, social and cultural rights. In the spirit of fully implementing its core obligations under the Convention as well as the recommendations of the Committee following the examination of its last report, during this reporting period, important laws have been amended and new ones have been enacted.

### 1. New laws enacted in line with previous concluding observations

(a) In line with the recommendations of the Committee set out in paragraph 22 of the Concluding observations {United Nations CEDAW/C/AZE/CO/4} to accelerate the adoption of the draft law on domestic violence and to ensure that it contains provisions pertaining to sexual violence within the family, law No. 1058-IIIQ of the Republic of Azerbaijan “*On Combating Domestic Violence*” was adopted on 22 June 2010. In order to facilitate the implementation of the new law, consequential amendments were also made to several laws.

(b) In line with the recommendations of the Committee set out in paragraph 16 of the concluding observations, to speedily enact the amendment to the Family Code in order to equalize the minimum age of marriage for women and men to 18, in accordance with article 16 of the Convention and the Committee’s general recommendation No. 21, the Law of the Republic of Azerbaijan “*On Amendments to the Family Code*” was adopted in November 2011 to bring the age of consent to marriage to 18 for both men and women.

(c) The Government of Azerbaijan is fully conscious that the exploitive nature of early marriage affects more girls than boys and those girls suffer extreme disadvantage in losing their opportunities for education and personal freedoms as compared to boys of the same age. *The Criminal Code* (Law No. 256-IVQD) was accordingly amended in November 2011, to prohibit early and forced marriages and to increase sanctions for such offences.

### 2. International conventions

7. The Republic of Azerbaijan has already ratified a large number of ILO Conventions in order to improve the welfare of women and their families. In May 2011, to further improve the situation of women in employment, the Republic of Azerbaijan ratified ILO Convention No. 156 concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities and Convention No. 183 concerning the revision of the Maternity Protection Convention (Revised), 1952.

### 3. Pending draft laws and regulations

(a) A draft Law “On State Support to Families with Many Children” which aims to strengthen protection afforded to women with many children has been elaborated and is awaiting adoption.

(b) Following the Law of the Republic of Azerbaijan “On guarantees of gender equality” which was adopted in 2006, the State Committee for Family, Women and Children Affairs (SCFWCA) as the executive authority responsible for implementation of the law, has drafted a set of “Regulations for State Control over Ensuring Gender Equality” and submitted same for approval and adoption. The Regulations sets out the powers and functions of SCFWCA in ensuring gender equality, in its inter-institutional coordination of activities as well as the rights and responsibilities of gender focal points in government institutions among other issues. The Regulations are based on the policy of the Government to ensure that the SCFWCA be a strong and focused body within the executive branch of the Government which has authority to take all necessary initiatives, coordinate and oversee the implementation of legislation, policies and programmes necessary to fulfil the obligations of the State party under the Convention. The Regulations will enhance implementation of the laws and policies in place.

#### **4. Access of women to justice — Article 2 (c)**

8. In the spirit of ensuring that women have recourse to affordable, accessible and timely remedies, with legal aid and assistance as necessary, a “State Program on the Development of Justice System in Azerbaijan for 2009-2013” was approved in February 2009, one of the main objectives being to improve access of citizens to judicial authorities and courts. With the Judicial Modernization Project implemented jointly by the Ministry of Justice and the World Bank, 20 Regional Legal Advisory Service Centres have been established with the aim of sensitizing the poor, especially women about their rights, raising their awareness and enhancing their access to free legal aid services including in relation to violence against women.

#### **5. Training of the Judiciary and the legal profession and other public authorities — Article 2 (c) and (d)**

9. In line with its obligation under Article 2 (c) to ensure that the protection provided by law is effective, that women can assert their rights before the relevant courts together with its obligations under Article 2 (d) that public authorities and institutions do not engage in discrimination against women, the Government, through the Ministry of Justice, has undertaken specific education and training programmes about the principles and provisions of the Convention, its Optional Protocol and the views adopted under the Optional Protocol as well as the 28 General Recommendations adopted by the Committee. The training is provided to all Government agencies, public officials and, in particular, the legal profession and the judiciary. The Government of the Republic of Azerbaijan has given due consideration to the recommendations of the Committee and is actively promoting knowledge and understanding of the Convention on important concepts such as substantive equality versus formal equality as well as the importance of temporary special measures as a necessary strategy to accelerate de facto equality. The concluding observations of the CEDAW Committee following the examination of the Fourth periodic report in 2008, were accordingly disseminated among Judges, the legal profession and court officials, with training focusing on the gaps in the implementation of the provisions of the Convention. Since July 2011, special training has been dispensed on the importance of invoking CEDAW and of making reference to the Convention in judgments whenever possible.

10. The Ministry of Justice in collaboration with SCFWCA also regularly publishes special materials for their use with the aim of raising their awareness. SCFWCA 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 also benefit from trainings conducted by the Ministry of Justice.

11. The Ministry of Justice, besides training programmes, also holds seminars which are attended by judges, prosecutors and lawyers on CEDAW and other human rights treaties. Education of judges at the Academy is dispensed in cooperation with the European Council, OSCE, UNICEF, German Technical Cooperation Organization (GTZ) and other agencies. The Ministry of Justice has also been involved in a continuing joint Project with the European Commission called “Application of the European Convention for the Protection of Human Rights and Fundamental Freedoms” for court system and human rights advocates. The Ministry of Justice also has an agreement on long-term cooperation with the European General Juridical Center of Greece, which holds regular seminars and symposiums for Judges, law enforcement personnel and court officials and all those working in the human rights protection system.

## 6. State policy for Internally Displaced Persons

12. The Government of Azerbaijan is sensitive to the protection needs of internally displaced persons, the majority of whom are women and children. It also addresses the specific risks and needs of different women, such as rural women and women with disabilities through different programmes and policies. The Government has designed special policies and has paid particular attention to this group of women who are most marginalized and who may suffer from various forms of intersectional discrimination. The policy in place is designed to ensure them the opportunities to realize their potentials as full members of society, by providing them with equal access to education, health care, housing and employment. The Government also endeavours to include the perspective of displaced women when designing solutions, ensuring that their voices are not marginalized. The Government of Azerbaijan takes all appropriate measures to comply with the Guiding Principles on Internal Displacement in its provision of protection and assistance to internally displaced women and girls, including by safeguarding them from gender-specific violence and ensuring their participation in assistance programmes that takes into account their special needs.

<i>No. Indicators</i>	<i>Number of IDPs</i>
1 Number of IDP families provided with houses in new settlements	26 294
2 Number of IDPs provided with houses in new settlements	131 470
3 Number of women moved to new settlements	67 210
4 Number of students in secondary education	140 704
5 Number of students in secondary specialized education	153 571
6 Number of students in higher education	29 482
7 Number of employed women, including:	84 896
In State enterprises	42 686
In private companies	42 210

<i>No. Indicators</i>	<i>Number of IDPs</i>
8 Parliamentarians	1
9 Number of students studying abroad	344
10 Number of participants of vocational training courses	385
11 Number of women involved in public works	139

### **Article 3 — Development and Advancement of women**

13. SCFWCA, as the national machinery responsible for the implementation of CEDAW, has adopted a rights-based approach and recognizes women's legal entitlement to development and advancement. SCFWCA is increasingly focused on the relationship between gender and economic development and wants women to benefit from economic growth and development on an equal basis with men. During the period under review, the SCFWCA pursued several activities to promote the participation of women in the business world and to enhance female entrepreneurship such as:

- (i) Training seminars titled "Start your business" within the Project of the International Labour Organization called "Start and improve your business";
- (ii) Meeting of entrepreneurs with successful business people invited from foreign countries;
- (iii) The organization of the Third Forum of Women Entrepreneurs entitled "Building partnerships to close the entrepreneurship gender gaps in the ECE region".

14. SCFWCA values the role of women's NGOs in achieving the full development of women and as such it collaborates closely with civil society and women's NGOs. It has developed and implemented important projects in collaboration with NGOs such as the Women's Participation Program in collaboration with Counterpart International, which was launched in 2012, the main goals being to develop the capacity of women-focused civil society organizations (CSOs) and government institutions that work on women's issues.

15. SCFWCA and the General Directorate of Social Cohesion, part of the Ministry of Solidarity and Social Cohesion of France and GIP International are implementing an extremely comprehensive Twinning Project for 2011-2013 with the financial support of the European Union. The Project which seeks to promote and protect the rights of vulnerable families, women and children, was developed to achieve targets set by SCFWCA, EU and French Partners, and cover the following main components:

- Development of legislation;
- Institutional development of the SCFWCA;
- Capacity-building training and reinforcement of professional skills;
- Communication and awareness-raising.

16. Other important work and projects of SCFWCA during the reporting period include:

- Implementation of the State Programme for Poverty Reduction and Sustainable Development for 2008-2015;
- Implementation of a project for “Empowering Rural Women to Participate in Economic and Social Life” 2011-2012;
- Implementation of a project on “Support to technical-vocational education for women in regions” which started in Karabakh and Central Aran region in February 2012;
- Implementation of different projects to promote the participation of women in politics, including Mentorship programmes as well as awareness-raising campaigns, aimed at increasing representation of women in political and public life;
- Development and implementation of the National Strategy of the Republic of Azerbaijan on Combating Domestic Violence;
- Implementation of “XXI century without violence against women” Project;
- Participation in elaboration and implementation of the “Azerbaijan-2020: the Vision of the Future” Development Concept;
- Participation in implementation of State Program on “Azerbaijani Youth in 2011-2015;
- Participation in implementation of specific policy actions for ensuring rights of women as set out in the “National Program for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan”;
- Trainings on application of the Law of the Republic of Azerbaijan “On Guarantees of Gender Equality”;
- Preparation and publication of “Handbook on Women’s Rights” and different manuals covering several specific areas of women’s rights as well as the production of video clip on women’s rights;
- Contribution to law reform, particularly in the area of family law and violence against Women;
- Wide dissemination of the Concluding Observations of the CEDAW Committee, as well as the Convention, its Optional Protocol and the Committee’s General Recommendations among women, especially in the rural areas.

17. The SCFWCA plays a leading role in ensuring gender mainstreaming in all national policies and programmes and in the development of relevant action plans. This is done mainly through the encouragement of training of relevant professionals within the public service on gender equality issues, the support of the development of research on gender-related issues, the promotion of data collection and gender-disaggregated statistics and the organization of relevant training workshops, round tables, seminars, and conferences with the participation of international experts. SCFWCA also participates in a number of multidisciplinary committees under other ministries, dealing with issues such as family, children, violence against women, trafficking, social inclusion, and employment and contributes substantially in ensuring a gender perspective in the formulation and implementation of relevant

policies. During the reporting period, the Government has developed much stronger ties with women's organizations by involving them in relevant spheres of policy formulation and decision-making processes.

18. The resources, both financial and human of the SCFWCA have been on the increase in recent years as illustrated by the following tables:

**Table 1**  
**Financial resources**  
(United States dollars)

<i>Years</i>	<i>Budget of SCFWCA</i>	<i>Additional resources to gender budgeting</i>
2010	1 271 861	571 208
2011	1 280 011	657 950
2012	1 311 775	835 288

**Table 2**  
**Human resources**

<i>Years</i>	<i>Number of employees of SCFWCA</i>	<i>Number of departments</i>
2011	68	7
2012	76	9

19. Two new Departments were open in 2012, namely:

- Department on work with Regional Centres;
- Department on Information and Social-Analytical research.

20. SCFWCA currently has 11 regional Family and Children Support Centres with 73 employers. There are 5 more regional centres which will be established in the framework of the project with Heydar Aliyev Foundation and UNFPA.

#### **Article 4, paragraph 1 — Temporary Special measures**

21. The Law of the Republic of Azerbaijan “On Guarantees of Gender Equality” contains provisions for temporary special measures. Article 3.2.6 provides that implementation of special policy measures for ensuring gender equality is not considered as discrimination. However, since its enactment in 2006, this provision has been under-used to accelerate de facto equality.

22. Concerns have been expressed about the very low level of representation of women in political and public life, especially in decision-making bodies like National Assembly, government, diplomatic services, regions and local municipalities and Supreme Court governance.

23. The State Programme for Poverty Reduction and Sustainable Development in the Republic of Azerbaijan for 2008-2015 was approved by the Decree No. 3043 of the President of the Republic of Azerbaijan in September 15, 2008. One of the main targets in the Section 3.3 of the Program on “Summary of goals, targets and indicators” is to ensure the enhancement of women's participation in decision-



making process by the end of 2015. The target focuses on increasing participation of women mainly in management of central executive bodies, among members of the Parliament, municipality members and judges.

24. In the light of the above, recommendations have been submitted to the President of the Republic of Azerbaijan with a proposal to ensure equal representation of women and men by type of activity in all State agencies of the Republic of Azerbaijan for practical implementation of representation of women in the public governance system at a required level. The matter is still under consideration.

#### **Article 5 (a) — Stereotypes and cultural practices and violence against women**

##### **(i) Challenging gender stereotypes**

It is the firm belief of the SCFWCA that abolishing wrongful forms of gender stereotyping is essential to the elimination of all forms of discrimination against women, their realization of substantive equality and their exercise of their other human rights and fundamental freedoms. It is the policy of SCFWCA to ensure that the State as well as non-State actors give priority to overcoming the obstacles that impede the elimination of wrongful gender stereotyping. One of the focuses of SCFWCA is to ensure that women are treated according to their individual needs, abilities, priorities and circumstances and not according to stereotypical generalizations of what it means to be a woman. Although SCFWCA is fully aware of the enormous challenges ahead in that gender stereotypes are resistant to change and that accordingly more needs to be done to implement programmes to eliminate stereotyping and to assess their effectiveness, it is confident of its vision and the agenda it has set for their elimination.

25. In line with the recommendations of the CEDAW Committee (paragraph 20 of Concluding Observations), SCFWCA has focused its awareness-raising and educational campaigns in both urban and rural areas covering all regions and districts in the Republic of Azerbaijan. In order to create a culture of human rights and respect for women's rights, it has specifically targeted youth and students and also the parents and teachers and community leaders. This is because gender stereotypes are deeply inscribed in language, images, practices, norms and values and change can only be brought when a whole community is involved in the process. Countrywide campaigns supported by video clips, short movies and manuals have been used. The video clips and short movies, such as on early and forced marriage, trafficking in persons have been aired on local television channels and also in public places for youth in all cities and regions.

26. SCFWCA has enlisted the collaboration of the media with whom it is now working very closely. Several round tables have also been organized on "Gender aspects in tolerant societies and role of communities"; "The role of mass media in elimination of gender stereotypes formed in the society" (2010); "Women's rights and gender stereotypes in Azerbaijan" organized jointly with ABA CEELI, an Azerbaijani organization (March 2012).

27. Upon the initiative of the SCFWCA with the support of UNICEF, research studies have been carried out on early marriages and presentations on the findings made in many regions through 40 focus groups. Educational meetings have been organized by religious figures and aghsaggals (the elderly) in public places. Teams

comprising of a policeman, a religious figure and a field representative of the village have been established in several regions to sensitize the population and fight against early marriages and school drop-outs by girls.

28. SCFWCA has thus focused its efforts in identifying the various forms of gender stereotyping and the contexts in which they take place. As such, Judges and the legal profession have been trained in understanding different experiences of gender stereotyping which can help them to break free from their own social or cultural conditioning and to move beyond their stereotypical understanding of different people and make autonomous and impartial judgment possible.

**(ii) Violence against women**

29. In line with the recommendations of the CEDAW Committee, Law No. 1058-IIIQ of the Republic of Azerbaijan “On Combating Domestic Violence” was adopted on 22 June 2010. In order to ensure implementation of the Law, amendments were made to seven legislative acts and five new normative and legal acts were adopted. The scope of the law is very broad and covers violence perpetrated by a broad range of persons. It contains provisions for the provision of legal assistance and social protection to victims of domestic violence; preventive actions which need to be taken which include legal, social and informative actions. In line with the former recommendations of the CEDAW Committee, Article 1.0.6 of the Law addresses different forms of sexual violence, in addition to provisions such as sections 149-153 of the Criminal Code of the Republic of Azerbaijan on Crimes against sexual inviolability and sexual freedom of individual (Violent action of sexual nature; Coercion into actions of sexual nature; Sexual relations and other actions of sexual nature with the person who has not reached the age 16).

30. The Government of Azerbaijan also conducted a first country wide survey in 2008. The special National Survey Report on violence against women in Azerbaijan examined the prevalence, root causes and consequences of violence against women. The survey was initiated and organized in the framework of UNFPA’s Combating Gender Based Violence in South Caucasus Project/Azerbaijan in close cooperation with the State Committee on Family Women and Children Affairs.

31. SCFWCA has mobilized its resources to implement the National Strategy for Combating Domestic Violence which focuses on the development of effective preventive measures for combating domestic violence, making perpetrators of violence accountable for their behaviour and ensuring comprehensive protection of victims of violence, as well as eradicating stereotypes that support tolerant attitude to cases of domestic violence. It has also invested considerable efforts in the implementation of the “XXI century without violence against women” Project which covers all regions of Azerbaijan.

32. In addition to its focus on the implementation of the new law on domestic violence, SCFWCA has raised awareness about the law through conferences, round tables, lectures and seminars and meetings such as:

(a) Conference on “Prevention of domestic violence: raising public awareness and supporting legislative initiatives”, to improve coordination among State institutions engaged in combating domestic violence;

(b) Round tables on “Implementation of the Law On Combating Domestic Violence and exchange of experiences” in order to raise public awareness on the new law;

(c) Lectures organized for secondary schools and university students in 8 different regions on violence against women including domestic violence as a human rights violation;

(d) Regional meetings on the topic of “Strengthening internal culture as a factor against violence in the 21st century” held in several regions;

(e) Round tables organized in collaboration with the OSCE Baku Office in different regions, on the “Role of mass media in eliminating domestic violence” and “Role of communities in the prevention of domestic violence” attended by Parliamentarians, representatives of State agencies, NGOs and mass media;

(f) International Conference on “Police Supported by Society” Project jointly implemented by the OSCE Baku Office and the Ministry of Internal Affairs, the aim being to increase the number of women in the Police Force and to achieve a more effective intervention of the police in cases of domestic violence and human trafficking;

(g) A photo exhibition “Unbreakable will” held jointly with UNHCR, UNFPA, UNDP and Women’s Association for Rational Development within 2011 Campaign of “16 Days of Activism Against Gender Violence Campaign”;

(h) A 2-year Project for “Awareness-raising campaign on domestic violence”, launched by Gender Equality and Women’s Initiatives Public Union, the European Commission, the SCFWCA and Governance Program (Hungary) of OSI-AF at the end of 2011. Gender and Development Centres involving NGO network members working in the area of gender issues were established in the regions within the Project as well as the launch of a hotline;

(i) Training of trainers (TOT) was organized within the Project for NGO specialists in Baku city in January 2012. Trainings for women and a project for the provision of legal and psychological consultations for women have been implemented in the regions since April 2012;

(j) “STOP violence against women” — an awareness-raising campaign against domestic violence was organized within the Project: “Eliminating gender-based violence among IDPs and shelter seeking persons/refugees” in cooperation with the UNFPA, the UNHCR and Women’s Association for Rational Development in May 2012. A booklet on “Domestic Violence: 50 answers to 50 questions” was also produced and widely distributed in the context of the campaign;

(k) Training of Judiciary on Violence against women — There is ongoing training of the judiciary on gender-based discrimination and violence against women including domestic violence. Education of judges at the Academy is organized in coordination with Judicial-Legal Council and Judges Selection Committee. Lectures on violence against women and other human rights issues are organized in cooperation with the European Council, OSCE, UNICEF, United Nations Commission on Human Rights (UNCHR), German Technical Cooperation Organization (GTZ) and other agencies and are delivered by well-known international experts who use modern interactive methods of training.

**Article 6 — Trafficking in women and exploitation of prostitution**

33. In line with the recommendations of the CEDAW Committee in paragraph 24 of its concluding observations after the examination of the Fourth periodic report of the Republic of Azerbaijan, the Government has focused its activities around a more vigorous implementation of the anti-trafficking legislation. It has also taken a more people-centred approach and has taken several concrete measures to ensure the rehabilitation and social integration of victims of trafficking, including through the establishment of additional shelters.

34. Despite the considerable challenges which the complexity of the trafficking phenomenon presents, the Republic of Azerbaijan has shown its relentless commitment to address the problem. The Government has taken a range of measures to address the causes of trafficking, to provide protection, rehabilitation and reintegration, to raise awareness and develop anti-trafficking legislation. Unfortunately, because trafficking in human beings is a clandestine, cross border issue, it is difficult to obtain reliable data.

35. The Government of Azerbaijan is fully conscious that gender affects all aspects of the trafficking process: from the factors that contribute to trafficking to the nature of the laws and policies developed to deal with the phenomenon. In the same way, human rights are implicated in the causes and vulnerability factors that contribute to trafficking. Key challenges identified by the Government of Azerbaijan in the area of trafficking in women, include: the efficiency of its criminal justice system to investigate, apprehend, prosecute and penalize trafficking as well as the levels of understanding by officials of the profound gender dimensions of human trafficking.

36. The Government has also focused on its emigration and immigration policies, to ensure that they are not implemented in a discriminatory manner. The Government of Azerbaijan is sensitive to the fact that women who have been trafficked are victims of crime and victims of human rights violations. As such it ensures through the implementation of its law against human trafficking, that they are not treated as criminals. The Government, through the National Action Plan, ensures that once they are identified, victims of trafficking are given immediate and adequate material, social, medical or psychological support. Since August 2012, allowances paid to victims of human trafficking in the course of reintegration have been increased from 200 manats (equivalent of 255 USD) to 400 manats (equivalent of 510 USD). All efforts are being undertaken to ensure and protect the right of victims to access remedies. All assistance is given victims of trafficking, both in terms of information as well as the means to enable them to claim criminal or civil remedies for the violations they have suffered.

37. The Government has taken measures that address the root factors, including external factors, that encourage trafficking in women and girls for prostitution and other forms of commercialized sex, forced marriages and forced labour in order to eliminate trafficking in women and with a view to providing better protection of the rights of women and girls and to punishing the perpetrators. It has also invested considerable effort in stepping up cooperation and concerted action by all relevant law enforcement authorities and institutions with a view to dismantling national, regional and international networks in trafficking. The Government has also allocated resources to provide comprehensive programmes designed to heal and rehabilitate into society victims of trafficking including through job training, legal

assistance and confidential health care and has taken measures to cooperate with non-governmental organizations to provide for the social, medical and psychological care of the victims of trafficking. Lastly, there has been considerable effort to develop educational and training programmes and policies with special emphasis to the protection of young women and children.

38. Following the last constructive dialogue and the recommendations of the Committee, efforts of the Government of Azerbaijan in its struggle against human trafficking have focused on:

- (i) Implementation of the legislative measures to prevent trafficking and prosecute traffickers;
- (ii) Increased measures to improve the economic situation of women so as to eliminate their vulnerability to trafficking;
- (iii) Formulation of comprehensive strategies to prosecute and punish offenders;
- (iv) Increased international, regional, and bilateral cooperation with other countries of origin, transit, and destination for trafficked women and girls to monitor migration patterns and strengthen State controls;
- (v) Public awareness campaigns and training for law enforcement and border control officials;
- (vi) Comprehensive rehabilitative and reintegration programmes for trafficked women and girls providing alternative opportunities for economic viability.

1. **Anti-trafficking legislation and the National Plan of Action** — The law “On Fight against Trafficking in Human Beings” was adopted in 2004 and 2005. A second National Plan of Action for 2009-2013, which was approved by a Decree of the President of the Republic of Azerbaijan, contains no less than 70 policy measures for victims of human trafficking which includes:

- Physical, psychological and social rehabilitation;
- Provision of safe living conditions meeting basic needs accompanied with psychological and financial support;
- Medical check-up and treatment, access to translation services, as well as consultation on their rights and responsibilities;
- Protection of rights and interests in criminal cases;
- Creating access to education;
- Meeting security and protection needs;
- Creating access to vocational training and labour market, etc.

39. The Government of Azerbaijan, having complied with its obligation to criminalize trafficking through the enactment of a specific law to combat human trafficking, its National Action Plan of Action is premised on its other obligations under Article 6 of the CEDAW Convention, namely:

- An obligation to quickly and accurately identify victims of trafficking;

- An obligation to investigation and prosecute trafficking cases with due diligence;
- An obligation to provide victims with support and protection;
- An obligation to provide special protection for child victims including girls; and
- An obligation to prevent trafficking.

40. The National Plan of Action, with its 70 measures, seeks to fulfil the above obligations. It also seeks to ensure an effective system for mutual cooperation among agencies engaged in the fight against human trafficking. An Inter-Agency Commission which is comprised of a Working Group with representatives from the Ministries of Internal Affairs, Justice, Foreign Affairs, National Security, Labour and Social Protection, Health, Education, the Ministry of Youth, the SCFWCA, State Migration Service, State Border Guard Service and General Prosecutor Office, was established with the aim of overseeing the implementation of the law on combating human trafficking. The coordination of activities of the working group is carried out by the National Coordinator with the purpose of creating a unified system of cooperation and ensuring the exchange of information. National Coordinator build necessary relationship not only with State agencies, police and courts but also with NGOs for more effective implementation of activities and prosecution of crimes related to trafficking. He submits an annual report to the President of Azerbaijan Republic, National Parliament and Ombudsman. Report consists of information provided by governmental and non-governmental organizations and is prepared on the basis of consistent monitoring carried out by the Ministry of Internal Affairs. The law is further supported by the adoption of different sets of rules in 2009, to facilitate its full implementation, such as the:

- Rules of National Referral Mechanism on victims of human trafficking;
- Rules (indicators) on Identifying Victims of Human Trafficking;
- Rules on Placing and Keeping Children Victims of Human Trafficking in Shelters.

41. In addition to the main law against trafficking, other amendments have been made to the Criminal Code, such as the amendment brought in November 2011 to include a new provision (Article 176-1) to deal with cases of forced and early marriage.

2. **Anti-trafficking agreements and initiatives in the region** — While violence against women and internal trafficking is largely a problem which must be addressed at the national level, trafficking is a problem which also must be addressed through international cooperation, including bilateral and multilateral memoranda of understanding and subregional agreements or conventions among other mechanisms. The Council of Europe Convention on Action against Trafficking in Human Beings was ratified in May 2010. In addition, there are bilateral Memorandums of Understanding (MOUs) such as the Memorandum of Understanding between the Ministry of Internal Affairs and the National Committee for Combating Human Trafficking of the United Arab Emirates signed in Abu-Dhabi city in March 2011.

3. **Multisectoral approach** — The Government has also taken a human security perspective and as such, it addresses the movement of people comprehensively, taking into account the political, civil, security, economic and social dimensions affecting peoples' decision to move. It is conscious that trafficking is not one event but a series of acts and circumstances involving a wide range of actors and as such it ensures that all anti-trafficking measures address the entire cycle of trafficking. It does so by seeing to it that policy makers from different sectors work together to formulate appropriate policies. For example, the linkage between standards and institutions for social and labour protection, and the incidence of trafficking, have been examined and focus has been placed on the importance of Labour institutions, such as employment and job placement services, labour inspection services and labour courts, to protect workers. Several Ministries are involved in combating human trafficking.

42. For example, the Ministry of Labour and Social Protection of Population is responsible for the development of recommendations for the social rehabilitation of victims of human trafficking, for the implementation of policy measures for social and vocational rehabilitation, for vocational training, retraining and job-placement on the basis of referral from assistance centres for victims of human trafficking; for the provision of living areas to victims of human trafficking to be provided in accordance with their age, family and health status. It has to implement policy measures for vocational training and requalification of persons in socially vulnerable population groups in order to increase their competitiveness on the labour market. The Ministry of Labour and Social Protection of Population also has the responsibility to develop, together with the Ministry of Education and NGOs, relevant educational programmes for ensuring the integration of victims into the labour market. The Ministry of Labour and Social Protection of Population must also collaborate closely with the Ministry of Education, the Ministry of Youth and Sports, the Ministry of Health and local executive powers for the smooth operation of the referral system and the referrals from the assistance centres for victims of human trafficking. In February 2011, the Ministry of Labour and Social Protection of Population launched a book on "Forced Labour and Human trafficking" to be used by labour inspectors.

43. The State Migration Service is also involved as it has the responsibility to grant foreigners and/or a stateless persons who are victims of human trafficking, a right to live in the Republic of Azerbaijan. A victim of human trafficking, who is granted a right to live in the Republic of Azerbaijan, obtains a status of immigrant and enjoys all rights and liabilities deriving from this status.

44. The Ministry of Health is involved through the development and implementation of medical rehabilitation programmes as well as the provision of appropriate medical and psychological assistance to victims of human trafficking.

45. The Ministry of National Security contributes in combating human trafficking through its fight against transnational organized criminal groups. State agencies are also mandated under the law "On Fight against Trafficking in Human Beings", to cooperate with non-governmental organizations in the field of preventing human trafficking and in that connection, a memorandum of understanding on cooperation has been signed between the Ministry of Internal Affairs and a Coalition of NGOs, the main goal being the strengthening of the struggle against human trafficking and

enhancing cooperation for delivery of various services to victims of human trafficking.

#### **4. Support services**

(a) A special police institution — the Department on Struggle against Trafficking in Human Beings was established by the Decree No. 433 of the President of the Republic of Azerbaijan dated 1 August 2006 at the Ministry of Internal Affairs with the aim of effective implementation of functions reflected in the First National Plan of Action, ensuring security of victims of human trafficking, delivering professional assistance to them, centralizing information on fight against human trafficking in a single centre and its protection and implementation of the fight against human trafficking by a specially trained professional policemen and a police institution provided with the necessary equipment.

(b) The “Program on Addressing Social Problems Creating Conditions for Human Trafficking” was approved by the Resolution No. 81 of the Cabinet of Ministers dated 20 May 2011. The aim of the Programme is the elimination of social problems leading to human trafficking and the creation of necessary conditions for improving the welfare of victims and potential victims of human trafficking; the objective of the programme is to ensure the social protection of vulnerable population groups that can be exposed to human trafficking, including children deprived of parental care, deprived children and adolescents, as well as citizens who have to leave boarding schools and other alternative care institutions because of age.

(c) Shelters for temporary residence of victims of human trafficking and Centre for assistance to victims of human trafficking (hereinafter: referred to as Assistance Centre) were created as special establishments to ensure their protection. Material and technical support to the shelters and the Centres are provided from the State Budget and other sources provided for by the legislation. A Child Shelter/ Reintegration Centre which caters for children and adolescents deprived of care and exposed to domestic violence and are identified as being potential victims of human trafficking, was established in January 2010. Another “Psychological and Social Rehabilitation Centre for children and youth who became victims of violence and crime” was established in 2011, as an initiative of the Ministry of Education and the Alliance of NGOs on Child Rights. The Centre provides legal and psychological support to children deprived of care and living in a harmful environment and who are at risk of human trafficking. There is a Hotline service which is functioning as an information and consultation service which provide assistance to persons victims of such a crime, especially women and children. A Child Hotline” service was also launched in February 2010 by the Ministry of Education to provide support including psychological support to children.

#### **5. Training and educational programmes**

46. Gender dimension of trafficking — Trafficking is a highly gendered phenomenon and gender affects all aspects of the trafficking process. Females are trafficked in different ways to men and for different reasons. Discrimination and violence have been identified as key factors in increasing the vulnerability of women and girls to trafficking and in shaping the trafficking outcome. The obligation to actively and accurately identify victims of trafficking is the foundation upon which all other obligations with respect to victims rests. It is also essential



when it comes to investigation and prosecution of traffickers because of the necessarily heavy reliance on victim cooperation and testimony.

47. Previously, a lot of the anti-trafficking work done so far had focused on a specific sector or body of government such as law enforcement. Henceforth, a multisectoral approach is in place and the training is also broad. Policy measures for the prevention of human trafficking include special training courses for staff members of all different authorities involved in the struggle against human trafficking. Regular trainings are organized with the aim of improving the professionalism and knowledge of representatives of State agencies and NGOs implementing the National Referral Mechanism associated with victims of human trafficking (hereinafter: “the National Referral Mechanism”) in accordance with the Decree No. 123 of the Cabinet of Ministers dated 11 August 2009.

48. Representatives of all law enforcement agencies including from the Ministries of Internal Affairs, Justice and National Security, General Prosecutor’s Office, the State Migration and Border Services and the State Customs Committee) regularly participate in training organized by IOM Azerbaijan Office. They have also participated in a study tour to Rome organized by the OSCE Baku Office and Italian Permanent Delegation to OSCE focusing on the implementation of the National Plan of Action on Fight against Trafficking.

49. In February 2011, trainings have been organized in the capital city for medical doctors, prosecutors and advocates with the participation of an expert group representing 7 European countries, as well as representatives from the European Union, the OSCE, the International Organization for Migration and the International Labour Organization, focusing on the implementation and execution mechanisms of the Council of Europe Convention on Action against Trafficking in Human Beings.

50. The Ministry of Education has also devised courses on prevention of human trafficking in the curricula of educational institutions and has further developed curricula for education of specialists working in the area of with human trafficking. In collaboration with NGOs, it has also organized trainings for 800 teachers in secondary schools of Baku city and 47 regions.

51. The Tourism Department of the Ministry of Tourism, the ILO, the OSCE Baku Office and the MIA have also organized trainings on “Human trafficking and forced labour” for 20 tourists.

52. There is a link between poverty and the greater likelihood of being a victim of trafficking. Successful work against human trafficking requires careful analysis of its economic aspects, of poverty-related factors among others, on the supply side, but perhaps most particularly of the “pull” or demand factors in the destination cities or countries. All this is being done through sensitization of the public targeting the most vulnerable groups of women. Video clips on human trafficking and its undesirable results and a movie entitled “The life sold” have been widely disseminated and broadcasted on TV channels, including regional TV Channels, to sensitize the public at large and adolescent girls and women in particular. Pamphlets entitled “Do not become a victim of human trafficking” and “Protect your children” have also been widely distributed.

**Information about registered criminal cases in the sphere of struggle against human trafficking in the Republic of Azerbaijan (2005 — 6 months of 2012)**

		<i>Number of criminal cases registered</i>							
<i>The Republic</i>		2005	2006	2007	2008	2009	2010	2011	<i>6 months of 2012</i>
Human trafficking (together with F/L)	Criminal Code 144-1-144-2	1	28	74	F/L-1	F/L-3	F/L-1	F/L-2	F/L-2
Human traffickers		1	23	93	91	76	39	20	7
Victims		1	86	101	78	91	34	29	47
									<i>Total</i>

F/L — Forced Labour.

**Article 7 — Participation in public and political life**

53. Clear policies of the Government of Azerbaijan to promote women's participation in the public and political spheres have brought about some improvement in the representation of women in political life.

54. There are 3 women deputy ministers out of 20 ministries of the country (the Ministries of Economic Development, Culture and Tourism and Health); the chairperson of one State Committee out of 10 (the State Committee for Family, Women and Children Affairs), the chairperson of one State Commission (the State Students Admission Commission), rectors of 3 higher education institutions (Azerbaijan Architecture and Construction University, Baku branch of Moscow State University and Azerbaijan Teachers Institute). The Deputy Prime Minister of Nakhchivan Autonomous Republic is a woman and so is the Commissioner for Human Rights (Ombudsperson) of the Republic of Azerbaijan and the Ombudsperson of Nakhchivan Autonomous Republic, the chairperson of the State Committee for Family, Women and Children Affairs of Nakhchivan Autonomous Republic, the Vice-President of the State Oil Company and the Vice-President of the National Academy of Sciences of Azerbaijan.

55. The representation of women in the National Assembly has increased from 11% (13 deputies out of 125) in the 2005 elections to 16% in the last elections of 2010 (20 women out of 125 deputies).

56. Women also hold positions as deputy heads of executive bodies, directors of secondary schools, executive agent, etc. in various regions of the country.

57. The representation of women at municipal level has increased from 4% (2004 elections) to 26.5%. Currently, 4,137 municipality members and 302 municipality heads are women.

58. Despite the fact that representation of women in the judiciary is not quite high, a slight growth has been noted in this field in recent years. According to recent data of the Ministry of Justice, 14% of judges are currently women in Azerbaijan. The Deputy-Chairperson of the Constitutional Court is a woman. The Chairperson of the Board on Civil Cases of the Supreme Court is a woman.

59. According to the Sample statistical survey of the economic activity of population, distribution of employed population by main work and sex was as the following in 2011:

<i>Main work</i>	<i>Women</i>	<i>Men</i>	<i>Sex distribution</i>	<i>Sex distribution</i>
			<i>Women</i>	<i>Men</i>
State enterprises, institutions and organizations	21.7	17.8	53.6	46.4
Non-State enterprises, institutions and organizations	6.9	16.9	27.8	72.2
Family-peasant farms	31.0	28.1	51.0	49.0
Private entrepreneur activity without forming of legal person	9.4	14.7	37.8	62.2
Persons engaged in private labour activities	31.0	22.5	56.5	43.5
<b>Total, in per cent</b>	<b>100.0</b>	<b>100.0</b>	<b>48.6</b>	<b>51.4</b>
Thousands of persons	2 125.1	2 250.2	X	X

60. The role of women in the field of science is significant. 46 per cent of PhDs and 51% of all scientific workers are women. The number of women with PhD increased by 22 per cent within the last 5 years. 12 correspondent members of the National Academy of Sciences of Azerbaijan and 3 academicians are women. Data on women completing PhD studies by the first 6 months of 2012 was as follows:

<i>In doctorate studies</i>	<i>Total number of PhD students</i>	<i>Including, women</i>
Philosophical Doctor	897	453
Doctor of Sciences	185	69
<b>Total</b>	<b>1 082</b>	<b>522</b>

61. The number of women civil servants was 8,115 in 2010. According to statistical information for 1 January 2012, the number of women civil servants was 7,976, and the number of men 20,565. The number of women NGOs was 186 in 2010. The number of women entrepreneurs was 4,315 in 2009 population census. Representation of women at ministries and State committees in 2011 is shown below.

<i>No.</i>	<i>Organization</i>	<i>Share of women (%)</i>	<i>Share of women in management positions (%)</i>
1.	Ministry of Health	79.5	37
2.	Ministry of Taxes		3.4
3.	Ministry of Communication and Information Technologies	32.3	9.7
4.	Ministry of Internal Affairs	3.5	–
5.	Ministry of Foreign Affairs	19.4	5.1
6.	Ministry of National Security	21	
7.	Ministry of Economic Development	34.2	25.6
8.	Ministry of Ecology and Natural Resources	22.6	13.8
9.	Ministry of Transport	11.6	5.4
10.	Ministry of Defence Industry	39.8	29.2
11.	Ministry of Agriculture	31.8	16.7

No.	Organization	Share of women (%)	Share of women in management positions (%)
12.	Ministry of Labour and Social Protection of Population	60.8	24.8
13.	Ministry of Industry and Energy	23.7	58.5
14.	Ministry of Youth and Sports	37.2	19
15.	Ministry of Defence		
16.	Ministry of Emergency Situations		
17.	Ministry of Justice	18	16.6
18.	Ministry of Finance	40	
19.	The State Committee on Deals of Azerbaijanis living abroad	26.6	5
20.	Ministry of Education	68,1	41.3
21.	State Committee for Work with Religious Organizations	31.5	
22.	State Committee for Securities	40.8	30.7
23.	State Statistical Committee	53.7	21.7
24.	State Committee on Deals of Refugees and Internally Displaced Persons	93.4	4
25.	State Customs Committee	9.1	8.5
26.	State Committee for Family, Women and Children Affairs	76.4	70
27.	State Committee on Land and Cartography	24.6	9.9

62. Important conferences and training have been held to sensitize women on the importance of their participation in the public and political life of the country. In 2010, a Conference on “The Role of Women in Local Self-Governance Institutions” was held jointly with the Department for Affairs with Regional Governance and Local Self-Governance agencies of the Presidential Administration of the Republic of Azerbaijan.

63. The SCFCWA together with an NGO “Association of Women with University Education”, have conducted educational campaigns in regions of the Republic with the aim of increasing the participation of women in the 2009 municipal elections. A booklet entitled “Municipality and women” was published and distributed among active women in regions.

64. In close cooperation with USAID, Counterpart International, SCFWCA take part in the Women’s Participation Program aimed at promoting women’s political leadership and encouraging women’s participation in political process. In the framework of this programme the Coalition of Women Leaders, Association of Women with University Education and Women for the Future has been implementing the project entitled “Women’s Participation in Decision Making Process is Major for Gender Equality”. Special trainings and awareness-raising workshops on women’s leadership and women’s participation in decision-making were delivered in 6 regions and rural areas. The SCFWCA also assisted to the group of regional NGOs in implementing the project “Strengthening Women’s Political Participation” in western regions of the republic. Special TV programmes with the main focus on women’s leadership were broadcasted through the central and regional State and private TV channels.

65. On 27-28 November 2012, Counterpart International and its implementing partners organized the first national Women's Leadership Conference in Baku with the goal to promote government-NGO dialogue and develop a common policy agenda on women's issues. The event brought together a diverse range of over 100 stakeholders including representatives of local, international and donor organizations, Parliament, central State agencies and regional representatives of the executive branch of the government of Azerbaijan, civil society and community activists, and media.

#### **Article 8 — Representation of women at the international level**

66. Equal rights are guaranteed to men and women for representing the Republic of Azerbaijan in foreign countries.

67. Heads of 8 Inter-Parliamentary Working Groups out of 79 functioning in the National Assembly of the Republic of Azerbaijan are women. Heads of Working Groups for Azerbaijan-France, Azerbaijan-Georgia, Azerbaijan-India, Azerbaijan-Switzerland, Azerbaijan-Luxembourg, Azerbaijan-Egypt, Azerbaijan-Moldova, Azerbaijan-Serbia Inter-Parliamentary Cooperation are women deputies. At the same time, heads of Delegations of the National Assembly of the Republic of Azerbaijan to OSCE Parliamentary Assembly and to Parliamentary Union of the Organization of Islamic Conference are women.

68. The Chairpersons of the Racism and Xenophobia sub-committee of the Equality and Non-Discrimination Committee of the Parliamentary Assembly of the Council of Europe and the Cultural, Educational and Social Affairs Committee of the Parliamentary Assembly of the Black Sea Economic Cooperation and Parliamentarian coordinator of the PACE Campaign of "Fight for Violence against Children" to Azerbaijan are women deputies of the National Assembly.

69. 91 persons out of 271 diplomats working at the Ministry of Foreign Affairs of the Republic of Azerbaijan are women. The following table shows their distribution by occupation:

<i>Occupation</i>	<i>Women</i>	<i>Men</i>
Ambassadors at large		4 persons
Head of office	2 persons	17 persons
Deputy head	2 persons	19 persons
Counsellor	5 persons	16 persons
Head of department	9 persons	17 persons
1st secretary	11 persons	24 persons
2nd secretary	9 persons	26 persons
3rd secretary	25 persons	21 persons
Attaché	24 persons	40 persons

70. The number of diplomats working at diplomatic missions of the Republic of Azerbaijan abroad is 406. 49 of them, including one ambassador are women. The following table shows distribution of persons working in diplomatic missions abroad by occupations:

<i>Occupation</i>	<i>Women</i>	<i>Men</i>
Ambassador		55 persons
Permanent Representative	1 persons	4 persons
Chief Counsellor		9 persons
Counsellor	7 persons	46 persons
Consul	1 persons	10 persons
Vice-consul		5 persons
1st secretary	11 persons	67 persons
2nd secretary	12 persons	78 persons
3rd secretary	15 persons	60 persons
Attaché	2 persons	23 persons

### **Article 9 — Nationality**

71. There are no changes regarding citizenship issues in the Republic of Azerbaijan since the last periodic report.

### **Article 10 — Education**

72. The Government of Azerbaijan, conscious that education is the key to the advancement of women and that the low level of education of girls and women remains among the most serious impediments to their full enjoyment of human rights and the achievement of women's empowerment, has spared no efforts in ensuring that women and girls have the same opportunities to access education and it has taken several important measures to facilitate their entry and retention in institutions of learning.

73. Article 42 of the Constitution of the Republic of Azerbaijan and the Law "On Education" stipulate the right of all citizens to education. According to the Law "On Guarantees of Gender Equality" adopted by the National Assembly of the Republic of Azerbaijan in 2006, the State guarantees equal opportunities for women and men in all spheres of social life, including education.

74. A "State Program on reforms in the higher education system of the Republic of Azerbaijan for the 2009-2013 years" was approved on 22 May 2009. The Program provides for extensive policy measures like improving quality of higher education and improving quality control mechanism, organizing distant education, enhancing the network of higher education institutions, developing new mechanisms for involvement of students into scientific research, etc., which leads to improvements in access of women to quality higher education.

75. The Decree of the President of the Republic of Azerbaijan "On the use of the new funding mechanism for higher education institutions" dated 10 February 2010 is an important step in ensuring quality of higher education in the country. The State undertakes financing of education of knowledgeable and talented citizens in higher education institutions of the country and thus, gave a strong impetus to improvement of the quality of higher education. Substantial measures have been taken in accordance with the Presidential Decree for implementation of training of specialists at State and non-State educational institutions of the country both on the

basis of the State order on the account of the State Budget resources and by paid education form. A key policy of the Government is to give women and men equal opportunities of access to such training and specialization.

76. The position of Azerbaijan as one of the main players in the field of global energy and communication is increasing in the Caucasus region, Europe and the World. Sustainable socioeconomic development of the country on the one hand and globalization, competition and integration processes in the modern World on the other hand increase the need for training of highly qualified specialists in all spheres for the Republic. Considering all these facts, the country's leadership attaches great importance to the development of education and focuses on it as one of the priorities of the State policy. Large State programmes are implemented in this sphere.

77. According to the population census of 2009, 76.8 per cent of women aged 20-54 years have full secondary education, 11.7 per cent — secondary-specialized education and 12.5 per cent higher education. 6.9 per cent of them have received only general secondary education and 1 per cent only a primary education. According to the same results, the literacy rate among women aged 15 and more is 99.7 per cent.

78. The State guarantees the right of each citizen to compulsory general secondary education. Each learner has the right to free general education at State educational institutions.

79. Despite the fact that the situation regarding gender equality in secondary education is satisfactory, not all the opportunities are utilized. There are various obstacles of social and cultural character on the way of women to higher education. Drop-outs of women from education are noted in the regions. Early marriage is one of the reasons of drop-out of girls from education. Childbearing by women in early marriages is an impediment for them to finish secondary education and receive higher education, as well as to find a relevant job.

80. In accordance with the legislation, the State guarantees the right of learners to only one-time free education at secondary-specialized education and at each level of higher education. There are 49 educational institutions in the Republic of Azerbaijan carrying out educational programmes for higher education — 34 of them are State and 15 non-State educational institutions.

81. 128,650 students are currently studying at Bachelor's level and 7,940 at Master's level courses of higher education institutions. The number of women studying at higher education institutions was 65,112 in 2010-2011.

82. The State Committee has taken note of the concerns of the CEDAW Committee as expressed in paragraph 29 of the concluding observations, namely the lack of correlation between women's education levels and their economic opportunities and the concentration of women in traditional female education subjects. The Government has accordingly, taken some concrete measures to challenge prevalent stereotypes and to encourage girls and women to seek education and training in non-traditional fields, which may give them access to employment in flourishing areas of the economy. For example, the Government used the opportunity offered by the declaration of 2011 as "The International Year of Chemistry", to organize a meeting of chemist women of Azerbaijan in January 2011 at Baku State University in collaboration with the National Commission of the Republic of Azerbaijan for UNESCO. The event was a success as it made a great

impact on young girls who were delighted to meet with well-known scientists-chemists and chemist women working in various scientific and educational institutions of the Republic.

83. The Government of Azerbaijan also engaged in a project on “Support to technical-vocational education for women in regions” which it started in Karabakh and Central Aran region jointly with “The Third Sector” Public Union, the main goal of the project being to support the development of vocational education for women in the regions.

84. The SCFWCA has also addressed the problem of early marriage and has even conducted a study on early marriages, together with the International Centre for Social Studies and the financial support of UNICEF. The study covered 4 regions of Azerbaijan and had as objective to analyse the causes of child marriages and their consequences in Azerbaijan.

85. A subproject on early marriages — social communication towards changes in behaviour is also being implemented since October 2010. Discussions were held on causes of early marriages and attitudes to the problem in groups involving representatives of executive authorities and municipalities, religious figures, leaders of social organizations, representatives of mass media, parents and adolescents in several regions. The discussions enabled the society in the region to identify approaches to tackle early marriages and to devise measures to eliminate the problem. An “Action Plan for the Southern region of the Republic (Lankaran city and Lerik and Astara regions) for the Elimination of Early Marriages” was designed and implemented by the SCFWCA in cooperation with UNICEF in the southern part of Azerbaijan.

#### Education and scientific personnel

##### Teacher staff of non-State higher educational institutions at the beginning of 2011/12 academic years — numbers and sex distribution, as % to total

	Percentage distribution	
	Women	Men
Rectors	0.1	1.3
Prorector, branch directors	1.0	3.9
Head of laboratory and division	6.5	4.8
Faculty deans	2.2	2.8
Department heads	4.5	9.5
Professors from department staff	2.5	12.8
Docents from department staff	18.9	18.9
Main teachers	28.8	21.8
Teachers, assistants	35.5	24.2
<b>Total</b>	<b>100.0</b>	<b>100.0</b>
Number	719	1 067



### Number of directors of day general educational institutions at the beginning of 2011/12 academic years

	<i>Percentage distribution</i>	
	<i>Women</i>	<i>Men</i>
Number of directors of general educational institutions:		
Secondary	3.0	9.5
completed secondary	19.7	32.5
Secondary	4.7	6.7
completed secondary	72.6	51.3
<b>Total</b>	<b>100.0</b>	<b>100.0</b>
Number	4 653	7 107

86. Share of women holding a post of director in day secondary general educational institutions in 2011 increased from 26.5% to 28.4% compared to last academic year. In general, share of women in total number of directors and deputies in day general educational schools increased by 2.2%.

### Researchers by fields of science at the beginning of 2012

<i>Field of study</i>	<i>Percentage distribution</i>	
	<i>Women</i>	<i>Men</i>
Humanities	15.1	16.8
Medical	6.2	6.5
Natural sciences	40.6	48.6
Agriculture	10.8	6.3
Technical	19.5	14.8
Social sciences	7.8	7.0
<b>Total</b>	<b>100.0</b>	<b>100.0</b>
Number	5 691	6 200

**Education and scientific personnel****Distribution of students studying on DSc programme by age groups at the beginning of 2012**

<i>Age</i>	<i>Percentage distribution</i>	
	<i>Women</i>	<i>Men</i>
under 30	11.6	9.5
30-34	15.9	14.7
35-39	13.1	14.6
40+	59.4	61.2
<b>Total</b>	<b>100.0</b>	<b>100.0</b>
Number	69	116

**Distribution of students studying on PhD programme by age groups at the beginning of 2012**

<i>Age groups</i>	<i>Percentage distribution</i>	
	<i>Women</i>	<i>Men</i>
under 25	8.6	23.9
25-29	53	35.4
30-34	22.5	24.5
35-39	9.9	9.5
40+	6.0	6.7
<b>Total</b>	<b>100.0</b>	<b>100.0</b>
Number	453	444

**Educational attainment the population aged 15 and over (according to 2009 population census, as per cent to total)****Relative to the number of women and men aged 15 and over, per cent**

	<i>Women</i>	<i>Men</i>
Total	99.7	99.9
Urban places	99.7	99.8
Rural places	99.7	99.9

Educational attainment of the population made 99.8% in 2009.

### Number of pupils and students by types of education at the beginning of 2011/12 academic years

<i>Types of educational institutions</i>	<i>Percentage distribution</i>	
	<i>Women</i>	<i>Men</i>
General educational institutions	75.0	77.4
Primary vocational educational institutions, vocational schools and vocational lyceums) and vocational centres <sup>1</sup>	12.0	11.5
Secondary specialized educational institutions	4.5	2.1
Higher education and doctorate study	8.5	9.0
<b>Total</b>	<b>100.0</b>	<b>100.0</b>
Number	797 825	898 658

<sup>1</sup> At the beginning of the year 2011. There are 47 women and 53 men per 100 educated students in Azerbaijan. High number of women in secondary specialized educational institutions is due to their preference to secondary pedagogical and secondary medical education.

### Distribution of pupils by age and sex in primary vocational educational institutions at the beginning of 2012

<i>By age</i>	<i>Percentage distribution</i>	
	<i>Women</i>	<i>Men</i>
Under 15 age	0.1	0.2
15	4.6	7.8
16	12.0	18.2
17	19.5	24.8
18	22.2	16.5
19	15.2	7.6
20	9.1	6.2
21	6.6	4.3
22	3.5	3.0
23	1.9	2.2
24 age and over	5.3	9.2
<b>Total</b>	<b>100.0</b>	<b>100.0</b>
Number	8 399	20 594

**Distribution of students of State specialized secondary schools by field of study at the beginning of 2011/12 academic years**

<i>Field of study</i>	<i>Percentage distribution</i>	
	<i>Women</i>	<i>Men</i>
Technology of wide consumption goods	0.1	0.0
Natural and technical specialities	0.2	0.2
Education	44.9	15.4
Public health	10.2	3.3
Culture and art	14.9	12.2
Humanities and social sciences	8.2	8.1
Services in social-cultural spheres	1.5	4.2
Economics and management	12.6	14.1
Chemical technology	0.1	0.2
Informatics and computing	0.2	0.6
Radio engineering and telecommunication	1.6	2.2
Agriculture and fisheries	0.2	0.8
Geology and exploration of minerals	0.0	0.2
Construction	0.1	0.9
Energy and energy machine building	0.5	2.3
Exploration and extraction of minerals	0.2	1.9
Technical and public utilities	0.0	0.5
Operation and exploitation of transport	1.3	21.5
Marine engineering and navigation	0.0	3.8
Other specialities	3.2	7.6
<b>Total</b>	<b>100.0</b>	<b>100.0</b>
Number	35 146	18 090

**Number of women and men**

(by population censuses, thousand persons)

<i>Year</i>	<i>Number of female per 1,000 male</i>			<i>Of which</i>	
	<i>Women</i>	<i>Men</i>	<i>Total</i>	<i>Urban population</i>	<i>Rural population</i>
1999	4 070.3	3 883.1	1 048	1 058	1 039
2009	4 508.0	4 414.4	1 021	1 033	1 007

**Article 11 — Employment**

87. All national legislative documents stipulate guarantees to equal opportunities for implementation of the right of all citizens to freedom in choosing labour and employment irrespective of sex. Needs of the labour market are formed on the basis of profession, experience and specialties, without any restriction to gender. According to Article 9 of the Law of the Republic of Azerbaijan “On Guarantees of

Gender Equality”, equal terms of payment of wages, salaries, awards and other financial incentives should apply to employees working in the same workplace with equal professional training and equal working conditions, who do a work of the same value, irrespective of their gender. It is unlawful for an employer to give different treatment to persons of different sexes in terms of payment of wages, salaries, awards and other financial incentives. In case of differences, the burden is on him/her to prove that the differential treatment is not based on the sex of the person. Article 16 of the Labour Code also indicates creation of equal opportunities and equal approach to employees regardless of gender and prevention discrimination based on gender and sexual harassment.

88. The economic activity rate of people aged 15 and more gradually decreased both for men and women from 2003 to 2009. Thus, the economic activity rate of people aged 15 and more was 68.0% in 2003 (73.1% for men and 63.2% for women), 65.4% in 2005 (70.6% for men and 60.5% for women), 64.7% in 2007 (68.1% for men and 61.6% for women) and 62.8% in 2009 (65.9% for men and 60.0% for women). The economic activity rate of people increased to 65.5% after the economic crisis in 2010. The indicator increased to 68.1% for men and continued to decrease to 59.2% for women. Observations show that the gap between economic activity rate of men and women decreased in the crisis years, while it increased again in 2010. Thus, the difference was 9.9% in 2003 (73.1-63.2), 10.1% in 2005, 6.5% in 2007 and 5.9% in 2009. It increased to 8.9% in 2010.

89. According to official statistics, average monthly wages for men and women in the Republic increase year-by year. Average wage of women was 140 AZN (180 USD) in 2007, 184.5 AZN (236 USD) in 2008 and 212.6 AZN (272 USD) in 2009. The analysis of data shows that average monthly wages of women constitute about 50-58% of average wages of men. Government is focusing its efforts in reducing the gap and is working closely with ILO in this regard.

90. The employment rate for men was 68.4% in 2003, while it decreased to 64.8% in 2010. However, the employment rate for women increased from 44.9% in 2003 to 57.7% in 2010. It can be observed through consideration of the issue from the perspective of gender equality that the gap between the employment rates decreased yearly from 23.5% in 2003 to 7.1% in 2010, which is a positive trend for ensuring gender equality in employment of men and women.

91. The unemployment rate both for men and women decreases in the Republic year-by-year. The unemployment rate was 9.7% in 2003, 6.0% in 2009 and 5.6% in 2010. The unemployment rate for men decreased from 9.5% to 4.7% and for women from 9.8% to 6.9% in the period from 2003 to 2010. Persons registered at employment offices with official status of unemployed were also considered in calculations of this indicator.

92. The total number of employed population in the Republic was 4,375.3 thousand persons in 2011, out of which 2,125.1 thousand persons, or 48.6% were women. The number of women employed on a paid basis was 597,000, or 43.2% of total number of persons in paid employment.

93. Women account for 76.5% of employed people in several sectors of economy (education, health care, culture, social protection, etc.) — 67.1% in education and 54.3% in the sector of other utility, social and individual services. Enterprises in these sectors of economy are mainly financed by the State Budget, where wages and

salaries are relatively low. This factor had an influence on low average monthly wages of women compared to men in the Republic.

94. The legislation creates equal conditions for employment of men and women in the Republic of Azerbaijan. The principle of equal pay for men and women for work of equal value is met in enterprises, offices and organizations in the Republic and discrimination on the basis of sex in the payment of wages/salaries is not allowed.

95. According to data of the State Employment Service (SES), the number of women applied to SES within the first 6 months of the current year was 8,812 persons, or 36.9% of the total number of applicants. 245 applicant women were placed in various jobs by quota, 1013 persons received a status of unemployed and unemployment benefits, 123 persons were involved into public works and 855 persons were involved into vocational training. In general, 41,442 women were provided with jobs by the State Employment Service in the period from 2009 to 9 months of 2012 and 7,594 persons were involved in various vocational courses.

**Sending citizens not in involved in labour activity to vocational training by employment service offices**

	<i>Total (persons)</i>			<i>Including (persons)</i>				
		<i>Out of them, women</i>	<i>Trained for the first time</i>	<i>Out of them, women</i>	<i>Retrained</i>	<i>Out of them, women</i>	<i>Skills development</i>	<i>Out of them, women</i>
2007	2 623	1 194	2 408	1 110	65	20	150	64
2008	3 393	1 851	3 013	1 624	185	100	195	127
2009	4 827	2 389	4 233	2 060	376	215	218	114
2010	3 921	1 818	3 643	1 634	108	78	170	106
2011	4 299	2 039	3 912	1 808	203	113	184	118

96. The State Committee for Family, Women and Children Affairs organizes various vocational training courses for increasing employment of women as well. A project on "Support to technical-vocational education for women in regions" was implemented in Aghjabedi, Aghdam, Barda, Yevlakh and Tartar regions jointly with "The Third Sector" Public Union in 2012. The main goal of the Project is to support development of vocational education for women in the regions. The Project envisages the provision of economically and socially efficient technical-vocational education system and increasing interests of young girls in vocational education for meeting the development requirements of the economy in cadres with vocational education, as well as ensuring access of women to modern vocational education. The state of art in the sphere of vocational education for women in regions was studied, needs identified and a round table on the topic was organized in the first phase of the Project and vocational trainings were organized in the second phase.

97. General Collective Agreements were concluded between the Cabinet of Ministers of the Republic of Azerbaijan, Azerbaijan Trade Unions Confederation and the National Confederation of Entrepreneurs' (Employers') Organizations of the Republic of Azerbaijan on 4 February 2010 and 6 March 2012. There are certain clauses in these agreements on women employment, protection of women's labour and inclusion of the subject of "Basis of Gender Policy" into the curricula of

educational institutions. Relevant policy measures are being implemented in these spheres by those organizations.

98. 16,341 cases of violation were identified by the State Labour Inspectorate under the auspices of the Ministry of Labour and Social Protection of Population through the State control for the compliance with the requirements of the labour legislation carried out at enterprises, offices and organizations during 11 months of 2012. 51% of these were associated with violations of women's rights in the following sectors of economy: trade and services, education, Industry, Health care and Catering.

### **Informal sector of employment**

99. The level of non-formal employment in the economy was estimated through sample surveys done by the State Statistical Committee in 2005 and 2009. The ratio of non-formal employment to total employment was 5.0% (186.3/3,704.5) in 2005 and 10.1% (410.1/4,071.6) in 2009. The findings of the survey showed that the increase in non-formal employment was higher among women. Thus, the ratio of women in non-formal employment to total employment was 32.7% in 2005, while the indicator increased to 61.9% (253.7/410.1) in 2009.

100. According to data of the State Statistical Committee, the number of persons who were entitled to the official status of unemployed by the employment service offices was 38.3 thousand persons on 1 January 2012. 43% of them were women. The average amount of unemployment benefit was equal to 190.9 AZN (238.6 USD).

101. The share of self-employment (people independently providing jobs for themselves, people working on individual basis, not paid family workers) in total employment did not change significantly in the period from 2003 to 2010 and constituted on average 66-68%. The share of persons employed in household farms in total employment increased year-by-year from 27.4% in 2003 to 40.2% in 2010.

102. Special attention is given to strengthening social protection of workers with family responsibilities, including women in the Republic of Azerbaijan. For this reason, the Republic of Azerbaijan ratified ILO Conventions No. 156 "On Workers with Family Responsibilities" and No. 183 "On Maternity Protection (revised)" in 2010.

103. The task for "Development of Improved Employment Services" is being implemented within a joint Project of the Ministry of Labour and Social Protection of Population and the World Bank (International Development Association) called "Social Protection Development Project". The Project envisages preparation of a plan of action for 2012-2015 for development of programmes on better integration of women into the labour market, delivering consulting services for their engagement in small and medium business, organizing job clubs and business clubs for women and for enhancement of effectiveness of women employment.

104. The ILO's Committee of Experts on the Application of Conventions and Recommendations (CEACR) has been stressing for several years that the principle of equal pay for men and women for work of equal value has not been fully reflected in the legislation or in collective agreements. The CEACR noted in its observation results on the Convention No. 100 for 2010, that the statistics for 2006 showed significant horizontal gender segregation in the labour market by employment. Remuneration of women was considerably lower than for men in many

sectors of economy. Furthermore, the CEACR expressed, based on its last observations, worries about the stability of gender segregation in the labour market, targeting of women to sectors with lower remuneration and not diminishing remuneration gap in certain industries.

105. The ILO's Equal Remuneration Convention, 1951 (No. 100) and Discrimination in respect of Employment and Occupation Convention, 1958 (No. 111) were ratified by the Republic of Azerbaijan on 19 May 1992.

106. A draft Law on changes and amendments to the Labour Code of the Republic of Azerbaijan for consideration of requirements of ILO Conventions No. 183 concerning the revision of the Maternity Protection Convention (Revised), 1952 and No. 156 concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities joined by the Republic of Azerbaijan with the Law No. 1004-IIIQ dated May 2010 has been prepared.

## **Article 12 — Women and access to health-care services**

107. The guiding policy document that is currently in force has been the National Reproductive Health Strategy (2008-2015). This document was signed on 30 January 2008, together with the Director-General of WHO, Dr. Chan, and the first lady of Azerbaijan, Hon Mehriban Aliyeva.

108. The National Strategy for the Protection of Reproductive Health of the Population of the Azerbaijan Republic has been developed by the Ministry of Health with the support from the WHO, and the United Nations Population Fund (UNFPA).

109. The Strategy is based on the situational analysis in the Reproductive Health sphere in Azerbaijan over the period of 2005-2006, as well as the results of the first National Reproductive Health Strategy (2001-2006).

110. Programmatic areas outlined in the Strategy include:

- Maternal and child health,
- Reproductive choice (family planning and safe abortions),
- Sexually transmitted infections (including cervical cancer), HIV/AIDS,
- Reproductive health of adolescents and young people,
- Gender based violence and sexual exploitation.

111. The State Program on Improving Mother and Child Health (2006-2010) is currently under review and is going to be renewed very soon.

112. As it is stated at the Development Concept "Azerbaijan 2020: Outlook for the Future":

113. "The State programme on improving mother and child health for 2013-2020 will be adopted and measures taken to conduct preventive check-ups and health surveys among children and teenagers. To strengthen the fight against infectious diseases, relevant measures will be taken to enable children to undergo immunological prophylaxis. A national action plan (2014-2020) to prevent and treat child disability will be prepared and children's medical institutions profiled in an effort to expand inpatient services. In order to make vitally important medicines physically and economically accessible to all categories of the population and



improve the quality, effectiveness and safety of medicines, measures will be taken to create a unified database of medicines. Resolute steps will be taken to prevent the import of unlicensed and low-quality medicines.

114. Health-care personnel issues will continue to be in the spotlight, relevant procedures put in place to continuously improve the knowledge and skills of medical personnel, including training in foreign countries. Measures will be taken to create suitable conditions for doctors and medical personnel working in rural areas and financial remuneration established. Measures will be taken to assess the work of medical personnel on the basis of their performance.

115. To monitor public health, various electronic registers, the system of “electronic health cards” and a health-care information system will be created.

116. There has been a considerable effort to improve access to quality health-care services to women and men in both urban and rural areas, on a basis of equality. About 400 health-care facilities were established in Azerbaijan during the last decade, 300 of which were established in regions. There are currently 412 hospitals in the Republic, 65 of them are central regional hospitals, 167 — rural area hospitals and 20 — maternity hospitals. At the same time, 35 private health-care institutions are providing obstetrical services.

117. 658,709.3 thousand AZN (839,333.10) USD were allocated from the State Budget to development of health care in 2012. Today, Azerbaijan is among the leaders in the Post-Soviet area by the number of health-care facilities and the quality of equipment.

118. A draft Law of the Republic of Azerbaijan “On Protection of Reproductive Health and Family Planning” stipulating legal basis for the protection of reproductive health, access to family planning services and implementation of reproductive rights was developed. The draft law provides for protection of health of mothers and children, free medical and consultation service to pregnant and childbearing women, as well as to their children financed with the resources of the State Budget and rendering one-time free extra-corporal fertilization and embryo transfer services to families suffering from childlessness for a period of more than ten years, who need special care at State health-care facilities with the resources of the State Budget. At the same time, the draft law regulates the right to reproductive freedom, the right to maternity protection and maternity, donation of reproductive cells, the right for keeping reproductive cells, the right to use of contraception, medical sterilization and other issues, as well prohibits a check-up for identification of the sex of a child and break-up of pregnancy for a sexual origin (selective abortions), except for cases of high probability of heritable diseases associated with sex.

119. As a result of such an expedient policy, considerable achievements were made in the sphere of protection of woman and child rights. This has found its reflection on demographic indicators. Thus, child mortality cases decreased and life expectancy increased in the country. Natural increase of population was 13.5 persons per 1,000 population in 2011.

**Natural increase of population, births and deaths**

<i>Years</i>	<i>Persons</i>			<i>Per 1,000 population</i>			<i>Infant (under 1 year) mortality rate per 1,000 live births</i>
	<i>Natural increase</i>	<i>Number of births</i>	<i>Number of deaths</i>	<i>Natural increase</i>	<i>Number of births</i>	<i>Number of deaths</i>	
2009	99 625	152 139	52 514	11.3	17.2	5.9	11.3
2010	112 063	165 643	53 580	12.5	18.5	6.0	11.2
2011	122 310	176 072	53 762	13.5	19.4	5.9	11.0

120. At the same time, an achievement was made in reducing maternal mortality. Deaths of pregnant and childbearing women caused by deteriorations in the postnatal period, childbirth and pregnancy was 15.3 per 100,000 live births in urban and rural areas in 2011. Maternal mortality rate decreased in urban areas by 30.9 per cent in 2011 compared to the previous year and increased by 63.2 per cent in rural areas. In total, maternal mortality rate decreased by 2.5 per cent in 2011 in comparison with 2010.

**Maternal mortality**

<i>Years</i>	<i>Persons</i>	<i>Per 100,000 live births</i>
2009	37	24.3
2010	26	15.7
2011	27	15.3

121. However, certain problems associated with women and reproductive health continue to exist in Azerbaijan.

122. Women still remain unaware of health-care issues, especially of their sexual and reproductive health status.

**Use of contraceptives**

<i>Year</i>	<i>Total</i>	<i>Including</i>				
		<i>Up to 18 years of age</i>	<i>18-24</i>	<i>25-29</i>	<i>30-34</i>	<i>35-49</i>
2009	74 249	1 411	13 565	27 716	21 607	9 950
2010	60 192	1 832	13 321	18 916	16 886	9 237
2011	59 598	1 568	13 130	19 228	16 946	8 726

	2000	2005	2007	2008	2009	2010	2011
Number of women using IUD — total, thousand persons	30.9	29.5	24.6	28.6	22.7	19.7	19.8
per 1,000 women aged 15-49	13.8	11.7	9.3	10.7	8.4	7.3	7.3
Number of women using hormonal contraceptives — total, thousand persons	53.9	33.8	15.9	18.2	18.4	17.2	16.3
per 1,000 women aged 15-49	24.1	13.4	6.0	6.8	6.8	6.4	6.0
Number of women using contraceptives (condom, diaphragm, contraceptive cap) — total, thousand persons	...	...	20.4	23.3	33.2	19.9	20.1
per 1,000 women aged 15-49	...	...	7.7	8.7	12.3	7.4	7.4
Number of women using chemical contraceptives — total, thousand persons	...	...	...	...	...	3.2	3.2
per 1,000 women aged 15-49	...	...	...	...	...	1.2	1.2
Number of operations on sterilization of women — total	255	239	157	137	142	217	104
per 100,000 women aged 15-49	11.4	9.5	6.0	5.1	5.3	8.0	3.9

123. Azerbaijan is a country with the highest rate of abortions among Central Asian countries and Turkey due to lack of information on contraception and limitations in access to family planning services. Abortion remains as the main method for controlling childbirth.

124. 27790 abortions were registered in the country in 2011 (including illegal abortions), out of which 1206, or 4.3% were done for the first-time pregnant women. 10.3 abortions were made for 1,000 women of fertile ages in 2011.

125. At the same time, 5.7 early childbirths were registered in the country in 2011 and this is associated mainly with previous frequent abortions of mothers.

126. Furthermore, the number of live born boys exceeded girls within the last 4-5 years. Researchers explain this fact by selective abortions due to preference of “boys”. Currently, there is a study underway on disturbance of gender relation of children born in the Republic of Azerbaijan jointly with the UNFPA.

127. Notwithstanding the fact that Azerbaijan is among the countries with low level of HIV prevalence, HIV/AIDS problem is always under the consideration of the Ministry of Health. Coverage of HIV testing of population, especially persons in groups of risky behaviour vulnerable to infection increased and 476 new cases of HIV infection were discovered and registered in 11 months of 2011. The implemented epidemiological surveillance once more proved the prevalence of HIV/AIDS epidemic among injected drug users.

128. Out of 476 persons with proved HIV infection in Azerbaijan in 11 months of 2011, 465 were citizens of Azerbaijan and 11 — foreigners.

129. In general, 3199 persons with proved HIV infection were registered at the Azerbaijan Republican AIDS Centre from 1987, when the first case of HIV infection was discovered, to December 1, 2011. 113 (3.5%) of them were foreigners and 3086 (96.5%) citizens of Azerbaijan. 2525 Azerbaijani citizens infected with HIV (81.8%) were men and 561 (18.2%) women.

130. Currently, 255 persons are covered by a free therapy with antiretroviral preparations (ARV) started by the Ministry of Health with the support of the Global Fund to Fight AIDS, Tuberculosis and Malaria at the Republican AIDS Centre on 08.11.2006.

131. The government understands the importance of raising awareness of population in solving problems and implements enlightenment of population various trainings in the spheres like reproductive health, fighting HIV/AIDS, family planning, etc.

132. Relevant information was disseminated for increasing awareness of youth on reproductive health through lectures on “Reproductive Health” held with participation of experienced doctors-gynaecologists in several schools of the Republic, as well as broadcasts titled “Woman and the Society” prepared with the initiative of the State Committee for Family, Women and Children Affairs with participation of doctors, psychologists and representatives of the society and local self-governance.

133. Community meetings and trainings were held in more than 23 cities and regions of the Republic within the “Reproductive Health Initiative for Youth in the South Caucasus” implemented by the SCFWCA with support of UNFPA for youth, adolescents and women in refugee and IDP families, women with many children, children exposed to street life, young people in boarding schools, schoolchildren in upper classes, teachers, medical doctors, psychologists, representatives of mass media, sports leaders and representatives of religious organizations and NGOs. As a result of these meetings and trainings, opportunities for revealing problems were created in remote regions, awareness of population on reproductive health was increased, activity of girls was enhanced, skills of youth for expressing their ideas were improved, their problems were identified and non-medical “Youth Friendly Reproductive Centres” were established.

134. In addition to HIV/AIDS survey among population, a survey was conducted on the drug-use, their results were analysed and presented and recommendations for relevant agencies were prepared. Based on the findings of the studies, non-medical “Youth Friendly Reproductive Centres” were established at Child and Family Support Centres of the SCFWCA located in Shuvalan settlement and Goranboy region and the Academy of Public Administration. Regular trainings and seminars were held, promotional materials developed and disseminated on promotion of healthy lifestyle among children in need of special care, low-income, refugee and IDP children and their families using the services of “Youth Friendly Reproductive Centres” and Child and Family Support Centres of SCFWCA located in 11 regions.

135. “Saturday school” for adolescents — trainings on reproductive rights and health of youth called “Saturday Schools” for adolescents were organized for 50 adolescents (aged 13-18) selected from different schools of Baku within the Project jointly with “Nur” public union of children and adolescents.

136. Information on self-comprehension, family planning and personal hygiene culture was given to participants from all layers of population in training courses titled “Live every day with comfort” held in regions of the Republic.

137. At the same time, booklets on reproductive health, fight against AIDS and consequences of marriages between blood relatives were published; a video clip on

consequences of selective abortions was shot and broadcasted in national and regional TV channels.

138. In addition to awareness-raising campaigns, the State Committee for Family, Women and Children Affairs also carries out from time to time free medical tests for women from vulnerable groups of population, low-income families and children.

139. Azerbaijan Refugee and IDP Youth Organization carried out jointly with the Global Fund to Fight AIDS, Tuberculosis and Malaria a medical test among IDPs for HIV/AIDS prevention, volunteer, free and anonymous consultation within the Project for “HIV/AIDS prevention among Refugee and IDP Youth in Azerbaijan, Volunteer, Free and Anonymous Consultation and Testing for HIV Infection”.

140. Imprisoned women passed a medical check-up by “Health and Healthy Life” Public Union for rehabilitation of imprisoned women and protection of their health. It was discovered through medical check-ups that 26 imprisoned women have different diseases.

141. Later, repeated preventive medical check-ups of imprisoned women were held by oncologists-gynaecologists, echoscope doctors and specialists and neurologists (especially for revealing oncological diseases).

142. More than 2000 persons of different age groups, especially refugee and IDP families passed free medical check-up in Gazakh, Shamkir, Gadabay, Tovuz and Shamakhi regions within the visit of the delegation of the “Healthcare and Nature Volunteers” (SYMBYOSIS) doctor — initiative platform functioning in Turkey to Azerbaijan under the motto of “The Strong Economy — the Healthy Society require Upbringing of the Healthy Youth”, various medical appliances and daily consumables were distributed to citizens in need, especially to children at schools and preschool institutions.

143. Free medical service was also provided to low-income families and Karabakh veterans living in Sumgayit city.

### **Article 13 — Equality in economic life**

144. The Government of Azerbaijan is committed to ensure women’s equality in all areas of economic and social life including cultural life. The Government not only ensures that women are free to develop their personal abilities and to choose economic activity according to their aspirations, but it is committed to create the necessary conditions for them to enjoy this economic independence.

145. Besides the Constitution and other national laws which guarantee these rights, the policies of the State are also geared to ensure to women on a basis of equality with men the following social and economic rights:

- The right to an adequate food and to be free from hunger;
- The right to adequate housing;
- The right to social services and of access to basic public services;
- The right to protection against poverty and social exclusion;
- The right to water;
- The right to sanitation;

- The right to live in a healthy environment;
- The right to equal participation in cultural activities and to participate at all levels in the determination of cultural policies;
- The right to equal participation in recreational, leisure and sporting activities; and
- Authors' rights.

#### The number of pensioners by sex (beginning of the year, person)

	2009			2010			2011			2012		
	Including			Including			Including			Including		
	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women
Number of pensioners — total	1 275 138	496 788	778 350	1 308 432	516 142	792 290	1 292 155	507 790	784 365	1 277 596	498 750	778 846
For age	835 844	288 547	547 297	858 659	299 063	559 596	831 122	281 280	549 842	812 771	273 337	539 434
For disability	301 661	168 095	133 566	311 849	174 182	137 667	324 745	182 772	141 973	331 586	185 151	146 435
For losing head (wife or husband) of the family	137 633	40 146	97 487	137 924	42 897	95 027	136 288	43 738	92 550	133 239	40 262	92 977

146. The State has focused on ensuring women's access to resources and opportunities in social and economic life. It has done so by promoting opportunities for women for self-employment, entrepreneurship, the development of cooperatives and starting one's business. In Azerbaijan, there are no direct or indirect discriminatory laws/regulations on the conditions for exercising a self-employed activity and on social security for the self-employed. However, in designing its policies and programmes, the State has taken into account the social reality of women as well as the intersectional discrimination resulting in the exclusion of some women from independent economic activities. The policy of the State is one of transformative equality which addresses the structural obstacles. Through intensive awareness-raising campaigns and initiatives such as training programmes, support and public funding for self-employed women, the Government is seeking to eradicate stereotypes concerning typical feminine professions.

147. The State supports entrepreneurship development in Azerbaijan by creating a favourable business environment. Its legal basis is in conformity with international standards. For example, the Government has closely monitored the impact of its tax rules to ensure that it does not negatively affect women's income and do not interfere with their equal participation in economic life. In that context, the profit tax has been reduced to 20%; agricultural production has been exempted from almost all taxes; a system of online tax returns, "one-stop shop" system for registration of businesses and customs clearance have been put in place to create a favourable and user friendly business climate.

148. Regular and systematic policy implemented towards improvement of business environment and formation of national entrepreneurs in the Republic of Azerbaijan

created a basis for ensuring sustainable economic development. Entrepreneurship development is one of the main components of economic policy in the Republic of Azerbaijan. Comprehensive policy measures are being carried out for developing the State-entrepreneur relations and improving the State regulatory mechanism, legislation concerning the business environment and mechanisms for the State support to entrepreneurship through learning from the international experience in this sphere.

149. At the same time, policy measures concerning entrepreneurship development issues are reflected in certain State programmes approved within the socioeconomic development policy implemented in the country, especially in the State Programme for Poverty Reduction and Sustainable Development in the Republic of Azerbaijan for 2008-2015, the State Programme for Development of Regions in the Republic of Azerbaijan for 2009-2013 and the State Program on a reliable provision of the population of the Republic of Azerbaijan with food products in 2008-2015.

150. Financial support to entrepreneurship is continuing. Lack of financial resources is one of the factors having a negative impact on entrepreneurship development. The National Fund for Entrepreneurship Support functioning under the auspices of the Ministry of Economic Development implements financing of entrepreneurial projects with favourable terms. More than 110 million USD have been allocated to about 15,000 projects since 2002. This includes an allocation of 50 million USD to 1,600 women entrepreneurs. Typical investment projects are currently being developed by the Fund for the promotion of engagement of women in home-based entrepreneurship activities and financing of women entrepreneurs will be enhanced in the near future.

151. The State also supports the development of knowledge and skills of women entrepreneurs. The Baku Business Training Centre has been established under the auspices of the Ministry of Economic Development for increasing knowledge of entrepreneurs and raising awareness of those starting a business. 520 trainings, conferences, seminars, round tables and other events were held in 2007-2012 by the Training Centre with the participation of foreign and local experts in entrepreneurship, business people and new starters in business in Baku city and regions on "Development of business plans and investment projects", "The use of a special software for development of investment projects with the aim of raising the awareness of entrepreneurs", "Development of Ecologically Clean Agriculture", "Access to the existing and new export markets", "Stimulation of the production and export of import-substituting goods" and on "Create your business", "Start your business", "Improve your business" within the Project of the International Labour Organization called "Start and improve your business", as well as on "Skills development", "www.b2b.az online portals", "Protection of women's rights", etc. The total number of more than 15000 learners participated in these events. Up to 30% of participants were women entrepreneurs and women starting their business.

152. The Ministry of Economic Development and the Federal Ministry of Economics and Technology of Germany are implementing a Project called "Germany-Azerbaijan bilateral Program for improving specialties of cadres in the sphere of business management in the Republic of Azerbaijan" since 2009. Entrepreneurs from different sectors of Azerbaijan economy are involved in a skills development training course on "Economic Cooperation" for 1 month in Germany within the Program. 129 entrepreneurs and managers participated in the skills

development training course on “Economic Cooperation” and 22 of them (17%) were women managers and entrepreneurs. In addition to development of professional skills in Germany, a large number of Program participants also established direct business relations with German companies and signed different contracts.

153. At present, the share of the private sector in gross domestic product is 83%. The number of entrepreneurs has increased up to 500,000. About 15% of them are women entrepreneurs. Women entrepreneurs operating in Azerbaijan are mainly in the light industry, textile industry, carpet-weaving, applied arts, crafts, science and education, food industry, agriculture, trade and services.

154. The 3rd Forum of entrepreneur women organized jointly by UNECE and the State Committee for Family, Women and Children Affairs in Baku on 14-15 November 2012, which discussed important areas like “Women and taxes”, “Women and economy” and also identified the challenges which women entrepreneurs face in doing business, namely limited ownership of property, stereotypes against business women, traditional dependence of women on the family, etc. Various concrete proposals were made by experts and entrepreneurs to address these challenges. The importance of establishment of cooperation for development of women entrepreneurship was stressed and the best practices gained in the sphere of development of cooperation at regional and subregional levels were shared.

155. A layer of entrepreneurs was formed in Azerbaijan society as a result of broad economic reforms carried out in recent periods and the entrepreneurship activity started to play an important role in social development and created favourable basis for development of entrepreneurship.

156. The National Fund for Entrepreneurship Support was established for provision of a financial support to development of entrepreneurship, especially of small entrepreneurship and enhancement of economic activity of population and concessional financing mechanisms for entrepreneurship turned to be a real source for satisfying the need of small and medium business in financial resources. According to the Rules on Use of Funds from the National Fund for Entrepreneurship Support of the Republic of Azerbaijan, annual interest rates for Fund’s loans are up to 6% and terms of low interest loans are determined at up to 3 years for small loans, up to 5 years for medium loans and up to 10 years for big loans. Grace period for loans is determined at up to 1/2 of loan term.

157. In accordance to the financing mechanism described above, 36 million AZN (45871560 USD) were allocated to 1,601 women entrepreneurs in the period from 2002 to 2012, 6.8 million AZN(8,664,628 USD) of low interest credit were allocated to 137 women entrepreneurs in 2011 and 2.7 million AZN(3,440,367 USD) to 149 women entrepreneurs in 2012.

158. According to 2010 data, 85.1% of individuals engaged in entrepreneurship without creating a legal entity were men and 14.9% — women. In general, there are 40,063 entrepreneur women currently in the Republic, out of which 22,377 are active.

159. Trainings of the International Labour Organization titled “Start your business” were held for women victims of human trafficking in 2009. As the main goal of the Project was to ensure the basic knowledge of potential entrepreneurs who want to start their own business, development of buying and selling plans, methods of



calculation of expenditures on workforce and cost-benefit analysis were explained and assistance on the filling in of business plans step-by-step was provided to participants during the training. The same trainings were held in 2011 for young girls who want to start up entrepreneurship activity. A meeting of women entrepreneurs with entrepreneurs from Romania and Turkey and the information exchange was held in 2010 with the aim of supporting young entrepreneurs. A round table on the topic of “Women entrepreneurs” was also organized in 2012 within the visit of representatives of the “Women and Democracy” organization functioning in Sweden to Azerbaijan.

#### **Article 14 — Rural women**

160. The life of women in rural areas creates a multiplicity of opportunities and problems. The processes of globalization have different effects on rural areas. These undergoing economic and social changes affect women. Rural women are not homogenous group; therefore, these changes affect women in various ways. Their particular situation depends on variety of factors: women’s needs and interests differ as differ the opportunities and challenge they face.

161. Rural women everywhere are in a minority in decision-making and planning. The low level of participation of women in decision-making inevitable leads to biases in their priorities. The challenge for rural development programmes is to identify the constraints on women’s full participation in the economic and public life at local level, and to develop specific initiatives in their favour. Women in rural areas need particular political attention and their concerns are very much part of the development agenda in Azerbaijan. The Government is fully aware that diversification in rural areas is necessary for growth and employment sustainable development and that it is important to strengthen the entering and involvement of women in new and a range of economic sectors.

162. The policies in place in Azerbaijan for rural development are guided by a number of strategic guidelines, namely that the full involvement of women and women’s contribution to revitalizing the local communities, establishing new businesses, maximizing human resources are crucial in improving the quality of life in rural areas, encouraging diversification of the rural economy and improving competitiveness of rural areas. Moreover, ensuring that women and men have equal opportunities is essential for sustainability of rural development.

163. The Government has intensified its efforts in providing support for local initiatives, community action and in pursuing an integrated approach to rural development, focused on women. As such, mainstreaming gender into the rural sector is a key strategy not only for the promotion of equality between women and men, but also for sustainable economic growth. Accordingly, specific measures are taken to target and address the urgent problems and needs faced by women in rural areas.

164. The Government is focused on diversification which is necessary for growth and employment sustainable development in rural areas. It is also investing considerable efforts to strengthen the entering and involvement of women in new economic sectors. By entering into self-employment and setting up small businesses women can be at the forefront on innovation and diversification in rural areas. In promoting training, information and entrepreneurship, the Government pays close attention to the particular needs of women. The Government ensures that gender

dimension is taken into account in the impact assessments of its rural development policies as well as into all budgetary processes linked to the implementation of rural development policies. It is its firm belief that to counterbalance an unbalanced situation there must be financial incentives to encourage local authorities to enforce specific measures.

165. The challenges it has faced for its rural development programmes, has been to identify the constraints on women's full participation in the economic and public life at local level, and to develop specific initiatives in their favour. The Government is focused on improving women's employment opportunities including by establishing regional resource centres for women that could focus its efforts on empowering women, particularly those between the ages of 25 and 60 years who face unemployment and to support them towards self-employment or in developing services within their own communities through grass-roots consultation and needs assessment. The Government has conducted intensive awareness-raising campaigns targeting rural women. One such is entitled "Empowering Rural Women to Participate in Economic and Social Life" in Azerbaijan, launched in May 2011 in collaboration with UNDP.

166. Other measures taken by the Government of Azerbaijan to improve the situation and living conditions of rural women are:

- (i) Equal distribution of land to eligible men and women under the law during the land reform process, as a result of which a significant number of women have title to land and consequently a higher percentage of women in agriculture;
- (ii) Allocation of loans to 53,000 rural women (representing a percentage of 39.2% of women as beneficiaries) from the funds of the State Agency on Agricultural Credits;
- (iii) Monitoring carried out by the Ministry of Agriculture in 29 regions of the Republic for an assessment of the role of women entrepreneurs in the agricultural sphere including through a survey with 80 women entrepreneur working in those regions. The monitoring exercise revealed that women entrepreneur were the owners of 9720 hectares of land, 1064 cattle, 8636 sheep and 149 different agricultural equipment.
- (iv) Increasing role of women in food security through their involvement in the field of seeding farms; women own 24 seeding farms out of 350 private seeding farms.
- (v) Ensuring rural women's access to family planning services including through awareness-raising campaigns and several projects such as "Live every day with comfort";
- (vi) Legal literacy programmes for rural women;
- (vii) Awareness-raising campaigns on "Domestic violence and its causes" organized in collaboration with the Gender Equality and Women Initiatives Public Union;
- (viii) Awareness-raising campaigns on the Family Code and rights within marriage, early marriages, drop-outs of girls from school, participation of rural

women in public and political life, importance of their involvement in local self-governance institutions (municipalities);

(ix) Training on the Law of the Republic of Azerbaijan “On Guarantees of Gender Equality” and its implementation, on CEDAW and its Optional Protocol.

#### **Article 15 — Equality before the law**

167. According to Article 25 of the Constitution of the Republic of Azerbaijan, all people are equal before the law and law court. Men and women possess equal rights and liberties. According to Paragraph 3 of that Article, the State guarantees equality of rights and liberties of everyone, irrespective of race, nationality, religion, language, sex, origin, financial position, occupation, political convictions, membership in political parties, trade unions and other public organizations. Rights and liberties of a person, citizen cannot be restricted due to race, nationality, religion, language, sex, origin, conviction, political and social belonging.

168. Changes were made to the Constitution by the Decree of the Constitutional Court of the Republic of Azerbaijan dated 24 December 2008. In accordance with the changes, 4th and 5th paragraphs were added to Article 25 of the Constitution.

*“IV. No one may be harmed, granted allowances or privileges, or deprived from granting allowances and privileges on the basis of the grounds elaborated in Part III of this Article.*

*V. Equal rights shall be provided for everyone in relationship to the State institutions making decisions on rights and responsibilities and those having the competencies of State authority.”*

169. According to Article 29 of the Constitution, everyone has the right to own property.

170. According to Paragraph 3 of Article 25 of the Constitution, the State guarantees equality of rights and liberties of everyone, irrespective of proprietary status.

171. According to Article 1 of the Civil Code of the Republic of Azerbaijan, the purpose of the Code is to secure the freedom of civil relationships based upon the equality of the parties without prejudice to affecting the rights of other persons.

172. According to Article 7 of the Law of the Republic of Azerbaijan “On Courts and Judges”, as set down in Article 25 of the Constitution of the Republic of Azerbaijan, justice in the Republic of Azerbaijan is administered on the basic principle of equality of everyone before law and court, irrespective of race, nationality, religion, language, sex, origin, proprietary status, public rank, conscience, membership in political parties, trade unions or other civil organizations.

173. According to Article 6 of Criminal Code of the Republic of Azerbaijan, the persons who have committed crimes, shall be equal before the law and shall be subjected to the crime liability irrespective of race, nationality, creed, language, origin, property and official position, belief, belonging to political parties, trade unions and other public associations and also other circumstances.

174. No one may be subjected to criminal liability or punished, or relieved from punishment or a criminal responsibility for reasons provided for by Article 6.1 of this Code.

175. Changes were made to the Constitution by the Decree of the Constitutional Court of the Republic of Azerbaijan dated 24 December 2008 (Decree No. 19/86 of the Central Election (Referendum) Commission of the Republic of Azerbaijan dated 30 March 2009. Article 12 of the Constitution, ensures the rights and liberties of a person and a citizen, decent living conditions for the citizens of the Republic of Azerbaijan is the “highest objective” of the State. Rights and liberties of a person and citizen listed in the present Constitution are implemented in accordance with international treaties wherein the Azerbaijan Republic is one of the parties.

176. According to Paragraph 2 of Article 71 of the Constitution, no one may restrict implementation of rights and liberties of a human being and a citizen. *Everyone’s rights and freedoms are limited by the grounds provided for in this Constitution and laws, as well as by the rights and freedoms of others.*

177. According to Article 151 of the Constitution, whenever there is disagreement between normative-legal acts in legislative system of the Azerbaijan Republic (except for the Constitution of the Republic of Azerbaijan and acts accepted by way of referendum) and international agreements wherein the Republic of Azerbaijan is one of the parties, provisions of international agreements shall dominate.

178. According to the above Articles, rights and liberties of a person in the sphere of protection of human rights cannot be restricted in the Republic of Azerbaijan.

## **Article 16 — Discrimination in marriage and family relations**

### **Marriage age**

179. In paragraph 16 of its concluding observations after the examination of the Fourth periodic report of the Republic of Azerbaijan (CEDAW/C/AZE/CO/4), the CEDAW Committee recommended to the Government that it speedily enact the amendment to the Family Code in order to equalize the minimum age of marriage for women and men to 18, in accordance with article 16 of the Convention and the Committee’s general recommendation No. 21. The Government of Azerbaijan has given due consideration to the recommendations of the CEDAW Committee and the Law of the Republic of Azerbaijan “On Amendments to the Family Code” was adopted in November. Article 10 provides that the minimum age of marriage shall be 18 and shall be the same for women and men.

### **Religious marriages**

180. In its concluding observations following the examination of the Fourth periodic report of Azerbaijan, the Committee had requested information on marriages of girls under age 18 and on religious or traditional marriages, including their prevalence and trends over time, and their legal status.

181. The legislation in Azerbaijan does not prohibit religious marriages and in fact, religious marriages exist in most families in parallel to official marriages. According to Article 1.5 of the Family Code, marriage settlement (kabin) on religious rules has no legal effect. However, it is widely spread among the population due to religious and national traditions. There are even cases in regions, when families prefer a

religious marriage. From this point of view, awareness-raising campaigns on family and marriage issues, on the lack of legal value of a religious marriage are being carried out across the country and targeting the population at large. Caucasian Muslims Office has prohibited “kabin” without an official marriage. The Office takes relevant measures about religious people undergoing such a religious ceremony. There is a section in the kabin document to indicate the official State registration number of the marriage certificate. Without this State marriage registration number clergymen can’t arrange “kabin” “In 2011, SCFWCA in collaboration with the Ministry of Justice of the Republic of Azerbaijan and the Supreme Court of the Republic of Azerbaijan, organized a major conference on the “Legislative basis targeted at solution of the existing problems of Azerbaijani families and prospects for its improvement”. Several issues were discussed such as the need to increase the responsibility of parents in family relations, difficulties in alimony payments, regulation of property relations in marriages and divorces and improving the mechanism of adoption of a child.

182. The SCFWCA has adopted and implemented a range of policy measures aimed to strengthen the institution of marriage and that of the family and the promotion of gender equality. It has also conducted nationwide awareness-raising campaigns to sensitize the population at large on the danger of celebrating only a religious marriage; it has organized several round tables and conferences and has broadcast films and other TV Programme; it has also conducted a study on the “Family and Marriage Institution in Modern Azerbaijan: sociological analysis”.

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