



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights Seventieth session

### Summary record of the 34th meeting\*\*

Held at the Palais des Nations, Geneva, on Thursday, 30 September 2021, at 10 a.m.

*Chair:* Mr. Abdel-Moneim

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Consideration of reports (*continued*)

- (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

*Fourth periodic report of Azerbaijan*

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\* Second reissue for technical reasons on 23 December 2021.

\*\* No summary record was issued for the 33rd meeting.

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*The meeting was called to order at 10.10 a.m.*

**Consideration of reports** (*continued*)

**(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant** (*continued*)

*Fourth periodic report of Azerbaijan* (E/C.12/AZE/4; E/C.12/AZE/Q/4; E/C.12/AZE/RQ/4)

1. *At the invitation of the Chair, the delegation of Azerbaijan joined the meeting via video link.*
2. **Mr. Khalafov** (Azerbaijan), introducing the fourth periodic report of Azerbaijan (E/C.12/AZE/4), said that, from the outset, his country had actively supported World Health Organization (WHO) efforts to combat the coronavirus disease (COVID-19) pandemic. It had made two voluntary contributions to WHO in the amount of \$10 million, provided assistance to over 30 countries and donated 150,000 vaccine doses. Within Azerbaijan, significant sums had been set aside for social protection measures, benefiting some 5 million people.
3. Over the previous 30 years, Armenian aggression had been the main impediment to the effective enjoyment of rights and fundamental freedoms in Azerbaijan. International efforts had failed to lead to a peaceful settlement of the conflict or to a liberation of the occupied territories of the Azerbaijan. On 27 September 2020, Armenian forces had launched yet another large-scale offensive against units of the Armed Forces of Azerbaijan and against civilian infrastructure. The State party had exercised its inalienable right to self-defence in line with the Charter of the United Nations and conducted a counteroffensive, acting exclusively within its own sovereign territory, within internationally recognized borders and in compliance with international humanitarian law. Armenian forces had committed numerous atrocities during their attacks on and occupation of Azerbaijani territory, including the killing of civilians, destruction of educational facilities and desecration of religious sites. Since the end of the war, the Government of Azerbaijan had devoted significant funds to building new towns and villages, roads and civilian infrastructure in the liberated territories, but the clearance of mines and unexploded ordnance in the liberated territories remained a serious problem, all the more so as the Armenian Government refused to provide sufficiently accurate minefield maps. It was incumbent on the international community to put pressure on Armenia to provide accurate mine maps in the liberated territories.
4. From 2011 to 2020, Azerbaijan had undergone economic diversification and development, enabling the Government to make rapid progress in protecting vulnerable population groups. The Employment Strategy 2019–2030 aimed to improve social conditions. New jobs were being created and large numbers of people had become self-employed. On average, the Government had increased social benefits by 92 per cent, pensions by 72 per cent, the minimum wage by 92 per cent and the wages of persons employed in organizations funded or subsidized by the State by some 50 per cent. Measures had been taken to improve living conditions for over 300,000 internally displaced persons, including the allocation of 210,000 public sector jobs. The State covered the costs of internally displaced persons' children studying at public higher education establishments.
5. In May 2018, the Government had enacted the Rights of Persons with Disabilities Act. Thirteen new rehabilitation centres had been opened and a total of 34,756 assistive devices had been provided to persons with disabilities. Cash benefits and homes had been made available to veterans and their families.
6. Fighting corruption was a government priority. The National Action Plan to Promote Open Government 2020–2022, enacted by a presidential decree of 27 February 2020, provided for anti-corruption legislation, public awareness-raising on combating corruption and increased scope of action for civil society. In the first half of 2021, 162 of the complaints received by the Anti-corruption Directorate, under the Office of the Prosecutor General, had been classified as crimes; criminal charges had been filed in respect of 148 of those complaints.

7. The Azerbaijan Service and Assessment Network (ASAN Service) had been established on the basis of the one-stop-shop principle, meaning a centralized platform that gave citizens comprehensive access to government services covering almost all areas of citizens' lives. ASAN Service reduced costs and saved time for many citizens, increased transparency and facilitated broader use of digital services. There were 21 ASAN Service centres, through which 320 types of service were provided. ASAN Service had handled a huge number of requests, with a satisfaction level of over 90 per cent; it had also won a United Nations Public Service Award. In 2018, the Agency for Sustainable and Operative Social Provision had been established to provide social protection and job-seeking services.

8. All citizens were provided with free education up to secondary school. In order to create equal opportunities by providing full access to secondary education for all, a presidential decree of 17 June 2021 had created an 80-million-manat fund for student loans; students would have a 20-year period after completing their higher education in which to pay off such loans. During the COVID-19 pandemic, the fees of 23,341 students in paid education from socially vulnerable groups had been paid for from the State budget. In line with the Programme to Develop Inclusive Education for Persons with Disabilities 2018–2024, an inclusive approach to education was being tested in four mainstream schools; it would be expanded to a further eight in the 2021/22 academic year. Over 30,000 students in areas with large ethnic minority populations spent two hours per week studying their native language; in the previous five years, the Government had produced and distributed 85 different Georgian-language textbooks.

9. The health-care budget in 2020 was two and a half times higher than it had been in 2013. In order to increase the resources available for health care, medical insurance had been made compulsory in January 2020. There had been significant investments in medical facilities and equipment, including enhancement of the country's 50 COVID-19 testing laboratories. The vaccine strategy had reached some 50 per cent of the target population.

10. Over the previous 20 years, measures had been taken to combat gender inequality, including enactment of the Gender (Men and Women) Equality Act. Consequently, numerous women occupied senior government and parliamentary posts, including that of Vice-President and Minister of Culture and Tourism. Of 554 judges nationwide, 92 were women and, of 44 judges appointed so far in 2021, 18 were women; at the time of the 2019 municipal elections, 39 per cent of municipal government posts were held by women. Moreover, as of 1 April 2021, women accounted for 21.3 per cent of entrepreneurs. Maternal and child health were safeguarded by means of 17 maternity hospitals, 137 women's health clinics and 250 children's polyclinics and outpatient clinics. Other measures to combat gender inequality included the adoption, on 24 February 2020, of the Action Plan on Prevention of Gender-Biased Sex Selection 2020–2025 and the State Programme on Population Development and Demographics 2018–2030.

11. Under the National Action Plan to Combat Domestic Violence 2020–2023, adopted on 27 November 2020, the State Committee for the Family, Women and Children, in partnership with the United Nations Population Fund (UNFPA), had opened a hotline for domestic violence victims. The State Committee also ran 11 support centres for families and children, providing, legal and psychosocial support, among other services. Since 1 August 2021, a new department of the Ministry of Labour and Social Protection had been running social rehabilitation services for victims of domestic violence.

12. Azerbaijan had acceded to the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse on 22 October 2019. In 2020, the Government had adopted the Strategy of the Republic of Azerbaijan on Children 2020–2030, which provided for the review of legislation in order to better protect children from violence.

13. Lastly, a task force had been established to compile the periodic reports to be submitted to the various treaty bodies and under the universal periodic review system, and to monitor follow-up to recommendations made to Azerbaijan. It comprised representatives of government ministries and agencies, and the participation of the Office of the Prosecutor General and of the Office of the Ombudsman was recommended.

14. **Mr. Caunhye** (Country Rapporteur) said that he would appreciate information on the measures taken to address the severe socioeconomic impact of the COVID-19 pandemic and

to mitigate its effect on vulnerable and disadvantaged groups. He wondered what steps had been taken to ensure adequate access to food and to essential health, education, housing and social services for vulnerable segments of the population, in particular those living below the poverty line, asylum seekers and refugees.

15. He would welcome statistical data on the number of cases of corruption investigated and prosecuted, the number of cases that had resulted in convictions and the sentences imposed following those convictions. It would also be useful to hear how many such cases involved public officials. He would be interested to know what measures had been taken to protect whistle-blowers, to ensure the protection of victims and to give victims access to effective remedies. He would appreciate details of the steps taken, apart from the Presidential Decree of February 2020 mentioned by the delegation in its opening statement, to strengthen the State party's capacity for independent investigation of potential cases of corruption, in the public and private sectors.

16. He wondered whether the State party was considering ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, in order to provide its citizens with an effective remedy to any potential breach of the rights it conferred.

17. With regard to climate change, the Committee would welcome further information on the measures that the Government was taking to address the issue of fresh water shortages. Details on any specific measures taken to mitigate the impact of those shortages on low-income groups and other vulnerable sections of the population would be of particular interest. It would also be helpful to receive statistical information on the progress made by the State party in its efforts to reduce greenhouse gas emissions, in accordance with the commitments that it had made as a signatory to the Paris Agreement on climate change. In that regard, he wished to know whether any specific measures were envisaged to reduce the adverse impact of fossil fuels extraction on economic, social and cultural rights, including on the health and livelihood of local communities.

18. He would appreciate further information on the measures taken to reduce the number of persons living below the poverty line in Azerbaijan and to uphold their social, economic and cultural rights. It would also be useful to understand the percentage of all public expenditure accounted for by spending on defence and the military. Concerning the activities of public and private companies, he wished to know whether a legal framework had been put in place to ensure that those organizations respected economic, social and cultural rights and that victims of violations had access to effective remedies. He would also be interested to receive further information on the measures taken by the State party to ensure that companies exercised human rights due diligence, including by conducting human rights risk assessments in relation to their activities.

19. He would welcome further information on any steps that the State party had taken or currently envisaged to introduce inclusive legislation banning all forms of discrimination. Any specific measures taken to protect people from such offences, and particularly discrimination on grounds of sexual orientation or gender identity, would be of interest to the Committee. He also wished to know whether the State party would consider amending its legislation on non-governmental organizations (NGOs), above all the restrictive provisions relating to compulsory registration, reporting requirements and the use of funds received from external sources.

20. He would appreciate further information on any steps being taken to develop a legal framework to facilitate the integration of refugees in the State party. He would also welcome specific details on the measures taken to ensure that internally displaced persons had access to employment in rural areas and to guarantee equal access to employment for internally displaced men and women. Any action taken to deal with the stigma, marginalization and discrimination to which those groups were subjected would also be of interest. On a similar note, he wished to know whether the Government was taking dedicated measures to prevent discrimination against lesbian, gay, bisexual, transgender and intersex persons and to ensure their access without discrimination to health care and effective remedies for violations of their economic, social and cultural rights.

21. Concerning the right to work, the Committee would welcome further information on the measures taken to promote equal participation of boys and girls in education and to

provide equal employment opportunities for men and women. He also wished to know whether the Government intended to lift the restrictions currently imposed on female employment in certain professions and, if so, how it planned to promote and facilitate the entry of women to previously prohibited professions. Did it, for example, intend to adopt temporary special measures to encourage that process? It would be helpful to learn, more generally, about any measures taken to eradicate entrenched negative gender stereotypes that served to restrict the social and economic opportunities enjoyed by women. He was also interested to hear how the measures taken to prevent sex selection detailed in the State party's replies to the list of issues would work in practice and would appreciate more detailed information on the legal and administrative steps taken to prevent domestic violence against women.

22. The Committee had been disturbed by the findings published by the European Court of Human Rights in 2020 relating to a case in which the State party had pardoned a soldier, Ramil Safarov, who had been convicted of committing a serious hate crime against an Armenian national. The Court had ruled that the State party had failed to disprove an arguable allegation of discrimination in their actions and that State measures leading to the soldier's impunity had had a causal link to the Armenian ethnicity of his victims. He would welcome the delegation's comments on the questions that the Court's findings had raised with respect to the State party's obligations under the Covenant.

23. The Committee had also received reports concerning violations of economic, social and cultural rights in the context of the State party's armed conflict with Armenia in the second half of 2020. In that regard, the Committee would welcome further information on the measures that had been taken to ensure that all allegations of serious violations of the Covenant were investigated in an independent and objective manner and that all perpetrators were brought to justice. He also wished to know what remedies had been made available without discrimination to victims of any rights violations. Lastly, he wondered what action the Government intended to take to restore access to social services and repair the damage caused to hospitals, schools and cultural buildings and monuments during the hostilities.

24. **Mr. Gasimov** (Azerbaijan) said that a special task force had been set up by the Ministry of Health in February 2020 to deal with the COVID-19 pandemic. The Government's response to the pandemic had been quick and effective. As a result, although approximately 480,000 cases had been recorded, the death rate from COVID-19 in Azerbaijan stood at only 1.3 per cent. Initially, the Government's response had involved the procurement of additional medical supplies and the establishment of dedicated COVID-19 hospitals to treat patients suffering from the disease. The vaccination campaign had been launched in January 2021. The Government had offered vaccinations to all residents of Azerbaijan over 18 years of age and approximately half of the eligible population had already received two doses. Sufficient quantities of vaccine had been purchased and the campaign was being carried out in every region of the country, with mobile teams travelling to the more remote areas to ensure that everyone had access to the vaccination programme. Consequently, the number of cases had dropped and the temporary COVID-19 hospitals had started to resume their normal functions with a view to minimizing any undue shortages in the supply of basic health-care services.

25. **Mr. Mursaliyev** (Azerbaijan) said that protection was guaranteed to victims of corruption under the Code of Criminal Procedure and national anti-corruption legislation. Earlier in the year, at the initiative of the Office of the Prosecutor General, an additional bill had been proposed to introduce legislation offering direct protection to victims involved in procedural and criminal cases.

26. **Mr. Karimov** (Azerbaijan) said that, unsurprisingly, the COVID-19 pandemic had had a particularly negative impact on the most vulnerable sections of the population in Azerbaijan. The Government had nonetheless acted very quickly, adopting a package of COVID-19 response measures as early as March 2020. The equivalent of approximately \$350 million in public funds had been committed to that response plan and assistance had provided to roughly half the population of the country.

27. One of the key priorities during the pandemic had been to provide financial support to employers to minimize job losses. The support had made a positive impact and, in fact,

total earnings in the private sector had increased by 14 per cent in 2020. The Government had also launched a separate initiative to provide temporary social support subsidies to the most vulnerable members of the population. Approximately 250,000 people had initially received those subsidies, a number that, following successive roll-outs, had increased to around 600,000 people living in the capital and in 16 other towns and cities around the country.

28. In order to keep people in work during the pandemic, the Government had extended the self-employment programme that had been launched at the President's initiative in 2016. In 2020, the families participating in the programme had reached around 12,000 and that number was expected to rise again in 2021. The programme, which had proved to be a real success, had received support from the World Bank, the United Nations Development Programme and other social partners.

29. During the COVID-19 pandemic in Azerbaijan, the number of beneficiaries of social assistance and the amounts of assistance received had both significantly increased. Furthermore, a variety of new support measures had been introduced for vulnerable sections of the population. For example, at the height of the crisis, approximately 15,000 older persons had received care at their homes. Food packages had been distributed by the Government's social partners and public funds had been made available to help households to pay their electricity bills during periods of lockdown. Lastly, under a separate programme, the Government had invested around \$23 million on ensuring that vulnerable children continued to enjoy access to education.

30. **Ms. Gahramanova** (Azerbaijan) said that her country's laws on gender equality and domestic violence were important tools in the fight against gender-based discrimination. The State Committee for Family, Women and Children Affairs held consultations with government agencies about the action taken on gender issues and submitted an annual report to parliament on the implementation of the law on ensuring gender equality. Gender focal points had been established in all public bodies and gender commissions had been set up at the municipal level to carry out work on the ground.

31. The Government had developed training activities on the prevention of domestic violence in partnership with Lithuania and Austria. It was also in the process of studying new amendments to the law on domestic violence. The monitoring groups on gender-based violence and violence against children referred to the State party's report (para. 111) actively contributed to the fight against domestic violence and a dedicated national telephone hotline had been set up to offer the public a means to report cases and request help.

32. At the regional level, women's resource centres had been set up to facilitate the entry of women into further education and to help them to open their own businesses. The centres had first been established in 2011 as part of a successful campaign, organized in partnership with the United Nations Development Programme, to promote women's participation in social and economic life in regions and rural areas. The centres' activities were primarily designed to help vulnerable categories of women, including victims of domestic violence. To date, around 400 women had opened their own businesses.

33. She wished to point out that the restrictions on female employment in certain professions mentioned by the Committee had been in place since the Soviet era. The Cabinet of Ministers was currently considering the matter with a view to repealing the legislation in question.

34. **Mr. Huseynov** (Azerbaijan) said that refugees and internally displaced persons accounted for a significant percentage of the population of Azerbaijan. As a result, the Government regularly adopted specific measures to assist those groups. For example, over 300,000 internally displaced persons had been provided with better housing as part of a public programme to improve living conditions and increase employment opportunities. As one of the most vulnerable groups in Azerbaijan, approximately 500,000 internally displaced persons had also received monthly financial assistance amounting to the equivalent of \$40 per person during the COVID-19 pandemic.

35. The State Committee for Affairs of Refugees and Internally Displaced Persons, in cooperation with other government bodies, including the Ministry of Labour and Social

Protection of the Population, had, over the previous three years, organized regular job fairs for internally displaced persons, with positive results. At each fair, around 1,000 vacancies were advertised in the public and private sectors.

36. In accordance with the Guiding Principles on Internal Displacement, measures were taken to promote the reintegration of internally displaced persons. Remarkably, there had been no known instances of discrimination against such persons, who were well integrated and provided with all basic social services. The 2020 war had not only restored the sovereignty and territorial integrity of Azerbaijan but also created an opportunity to ensure the safe and voluntary return of such persons, which was a national priority and one of the main objectives of a recently approved comprehensive programme for the reconstruction and rehabilitation of the newly liberated territories. However, a serious impediment to that return was the need to demine certain territories.

37. **Mr. Khalafov** (Azerbaijan) said that, in a national poll of internally displaced persons, more than 70 per cent of respondents had expressed a willingness to return to their places of origin. To expedite that process, an airport was being built in the recaptured city of Füzuli, a headquarters had been established to facilitate coordination among government bodies, State funds had been set aside for housing construction and steps were being taken to lay roads and put in place other infrastructure needed to supply utilities.

38. **Mr. Mammadzada** (Azerbaijan) said that all suspected perpetrators of domestic violence were prosecuted, and initiatives to prevent such violence had been introduced. An overwhelming majority of cases took place in the home, outside the State's supervision. On average, each year, there were more than 2,000 reported cases of domestic violence, affecting 17 out of every 100,000 women. The conviction rate in such cases stood at between 80 and 85 per cent. A major obstacle to progress in combating domestic violence was a lack of awareness about the problem, which the Government was making efforts to remedy.

39. **Mr. Aliyev** (Azerbaijan) said that the requirement to register NGOs with the Ministry of Justice applied only to those organizations that wished to open a bank account and perform financial transactions. The law on grants had been amended in 2020 to simplify the registration process and the submission, to the Ministry, of appeals and of information concerning grants, voluntary contributions and changes to constituent documents, all of which could be done online.

40. **Mr. Jafarli** (Azerbaijan) said that, pursuant to a presidential decree dated 29 October 2020, the Ministry of Culture, together with other ministries, was making a preliminary inventory of cultural property, including monuments, in the newly liberated territories and taking measures to protect that property. The exercise, which was being undertaken with the support of international experts, would make it possible to gauge the level of damage caused during the Armenian occupation. The territories were rich in cultural property, housing over 2,600 monuments, of which 706 were included in the national registry of monuments and 6 were of global significance. Of the 864 cultural properties that had been assessed to date, which included 387 monuments, almost 95 per cent had been found to be completely destroyed. During the occupation, Armenia had failed to abide by its obligations with regard to cultural property and had planted in excess of 97,000 mines, including anti-personnel mines, many of which were in the vicinity of monuments. Its refusal, since the 2020 war, to provide accurate mine maps would make it harder to bring to justice the perpetrators of crimes against cultural property.

41. **Mr. Israfilov** (Azerbaijan) said that, during the 44-day war in 2020, Azerbaijan, in exercise of its right to self-defence, had launched counter-offensive operations involving a combination of modern technology, such as drones, and intelligence, to minimize losses and collateral damage. Soldiers had been provided with special brochures and training delivered with the participation of representatives of the International Committee of the Red Cross. The victory that had been achieved was a testament to the professionalism of the Azerbaijani armed forces, which had suffered far fewer losses than their Armenian counterparts, whose use of heavy artillery demonstrated their intent to inflict as much harm as possible, including to civilians. Following exhaustive investigations, four members of the Azerbaijani armed forces had been found guilty of actions incompatible with their military duties. Despite there being evidence of violations of international humanitarian law by Armenian service

members, it did not appear that Armenia had made similar efforts to conduct the necessary investigations.

42. **Mr. Khalafov** (Azerbaijan) said that a number of domestic procedures had to be satisfactorily concluded before Azerbaijan could ratify the Optional Protocol to the Covenant. Nevertheless, he saw no substantive barrier to the instrument's eventual ratification.

43. **Ms. Saran** (Country Task Force) said that she would be interested to know what steps, other than cash-based responses, the State party had taken to create sustainable opportunities for self-reliance, particularly for young people, women and persons with disabilities, and to better identify and respond to households in need. Details of the method employed to identify the economically active population, including an explanation of how it took into account vulnerable groups such as internally displaced persons, would also be appreciated.

44. Noting with satisfaction that the National Employment Strategy 2019–2030 targeted vulnerable groups, she said that she would like to know whether it was in line with the Rights of Persons with Disabilities Act and how the State party intended to implement the two instruments in practice. She also wished to know what measures were in place to ensure that persons with disabilities had access to inclusive employment, that annual statistics on unemployment disaggregated by disability were readily available and used for planning purposes and that adequate institutions and infrastructure existed to provide greater accessibility for persons with disabilities. It would be helpful to learn how the Government had dealt with the challenges of unemployment, particularly among young people and vulnerable groups, in the wake of the COVID-19 pandemic.

45. Turning to the issue of gender equality, she asked what was being done to promote and facilitate the employment of women in previously restricted or prohibited professions by improving working conditions and adopting appropriate temporary special measures, enhance women's representation in senior and decision-making positions in the public and private sectors, guarantee women real access to all professions, overcome the negative gender stereotypes held by government officials and society at large, promote the education of women in areas not traditionally associated with them, lower the gender pay gap and address the unequal distribution of domestic and care responsibilities among men and women, bearing in mind the detrimental and retrogressive impact of the pandemic on women's socioeconomic rights.

46. Recalling the concern expressed by the Committee in its concluding observations on the third periodic report of Azerbaijan (E/C.12/AZE/CO/3) with regard to the trafficking of persons in the State party, in particular for the purpose of forced labour, she said that article 63.2 of the Migration Code, according to which employers were responsible for obtaining work permits for foreigners and stateless persons, left the door open for exploitation and abuse. In that connection, she wished to know whether the figure of 33.35 per cent for informal employment in the construction and energy sectors was up to date, what progress had been made in transitioning to a formal economy, especially with respect to agriculture, construction and domestic work, and whether workers in the informal sector were covered by labour and social protection laws, including in relation to the minimum wage, occupational safety and health and protection from economic exploitation. She would be interested to learn what steps were being taken to guarantee employees' right to rest, particularly in the private sector, and how safe working conditions were ensured, particularly with regard to health and safety norms. Noting that transnational companies often paid local workers far lower wages than other workers, she said that she would like to know whether they were subject to domestic anti-discrimination legislation and how the Government ensured that they abided by it. It would be useful to learn what measures were being taken to address labour rights violations in the agriculture, construction, oil and gas sectors, including the non-payment or underpayment of salaries, salary discrimination and workplace deaths and injuries, and when the Government planned to recommence labour inspections.

47. She wished to know whether social and economic conditions were taken into account when determining the minimum wage; what measures the Government had adopted to ensure that workers in the oil and gas sector could freely exercise their trade union rights and that they were effectively protected from reprisals; and whether the Government was reviewing

the legal restrictions on the right to strike for air and railway sector workers. She asked why the number of beneficiaries of unemployment insurance had dropped, despite the increase in resources allocated to it; what measures the Government had adopted to ensure that social protection measures afforded beneficiaries a decent living, particularly measures relating to unemployment, disability and old age; and how the Government was enhancing the administrative capacities of its social services.

48. **Mr. Karimov** (Azerbaijan) said that the digitalization of many Government services, as part of efforts to protect employment during the pandemic, had significantly increased employment levels in a range of sectors, including tourism. Some of those services were aimed at jobseekers, including a vocational development programme, a vacancy database and the mapping of labour resources. The employment of persons with disabilities was central to his Government's recent normative and regulatory reforms. More than 500 persons with disabilities had benefited from a self-employment programme. Employment rates among young people were encouraging.

49. With regard to gender equality in employment, targeted reforms had been adopted to eradicate wage differences between men and women, including a social services programme for 2021–2028, which would address vulnerable groups. Gender-related wage differences were deemed a form of indirect discrimination; he was pleased to report that women's wages had increased in recent years. Work was ongoing to rescind the list of occupations closed to women, which had already been reduced significantly. In practice the list was used primarily to protect pregnant women and women with very young children.

50. A fund had recently been established to ensure decent working conditions, and a centre was being set up that would examine existing standards. Minimum wage regulations did not distinguish between foreign and Azerbaijani workers, although there was an annual quota intended to promote the development of local workers.

51. Azerbaijan had ratified the European Social Charter, article 5 of which addressed the right to organize and negotiate, and over 95 per cent of workers in the State sector were members of one of the 25 sectoral unions. There was also a tripartite commission that provided an effective platform for negotiations between workers and employers on a range of issues. They included the minimum wage, which in 2019 had been raised above the minimum subsistence level for the first time. A package of measures to establish minimum pension levels and wages would be introduced the following year.

52. **Mr. Gahramanov** (Azerbaijan) said that, under the Migration Code, foreigners and stateless persons could receive permission to work and thus be granted a temporary residency permit. If their work contract was terminated, consideration was given to whether there were other grounds allowing them to remain in the country. The State Migration Service monitored the implementation of laws regarding work by foreigners and stateless persons. Employers who confiscated the identity documents of migrants or stateless persons faced a fine and possible criminal proceedings. There had been no reports of exploitation of migrant workers in the previous three years. The State Migration Service was investigating the forced labour of migrants, and steps were being taken to improve migration-related processes, particularly with regard to work and residency permits. The Migration Code provided for circumstances in which work permits were not required. Applications for work permits and reports of abuse were processed digitally, and work opportunities were provided through the ASAN Service.

53. **Mr. Ahmadov** (Azerbaijan) said that women enjoyed equal representation in both graduate and undergraduate education programmes, as well as in a Government-sponsored international university scholarship programme. Sixty-three per cent of students at the secondary special education level were female. However, more must be done to improve the situation in the vocational education sector, which had suffered owing to the use of vocational education facilities to house internally displaced persons following the Armenian occupation of Azerbaijani territory. Vocational education was a priority for the Government, which had implemented a range of measures and worked with international and local partners to increase student numbers. Nevertheless, just 26 per cent of students on vocational courses were female. During the pandemic, the Government had provided loans and grants to cover tuition fees, including to female students.

54. **Mr. Hennebel** (Country Task Force), inviting the delegation to comment on challenges, both past and future, said that he would like to know what measures had been taken to guarantee and provide legal recognition for changes of gender so that transgender and intersex persons could fully enjoy their rights under the Covenant; to eliminate discrimination on the grounds of sexual orientation, gender identity, gender expression and sexual characteristics; and to guarantee access to health care and adapted legal services for lesbian, gay, bisexual, transgender and intersex persons. He would welcome information on how violence against them was addressed, statistics on complaints submitted by them and how they had been dealt with, and details of measures taken to combat stereotypes and homophobia.

55. He would appreciate more information on the draft law on amendments to gender equality guarantees, including whether it had been adopted. It would be useful to learn how discrimination based on disability was prevented in adoption proceedings, particularly in relation to the abrogation of article 120 ff. of the Family Code, which hindered the right of persons with disabilities to marry and adopt. He wished to know what steps had been taken to provide access to justice for victims of domestic violence and what plans the State party had to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). He would like information on any initiatives in place to protect internally displaced women and women refugees from domestic violence and intrafamilial sexual abuse and requested clarification of the status of rape in the Criminal Code, particularly with regard to the matter of consent, and whether marital rape was specifically criminalized; statistics on the number of complaints of marital rape and the related investigations, proceedings and sanctions would be welcome.

56. It would be interesting to learn what mechanisms were in place to prevent violations of article 11 of the Covenant in relation to the evacuation, demolition of housing and expropriation that had occurred in the Karabakh region and how the State provided, or planned to provide, redress or compensation to victims. He wished to know how the right to housing was guaranteed to isolated women, refugees, displaced persons, persons with disabilities and persons with low incomes. He wondered how the authorities had addressed the problems encountered in restoring the residential district of Baku and how farmers, particularly small-scale farmers, had been assisted in processing, selling and distributing their products.

57. He wished to know the challenges faced, and the measures adopted in response to those challenges, with regard to access to health care for the lesbian, gay, bisexual, transgender and intersex community and the discrimination they faced in health-care settings; how the right to health, particularly mental health, was guaranteed in prisons; how sufficient resources were allocated to increase the number and skills of health-care staff, particularly in rural areas; how women's access to quality health-care services, particularly antenatal and obstetric care, was guaranteed; how maternal mortality was addressed and how the access of women and girls with disabilities to public health-care services was ensured. Lastly, he asked what effect the COVID-19 pandemic had had on the State party's health-care system, both in terms of challenges and opportunities for improvement.

*The meeting rose at 1 p.m.*