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List of issues in relation to the third periodic report of Azerbaijan (E/C.12/AZE/3), adopted by the pre-sessional working group at its forty-ninth session (21–25 May 2012)

Addendum

Replies of Azerbaijan to the list of issues*

[31 August 2012]

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited.

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I. General information

1. Judgment of the Constitutional Court of the Republic of Azerbaijan on the conformity of the Articles 8.1 and 8.3 of the Law on the labour pensions to the Constitution (01/12/2010).
2. Judgment of the Constitutional Court as to the interpretation of the Article 49 of the Constitution (21/10/2005).

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

Article 2, paragraph 2 – Non-discrimination

Table 1

Information about the foreigners who are engaged in labour under individual permit valid within territory of the Republic of Azerbaijan (2007, 2008, 2009, 2010, III term of 2011)

<i>For the end of the year</i>	<i>total</i>
2007	1667
2008	4367
2009	5784
2010	8708
For end of III term of 2011	9557

3. Ethnic minorities of the country enjoy all the labour rights set forth in the legislation without any discrimination. There is no special statistical information regarding the implementation of labour rights of ethnic minorities provided by the State Statistical Committee.

Article 3 – Equal rights of men and women

4. One of the reasons of women's role in social, political and public life of country is a traditional stereotype about women's role in family. This kind of situation requires new approach in national gender strategy.

5. Government is aware of this problem and in order to remove all obstacles for providing equal opportunities for men and women tries to use all its potential. Therefore, government focuses on good education which eliminates gender stereotypes for decreasing discrimination in business and work.

6. If we consider that gender stereotypes arise from childhood, it will be unacceptable to allow arising of these negative stereotypes.

7. Wrong opinions about gender and gender stereotypes are avoided in programs and tutorials. Some stereotypes about hindering women's development, welfare and career are prevented in tutorials and other educational materials which are affirmed by the Ministry of Education of the Republic of Azerbaijan.

8. The Convention on the Elimination of All Forms of Discrimination against Women is presented and disseminated by the State Committee for Family, Woman and Children

Affairs. Analysis of stereotypes and problems arising from their negative affection of women's rights is included to these programs.

9. Lectures were organized at some schools and universities in the subject of "Protection and development of national-spiritual values" in 2007, and "Development of wisdom and principle of humanism of youth" in 2011. It was arranged with the support of the United Nations Population Fund and the Centre of Gender Research which operates at Western University of the Republic of Azerbaijan.

10. A video clip about women's rights in the framework of the Project "Against the violence against woman in XXI century" was prepared by the support of the Haydar Aliyev Foundation together with the United Nations Population Fund and it was shown in the regions via television and also at schools.

11. "Don't take my childhood", "50 questions 50 answers" and "Gender Equality" booklets were published and handed out at schools and universities.

12. Role of mass media is great in the forming of values. State can contribute to creating enduring family structure and preservation of values by solving issues of gender stereotypes.

13. Taking into account the strong influence of mass media to public opinion, they cooperate with the State Committee for Family, Woman and Children Affairs in order to avoid gender stereotypes and gender discrimination in press. Programs were published about some well-known women via mass media. Their personal achievements help to struggle against gender stereotypes.

14. Accepting the important role of the communities in abolishment of gender stereotypes, the State Committee for Family, Woman and Children Affairs organized several events in this topic. For instance, Round Table on "Gender aspects and role of communities in tolerant society" (in 2009), International Conference on "A woman in Islamic world: traditional values and modernity (in 2009), International Round Table on the topic of "Woman in Islam: achievements and problems" (in 2010), Round Table on "Role of mass media in elimination of gender stereotypes formed in society" (in 2010).

15. Under conditions of improvement of market relations, desire of women to compete with men at the same level and confirm themselves in new labour relations with their work ability, potential and skills in the labour market, cause them to be represented much more in management, business and administrative positions in organizations.

16. Article 25 of the Constitution of The Republic of Azerbaijan adopted on November 12, 1995, defines the right to equality, ensures equality of rights and liberties regardless of gender and prohibits restricting human and civil rights and liberties depending on gender. As a result, principle of equality of women and men in every area of life is comprehensively designated in the legislation of the republic.

17. After the independence, the Republic of Azerbaijan ratified almost all the fundamental documents on defence of woman rights.

18. Among the international norms, the Convention on the Elimination of All Forms of Discrimination against Women adopted by the General Assembly of the United Nations in 1979, the ILO (International Labour Organization) Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, the Convention No. 111 concerning Discrimination in Respect of Employment and Occupation, the Convention No. 183 concerning the Revision of the Maternity Protection Convention (Revised) assume great importance. Reports on implementation of commitments arising out from these international documents, are prepared and submitted to the relevant international organizations.

19. According the Article 16 of the Labour Code of the Republic of Azerbaijan that came into force on June 1, 1999, it is strictly forbidden to discriminate among the employees for their citizenship, gender, race, religion, nationality, language, residential place, property status, public and social origin, age and marital status, faith, political views, membership of trade unions or other social unions, official position as well as occupational features, professional competence and other factors that is not related to results of labour, directly or indirectly specifying of privileges or concessions based on such factors, and limiting rights in labour relations. Employer or other individual allowing discriminations designated by the first part of this article within labour relations, bears responsibility specified by the legislation. Employee exposed to discrimination, can apply to the court with the claim of restoration of his/her rights.

20. Moreover, labour legislation of the Republic of Azerbaijan is established under the principle of labour facilitation by making concessions, privileges and additional safeguards considering women's physiological characteristics and performing their family responsibilities in the sphere of using of woman labour. Provision of concessions, privileges and additional safeguards to women, the disabled and other persons who is under 18 and has special need for social protection in labour relations, is not considered as discrimination.

21. It is defined as one of the fundamental directions of the state policy on employment sphere, to provide equal opportunities to implement right to choose labour and employment for each citizen regardless of their race, nationality, religion, language, gender, marital status, public and social origin, residential place, property status, faith, membership of political parties, trade unions and other social unions independently by the Article 6.2.1 of the "Law of the Republic of Azerbaijan on Employment" dated on July 2, 2001 that determines legal, economic and organizational bases of the state policy as well as state guarantees in labour sphere of the citizens and on sphere of social protection of the unemployed.

22. For the purpose of provision of employment, improvement of social protection of the citizens who have special needs for social protection and the citizens who have difficulties finding job, the government intended additional guarantees for such citizens by creating additional jobs and specialized institutions, organizations (as well as institutions and organizations for employment of the persons with disabilities), by organizing training on special programs, taking other measures under the Article 9 of the "Law of the Republic of Azerbaijan on Employment".

23. Category of the citizens who have special needs for social protection and who have difficulties finding job, includes the youth under 20, parents with single or many children, who bring up the minors, women bringing up the disabled children, persons who are two year younger than retirement age, the disabled, citizens who are released from the jails, internally displaced persons, war veterans, martyr's family.

24. Regarding the discrimination in labour activity, duties of employer are specified in the Article 7 - Duties of Employer on Labour Activity of the "Law of the Republic of Azerbaijan on the guarantees of gender equality" dated on October 10, 2006. It is specified that the employer shall provide equality of men and women in labour activity and shall perform the following items:

(a) To show the same approach and create equal opportunities for the employees in case of recruitment, procurement, improving of vocational training, and demission regardless of their gender;

(b) To create same conditions for the employees engaging in the same activity regardless of their gender;

(c) Not to implement different approach for the employees for the same violation regardless of their gender;

(d) To take proper measures to prevent gender discrimination and sexual harassment.

25. According the Article 8, “Duties of Employer on Prevention of Sexual Discrimination”, in case the employer shows different approach to men and women during procurement, improvement of vocational training, acquiring new qualifications, improvement of skills and assessment of work quality, the employer shall substantiate that such different approach is not related to sexual belonging if requested by the employee. A person whose job application is rejected preserves right to require written explanation from the employer about education, vocational training, experience, vocational characteristics and other advantages of person of opposite sex who is recruited in comparison.

26. According the Article 9, “Equality on Remuneration” of the Law, salaries, premiums and other incentive payments shall be the same for employees who have the same professional degree, work in the same work conditions, conducted same valued activity regardless of their gender. In case salaries, premiums and other incentive payments are different, the employer shall substantiate that the difference in salary is not related to sexual belonging of the employee if requested by employee.

27. According the Article 15, “Guarantees of Gender Equality in economic and Social Relations”, the state guarantees to provide equal opportunities for the implementation of property rights and engaging in entrepreneurial activity for men and women. The state guarantees to provide equal opportunities for men and women to implement their rights to social security, getting targeted state social assistance and other social benefits.

28. According to information of the State Statistical Committee for January 1, 2012, the population of the country was 9235.1 thousand increasing by 1.4% (124 thousand) in comparison with 2010. According to the primary information of the State Statistical Committee for July 1, 2012, the population was 9235,1 thousand. 53,0% of population of country residents in cities and 47,0% residents in villages, 49,6% was composed of males, 50,40% was composed of females in 2011. There are 1017 women for each 1000 men.

29. The share of women was 49.1% (2271.4 thousand) and share of men was 50.9% (2354.7 thousand) in economically active population in 2011 in the Republic of Azerbaijan. According to the official information, 4375.2 thousand of economically active population was engaged in economy in 2011. According to primary calculations, share of men was higher than that of women in number of employed population and it was relevantly 51.4% (2250,0 thousand) and 48,6 % (2125,0 thousand). 58.3% of unemployed population is women and 41.7% is men.

30. There are certain differences in employment structure of women and men depending on field of activity and economic sectors. Gender investigations show that number of women working for hire was higher than that of men in three types of activity, 55.2% higher in rendering social and medical services, 42.9% higher in education, 29% higher in recreation, entertainment and art in 2011.

31. In 2011 the unemployment rate among women decreased to 6.4% from 7.7% in comparison with 2005. The unemployment rate relevantly decreased to 4.4% from 7.5% among the men. 0.7% of the persons who obtained official unemployment status in 2011 were women and 0.9% of that was men. These indicators were relevantly 1.5% and 1.2% in comparison with 2005.

32. The Decree “on Implementation of the State Woman Policy in the Republic of Azerbaijan” was signed by the President of the Republic of Azerbaijan in March, 2011. This Decree as a statement of the policy to be implemented by the government agitates

consideration of gender equality in economic reforms, as well as provision of equal representation of women and men in decision-making in the governmental authorities.

33. Solutions of the problems of woman employment, provision of gender equality in this field are entirely included in “The Employment Strategy of the Republic of Azerbaijan (2006-2015)” confirmed by the Order of the President of the Republic of Azerbaijan numbered 1068 dated on October 26, 2005 and “The State Program (2007-2010) on Implementation of the Employment Strategy of The Republic of Azerbaijan” confirmed by the Order of the President of the Republic of Azerbaijan numbered 2167 dated on May 15, 2007. The State Program was successfully implemented.

34. Solutions in woman employment, provision of gender equality in this field, is processed by “The State Program for 2011-2015 on Implementation of The Employment Strategy of the Republic of Azerbaijan” confirmed by the Order of the President of The Republic of Azerbaijan numbered 1836 dated on November 15, 2011 in order to implement the second stage providing realization of the Strategy. Relevant measures are taken within the duties of the State Program on field of stimulation of demand for manpower and development of human capital, increasing of women competitiveness in labour market, development of business and self-employment among them, provision of vocational training and additional education of unemployed and job-hunting women, within the section of development of employment of socially vulnerable people groups, in the field of taking relevant steps for the purposes of supporting business activity, provision of vocational training and additional education of job-hunting women.

35. In November, 2006 “State Program (2006-2009) on Provision of Suitable Labour within Corporation with the International Labour Organization” was signed by tripartite delegation of the Republic of Azerbaijan and authorized representatives of ILO in Geneva. It is defined to organize special training programs, implementation of pilot projects improving self-employment among women, taking measures in the field of development of business activity of them within the project of joint activity plan together with Sub regional Bureau of the International Labour Organization for Eastern European and Central Asian Countries in order to perform the State Program.

36. The Republic of Azerbaijan joined the ILO Convention No. 156 concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities. The Convention applies to men and women patronizing children and other close relatives, and performing family responsibilities. The Convention, through its national policy, defines realization of payable labour activity by the persons who have family responsibilities and necessity of regularly performing of vocational and family duties without discrimination. As a performance of provisions of the Convention, relevant measures are taken for free choice of labour of employees having family responsibilities, provision of rights in the field of employment and social security of them considering their needs.

37. According to the provisions of the Article 8 (right to protection of motherhood of working women) and the Article 20 (equal opportunity and equal behaviour in employment and choosing of activity type without gender discrimination) of the European Social Charter, bill on amendments to the Labour Code of the Republic of Azerbaijan reviewing elimination of prohibition for implementations of woman labour especially in works with hard and dangerous work conditions, as well as underground tunnels, pits and other underground works, was prepared and submitted to the relevant authorities. Restrictions were defined only for pregnant women and mothers feeding infants in such conditions by the bill.

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

Article 6 – The right to work

38. For January 1, 2012 economically active population of the country is 4626.1 thousand and employed population is 4375.2 thousand. Persons working for hire are 1381.1 in the composition of employed population.

39. Economically active population was 4634.1 for July 1, 2012 and 4388.6 of them is engaged in different areas of economic and social sectors.

40. Average number of persons working for hire was 1368.8 thousand, as well as it was 848.9 thousand in governmental and 519.9 thousand in non-governmental sector of economy for January-May, 2012.

41. During the last year it is observed that share of employees working in governmental sector is decreased related to the structural changes in economy and if this was 56.1% in 1995, it was 26.1% in 2011. At the same time, share of persons working in non-governmental sector increased from 43.9% up to 73.9%.

42. The unemployment rate in our country was 6.0% in 2009, 5.6% in 2010, it was 5.4% for January 1, 2012 and 5.3% for July 1, 2012.

43. At the same time, we declare that the information on national composition of the population through the population census in 2009 was not provided by the State Statistical Committee.

Table 2

Number of population by age group

(for the beginning of year, thousand people)

<i>Age groups</i>	<i>1990</i>	<i>1995</i>	<i>2000</i>	<i>2005</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
Total	7131,9	7643,5	8032,8	8447,4	8997,6	9111,1	9235,1
<i>As well as by age groups:</i>							
0-4	861,0	824,4	730,1	572,7	670,1	712,5	765,2
5-9	786,4	871,2	889,8	731,7	634,8	626,1	623,0
10-14	699,5	791,5	925,7	893,7	725,8	693,8	664,3
15-19	681,8	683,8	806,4	927,6	905,2	875,6	844,4
20-24	691,9	644,2	657,7	809,9	939,2	946,2	944,6
25-29	702,9	664,4	623,9	661,5	819,9	843,2	873,0
30-34	591,4	689,2	666,2	625,2	684,4	712,8	736,5
35-39	419,3	585,5	688,1	666,1	624,9	618,3	626,4
40-44	272,5	449,9	584,1	684,4	664,6	663,3	653,1
45-49	223,0	250,5	370,1	577,5	680,1	674,1	670,4
50-54	358,3	205,6	229,1	363,5	555,8	600,9	629,5
55-59	273,4	312,6	175,3	223,1	348,1	372,6	407,2
60-64	229,3	253,3	266,8	163,1	209,7	244,2	266,2
65-69	120,7	188,1	192,8	237,8	138,5	120,7	122,9
70-74	74,6	96,5	123,4	158,0	195,0	194,0	181,3
75-79	68,8	52,6	52,5	93,5	116,4	119,7	131,0

80 and higher	77,1	80,2	50,8	58,1	85,1	93,1	96,1
Work ability by age ¹⁾	3941,0	4176,7	4777,4	5502,5	6167,9	6285,9	6395,7

¹⁾ Men 16-59 years old, women 16-54 years old in 1990, 1995; men 15-60, women 15-55 in 2000; men 15-61, women 15-56 in 2005-2010; men 15-61.5, women 15-56.5 in the beginning of 2011; men 15-62, women 15-57 in the beginning of 2012.

Table 3
Number of population by gender
(one thousand people)¹⁾

Years	Number of population - total	As well as:		Entire population, by percent		Number of women per 1000 men
		men	women	men	women	
2000	8032,8	3927,0	4105,8	48,9	51,1	1045,5
2001	8114,3	3972,0	4142,3	49,0	51,0	1042,9
2002	8191,4	4015,0	4176,4	49,0	51,0	1040,2
2003	8269,2	4058,0	4211,2	49,1	50,9	1037,8
2004	8349,1	4102,2	4246,9	49,1	50,9	1035,3
2005	8447,4	4156,2	4291,2	49,2	50,8	1032,5
2006	8553,1	4213,5	4339,6	49,3	50,7	1029,9
2007	8666,1	4274,9	4391,2	49,3	50,7	1027,2
2008	8779,9	4336,8	4443,1	49,4	50,6	1024,5
2009	8922,4	4414,4	4508,0	49,5	50,5	1021,2
2010	8997,6	4455,5	4542,1	49,5	50,5	1019,4
2011	9111,1	4517,1	4594,0	49,6	50,4	1017,0
2012	9235,1	4583,5	4651,6	49,6	50,4	1014,9

¹⁾ Information of 2009 is indicated according to population census, information on the remaining years is indicated according to the beginning of the year.

Table 4
Number of population by gender (one thousand people)¹⁾

Years	Number of population - total	As well as:		Entire population, by percent		Number of women per 1000 men
		men	women	men	women	
2000	8032,8	3927,0	4105,8	48,9	51,1	1045,5
2001	8114,3	3972,0	4142,3	49,0	51,0	1042,9
2002	8191,4	4015,0	4176,4	49,0	51,0	1040,2
2003	8269,2	4058,0	4211,2	49,1	50,9	1037,8
2004	8349,1	4102,2	4246,9	49,1	50,9	1035,3
2005	8447,4	4156,2	4291,2	49,2	50,8	1032,5
2006	8553,1	4213,5	4339,6	49,3	50,7	1029,9
2007	8666,1	4274,9	4391,2	49,3	50,7	1027,2
2008	8779,9	4336,8	4443,1	49,4	50,6	1024,5
2009	8922,4	4414,4	4508,0	49,5	50,5	1021,2
2010	8997,6	4455,5	4542,1	49,5	50,5	1019,4
2011	9111,1	4517,1	4594,0	49,6	50,4	1017,0
2012	9235,1	4583,5	4651,6	49,6	50,4	1014,9

¹⁾ Information of 2009 is indicated according to population census, information on the remaining years is indicated according to the beginning of the year

Table 5
National composition of the population (on population census)¹⁾

National composition	One thousand people				According to final, by percentage			
	1979	1989	1999	2009	1979	1989	1999	2009
Number of the population-total	6026,5	7021,2	7953,4	8922,4	100,0	100,0	100,0	100,0.
<i>As well as:</i>								
Azerbaijanis	4708,8	5805,0	7205,5	8172,8	78,1	82,7	90,6	91,6
Lezgins	158,1	171,4	178,0	180,3	2,6	2,4	2,2	2,0
Armenians	475,5	390,5	120,7	120,3	7,9	5,6	1,5	1,3
Russians	475,3	392,3	141,7	119,3	7,9	5,6	1,8	1,3
Talysh	...	21,2	76,8	112,0	...	0,3	1,0	1,3
Avars	36,0	44,1	50,9	49,8	0,6	0,6	0,6	0,6
Turks	7,9	17,7	43,4	38,0	0,1	0,2	0,5	0,4
Tatars	31,4	28,6	30,0	25,9	0,5	0,4	0,4	0,3
Tats	8,9	10,2	10,9	25,2	0,14	0,14	0,13	0,3
Ukrainians	26,4	32,3	29,0	21,5	0,4	0,5	0,4	0,3
Tschurs	8,5	13,3	15,9	12,3	0,1	0,2	0,2	0,1
Georgians	11,4	14,2	14,9	9,9	0,2	0,2	0,2	0,1
Jews	35,5	30,8	8,9	9,1	0,6	0,4	0,1	0,1
Kurds	5,7	12,2	13,1	6,1	0,1	0,2	0,2	0,1
Grizes	...	...	...	4,4	...	...	...	0,04
Udins	5,8	6,1	4,1	3,8	0,1	0,1	0,05	0,04
Khinaligs	...	...	...	2,2	...	...	...	0,02
Other nations	31,3	31,3	9,6	9,5	0,66	0,46	0,12	0,1

¹⁾ Everyone defined his nationality and native language himself during population census. Nationality and native language of the children were written according to words of their mothers.

Table 6
Economically active population

	2000	2003	2004	2005	2006	2007	2008	2009	2010	2011
Number economically active population – total, one thousand people ¹⁾	4370,2	4373,5	4365,6	4380,1	4402,0	4443,3	4477,7	4531,9	4587,4	4626.1
men	2263,0	2272,9	2265,1	2268,8	2283,4	2313,1	2315,8	2314,0	2329,7	2354.7*
women	2107,2	2100,6	2100,5	2111,3	2118,6	2130,2	2161,9	2217,9	2257,7	2271.4*
Employed persons from total number economically active population – total, one thousand people	3855,5	3972,6	4016,9	4062,3	4110,8	4162,2	4215,5	4271,7	4329,1	4375.2
men	2016,5	2066,7	2085,3	2104,7	2126,4	2149,2	2173,4	2199,8	2227,4	2250.2*
women	1839,0	1905,9	1931,6	1957,6	1984,4	2013,0	2042,1	2071,9	2101,7	2125.2*
Unemployed ²⁾ - total, one thousand people	514,7	400,9	348,7	317,8	291,2	281,1	262,2	260,2	258,3	250.9
men	246,5	206,2	179,8	164,1	157,0	163,9	142,4	114,2	102,3	104.7*
women	268,2	194,7	168,9	153,7	134,2	117,2	119,8	146,0	156,0	146.2*
Among them:										
Persons who got unemployed status from authorities of employment services – total, people	43739	54365	55945	56343	53862	50651	44481	41100	38966	38330
men	19283	25313	26669	27265	26323	25322	23608	23008	21979	21851
women	24456	29052	29276	29078	27539	25329	20873	18092	16987	16479
Amon them:										
Persons getting benefits for unemployment - total, people ²⁷⁶⁸	3111	3084	2087	2281	2523	2109	2721	87	1002	
men	1313	1808	1887	1316	1488	1655	1350	1871	70	671
women	1455	1303	1197	771	793	868	759	850	17	331

¹⁾ It was calculated considering all the unemployed according to methodology of the International Labour Organization in 2000-2010.

²⁾ According to methodology of the International Labour Organization (persons with official unemployed status are included).

Note: Number of economically active population and employed population was precise under number of population being 15 years old and more according to results of population census held in 2009.

* according primary calculations

Table 7

Distribution of economically active population, as well as employed and unemployed population by age groups

Age groups	2009						2010					
	Economically active population		As well as Employed population		Unemployed population*		Economically active population		As well as Employed population		Unemployed population*	
	Total	Women among them	total	Women among them	total	Women among them	Total	Women among them	Total	Women among them	Total	Women among them
Total	4331787	2130336	4071595	1984356	260192	145980	4587648	2258097	4329184	2102098	258464	155999
15-19	124744	84465	111881	75166	12863	9299	131432	83156	102009	65284	29423	17872
20-24	499345	246239	421425	204132	77920	42107	476321	291827	415097	259318	61224	32509
25-29	560137	251943	512160	231019	47977	20924	634120	337774	588053	310206	46067	27568
30-34	586427	293488	549788	267325	36639	26163	613412	276137	586255	258307	27157	17830
35-39	587669	311661	560788	297622	26881	14039	567520	273158	548618	259583	18902	13575
40-44	611690	295155	593197	286308	18493	8847	610500	298040	594134	287498	16366	10542
45-49	609118	299611	591535	286972	17583	12639	594527	277712	574372	263826	20155	13886
50-54	425587	209752	408594	199595	16993	10157	541377	255567	515790	237657	25587	17910
55-59	223099	86735	218256	84930	4843	1805	288964	119472	275832	115165	13132	4307
60-64	78486	38110	78486	38110	-	-	94630	33719	94179	33719	451	-
65+	25485	13177	25485	13177	-	-	34845	11535	34845	11535	-	-

Source: according to results of statistical examination regarding economically activeness of the population on relevant years

Table 8

Distribution of economically active and non-active population by residential place and gender

2009						
Gender	Economically active population, people	As well as		Economically non-active population, people	Employment rate, by percentage	Unemployment rate, by percentage
		Employed population	Unemployed population			
<i>City and village</i>						
<i>Total</i>	4331787	4071595	260192	2295739	94	6
<i>men</i>	2201451	2087239	114212	998906	94,8	5,2
<i>women</i>	2130336	1984356	145980	1296833	93,1	6,9
<i>City</i>						
<i>Total</i>	2111715	1950307	161408	1365179	92,4	7,6
<i>men</i>	1063459	992407	71052	603536	93,3	6,7
<i>women</i>	1048256	957900	90356	761643	91,4	8,6
<i>Village</i>						
<i>Total</i>	2220072	2121288	98784	930560	95,6	4,4
<i>men</i>	1137992	1094832	43160	395370	96,2	3,8
<i>women</i>	1082080	1026456	55624	535190	94,9	5,1

Source: according to results of statistical examination regarding economically activeness of the population on relevant years

2010						
Gender	Economically active population, people	As well as		Economically non-active population, people	Employment rate, by percentage	Unemployment rate, by percentage
		Employed population	Unemployed population			
<i>City and village</i>						
<i>Total</i>	4587648	4329184	258464	2287744	94,4	5,6
<i>men</i>	2329551	2227086	102465	1053776	95,6	4,4
<i>women</i>	2258097	2102098	155999	1233968	93,1	6,9
<i>City</i>						
<i>Total</i>	2468742	2325542	143200	1184608	94,2	5,8
<i>men</i>	1256388	1197071	59317	533532	95,3	4,7
<i>women</i>	1212354	1128471	83883	651076	93,1	6,9
<i>Village</i>						
<i>Total</i>	2118906	2003642	115264	1103136	94,6	5,4
<i>men</i>	1073163	1030015	43148	520244	96,0	4,0
<i>women</i>	1045743	973627	72116	582892	93,1	6,9

Source: according to results of statistical examination regarding economically activeness of the population on relevant years

44. For the purpose of provision of employment, improvement of social protection of the citizens who have special need of social protection and the citizens who have difficulties finding job, the government envisaged additional guarantees for such citizens by creating additional jobs and specialized institutions, organizations (as well as institutions and organization for employment of the persons with disabilities), by organizing training on special programs, taking other measures in the Article 9 of the "Law on Employment".

45. Category of the citizens who have special need of social protection and who have difficulties finding job, includes the youth under 20, parents with single or many children, who bring up the minors, women bringing up the disabled children, persons who are two year younger than retirement age, the disabled, citizens who are released from the jails, internally displaced persons, war veterans, martyr's family.

46. Relevant executive authorities determine quota for this category of citizens in institutions, administrations and organizations in accordance with defined order. Number of quota is determined to be not more than 5 percent of average number of the employees of the institution depending on conditions of the local labour market. Rules of quota application for citizens having special need for social security and citizens who have difficulties finding job and the list of non-quota applying institutions are determined by relevant executive authority.

47. "Rules of quota application for citizens having special need for social security and citizens who have difficulties finding job" and "the list of non-quota applying institutions" were confirmed under the decision No.213 dated on November 22, 2005 of the Cabinet of Ministers of the Republic of Azerbaijan. According to the Article 1.2 of the Rules, quota is determined depending on the conditions of local labour market being not more than 5 percent of average number of employees of institution as follows:

(a) At the rate of 3 percent (not less than one job position) of annual average number of employees in institutions number of employees of which is between 25 and 50; in this case one of such job positions is determined for the disabled or persons who are under 18 with limited health opportunities;

(b) At the rate of 4 percent of annual average number of employees in institutions, number of employees of which is between 50 and 100 (2 percent of annual average number of employees is determined for the disabled and or persons who are under 18 with limited health opportunities);

(c) At the rate of 5 percent of annual average number of employees of institutions, number of employees of which is more than 100 (2.5 percent of annual average number of employees is determined for the disabled and or persons who are under 18 with limited health opportunities).

48. Statistics of job-hunting citizens who applied to the authorities of State Employment Service under the Ministry of Labour and Social Protection of the Population and as well as persons with disabilities are gathered by monthly and quarterly forms No. "1-employment" confirmed by the order No. 39\6 dated on June 23, 2010 of the State Statistical Committee. Number of internally displaced persons, disabled, employed persons among them, employed persons by quota, persons involved in public works and vocational training courses, who applied to the Service, is indicated in I-i, IX-i, X-i, XI-i sections of quarterly forms. Also information is obtained about internally displaced persons, disabled working under form No. 3-İ confirmed by the order No. 3/6 dated on February 22, 2006 of the State Statistical Committee from the employers who works on the territory during preparation of "Territorial Employment Program" of regions.

49. Project of "Development of Improved Employment Services" is realized within the project of "Development of Social Protection" through the International Development

Association by the Ministry of Labour and Social Protection of the Population and World Bank. Preparation of programs for 2012-2015 on integration of persons with disabilities to labour market related to their employment, rendering of consulting services on business areas, organization of work and business clubs, creation of social institutions for increasing of efficiency of employment of the disabled, increasing of their employment rate and their effective integration to labour market is planned by the project.

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

50. State supervision in the Republic of Azerbaijan over provision of employees with conditions of healthy and safe labour in working places is realized by the State Labour Inspection Service together with relevant organizations of the other governmental authorities. Certain activities have been realized during the reporting period on provision of monitoring over work conditions meeting contemporary requirements. Trainings were held on monitoring over work conditions by international experts within the project of “Increasing of potential of State Labour Inspection Service for implementation of labour safety and relevant legislation base” prepared by financial support of the Government of the Republic of Azerbaijan and World Bank and Twinning project on supporting of State Labour Inspection Service on improving of Occupational Health and Safety in the Republic of Azerbaijan for implementation of that project presented by the European Union.

51. Activity of the National Tripartite Social Council on Safe and Healthy Work Conditions newly created under the Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan will reinforce the joint activity with the social partners on labour protection, sanitation of working conditions in working places.

52. Appropriate measures are taken in order to prevent from non-official employment, reinforcing supervision over labour market in the country. Conference-meeting on “Prevention from illegal employment and protection of rights of employees” on July 13, 2012 in the Ministry of Labour and Social Protection of Population with the participation of the relevant governmental authorities and social partners. For the purpose of solution of planned problems, working group composed of representatives of the related governmental authorities was created and activities were determined to solve the problems. Within these activities, it is determined to prepare proposals on improving of the Labour Code, Tax Code, Civil Code, Code of Administrative Offences and other normative legal acts, improving of unification of report forms on labour statistics and information system on illegal employment, definition and application of minimum number of employees for implementation of certain scope of work in construction sector.

53. Bills were prepared on amendments and additions to the Labour Code and Code of Administrative Offences of The Republic of Azerbaijan for the purpose of prevention from illegal registration number of unofficially employed persons, as well as migrants involved in unofficial economy, and labour relations under civil contracts. It is envisaged to make additions to the Labour Code regarding conception of mandatory cases originating labour relations. It is also expected to restrict number of civil contracts by determine norm in percentage ratio of total number of employees of institution.

54. It is envisaged to add provisions to the Code of Administrative Offences on application of penalties in order to increase responsibility of the employer for illegal registration of labour relations by signing civil contracts.

55. Increasing of attention to setting labour activity of foreigners living in the country in accordance with requirements of the legislation have also great influence on increasing of number of foreigners working under legal basis as a result of improvement of legislation on migration, tightening of sanctions for illegal migration and other measures taken in this

regard during the last years in our country. Since number of migrant workers increase not only due to new coming foreigners but also due to legalization of activities of foreigners already residing in the country.

56. It is provided to take measures for improving of management system on migration, improving of legislation, creating of unique database on migration, protection of rights of migrants etc. as an implementation of measures envisaged by the State Migration Program that covers all the areas of migration.

57. The State Migration Service of the Republic of Azerbaijan was established by the Decree numbered 560 dated on March 19, 2007 of the President of the Republic of Azerbaijan for the purpose of improving management system on migration.

58. According to the Decree No. 69 dated on March 4, 2009 of the President of the Republic of Azerbaijan on "Application of "single window" on management of migration processes, it is provided to give relevant permits for labour activity of foreigners and stateless persons in the country under "single window" principle as of July 1, 2009. Unique state authorities on "single window" principle are realized by the State Migration Service.

59. For the purpose of provision of improvement of supervision over employment of foreign manpower, efficient use of local personnel potential, project of "Rules of determination of labour migration quota for payable employment of foreigners and stateless persons in the Republic of Azerbaijan" was prepared and confirmed by the decision No.86 dated on June 4, 2009 of the Cabinet of Ministers of The Republic of Azerbaijan.

60. As of 2009, labour migration quota for the next year was approved. Labour migration quota for 2012 was confirmed by the order No. 395s dated on December 8, 2011 of the Cabinet of Ministers of the Republic of Azerbaijan.

61. Appropriate proposals on project of "Migration Code" of the Republic of Azerbaijan was prepared and submitted to the Cabinet of Ministers for the purpose of provision of management of labour migration processes under leading international practices and formation of unique legislation base on migration.

62. At the same time, the Republic of Azerbaijan joined the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families adopted on December 18, 1990 by the United Nations. The Convention was ratified by the National Assembly of the Republic of Azerbaijan on December 11, 1998. Country reports on implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was prepared and submitted.

63. State Migration Service is entitled to provide individual permits to foreigners according to Decree No. 250 dated on June 28, 2011 of the President of the Republic of Azerbaijan on amendment in the Decree No. 250 dated on January 15, 2000 of the President of the Republic of Azerbaijan on "Application of Law of the Republic of Azerbaijan on "Labour Migration".

64. State Migration Service is determined as the leading authority on formation of state policy on migration and regulation of migration processes.

65. Relevant penalties are applied to employers for illegal employment of foreigners as of 2010 for the purpose of prevention from illegal labour migration and illegal labour relations.

66. The legislation was improved by making amendments to the Code of Administrative Offences in 2011 as consequence of these activities. At the moment, sanctions are applied to individuals, legal entities as well as officials for illegal employment of foreigners.

67. The Ministry of Justice conducts statistical reports on breach of labour legislation on Articles 162 and 164 of the Criminal Code.

Table 9

Statistical information on persons sentenced for breaching Article 162 (breach of labour protection rules) and Article 164 of the Criminal Code (breach of labour rights of pregnant women or of women with children under the age of 3 or of men raising children under the age of 3 on their own) for the years 2009-2011

<i>Article of the CC</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
<i>Article 162</i>	76	52	33
<i>Article 164</i>	-	-	-

68. 7118 violation were discovered regarding non-creation of health and safety labour protection conditions in working places in 2009-2011, by the State Labour Inspection Service 2009-2011, regarding this penalty at the rate of totally 89450 manate was applied to authorized persons who committed administrative offence according to Clause 54 and 55 of the Code of Administrative Offences of The Republic of Azerbaijan, at the same time mandatory instructions were given to employers to eliminate violations of law.

Article 9 – The right to social security

69. The Law on Social Service was adopted in 2011, in accordance with Article 94 part 1 point 16 of the Constitution of the Republic of Azerbaijan. The law regulates legal, economic and organizational basis of the state social policy which aims to enhance welfare of the citizens of the Republic of Azerbaijan.

70. The mentioned law indicates the purposes of social service and fundamental principles of the state policy in the related field. Moreover, the duties of the state, grounds for determination of the need for social aid, and rights and duties of the beneficiaries were clearly defined in the law. As stated above, the Law on Social Service foresees organizational matters as well. Creating legal framework for responsible government body for providing social services, the law also explicitly mentions supervising and monitoring mechanisms of the implementation of the respective provisions of the law.

71. 247.5 thousand people (2,7%) of the population is 60-64 years old, 122.4 thousand (1.3%) 65-69 years old, 412.3 thousand (4,4%) is 70 years old and higher in Azerbaijan for January 1, 2012.

72. The government provides pensions for the elderly who have right to pension and social benefits for the elderly who does not preserve appropriate right but reached certain age limit.

73. Social benefit for age is determined as 50 manat according to the Decree No. 324 dated on September 8, 2010 of the President of the Republic of Azerbaijan on “Measures for improvement of social protection of low-income people”. This amount was increased by 10 percent according to the Decree No. 567 dated on December 26 of the President of the Republic of Azerbaijan on “Increasing of social benefits”.

74. Social benefit for age was assigned and paid to 17086 people in 2010 with monthly rate of 50 manat, 15969 people in 2011 with monthly rate of 55 manat and 15372 people in first half of 2012 with monthly rate of 55 manat in the country.

75. Number of pensioners for age in the country is 813 people and monthly average rate of pension for age is 160.1 manat.

76. “State Program on improvement of social protection of the citizens” was confirmed by the Decree No. 1413 dated on April 17, 2006 of the President of The Republic of Azerbaijan regarding social protection of the elderly.

77. The main objectives of the State Program are as follow:

(a) Improving of rights of elderly citizens on social security and implementation of those rights;

(b) Provision of participation of elderly citizens in social-economic and political life of the society;

(c) Implementation of measures on meeting of social and cultural demands of elderly citizens;

(d) Health protection of elderly citizens;

(e) Provision of close collaboration of the government, civil society and private sector to solve aging problem;

(f) Reinforcement of scientific basis of provision of social protection of elderly citizens.

78. In addition, the following measures are envisaged within the State Program on “Poverty Reduction and sustainable development during 2008-2015 in The Republic of Azerbaijan” confirmed by the Decree No. 3048 dated on September 15, 2008 of the President of The Republic of Azerbaijan:

(a) Implementation of measures on improvement of social services and reinforcement of effectiveness in order to reinforce social protection of elderly and lonely citizens (2011-2013)

(b) Revision of food rations of the elderly and the disabled in boarding houses and rehabilitation centres (2011-2015).

79. Law on “Social service” of The Republic of Azerbaijan was confirmed by the Decree No. 600 dated on March 14, 2012 of the President of the Republic of Azerbaijan. Social service of 4 types and 7 forms was envisaged in order to meet social requirements of all persons having hard life conditions as well as the elderly by the certain Law.

80. The government provides pensions for the elderly who have right to pension and social benefits for the elderly who does not preserve relevant right but reached certain age limit.

81. The amount of social benefit was increased as of December.

82. The Republic of Azerbaijan joined the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on May 31, 1996. For implementation, relevant measures are taken to execute obligations undertaken by the government. So the monitoring are relevantly held related to violence’s against the elderly in homes for the elderly people, education activities are conducted, seminars and trainings are organized for social employees working directly with the elderly by the Ministry of Labour and Social Protection of the Population.

83. Seminar was organized on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the United Nations and its Optional Protocol especially National Preventive Mechanisms performing monitoring over violence and its activity on June 6, 2012.

Article 10 – Protection of the family, mothers and children

84. Recently adopted Presidential Decree numbered 626 dated 8 May 2012, “Regulation of government control on implementation of children’s rights”, aimed to regulate respective organization and its functions on implementation of children’s rights. The purposes of state supervision are to protect the rights and interests of children, indicated by the Constitution and laws of the Republic of Azerbaijan. Furthermore, the government policy directed to create advantageous environment for ensuring children’s rights, to eliminate conditions that may cause breach of children’s rights.

85. Moreover, the mentioned regulation sets out the functions of the respective government authorities, the general principles and forms government supervision, evaluation of the activities of such authorities, and issues of digital storage of information on implementation of children’s rights.

86. Government supervision is based on the laws of the Republic of Azerbaijan, and carried out by the State Committee on Family, Woman and Children’s Affairs, the Ministry of Internal Affairs, the Ministry of Education, the Ministry of Health, the Ministry of Labour and Social Protection of Population, the Ministry of Youth and Sports. Coordination of the activities of state bodies in carrying out state control over the implementation of children rights is provided by the Commission for the Protection of the Rights of minors under the Cabinet of Ministers of the Republic of Azerbaijan, and this Commission monitors the children's institutions, foster care and guardianship, as well as local authorities and monitors the condition of children.

87. No violence is observed in the child care facilities being in subordination of the Ministry of Labour and Social Protection of Population. At the same time, educational seminars and trainings are organized on Conventions of the United Nations about the Convention on the Rights of Persons with Disabilities and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment for employees of child care facilities and monitoring are held regularly.

88. At the same time, Seminar was organized on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of the United Nations and its Optional Protocol especially National Preventive Mechanisms performing monitoring over violence’ and its activity on June 6, 2012 for social employees of boarding houses for children with disabilities.

89. After capital repair activities in the boarding houses for children with mental disabilities of Shaghan No. 3 and Sarai No. 7 functioning in subordination of the Ministry of Labour and Social Protection of Population in 2010, appropriate conditions were created for security of accommodated children. According to present legislation, it is one of important issues for the Ministry of Labour and Social Protection of Population to prevent from of domestic violence in society and social service facilities. Strict supervision is conducted by the administration of the boarding houses and the Ministry of Labour and Social Protection of Population to prevent from such cases in the boarding houses for children with mental disabilities functioning in subordination of the Ministry.

Article 11 – The right to an adequate standard of living

90. Base unit on cost of living, need criteria, minimum wage, pensions is increased by the years in order to improve the level of living in Azerbaijan.

Table 10

Main social indicators (source: State Statistical Committee)

<i>Indicators</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
<i>Need criteria (manat)</i>	30	35-40	45-55	60	65	75
<i>Minimum wage (manat)</i>	30	40-50	60-75	75	75-85	85-93,5
<i>Base unit of pensions (manat)</i>	35	40	75	75	75	85
<i>Cost of living (manat)</i>	58	64	70	84	87	95

91. This growth will be followed in the upcoming years as well. Cost of living for the able-bodied population is predicted to be reached 130 manat in 2013, 138 manat in 2014, up to 146 manat in 2015, for pensioners 101 manat in 2013, 107 manat in 2014. This growth is expected also in base unit of pensions.

92. Total number of the population of the country for January 1, 2012 is 9235.1 thousand people. 4583.5 thousands of them is man and 4651.6 thousand is woman. Among the total number of population, number of persons residing in villages is 4346.4 thousand and number of persons residing in cities is 4888.7 thousand people.

93. Number of population living below the poverty rate is 701868 people with 7.6% poverty rate for January 1, 2012. General information about the population living below the poverty rate is as follows:

Table 11

Population living below the poverty rate

	<i>Country</i>	<i>City</i>	<i>Village</i>
<i>Total number</i>	701 868	371 541	330 326
<i>Among them:</i>			
<i>man</i>	344 930	182 592	162 337
<i>woman</i>	356 938	188 949	167 989

Table 12. Poverty line and level

	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
<i>Poverty line, in Manat</i>	24,0	35,0	35,8	38,8	42,6	58,0	64,0	78,6	89,5	98,7	107,2
<i>Poverty level, percentage</i>	49,0	46,7	44,7	40,2	29,3	20,8	15,8	13,2	10,9	9,1	7,6

Table 13

Division of active population of the Republic of Azerbaijan according to the type of populated area, gender and age groups*(Based on the information related to listing of population in 2009; 15 years and older persons; number of persons)*

Type of populated area and gender based division	Total number of active population	Age groups:											70 years and older persons
		15-19	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65-69	
<i>Republic of Azerbaijan</i>	4292800	223111	614194	623836	527887	511545	543429	548031	371937	192613	67104	33016	36097
<i>men</i>	2446284	115897	345154	361156	303386	285230	298425	304440	220210	126645	44698	20219	20824
<i>women</i>	1846516	107214	269040	262680	224501	226315	245004	243591	151727	65968	22406	12797	15273
<i>Urban population</i>	2077808	67728	267189	313829	261303	245942	261853	283627	203714	110728	35968	14551	11376
<i>men</i>	1259495	38024	160005	193798	161027	145767	152584	167607	125101	74695	24599	9358	6930
<i>women</i>	818313	29704	107184	120031	100276	100175	109269	116020	78613	36033	11369	5193	4446
<i>Village population</i>	2214992	155383	347005	310007	266584	265603	281576	264404	168223	81885	31136	18465	24721
<i>men</i>	1186789	77873	185149	167358	142359	139463	145841	136833	95109	51950	20099	10861	13894
<i>women</i>	1028203	77510	161856	142649	124225	126140	135735	127571	73114	29935	11037	7604	10827
<i>Republic of Azerbaijan</i>	4292800	223111	614194	623836	527887	511545	543429	548031	371937	192613	67104	33016	36097

94. In recent years a significant results have been achieved in the process of renovation works conducted by the Executive Power of Baku City in the framework of economic development programmes of the country in the capital city of the Republic of Azerbaijan. Moreover, the implementation of renovation works have been carried out in regular basis in public places – streets, parks, roads etc. - in accordance with economic development of the city.

95. Nevertheless, there was necessity for destruction of residence and non-residence areas in the process of renovation.

96. We would like to inform you that the construction of the historical Silk Road, and renovation of the high-ways in all directions in the city conducted jointly by the Executive Power of the Baku City and the Ministry of Transport.

97. The Law on Purchase of Land for Public Purposes, which was adopted in 2010, regulates the purchase of land in the Republic of Azerbaijan for public purposes, the procedure of calculation and mechanisms of payment of the compensation in this regard, also covers other issues raised between the parties in this sphere.

98. According to Article 3 of the Law, the public purposes for which land can be purchased are the following:

- (a) Building roads and other communication lines (main oil and gas pipelines, sewerage, high-voltage electric lines, hydro-technical devices) of state importance;
- (b) Ensuring reliable protection of state borders;
- (c) Building mining objects of state importance.

99. Lands can be purchased for public purposes only for cases mentioned in this Law.

100. In accordance with Article 19.1 of the Law, the Cabinet of Ministers, after investigating the proposal for purchase of land and the documents in this regard, also other documents it might consider appropriate, by fully or partially taking into account the proposal of the purchasing authority, makes a final decision whether the land shall be purchased for public purposes.

101. The mentioned Law also regulates the respective authority of the state in relation to the purchase of land, lands eligible for purchase, persons affected by the purchase, enlisting of persons and lands affected by the purchase, the legal force of the purchase decision and measures takes after the decision, evaluation of the purchased land, refusal of purchase, the judicial protection in relation to the purchase, the organization of resettlement, claims on gaining ownership and compensation, demand of compensation, compensation for persons affected by the purchase, factors to be considered while evaluating the compensation, procedures of compensation payment, solving disputes and other issues.

Article 12 – The right to physical and mental health

102. The Right to health is guaranteed by the Constitution of the Republic of Azerbaijan. It is also reflected in the “Law on protection of the health of the population”. All medical services in public hospitals and medical facilities are free of charge. Public health sector in Azerbaijan includes approximately 70% of the total medical facilities of the state. Moreover, according the abovementioned Law every person has the right to receive health services. This is not a privilege, but right of every citizen and non-citizens.

103. The Government of the Republic of Azerbaijan has socially oriented policy and during the last 5 years more than 400 medical facilities have been constructed or renovated

completely. These medical facilities are equipped with the modern medical devices and supplies. Medication and medical disposables are also free of charge to any person who undergoes treatment.

104. Medical personnel serving to people in these hospitals are continuously taking medical advancement courses. Within the framework of the program of professional advancement of medical workers more than 780 specialists participated in courses in leading University clinics of Germany, Austria, Turkey and Russian Federation. Leading specialists also conduct master class training in Azerbaijan. Merging with the universal system of medical education is indeed one of the revolutionary achievements of the health reforms.

105. There are 9 separate State Programs on prevention and treatment of TB, AIDS, blood diseases, kidney failure etc.

106. The Republic of Azerbaijan has developed National Strategy on Reproductive Policy and mother and child health. The process of reduction of mother and child mortality is followed closely by the Ministry of Health of the Republic of Azerbaijan.

107. Public awareness on sexual and reproductive health is one of the components of the on-going program. National Program on Mental Health is being implemented and this is one of the priority areas of health reforms in Azerbaijan.

108. European Commission on CPT has many times noted great achievements of the Government of the Republic of Azerbaijan on implementation of Mental Health Strategy. Treatment and social protection of the patients with mental disorders are implemented by the universal medical protocols. Health services overall are part of the State project of the Sustainable Development of the rural areas of the country.

Article 13 and 14 – The right to education

109. According to the Presidential decree numbered 1941 dated 27.12.2011, all pre-school education institutions under the subordination of the Ministry of the Education, have been given under the subordination of the local executive bodies.

110. Substantial reforms have been carried out in order to provide highest quality food in accordance with respective legislation after the pre-school education institutions were given under the subordination of the Executive Power of Baku City in Baku. Currently, all pre-school education institutions under the subordination of the Executive Power of Baku City are provided with highest quality food. Moreover, all chiefs of entities were instructed to make number of children in accordance with the defined norms in the legislation in order to prevent the density problem caused by the over admission. And the instruction will reflect itself in improvement of the quality of education and sanitary hygienic conditions in pre-school education institutions.

111. Furthermore, health of children and sanitary hygienic conditions of pre-school education institutions are regularly under monitoring of local medical organs, and besides, employees of the institutions periodically pass diagnostic examinations and medical check-ups.

112. In addition, in order to discover talented children in the institutions and properly assess their skills and knowledge, several cultural events and also gala concert dedicated to the International Protection of Children's Right Days with participation of the children, have been organized on 1-2 June, 2012.

113. Moreover, the demand for kindergartens has been increased as a result of economic and demographic growth in the country. In accordance with "State program between 2011-

2013 on social economic development of Baku city and its towns” approved by the Presidential Decree, capital repairs and renovations, and constructions of several additional buildings for pre-school education institutions are carried on with the aim of providing proper conditions for the education of children.

114. A number of problems have existed in pre-school education in our country for many years: the lack of kindergartens in 75% of residential areas, settlement of 1768 internally displaced persons and refugee families in 362 pre-school institutions, insufficiency of material and technical basis in the pre-school institutions, the need for major repairs of most pre-school institutions, insufficient quantity of pre-school institutions, a low percentage of children’s involvement in pre-school institutions over the country, and etc.

115. “The Programme for Renovating of Pre-school Education in the Republic of Azerbaijan (2007-2010)” has been adopted by the Order of the President of the Republic of Azerbaijan to eliminate the problems in pre-school education, to implement complex activities in the direction of providing the establishment of pre-school education by modern standards.

116. A number of activities have been carried out within the framework of the Programme. In this regard, 37 new kindergartens have been built in recent years, 52 institutions have been extensively repaired, and 184 institutions have been provided with modern equipment. Over 100 types of various teaching aids, testing books increasing the focus of children’s attention, memory, for improvement of their speech, exercises on the development of mathematical skills, methodological instructions for teaching literacy, table-games, displaying instructional posters, beautifully-printed books of stories have been issued and distributed among all pre-school institutions of the country.

117. Besides, the Heydar Aliyev Foundation has made a major contribution to the building and repairing pre-school institutions. In recent years 8 pre-school institutions have been extensively repaired, 2 kindergartens have been rebuilt and opened with the support of the Heydar Aliyev Foundation.

118. In accordance with the Order of the Cabinet of Ministers of the Republic of Azerbaijan “On Repairing and Rebuilding Secondary Schools and Kindergartens” current repairs have been completed in 31 pre-school institutions.

119. In accordance with “The State Programme for Social and Economic Development of Baku City and its settlements in 2011-2013” confirmed by President Ilham Aliyev, 53 kindergartens have been completely repaired. In accordance with this Programme, construction of 13 new pre-school buildings and essential repairs of 120 kindergartens have been planned.

120. By the relevant Order of the Cabinet of Ministers of the Republic of Azerbaijan, 42 pre-school education institutions have been extensively repaired in 5 cities and 36 districts of the republic in 2011.

121. It is envisaged that IDP and refugee families settled in pre-school institutions will be moved to new settlements in the nearest future.

122. Currently, one of the major issues is the 5-years-old children’s school preparation. Taking into consideration the importance of the issue, the Ministry of Education of the Republic of Azerbaijan has appointed Khatai district of Baku as well as Lankaran, Guba, Shamakhy, Goygol, Fuzuli districts as pilot districts for implementation of programmes for school preparation and educating the parents within the framework of the component “The Development of School Preparation” envisaged in the Second Project on the Development of Educational Sector financed by the World Bank. Both programmes have been successfully carried out in the pre-school institutions of the pilot districts.

123. “A Programme (Curriculum) for Pre-school Education in the Republic of Azerbaijan” describing content of reforms in pre-school education has been worked out.

124. Presidential Decree has been issued for the purpose of achieving the implementation of “The Law on Education of the Republic of Azerbaijan”, “Rules for Organizing School Preparation” and “State Standard and Programme for Pre-school Education” and appropriate decisions of the Cabinet of Ministers have been adopted.

125. To provide statistical data on school dropout rates at various levels of education is currently not possible due to limited time.

Article 15 – Cultural rights

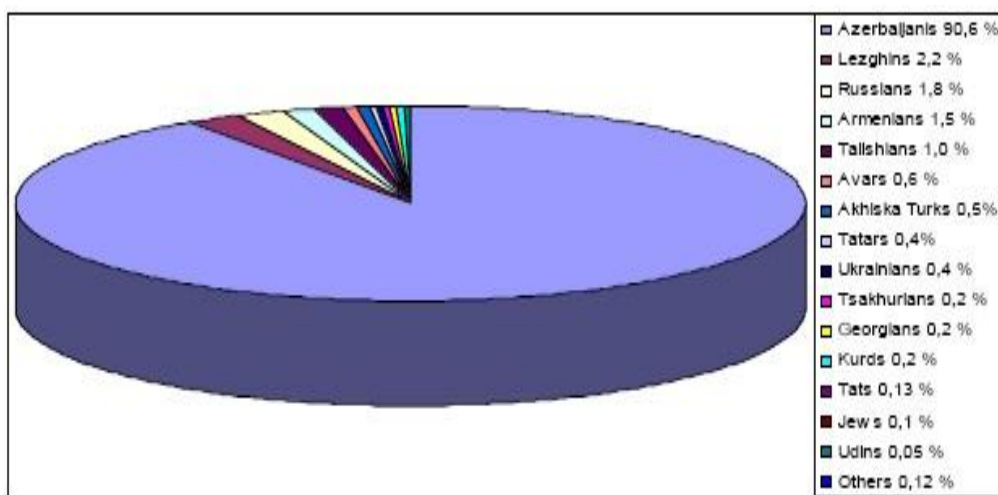
126. Article 6 of the “Law of the Republic of Azerbaijan on Culture” includes provisions related to cultural rights.

127. According to internal regulations of the Baku museums, military staff, war veterans, persons with disabilities, National Heroes and children from orphanages have free access to the museums. Most of the museums in other regions of the country do not charge entrance fees either. Moreover, there are special “open door days” for all visitors. For example, on the 18th of May – International Day of Museums, when the local museums are open until night, they do offer special tours, talks and performing arts events to their visitors. In addition, theatres offer special discounts for tickets for school group visits.

128. Due to specific historical, economic and cultural characteristics of Azerbaijan, the population of the country lived in conditions of tolerance and mutual respect for the cultures of other peoples and national minorities. There are many different ethnic minorities living in Azerbaijan, including Lezgins, Russians, Armenians, Talishians, Avars, Akhiska Turks, Tatars, Ukrainians, Georgians, Kurds, Tats, Jews, Udins, Laks, Ingiloyes, Germans, Polish, the Greek and etc. Representatives of the three world religions – Islam, Christianity and Jewish religions – participate in many initiatives and events at the state level on a permanent basis.

Figure

Ethnic composition of population (census 1999)



Source: State Statistical Committee of the Republic of Azerbaijan, 2010.

129. Supporting and safeguarding of cultural diversity is reflected in the state policy and the legislation of the Republic of Azerbaijan. National policies have their roots coming

from the Constitution of the Republic of Azerbaijan, which guarantees the equality of all citizens, irrespective of their ethnic, religious or racial background. All forms of discrimination and xenophobia, including ethnic, national and racial, are not acceptable. All ethnic minorities living in Azerbaijan have equal rights, including cultural rights and the same access to cultural heritage of the country alongside with the majority of the population. Article 8 ("the Right to cultural identity") of the Law on Culture states that "each person has a right to keep their national-cultural identity and to choose their own moral, aesthetic and other values; the state promotes the right to their cultural identity". This Article gives an immediate legal guarantee for protection of the cultural identities which are independent of racial, ethnic and national belonging, but are based on personality. There are a number of other Articles of the Law on Culture that provide legal security for personal rights to cultural identity. In particular, Article 48 on International Cooperation in the Cultural Sphere, Article 49 on International Exchange in the Cultural Sphere, Article 50 on Cooperation in the Sphere of Conservation of Cultural Values provide for the development and progression of international contacts of cultural minorities with their historical motherlands. This guarantee is ensured also in other laws of the Republic of Azerbaijan referring to culture.

130. The monthly level of broadcasting in minority languages on the Azerbaijan State Radio is as following: 80-minutes in each of the Talysh, Kurd, Lezgi languages, 160 minutes – in Georgian, 90 minutes – in Armenian and 15 hours - in Russian. Azerbaijan State TV broadcasts news programs in Russian 15 hours per month. The public TV channel – Ictimai TV has established a special department of programs for ethnic minorities. 25 to 40% of programs on 10 regional TV channels are broadcasted in Russian and in some places – in the Avar, Lezgi and Tat languages.

131. The Ministry of Culture and Tourism carries out various activities with regard to the safeguarding and development of cultural values of national minorities and ethnic groups living in the country, which include cooperation with cultural communities and centres of ethnic minorities; organization of performances of amateur artistic groups in the regions where ethnic minorities are concentrated; organization of exhibitions reflecting ethnography, art and traditions of the ethnic minorities; tour trips of the ethnic collectives within the country and abroad; encouraging creation and performance of art compositions, promoting customs and traditions of ethnic groups; and supplying amateur collectives with traditional costumes, musical instruments, and etc.

132. Regular attention is attached to cultural activities involving children with special needs. Since 2006, the national network of theatres for children with physical and mental disabilities which includes around 20 amateur collectives and initiatives across the country has been organizing in Baku an annual festival with showcase of stage productions involving young actors with disabilities. A theatre show combining actors of the State Pantomime Theatre and children with Down syndrome toured to UNESCO Headquarters Office in Paris by support of the Heydar Aliyev Foundation and the Ministry of Culture and Tourism of the Republic of Azerbaijan in November 2010.

133. Azerbaijan has 3.689.000 Internet users as of June 2010, which is the 44.4% of the country's population. Usage of Facebook as a tool for social interaction is dramatically growing in the country. There were 198.340 Facebook users by August 2010, and 604.040 by December 2011.

134. The National ICT Strategy for the Development of the Republic of Azerbaijan in 2003 - 2012 aims to develop human capital in the country by creating a favourable environment for the population to get satisfactory education and to eliminate the digital division. One of the key principles is to increase the population's ICT awareness by facilitating the implementation of ICT and informing the public about its benefits and usage. In order to achieve the objective, the National Strategy pledges to modernize the

country's education system and provide minimal ICT literacy for its citizens, alongside with the implementation of distance learning and lifelong learning opportunities. Furthermore, computer network is envisaged to enable information and knowledge exchange in research and education.

135. The 'State Program on Information of the Educational System in the Republic of Azerbaijan in 2008-2012' has the primary objective of efficient implementation of ICT in all stages of the national education system. Existing ICT infrastructure, especially conditions of access to the Internet must be developed for achievement of this aim. In addition, the program envisages the development of e-learning resources and their integration into the educational process together with the construction of an educational portal in an effort to enhance the application of educational technologies. The education portal has been successfully developed by the summer of 2009 and now provides students, teachers and parents with the opportunity to discuss topics related to their education, search for events, and access educational resources.

136. The freedom of expression, safeguarding and expression of cultural identity, freedom on choosing spiritual, aesthetical and other values were guaranteed by the law on Culture.

137. The Ministry of Culture and Tourism continues the system of state commissions and acquisitions for artistic works in the various art forms and disciplines. However, it seems that the number of commissioned works and the amounts offered (at least with regard to visual arts and music) are much less than they used to be in Soviet period. Special State Programs on development of film for the years of 2008-2018, development of theatre for the years of 2009-2019 envisage various measures, which include financial support, as well as research, improvement of management and encouragement of international exchange. Film production has substantially grown in the last years both in terms of the number of films and their public appreciation within the country and at international film festivals. More than 70 documentaries and 30 feature films have been produced in the last six years in Azerbaijan. During this period Azerbaijani films have been shown in 40 countries and participated in more than 100 film festivals. During 2011 only short films by young film-makers from Azerbaijan were shown at 25 international festivals. Last year there was an Azerbaijan booth at the fair of the 64th Cannes Film Festival.

138. Among other measures worth mentioning are state scholarships and pensions to outstanding personalities in the field of arts, the Zirve National Annual Prize for outstanding achievement in arts and culture (various categories) and scholarship schemes for young artists administered through the 'creative unions'.