



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

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

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**Responses to the list of issues and questions with regard to
the consideration of the fourth periodic report**

Azerbaijan*

* The present report is being issued without formal editing.



Azerbaijan

Data collection and analysis

1. Currently, system of data collection on violence is being worked out together with United Nations Population Fund. Statistical system in other spheres will be worked out in future.

Constitutional, legislative and institutional framework

2. Below is the extract from the Law of the Republic of Azerbaijan “On guarantees of gender equality”:

Article 2. Main definitions

2.0 The following definitions are used in the law:

2.0.1 Gender shall mean equal participation for females and males in political, economical, cultural and in all relevant fields of social life;

2.0.2 Gender equality shall mean equal human rights for both men and women, equal opportunities to be entitled to their rights and equal social status of men and women

2.0.3 Equal opportunities shall mean real equal possibilities and conditions for men and women in provision of human rights

2.0.4 **Sexual discrimination shall mean sexual harassment, unequal treatment of an individual compared to another individual of the opposite gender**

2.0.5 Sexual harassment shall mean dissolute behaviour within the labour or service relationship, which includes any form of sexual, verbal, non-verbal, physical or symbolic behaviour that constitutes a threat to personal dignity

Article 3. Eliminating gender discrimination

3.1. **All forms of gender discrimination are prohibited.**

3.2. The following items are not considered discrimination:

3.2.1. Immunities and additional allowances for women according to Labour Code of the Republic of Azerbaijan,

3.2.2. Military (alternative) service for men,

3.2.3. Different pension and marriage age for men and women identified according to the law,

3.2.4. According to the Article 15 of the Family Code of the Republic of Azerbaijan limiting husband's right on requesting divorce,

3.2.5. Creating different for men and women circumstances in correctional facilities,

3.2.6. Promoting special activities on gender equality.

3. There is no precise statistics of women using legal system.

4. During 2007, 7 900 complaints were received at the Ombudsperson's Office 3 462 of them were made by women. The complaints were mainly about failure to execute court decisions, problems with property, problems in addressing social aid, protection of right to healthcare, issues of aliment, violence etc.

In 2008 the Ombudsperson received 8 600 complaints, 2 827 of them were received by women.

- 571 of them were about housing problems;

- 333 of them were complaints of court decisions;

- 213 of them were about failure to execute court decisions;

- 145 of them were about violence.

Besides, 65 women complained about issues of aliment, 15 women about violence and 3 women about trafficking in human-beings. These complaints were considered in a way prescribed by law.

5. Thereupon, ensuring gender equality in the sphere of employment is one of the directions of the State Program on implementation of Employment Strategy of the Republic of Azerbaijan (2007-2010) approved by the Order of the President of the Republic of Azerbaijan from 15th May, 2007.

Meantime, the State Program of the Republic of Azerbaijan on Poverty Reduction and Sustainable Development for 2008-2015 approved by the Order of the Republic of Azerbaijan from 15th September 2008 sets the concrete measures for ensuring gender equality.

6. The State Committee for Family, Women and Children Affairs plans to conduct trainings for gender focal points in all governmental agencies. They are closely involved in all activities in the field of promotion of gender equality, empowerment of women and contribute much to integration of gender issues into the agenda of governmental agencies.

7. The National Plan of Action on Family and Women's Issues is in the process of drafting and has not been adopted yet.

Violence against women

8. The report refers to the same draft law “On combating domestic violence”. It is a matter of translation. The draft law is expected to be adopted during fall session of the National Parliament.

9. Azerbaijani Government takes consecutive measures for prevention and elimination of violence against women. The draft law “On fight against domestic violence” is under consideration of the National Parliament. The draft law has been improved by local and international experts and it is supposed to be adopted in the fall session of the National Parliament.

In line with legislative measures different projects and programs are being implemented in collaboration with international organizations as well as international and local NGOs.

The problem of violence against women is being addressed at the highest level. Thus, the Heydar Aliyev Foundation headed by the First Lady of the country Mrs. Mehriban Aliyeva initiated the project “XXI century without violence against women” that was signed between the Foundation, State Committee for Family, Women and Children Affairs and UNFPA.

The main objective of the activity within the project is to create enabling environment for reducing gender based violence in Azerbaijan, ensuring protection of human rights, gender equality and women’s participation.

Different publications and TV spots on domestic violence calling to stop violence against women. PSAs renowned male public figures (olympics champions, famous writers, celebrated musicians, and members of Parliament). They were broadcasted on three national channels of Azerbaijan.

Comprehensive awareness-raising campaigns have been conducted on grassroot level and in schools as well. **Regional town-hall meetings** addressing GBV and **Conference on “Combating VAW”** held on November 27, 2008 and brought together government key decision makers, MPs, NGO leaders and women’s rights activists. Conference was dedicated to the 25th of November — International Day for the Elimination of Violence against Women.

The main factors that helped better implementation of activities were strong inter-agency cooperation, well-planned strategy to conduct corresponding events on awareness-raising and financial sources available.

10. The definition of the rape in the Criminal Code of the Republic of Azerbaijan envisages punishment for rape, forcing to prostitution, forced biological sterilization or other deeds connected with sexual rape. This definition has not been reviewed yet. However, the review is possible in the future as a part of legislative reforms.

11. There has not been any appeal to courts regarding the sexual harassment in the work places. Employees are protected from sexual harassment by the Article 4 of the Law of the Republic of Azerbaijan “On State guarantees of gender equality” from 2006 that strictly forbids sexual harassment.

In order to ensure implementation of the above-mentioned Article relevant amendment was made to the Code of Administrative Violations under the Article 60-1. The Article prohibits the pressure to employee becoming subject to sexual harassment and complaining of his/her employer.

Trafficking in persons and exploitation of prostitution

12. During 2006-2008 167 persons were arrested in accordance with the Article 144-1 (Trafficking in human-beings) of the Criminal Code of the Republic of Azerbaijan.

13. There is one shelter for the victims of trafficking that operates within the Ministry of Internal Affairs. It consists of 45 places for the victims. There are plans to open new shelters by the NGOs in the future.

There is one shelter for the victims of violence at the moment operating within the local NGO. However, establishment of 5 crisis centres are planned for women suffering from violence in the near future in the framework of strategic plan on violence against women.

14. In order to reduce the cases of trafficking in human-beings, especially in women, measures have been taken to reduce poverty, to increase employment among women, to raise awareness on negative consequences of trafficking in human-beings and to ensure high quality education for girls.

Participation of women in political and public life

15. In order to increase number of women in decision-making process, meetings with active women have been held in regions and were informed about right to vote, importance of participation of women in decision-making process etc.

There were also held regional seminars dedicated to the improvement of women's participation in political processes by the Ombudsman's Apparatus.

16. Number of women in State bodies, including in decision-making positions:

	Name of organization	Total number of employees	Number of women	Number of employees in decision-making level	Number of women in decision-making level
1	Ministry of Health	126372	100 529	1149	424
2	Ministry of Taxes	N/A	175	391	13

3	Ministry of Communication and Information Technologies	16445	5300	662	64
4	Ministry of Internal Affairs	N/A	2044	N/A	18
5	Ministry of Foreign Affairs	671	130	158	8
6	Ministry of National Security		21%		20
7	Ministry of Economic Development	547	187	133	34
8	Ministry of Ecology and Natural Resources	7655	1728	674	93
9	Ministry of Transport	6221	690	93	5
10	Ministry of Defence Industry	3558	1415	671	196
11	Ministry of Agriculture	10134	3219	1624	271
12	Ministry of Labour and Social Protection	5572	3386	565	140
13	Ministry of Industry and Energy	249	59	53	31
14	Ministry of Youth and Sport	1502	559	268	51
15	Ministry of Education	330600	225116	13709	5655
16	State Committee on the Issues of Azerbaijanis living abroad	60	16	20	1

17	State Committee on the Issues of Religious Entities	35	11	10	No women
18	State Statistics Committee	1466	787	248	54
19	State Committee on Refugees and IDPs	1133	1058	75	3
20	State Committee on Customs	2080	188	328	28
21	State Committee on Securities of the Republic of Azerbaijan	76	31	13	4

Stereotypes and education

17. Traditional “male dominance” tendency in Azerbaijan is changed. Nowadays, more women are involved in labor market and education. Azerbaijan continues to make considerable progress in the elimination of gender stereotypes and at the present women share equal responsibilities both in private and public life. The young generation is the people who are constructing and forming new gender values. Women pursuing a career have increased considerably in Azerbaijan.

18. Recent years considerable reforms have been conducted in the sphere of education. “General Education Concept (National Curriculum)” covering the strategy of pedagogical process and evaluation system has been adopted. On the basis of this document a new curriculum has been prepared for students of I-IV forms.

The Ministry of Education of the Republic of Azerbaijan has conducted gender analysis of the textbooks, especially those in the sphere of literature. Gender equality is broadly advocated in those textbooks. Woman is characterized as a hero, educated and employed person.

The regular monitoring of the textbooks will contribute to protect them from stereotypical images and content.

19. Below is information about the number of girls and boys in schools for 2007/2008 and 2008/2009 school years:

	2007/2008 school year			2008/2009 school year		
	Total number of pupils	Of them		Total number of pupils	Of them	
		Girls	boys		girls	boys
Number of pupils in secondary schools	1474186	700736	773450	1415249	666244	749005
<i>Of them</i>						
I-IV forms and preparatory classes	492853	231318	261535	486341	226553	259788
V-IX forms	736684	351120	385564	701072	330945	370127
X-XI forms	244649	118298	126351	227836	108746	119090
Urban areas	781852	368785	413167	758523	353950	404573
<i>Of them</i>						
I-IV forms	259272	119773	139499	259637	119552	140085
V-IX forms	391813	184917	206896	376089	175269	200820
X-XI forms	130867	64095	66772	122797	59129	63668
Rural areas	692234	331951	360283	1208413	574971	633442
<i>Of them</i>						
I-IV forms	233581	111545	122036	226704	107001	119703
V-IX forms	344871	166203	178668	324983	155676	169307
X-XI forms	113782	54203	59579	656726	312294	344432

Employment

20. In accordance with the Decree of the President of the Republic of Azerbaijan “On implementation of state women’s policy in the Republic of Azerbaijan” from March 6, 2000 regular statistical digests are published by the State Statistics Committee of the Republic of Azerbaijan. The digest provides sex-disaggregated data on relevant spheres.

Average salary of women and men (October, 2006)

	Average salary (USD)		Women's salary in comparison to men's salary (%)	Weight of women in average number of employees (%)
	Women	Men		
Crude oil and natural gas production			49,2	13,6
Oil production			79,3	35,4
Chemical industry			65,3	42,2
Construction			40,8	10,8
Wholesale and retail; maintenance of automobiles, household appliances and things of personal utilization			46,5	21,4
Restaurant and hotel services			64,1	45,0
Air transport			62,2	22,3
Communication			86,2	39,4
Finance			70,1	38,5
Education			79,6	66,2
Healthcare and social services			84,3	82,9

According to the Article 9 of the Law, salaries, as well as money awards and other material awards granted with the purpose of encouragement of employees working at the same job place, holding the same specialty degree, working in the same condition, implementing the work of the same value must be equal. If the salaries, as well as money awards and other material awards granted with the purpose of encouragement of employees are differing, the employer must justify this act as not connected with sex of the employee.

The Republic of Azerbaijan has ratified the Conventions of the International Labour Organization on Equal Remuneration, Discrimination (Employment and Occupation) Convention, Maternity Protection Convention (Revised), Underground Work (Women) Convention and submits periodical reports on implementation of them.

It is worth mentioning, that the difference between the salaries of women and men in certain fields of the economy is not the consequence of the discrimination but the representation of women in job places offering lower salary. In accordance to the Article 35 of the Constitution of the Republic of Azerbaijan everyone has the right to choose activity field, specialty, employment and job place on the basis of his/her work capacity.

21. “Rules for application of quota for persons in need of special social protection and having difficulties with employment” and “List of institutions where quota is not applicable” has been approved by the Cabinet of Ministers of the Republic of Azerbaijan. According to the Article 1.2 of the Rules, quota is defined as follows:

- 3% (not less than one place) of annual average list of employees of organizations with 25-50 employees is granted to disabled persons or to persons with limited health conditions.

- 4% of annual average list of employees of organizations with 50-100 employees (in such cases, 2% of annual average list of employees is granted to disabled persons or to persons with limited health conditions who is under 18).

- 5% of annual average list of employees of organizations with over 100 employees (in such cases, 2.5 % of annual average list of employees is granted to disabled persons or to persons with limited health conditions who is under 18).

22. In the result of measures taken to improve women entrepreneurship the average percentage of women entrepreneurs has reached 15%. Women are represented in different spheres of business life, including agriculture, tourism, healthcare, carpet weaving and etc.

The State Program on Poverty Reduction and Sustainable Development creates broad opportunities for improvement of women entrepreneurship.

Health

23. In order to reduce maternal mortality, in-patient departments have been established within all maternity welfare clinics and in region’s central hospitals for pregnant women. National Strategy on Reproductive Health for 2008-2015 has been elaborated. The objective of the Strategy is to improve reproductive health of all groups. The Strategy consists of major 5 fields:

1. Maternal health and health of newborn children;
2. Reproductive choice (family planning and safe abortions);
3. Fight against HIV/AIDS;
4. Reproductive health of adolescents;
5. Gender-based violence and sexual exploitation.

Reduction of maternal and child mortality, ensuring safe births, fight against infectious diseases, especially during childbearing are main components of reproductive health strategy.

There are also planned to raise awareness of population on safe pregnancy, prenatal and postnatal care, improve equipment of prenatal institutions, training of medical staff etc.

24. Some measures taken in the framework of State Program for the protection of the health of mother and child:

- There is a cabinet named “School for future mothers” within Scientific-Research Gynecology Institute. This cabinet teaches young mothers to safe maternity, care for newborn children and to other acute issues.
- With the initiative of ACQUIRE Project Public Health and Reforms Centre has worked out 7 Protocols on family planning and submitted to the Ministry of Health for approval. Local experts are regularly attending international conferences and workshops for exchange of experience.
- Currently, according to the Order of the Ministry of Health of the Republic of Azerbaijan the concept of prenatal centres on the principles of regionalization of prenatal aid is in the process of preparation in the framework of “Program of Action on Protection of maternal and child health”.
- Various brochures and other publications have been worked out on healthy lifestyle, adolescents and parents, family planning etc.
- According to the annual work plan signed between the Ministry of Health of the Republic of Azerbaijan and UNICEF protocols have been prepared on “Resuscitation of and care for newborn children”. The protocols have been approved by decision of the Ministry of Health dated 28th November, 2008.
- Concept of prenatal services has been developed by the working group established by the Ministry of Health.
- The Program is financed from the state budget and 6 000 000 USD, 6 420 000 USD have been allocated from state budget respectively in 2007 and 2008 for the implementation of the program.

25. The Ministry of Health of the Republic of Azerbaijan has prepared ---- to use World Health Organization’s definition for maternal health. Current definition of maternal death **is, the death of a woman within 42 days since the beginning or termination of pregnancy, from any cause related to pregnancy, but not from accidental or incidental causes.**

26. Taking into consideration increasing number of abortions, following measures are taken:

- Consultation issues regarding postnatal period and before the abortion are included in training programs on family planning;
- Trained staff of the family planning centres is regularly monitored;
- ACQUIRE Project is in progress, financed by the USAID where over a 1000 medical personnel including doctors, obstetricians and nurses are trained. Separate consultations are held with each of the trained personnel to facilitate application of gained knowledge and skills.

Information of the Ministry of Health of the Republic of Azerbaijan

	2007	2008
Number of abortions	22325	25256
Number of STD	5336	6784
HIV	441	436
AIDS	41	59

Internally displaced women and girls

27. Till now, legislative base has been established in order to ensure social protection of refugees and IDPs in accordance with the laws “On the status of refugees and IDPs (internally displaced persons)”, “On social protection of displaced people and persons equal to them”, international legal norms. Thus, since 1993 62 presidential decrees and orders were issued, 25 legislative acts were adopted as well as over 260 decisions and orders were adopted by the Cabinet of Ministers. In line with it, during the last 5 years the President of the Republic of Azerbaijan has signed 18 decrees and orders and in connection with it 64 decisions and orders were adopted by the Cabinet of Ministers and 1 legislative act was adopted by the National Parliament.

Resolution of refugees’ and IDPs’ social problems is major problem of the Government and is always at the centre of focus.

Big role in social protection of IDPs was played by the State Program “On resolution of refugees’ and IDPs’ problems” adopted in 1998 and the State Program “On improvement of living conditions and increasing employment of refugees and IDPs”, from 2004, as well as “Annex” to the Program approved in 2007.

In accordance with the State Program from 2004 and the Annex to the Program approved in 2007, the last refugee camp from twelve was liquidated. This Act ensured improvement of living conditions of 70 000 refugees and IDPs, several social problems were solved, as well as their employment was ensured.

Of the 25 048 women that were resettled in new settlements, 5 432 of them were provided with jobs.

In the result of measures taken poverty rate among IDPs was reduced from 74% to 35%. During the last five years 72 647 refugees and IDPs were provided with relevant jobs.

During 2001-2008 61 settlements were constructed consisting of 17 000 flats at the expense of the budget of the State Oil Fund and other sources and equipped with socialtechnical infrastructure: 114 secondary schools, 4 musical schools, 36 kindergartens, 5 hospitals, 39 medical stations, 32 club centres, 32 houses of communication, 32 baths, 42 administrative buildings, 8 veterinary stations and 9 fire stations.

In line with above mentioned measures, other measures are planned to be taken for refugees and IDPs:

- In accordance with the Order of the Republic of Azerbaijan from 4th August 2003 IDPs studying at secondary and higher educational institutions and getting their education paid for, are released from tuition fee.
- IDPs studying at secondary schools are provided with textbooks free of charge.
- In case of reduction of staff and employees in organizations they have privilege to preserve their job places.
- This group of persons is provided with medicamentals in accordance with prescription approved by the Ministry of Health of the Republic of Azerbaijan.
- Are provided with free of charge medical examination and treatment.
- Are released from payment of fee while getting identity card and appealing to court.
- Are released from income tax overall 68 USD.

Since August, 2008 monthly allowance for nutrition has been increased for 50% for IDPs.

28. It worth mentioning, that the community itself and especially women representatives actively participate in planning of the location of the new settlements and in its running. In the process of resettlement the factors like their adaptation, ensuring the studying process of the school-children. So far there emerged no problem in this sphere.

However, considerable part of IDPs are still living in unfavourable condition, like community buildings, dormitories and other places of temporary residence as well as facing problems in education, employment, etc.

The State Program “On improvement of living conditions and increasing employment of refugees and IDPs”, from 2004, as well as “Annex” to the program approved in 2007 provides concrete measures (until 2012) for improvement of living conditions of internally displaced people and ensuring employment of 20 000 families — 89 000 IDPs temporarily living in difficult conditions in 15 settlements of Finnish style that are inappropriate for living, in schools situated in towns and regions and buildings of military unit of the Ministry of Defense of the Republic of Azerbaijan.

From 141 461 able-bodied women from among displaced people 43 227 (31%) women are provided with relevant jobs.

Of them:

Number of women	Fields of employment
464	Civil service
15 857	Education
4 429	Healthcare system
19 171	Agriculture
1	Member of the Parliament
4 492	Other

Marriage and family life

29. Amendment to the Family Code of the Republic of Azerbaijan about equalization of marriage age for women and men is under consideration of the National Parliament. The amendments are expected to be adopted next year.

30. UNICEF has conducted a study on early marriages in Azerbaijan together with the State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan for 2008-2009. The study has been finalized and its publication is underway. The figures and scale of the early marriages will be available upon the publication of the above-mentioned study.
