



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the sixth periodic report of Azerbaijan*

Constitutional, legislative and institutional framework

1. In accordance with the State party's obligations under articles 1 and 2 of the Convention and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please provide information on the efforts to amend or repeal discriminatory legal provisions. Please explain whether the State party envisages incorporating a comprehensive definition of discrimination against women, which includes direct and indirect discrimination in the private and public spheres and intersecting forms of discrimination, into its legislation. Please provide information on the current status of the legislation on ensuring equality of gender (CEDAW/C/AZE/6, para. 37),¹ and whether the State party is allocating the human, technical and financial resources for its implementation and how such implementation is monitored and evaluated.

Access to justice

2. Please explain the concrete results achieved through awareness missions conducted by the State Committee for Family, Women and Children's Affairs on the Convention and the Committee's general recommendations (para. 5), including the number of women who have lodged complaints of gender-based discrimination with the courts. Please provide information on any cases in which the Convention has been directly applied or referred to in court proceedings and whether the State party envisages taking further measures to provide capacity-building programmes for judges, prosecutors and lawyers in addition to the training courses on ensuring the affordability of justice for women and on ensuring the access of women to the administration of justice, which were delivered in 2016 and 2017 (para. 6). Furthermore, please inform the Committee about measures adopted to enforce the decree of 22 February 2018 (para. 227) to provide free legal aid to low-income women, particularly women in rural areas and women in other disadvantaged groups.

* Adopted by the pre-sessional working group on 6 March 2020.

¹ Unless otherwise indicated, paragraph numbers refer to the sixth periodic report of the State party.



Women and peace and security

3. The State party indicates that it has been developing a draft national action plan to implement Security Council resolution [1325 \(2000\)](#), which was supposed to be submitted to the Cabinet of Ministers in 2019 (para. 13). With regard to the Committee's previous recommendations ([CEDAW/C/AZE/CO/5](#), para. 11 (a)–(c)), please provide updated information on the progress made towards the adoption of the plan and the implementation status of the Committee's recommendations.

National machinery for the advancement of women

4. According to paragraphs 33 to 38 of the State party's report, the draft national action plan on gender equality (2019–2024) and the amendment to the legislation on ensuring equality of gender, which is aimed at strengthening the implementation of the law by defining the function of the national machinery, have not been adopted. Please provide updated information on the status of adoption. Please also provide information on the measures in place to strengthen the capacity of the State Committee for Family, Women and Children's Affairs by providing it with adequate human, technical and financial resources and to appoint gender focal points in the relevant government institutions and in all the regions at the decision-making level, with clear definitions of their functions, with a view to ensuring gender mainstreaming across all sectors and at all levels of government.

5. The Committee notes that the Commissioner for Human Rights was downgraded to B status by the Global Alliance of National Human Rights Institutions in 2018. Please describe efforts made to implement the recommendations made by the Subcommittee on Accreditation of the Global Alliance in 2018, develop the Commissioner's capacity and fulfil its mandate by allocating adequate resources, in line with the recommendation accepted by the State party during its universal periodic review in 2018, and provide the Commissioner with a clear mandate to protect and promote women's rights.

Temporary special measures

6. Please provide information on the measures taken to introduce mandatory quotas for women candidates on electoral lists or to introduce an alternative system, as recommended in the Committee's previous concluding observations ([CEDAW/C/AZE/CO/5](#), para. 27). Please also provide information on the steps taken by the State party to implement the quotas for women with disabilities in employment. Furthermore, please explain other temporary special measures adopted or envisaged by the State party to accelerate the achievement of the substantive equality of women and men in areas in which women are disadvantaged or underrepresented, including education and employment.

Stereotypes and harmful practices

7. Information before the Committee indicates that gender stereotypes in the media remain, notwithstanding the projects and programmes launched to combat those issues (paras. 59 and 74). Please describe efforts made to intensify awareness-raising and public education on gender equality among the general public, including the media, and to promote the equal sharing of domestic and family responsibilities. Given the previous recommendations of the Committee ([CEDAW/C/AZE/CO/5](#), para. 21 (a) and (d)), please indicate whether the State party has taken measures to ensure the effective implementation of the national action plan for eliminating the phenomenon of male-child preference and to regularly monitor and assess the impact of the measures aimed at eliminating discriminatory gender stereotypes, including that national action plan.

Gender-based violence against women

8. Please provide updated information on the status of the draft national action plan to combat and eliminate domestic violence (2019–2023), the guidelines on creating an intersectoral coordination council for the prevention of domestic violence and the protection of victims of such violence, and the draft national strategy on the development of social services (2019–2025), in which the provision of medical, psychological and legal assistance to victims of domestic violence is envisaged (paras. 79 and 94). Please explain whether the State party is allocating adequate human, technical and financial resources for the effective implementation of those measures. Please describe the steps being taken to criminalize domestic violence. Please indicate the steps taken to amend the Criminal Code to ensure that the definition of rape is based on lack of consent, clarify whether marital rape is specifically criminalized and provide statistical information on the number of complaints, investigations and prosecutions, as well as the sanctions imposed on perpetrators, with regard to marital rape.

9. Please provide data on the number of cases involving violence against women, including domestic violence, that have been investigated by the police, prosecuted and the perpetrators convicted, and on the sanctions imposed on such perpetrators. Please explain the measures taken by the State party to provide systematic capacity-building for judges, prosecutors, police officers and other law enforcement officers on the gender-sensitive application of criminal law provisions on gender-based violence against women and gender-sensitive investigation procedures.

Trafficking and exploitation of prostitution

10. Please provide information on the steps taken to adopt a new national action plan on combating trafficking in persons and to fill the gaps in implementation identified in the previous plan, which expired in 2018 (para. 102). The State party reports that anti-trafficking entities have been increasing their interaction (para. 106). Nevertheless, information before the Committee indicates that early identification mechanisms for victims of trafficking are weak in the State party. Please explain whether the State party has taken or envisages taking measures to ensure the early identification and systematic referral of women and girls who are victims of trafficking to the relevant authorities and services.

11. The Committee notes that the State party has implemented a project to create an assistance centre for children who are victims of domestic violence, which is also aimed at supporting children who are victims of trafficking (para. 89). Please indicate whether the State party has allocated adequate human, technical and financial resources to the centre and also to increase the number of such centres in the State party and has provided capacity-building programmes for law enforcement officers to address the specific needs of girls who are victims of trafficking in a gender-sensitive manner. Please provide information on the measures adopted to increase the availability of rehabilitation and/or reintegration programmes for women and girls in prostitution, as recommended by the Committee ([CEDAW/C/AZE/CO/5](#), para. 25 (f)).

Participation in political and public life

12. Please inform the Committee about efforts made to promote the participation of women in the parliament, the Government and the judiciary and in senior leadership positions in the civil and diplomatic services. Please provide data on the number of women who were elected in the parliamentary elections in February 2020 and explain whether the State party took measures before the elections to encourage political parties to nominate equal numbers of women and men to stand for election. Furthermore, please provide information on the measures in place to enhance the

political and public participation of women belonging to disadvantaged groups, including women with disabilities.

Nationality

13. Please inform the Committee about the measures taken to introduce a statelessness determination procedure without discrimination between internally displaced women and men regarding the registration of their children as internally displaced persons and to eliminate statelessness in the State party, in line with the Committee's general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women.

Education

14. Please indicate whether the State party has taken appropriate measures with regard to the overrepresentation of women in female-dominated fields of studies and career paths and a report that many women and girls are not allowed by their families to enter universities outside of their communities. Please explain whether the State party has monitored the measures indicated in paragraphs 121 and 166 of the report and assessed the impact of those measures in reducing the number of girls dropping out of school. In addition, please provide data on the number of girls with disabilities whose tuition fees are waived through the presidential decree of 3 May 2019 (para. 120) and indicate whether the State party has taken additional measures to ensure their access to inclusive education.

15. Please outline the findings of the evaluation of school textbooks (para. 139) and elaborate on the subsequent steps taken to revise those textbooks to eliminate gender stereotypes. In addition to existing courses on gender and human rights taught in universities (para. 128), please provide information on the measures taken to introduce systematic and comprehensive education on women's rights and gender equality to school curricula, together with professional training for teachers at all levels of education, as previously recommended by the Committee (CEDAW/C/AZE/CO/5, para. 29 (e)).

Employment

16. The State party acknowledges that the employment rate of women is lower than that of men (27.6 per cent and 48.3 per cent, respectively) and that women's employment remains concentrated in the education, health and social service sectors (paras. 157–158). Please indicate whether skills training and employment support provided to women (para. 164) or other measures have served to increase the number of women who enter formal and non-traditional fields of employment, thereby contributing to eliminating occupational segregation and wage gaps between women and men. In the light of the Committee's previous recommendation (CEDAW/C/AZE/CO/5, para. 31 (c)), please provide information on the measures adopted to promote the equal sharing of family and domestic responsibilities between women and men by introducing compulsory paid paternity leave and increasing the availability of childcare facilities, including in rural areas, in line with article 11 of the Convention and the Workers with Family Responsibilities Convention, 1981 (No. 156), of the International Labour Organization.

17. Please indicate whether the State party has taken steps to adopt a law to prohibit sexual harassment in the workplace and to conduct regular labour inspections to monitor the working conditions of women. Please provide information on the measures taken to remove the list of prohibited occupations for women in the Labour Code and ensure equal access to occupations for women and men.

Health

18. Please provide information on the measures taken to provide adequate resources to enhance the number and capacity of medical staff, in particular in rural areas, so as to ensure that women have access to high-quality health and medical services, including antenatal and delivery care, and to decrease maternal mortality, as well as to increase the access of women and girls with disabilities to public health services. According to annex 26 to the report, the use of modern forms of contraception is still limited in the State party. Please explain the measures in place to ensure that all women and girls, in particular those in rural areas, have access to affordable and modern forms of contraception and to introduce mandatory age-appropriate education on sexual and reproductive health and rights in school curricula.

Economic and social benefits

19. Referring to its efforts to promote women's entrepreneurship, the State party indicates that the allocation of privileged loans to women-owned businesses accounts for only 5.5 per cent of total relevant expenditure (para. 186). Please explain the steps taken to enhance access by women to existing programmes and support for entrepreneurship. Please provide more details about the measures taken by the Government, as indicated in the report (para. 184), to promote women's access to credit, land and other resources, and provide information on the impact of such measures.

Rural women

20. In the light of the Committee's previous concluding observations ([CEDAW/C/AZE/CO/5](#), para. 37), please provide information on the measures adopted to ensure that rural women have access to basic services, including social and health services and education, and to the labour market, as well as to promote the participation of rural women in the design, implementation, monitoring and assessment of policies and legislation affecting their rights, including the State programme for social and economic development in the regions (2019–2023) and the rural investment project (paras. 197 and 201). Please provide information on plans to conduct gender assessments of that programme and project.

Disadvantaged groups of women

21. Please provide information on the measures taken to address intersecting forms of discrimination faced by women with disabilities, refugee and internally displaced women, older women, Lezgin women and women belonging to other ethnic minority groups, women heads of household and lesbian, bisexual and transgender women in legislation, policies and programmes related to gender equality. Please provide more information on the impact, including details regarding the 500 beneficiaries, of the project on the prevention of sexual and gender violence in communities of internally displaced persons and response measures (para. 29) and on whether the State Committee for Family, Women and Children's Affairs continued that project after 2018. Please outline the measures adopted by the State party to ensure that women and girls belonging to other disadvantaged groups who are victims of gender-based violence are provided with support services.

Climate change and disaster risk reduction

22. Taking into account the disproportionate impact of climate change on women engaging in agriculture, please describe the steps taken to ensure that national policies and programmes on climate change contain gender perspectives, in line with the

Committee's general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change.

Marriage and family relations

23. In the light of the Committee's previous recommendations (CEDAW/C/AZE/CO/5, para. 39 (a) and (b)), please provide information on the prevalence of early and child marriage and the number of cases that have been investigated and prosecuted, as well as efforts made by the State party to prohibit unregistered religious marriages (*kabin*) and protect the rights of women within those unions and their children, including upon the dissolution of the unions. Furthermore, please explain the measures taken to ensure parental rights for women with disabilities upon divorce on an equal basis with other women.
