



Convention on the Rights of the Child

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Committee on the Rights of the Child

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** The annexes to the present report may be accessed from the web page of the Committee.

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Introduction

1. Child policy is an integral part of the state policy of the Republic of Azerbaijan. Protection of children's rights and freedoms, providing children with good quality education and health care services meeting high standards, taking care of them, and creation of necessary conditions for children to grow in high-level moral and social environment, and shaping as all-round persons and dignified citizens constitute priority directions of the child policy of the Republic of Azerbaijan. Nowadays, people under the age of 18 constitute 30% of the country's population. 159 464 babies were born in 2016 in Azerbaijan. 52,7% of them are boys and 47,3% - girls. The Republic of Azerbaijan has joined the UN Child Rights Convention on July 21 1992, and later ratified the Convention's Optional Protocols. The seizure and continuing occupation of Azerbaijan's Nagorno-Karabakh and 7 adjacent regions as a result of military invasion by Armenia temporarily deprived Azerbaijan of the ability to control these territories. Apart from these territories, the Republic of Azerbaijan is capable of exercising due control over implementation of the Convention on the Rights of the Child (also, the Convention's Optional Protocols) throughout its entire territory, including the territory of Nakhchivan Autonomous Republic.

I. General measures of implementation (arts. 4, 42 and 44, para. 6)

2. Legislative acts that are presented in the Annex 1 have been adopted to incorporate the provisions of the CRC into national legislation.

"Azerbaijan 2020: Look into the future" Development Concept approved by the Order of the President of the Republic of Azerbaijan (AR) on December 29, 2012 provides for development of National Children's Strategy. Beginning from 2015 the State Committee on Family, Women and Children Affairs (SCFWCA) has organized a range of forums and round table discussions with participation of NGOs and experts engaged in relevant types of activities to ensure the development of the draft strategy in the light of the issues related to CRC. As a result, a draft strategy has been developed and submitted to the government. It is planned that the document will be adopted by 2020. More information about project is given in the Annex 2.

3. "Regulations for the implementation of the state control over children's rights" of 2012 establish the responsibilities of each of the public authorities exercising control over implementation of children's rights and require that they prepare and submit to SCFWCA the reports on fulfillment of their respective obligations. The latter reviews the reports and prepares a final general report based on these reports. The final reports then are reviewed by relevant commissions of the Cabinet of Ministers of the AR (CMAR) based on which an opinion is formulated and submitted to the President. Based on this opinion, an annual action plan on the rights of children is developed.

4. CMAR approved the "Procedure for organization and maintenance of the electronic data bank regarding the implementation of child rights" by its Decision No. 8 issued on January 15, 2013. The SCFWCA has developed software for the electronic data bank with the support of UNICEF. Currently this project is in the stage of coordination. The data bank will be formed based on individual children's data entered by relevant government authorities. It is intended for common use by these authorities. The data entered into the data bank will allow to carry out detailed analyses of children's education and health-care issues along with the cases of violence and/or abuse and to exchange information.

5. Beginning from 2013 the Commission on affairs of minors and protection of their rights under the CMAR is monitoring the activities of the in state child-care facilities in order to control the implementation of child rights. The SCFWCA prepares a list of the businesses and organizations to be monitored and submits it to the Commission for approval. Further, extraordinary monitoring surveys are organized in reply to complaints made by NGOs and / or via mass media.

6. Allocation of financial resources from the government budget to cover the expenses related to safeguarding children's rights established by the United Nations Convention on

the Rights of the Child was continued during the reporting year. More information on financial resources from the government budget are listed in the Annex 3.

7. UNICEF and Azerbaijan have adopted new country program for 2016-2020. The followings were identified as the Program's main components:

- Ensuring the provision of quality and just social services;
- Monitoring of children's rights and cooperation for children's rights;
- The rights of adolescents to get a second chance.

8. Commissioner for Human Rights of the AR (Ombudsman) and the members of the National Preventive Group have the rights to: have access, without hindrance and prior notification, to any penitentiary institutions, meet with and talk to detained persons, as well as any other persons who may provide relevant information in private or when deemed necessary with the participation of an expert or interpreter; get acquainted with and obtain copies of the documents confirming the lawfulness of detention of detained persons and providing information on treatment and the conditions of detention of those persons; draw up a report, document the progress and the results of the actions undertaken; be received without delay by heads and other officials of penitentiary institutions. Ombudsman has the right to provide relevant recommendations to the competent authorities and receive responses to these recommendations within the defined period. Further, Ombudsman has the authority to inspect any State child institution, including all educational, medical and other institutions serving children.

9. Work was carried out to promote the provisions of the CRC among the staff members of the authorities engaged in the areas related to children's rights along with health-care, education and law enforcement specialists. Training courses were organized for police inspectors, judges, labour inspectors, local executive officers, district doctors and school teachers in order to increase the efficiency and effectiveness of the combat against early marriages, exploitation of child labor, child trafficking and violence.

10. Raising awareness of children about the United Nations Convention on the Rights of the Child is a core activity of the State Committee on Family, Women and Children Affairs. This awareness-raising is carried out through the Forums of Azerbaijani Children organized every two years. Thus, the awareness-raising activities are organized within the framework of preparation for these Forums for participating children, while these children are engaged in instruction of other children living in the capital city and other regions of the country (for details see, paragraph "d". III Cluster)

11. The measures were implemented aiming to raise awareness about the latest Recommendations of the Committee on the Rights of the Child. Thus, the State Committee on Family, Women and Children Affairs organized meetings at different times for detailed discussion of the issues arising out of the Recommendations with participation of the specialists engaged in child rights-related fields, including judges, police officers and education, medical and social protection specialists.

12. Funding of civil society organizations of Azerbaijan from state budget is provided through various funds and ministries.

13. Council on State Support to NGOs under the Auspices of the President of the AR ensures the allocation of funds to NGOs from the state budget. In 2015 Council on State Support to NGOs under the Auspices of the President of the AR received allotments from the state budget in an amount of 5,600,000 manats. In 2017 the Council 494 projects with total value of 3,114,000 manats, including 45 women and children-related projects with a total value of 265,000 manats. The Council funded 12 projects related to children's issues with a total amount of 72,000 manats. Priority has been given mostly to the projects that serve the purpose of reintegrating children with disabilities (CWD) into society. Apart from that, the Council has financed the projects serving such child-focused purposes as: promotion of moral values and patriotism; organization of extracurricular courses, intellectual contests and other activities; organization of creativity or profession-oriented clubs for children with special needs; psychological trainings for children deprived of parental care; reintegration of children into society; adaptation of children from vulnerable groups living close to the front line. Within the range of its activity areas, the Youth Foundation under the President of AR had been mostly supporting the youth-development

projects of NGOs. Thus, within the framework of the 10th grant competition organized in 2017, it has been decided that the Foundation allots 2,011,600 manats to 568 projects.

II. Definition of the child (art. 1)

14. Data related to children in Azerbaijan disaggregated per gender and age are given in Table 1 of the Annex 4.

15. According to the Article 2.5 of the Model Statute of General Secondary Schools approved by the Decision No. 5 of the CMAR dated January 13th 2011, children who have attained the age of 6 before 15th September are admitted to the first grade of secondary schools. However, children who have not attained that age, but distinguished by specific talents may be admitted to the first grade of the schools in accordance with the procedure established by the Ministry of Health. Pursuant to Article 2.1 of the Statute, the compulsory general secondary education covers grades I - IX.

16. All male citizens of the AR who reached the age of 18 and declared fit for military service are obliged to do compulsory military service in accordance with the procedure determined by the Law and within the military units of the armed forces of Azerbaijan established pursuant to the applicable legislation.

17. According to Criminal Code of the AR children can be held criminally responsible from the age of 14.

18. According to Article 33 of the AR "On Road Traffic" the right to drive is established: for bicycles - from the age of 14; for the bicycles with outboard motors, mopeds and vehicles falling into A1 category - from 16; for the vehicles falling into A, B and C category vehicles - from the age of 18.

III. General principles (arts. 2, 3, 6, 12)

Non-discrimination (art. 2)

19. According to the Article 5.2 of the Law of the AR on Education, the State secures the creation of equal opportunities for each citizen and doesn't tolerate any discrimination, regardless of the individual's gender, race, language, religion, political views, nationality, social status, background, and state of health.

20. The judicial authorities may accord no advantage to any participant in the criminal proceedings regardless of citizenship, social status, gender, race, ethnicity, political and religious affiliation, language, origin, property situation, work situation, beliefs, dwelling place, place of origin or of any other reasons which are not based on law.

21. Efforts are continuously under way to raise awareness of children about inadmissibility of gender discrimination and to cultivate in children intolerance against it.

The best interest of the child (art. 3)

22. In Azerbaijan the State furnishes support for families, mothers, fathers and children; it has established the following benefits and other guarantees of social protection:

- Maternity benefit;
- An allowance for woman in respect of care of a sick child under 8;
- An allowance for alone fathers who care of children;
- An allowance for women with more than five children;
- Social allowance for disabled children under 18;
- An allowance in respect of children under 16 (students - 18 years old) of the families of martyrs;

- An allowance in respect of children under 16 (students - 18 years) of military personnel on fixed-term military service;
- An allowance in respect of children under 16 (students - 18 years) of war invalids and persons disabled as a result of the events of January 1990;
- An allowance for the guardians of children deprived of parental care;
- An allowance for poor families in respect of children under 1;
- A one-off benefit payable on the birth of each child.

Right to life, survival and development (art. 6)

23. The President of the AR approved the State Programme for 2014-2020 on Improving Mother and Child Health in Azerbaijan by the Presidential Decree dated June 13, 2014. The main objectives of the Programme are as follows:

- Improving the quality of health services aimed at the protection of the health of mothers and children and strengthening the training of specialists;
- Continuing with perinatal care reforms on the basis of the principle of regionalization;
- Improving physical infrastructure of labour and delivery services institutions;
- Improving the quality and increasing the efficiency of the healthcare services provided to children, including newborns and infants;
- Widening the scope of the works aiming to raise awareness among the people.

24. International live birth criteria were adopted in connection with implementation of State Programme on Improving Mother and Child Health and based on the recommendations of World Health Organization. Their implementation began on January 1, 2015. Ministry of Health issued the Order No. 70 on 11/10/2017 “On additional measures aimed to reduce child mortality rates in the AR”.

25. Pursuant to Article 30 of the Law “On public health care”, every mother has the right to solve the issues connected with maternity at her own discretion. Artificial termination of pregnancy is carried out within the first 12 weeks of pregnancy. Artificial termination of pregnancy due to social indications may be carried out within the first 22 weeks. Subject to presence of relevant medical indications and with prior consent of women, artificial termination may be performed any time during pregnancy. Artificial termination of pregnancy should be carried out in state or private healthcare institutions by qualified medical personnel. The list of medical and social indications for artificial termination of pregnancy is prepared by the Ministry of Health. Artificial termination of pregnancy outside the hospitals and other healthcare institutions by physicians is prohibited.

26. According to Article 141 of the Criminal Code, abortion outside the medical institutions and / or by a person who does not have special medical education creates criminal responsibility.

27. Data on abortions and child pregnancy are given in Tables 1 and 2 of the Annex 5.

28. As evidenced by relevant statistical data, 33 children became the victims of intentional homicide crimes during recent 4 years (10 – 2013, 5 – 2014, 8 – 2015, 10 – 2016).

29. 191 child suicide facts were recorded during recent 4 years (2013-46, 20 14-47, 2015-29, 2016-38, 2017-31) Awareness-raising activities are carried out through mass media and in education institutions to prevent child suicides. In 2015-2016, the SCFWCA organized trainings in the secondary education schools of the Baku city districts with the support of UNICEF and the Ministry of Education on the topics “Child suicides” and “Children at risk”. The school psychologists improved their skills and knowledge required for early prevention of child suicides and homelessness and abandonment of children. Suicides accounted for 3.3 deaths per 100,000 people in the country. To ensure a comprehensive, full and impartial investigation of all suicide cases, suicide was included in the list of “the incidents and crimes requiring submission of special information” by the

Order No. 09/18 of the Prosecutor General on March 03, 2006. According to the Order of the Prosecutor General dated July 28, 2010, investigation of the suicide cases resulting in death should be instituted immediately. The Order requires full investigation of all circumstances of the case that led to the suicide of the person (Incitement to suicide) and inspection of the scene by territorial prosecutors if a corpse is found with the symptoms of suicide.

30. Pursuant to Article 56 of the Law on Road Traffic in cases where children are transported by a bus, they should be accompanied by an adult. The vehicle marking 'Children on Board' shall be attached to these buses transporting a group of children. Special preventive measures are carried out to prevent traffic accidents involving children and improve road safety. These measures aiming to ensure road safety include such activities as "Caution: Children!" and "Children and road safety". Practical activities, workshops and disputes, lectures, briefings and trainings, "open classes" and round table discussions were organized in the schools within the framework of these activities to raise awareness of students about traffic rules. Further, special photo stands were prepared and demonstrated in education institutions along with organization of drawing competitions, various contests and exhibitions on the topic. The World Day of Remembrance for Road Traffic Victims is commemorated every year upon the initiative of UN.

31. Data on the numbers of children killed and injured in road crashes is given in Table 3 of the Annex 5.

Respect for the child's views (art. 12)

32. In cases specified by legislation, and related to civil, family, labour, administrative and other legal relationships or to transactions related to disposition of received wages or incomes from entrepreneurial activity, minors shall personally protect their rights, freedoms and protected by law interests.

33. The underaged person, recognized in conformity with the law as fully capable before his reaching maturity, shall have the right to independently exercise his rights and duties, including the right to protection.

34. The child shall have the right to protection from abuses on the part of the parents (or the persons, substituting for them).

35. State-run child care institutions use daily routines in their daily activities. The daily routine involves exact scheduling of lesson, meal, leisure and rest time. The scheduling of leisure time is done taking into account the opinions of children.

36. Article 32.3.2 of the Education Law of the AR establishes that the learners have the right to independently choose the educational institution, specialization, profession, the form of training and the language of education.

IV. Civil rights and freedoms (arts. 7, 8, 13-17)

Birth registration, name and nationality (art. 7)

37. Pursuant to Article 167 of the Family Code of Azerbaijan, state registration of births is obligatory. Thus, application for registration of the birth should be filed within one month after the birth.

38. The Ministry of Justice and Ministry of Health in collaboration with the State Agency for Citizen Services and Social Innovations (SACSSI) under the President of AR implement joint projects with a view to ensuring accurate maintenance of birth registrations, identification of every person and immediate assignment of an individual identification numbers to newly born children.

39. Currently, information on newly born children is immediately transmitted by the healthcare institution to the Ministry of Health from where it is further communicated to the information system of the Ministry of Justice and from there - automatically to the registration offices near residence place of the child. Upon entry of this information the

regional (district) offices of registration send an immediate notification to the mother's place of residence, indicating the need for registration of the birth. More specifically, the notification stipulates the binding nature of the birth registration requirement along with the deadline established by the legislation for the registration and administrative responsibility for failure to comply with this requirement.

40. Also, starting from 2012, a system of electronic state registration of the births is introduced upon approval of relevant administrative regulations by a decision of the Ministry of Justice of Azerbaijan. In addition, employees of the Ministry of Health perform field monitoring jointly with the heads of regional registration offices with the aim to identify children who haven't undergone state registration. These visits also involve the provision of legal aid to parents in registration of the birth of these children who have required documents and in application to courts for establishing the fact of the birth. In some cases the state registration of the births was organized directly in maternity clinics in order to prevent any delays in registration of the births.

Preservation of identity (art. 8)

41. Records of registered civil status acts of children as well as any changes to these is kept in paper form in relevant registry books and registered electronically in the automated system of registration of civil acts. Legislation gives effect to the right of access to this information when the child reaches maturity age. The information is managed by the child's legal representatives until he/she reaches maturity age.

Freedom of expression (art. 13)

42. Beginning from 2009, the SCFWCA organizes National Forums of Azerbaijani Children in collaboration with Heydar Aliyev Foundation and UNICEF. Organization of these Forums which is an important event in children's lives since 2009 when the President of the AR declared the same year as the Year of Children became a tradition. First four Forums were organized in 2009, 2011, 2014 and 2017 respectively. Apart from contributing to formation of leadership qualities in children, these Forums aim to ensure participation of children in adoption of decisions concerning their lives, to provide them with an opportunity to undertake initiatives and make proposals, and to direct attention of society towards protection of children's rights. These Forums are the events organized with participation of children and managed by children. About 400 children participate in the Forum, representing different cities and regions of the country. Designated seats are preserved in the Forums for CWD, internally replaced children and children deprived of parental care. The representatives of other nations of the country and national minorities may also participate in the Forums. The proposals made by children in these Forums are taken into account in development of state programmes. Children participating in the Forum organize themselves into groups to raise awareness of other children in the country's regions about children rights.

Freedom of thought, conscience and religion (art. 14)

43. Article 13 of Penal Enforcement Code secures the freedom of conscience and religion of convicted persons. They are free to practice or not practice any religion.

44. The convicted persons in settlement-type detention facilities may be permitted to visit at their request the places of worship within the boundaries of administrative area where the penal sanction is enforced.

45. The ministers of any religions from religious communities registered in an appropriate manner may be invited to the places of detention at the request of the convicted persons. The convicted prisoners are allowed to practice religious ceremonies and use religious materials and literature in detention places. The prison authorities allocate a special place for this purpose. If a convicted person suffers from a serious disease that creates death risk, a minister of religion may be invited to the place of his/her detention at his/her request.

46. There isn't any level of general secondary education where the academic programme includes a separate subject for teaching religion. However, through the topic line "Morality" of the subject "Life skills" taught from 1st to 9th grade, students learn to distinguish between main scientific and religious world views and gain the capacity to evaluate the role played by religion in formation of a perfect human being.

Freedom of association and peaceful assembly (art. 15)

47. Article 32.3.17 of the Education Law of the AR establishes the necessary conditions in general secondary education schools for the exercise of the right of children to associate and peaceful assembly. The learners have the right to: participate in the scientific, public, social and cultural life of the educational institution, take part in the establishment of scientific societies, study groups, associations, unions and other organizations, join similar types of national and international organizations.

48. Since August 2016, Ministry of Education in collaboration with SACSSI under the President of AR has been implementing the project "A friend of schoolchildren" aiming to improve the management of education and encourage parents to participate more actively in the activities of general education institutions. Currently, 124 friends of schoolchildren are rendering above mentioned services in selected 31 general education schools of Baku city.

49. Significant progress has been made during the first year of the project in said schools in rendering medical services and prevention of harmful habits and conflicts among the students. In addition, career planning and professional orientation training sessions were organized involving 503 students from 19 schools. Work was carried out on psychological diagnosis of the students. Also, there were organized: trainings on emergency response procedures, Summer Schools, excursions for effective organization of children's leisure time, 12 school tournaments and competitions, more than 300 in-school intellectual initiatives and many other social responsibility activities.

Right to privacy (art. 16)

50. Article 11 of the Law "On Mass Media" establishes that dissemination of any information related to personality of minor suspects, accused persons or victims of crimes by the staff of mass media organizations or journalists without prior consent of these persons or their legal representatives is prohibited.

51. Every child has the right to safeguard his honor and dignity. Rules of discipline in educational institutions, including preschool and extracurricular education institutions should be based on the principle of justice, contribute to education and promote a spirit of mutual respect. Insults and humiliation of children is unacceptably. Honor and dignity of any person are justiciable.

52. According to Article 199 of the Criminal Procedure Code of the AR, during criminal proceedings, measures shall be taken under this Code and other laws of the AR to protect information which constitutes personal and family secrets.

53. In the course of procedural activities, it shall be prohibited to unnecessarily collect, disseminate or use information relating to the private life of any person and other information of a personal nature which is intended to be kept secret. At the request of the investigator, prosecutor or court, the participants in investigative and court procedures shall be under an obligation not to disseminate such information and shall give a written undertaking to this effect.

54. Evidence which discloses personal or family secrets shall be examined by the court in camera.

55. Damage caused to any person as a result of an infringement of the inviolability of private life or the dissemination of personal or family secrets shall give rise to compensation under the legislation of the AR.

Child's access to appropriate information (art. 17)

56. In order to ensure secure access of children to information resources on the Internet and protect them from unhealthy information products that they may face both on Mass Media and Internet, a need to make amendment to the Law on Children Rights arose. So, Clause 15 of the Law on Children Rights of the Republic of Azerbaijan was amended and the provision stipulating that protection of children from any information that may damage to their health and development shall be regulated by a relevant law was added to it on April 29, 2016. Accordingly, the Law on Telecommunication of the Republic of Azerbaijan was amended and Clauses 33.1.3-1, 34.1.2-1 and 40.3.7-1 were added. According to the amendment to the Law on Telecommunication, in order to ensure safe use of Internet information resources to protect children from any information that may damage to their health and development upon request of subscribers, a relevant obligation was set for Operators and Providers and the responsibility to claim taking of necessary actions to protect children from any information that may damage to their health and development was included in the rights and obligations of the subscribers under the amendment made.

V. Violence against children (arts. 19, 24, para. 3, 28, para. 2, 34, 37 (a) and 39)

Abuse and neglect (art. 19)

57. The "Ethical Code of Conduct for Teachers" approved by the Order No. 600 of the Ministry of Education of the AR dated May 16, 2014, exclude any form of violence and the practice of intimidation and threats.

58. Exploitation of children, including the induction of children into vagrancy or begging creates certain responsibility. Thus, such acts are punishable through penalty of a fine or administrative arrest pursuant to the following Articles of the Code of Administrative Offenses: Article 192.8 (Engagement by an employer of persons under 15 years of age in labor activities), Article 192.9 (Engagement of children by an employer in activities that may endanger the life, health or morals of children), 523.1 (Engagement in vagrancy), and 523.2 (induction if minors into vagrancy by adults).

59. As a result of the monitoring activities and raids carried out during 2017, 570 children (512 in 2016; 450 in 2015 and 502 in 2014) helping their parents in begging and 220 parents inducing their children to such activities were identified and held administratively liable, while 62 case file materials were referred to various territorial and regional structures of the State Labor Inspectorate Service.

Fight against early marriages (Article 24, paragraph 3)

60. The State Committee on Family, Women and Children Affairs is carrying out the "Say NO to early marriages" project since 2013 in collaboration with the United Nations Refugee Agency (UNCHR), United Nations Children's Fund (UNICEF) Women's Association for Rational Development for refugee and internally displaced women and girls. A booklet called "Early marriages: 50 answers to 50 questions" was published and distributed among population. The Project aims to raise awareness of women and girls about the root causes, complications and prevention and related responsibility and punishment measures. Instructors have been trained and print materials have been prepared beginning from the May of 2014.

Sexual exploitation and sexual abuse (art. 34.)

61. 16 cases of involvement in prostitution or other immoral acts were identified during the said period (3 in 2013, 3 in 2014, 1 in 2015, and 4 in 2016 and 5 cases during the first 11 months of 2017). Numbers of crimes against sexual inviolability and sexual freedom of the individual, which were investigated and resulted in either a court decision or other types

of follow-up in 2012-2015, were as follows: 164 in 2012, 185 in 2013, 171 in 2014, 213 in 2015 and 197 in 2016.

62. Children-victims of such crimes are placed in social centers and Rehabilitation Center established under the State Social Protection Fund of the Ministry of Labor and Social Protection (MLSP) for rehabilitation.

63. The State carries out special measures stipulated by legislation for guardianship and protection of children until they attain the age of majority (18 years).

64. The State adopted the “National Action Plan for the years 2014-2018 on Combating trafficking in human beings in AR”, approved by the Order No. 667 of the President of the AR and formulated main objectives: strengthening legal and social protection of children; ensuring safe use of Internet and mobile phones by children; fulfillment of the obligations arising out from relevant international conventions on the child labor.

The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, including corporal punishment (arts. 37 (a) and 28, para. 2).

65. 755 cases of violence were identified over the past 4 years (179 in 2013, 198 in 2014, 182 in 2015, 196 in 2016).

66. According to Article 10.3 of the Penal Enforcement Code, personnel of detention and penal enforcement institutions and authorities should treat the convicted persons with consideration. Convicted persons should not be subject to cruel, inhuman and degrading treatment.

67. In 2017 the Public Committee exercising public control over the correctional facilities and international organizations made 302 visits to penitentiary institutions for the purpose of ensuring public participation. The Public Committee provided legal aid services to 300 convicts during these visits. For comparison, during previous years from 2006 to 2009 the Public Committee members carried out 175 monitoring surveys in penitentiary institutions.

68. There were not registered any cases of torture, inhuman and degrading treatment against minors kept in temporary detention places.

69. The “Regulations on ethical behavior of teachers” approved by the Ministry of Education aims to prevent ill treatment, the occurrence of violence and human rights abuses against children. Implementation of these Regulations on state child institutions is seriously controlled. Responsible persons are appointed in such institutions with regard to their implementation. Heads of the institutions and pedagogical staff members may be held responsible for violation if these Regulations. There is a room for meeting with parents in each of state child institutions. Children are placed in boarding schools on condition that they don't stay for the nights to the extent possible. The Observation Diaries maintained by educators in state child institutions contain information with regard to: achievements of every child in individual development, education and other fields; dates and times of visits of their parents (relatives); and time when children go home and return to the institution.

Physical and psychological recovery and social reintegration of child victims (art. 39)

70. Regional Social Rehabilitation Center for children and young people - victims of domestic abuse was established in Ujar region in 2014 with the support of the MLSP (covering the Aran regions) for the purpose of ensuring the social, psychological and legal rehabilitation of children - victims of violence in regions. The Center provides social, psychological and legal services to children and young people suffered from sexual, psychological and emotional abuse, induced or forced to participate into activities involving labor exploitation, prostitution and pornography, or subjected to torture, cruel and inhumane treatment, forced to involuntary resettlement, or experiencing mental shock due to loss of parents or other family members. 10 NGOs received accreditations from the

Ministry of Labour and Social Protection with a view to provide social services to persons - victims of domestic violence.

VI. Family environment and alternative care (arts. 5, 9–11, 18, paras. 1 and 2, 20, 21, 25)

Family environment and parental guidance (Art. 5)

71. In exercising the parental rights, the parents shall not have the right to inflict a damage on children's physical and mental health, or on their moral development. The methods of children's upbringing shall exclude exploitation, rudeness, humiliation of their human dignity, cruelty and negligence. The parents exercising parental rights to the detriment of the rights and the interests of children shall be made answerable in the law-established procedure.

72. In 2017, 220 parents (2016 - 240, 2015 - 200, 2014 - 220) were taken to the police for failure to perform their duties with regard to education and upbringing of children, including the parents inducing their children to begging and vagrancy, where the police drew up and submitted to courts or commissions under territorial executive bodies the statements pursuant to relevant provisions of the Code of Administrative Violations. Such parents are placed under preventive control and interviewed individually. In addition, works are carried out in conjunction with relevant authorities for resolution of the problems.

Parental responsibilities and state support (Article 18, paras. 1 and 2)

73. MLSP has ordered implementation of the projects by NGOs that aim to eliminate the causes leading to placement of children in state child institutions. The projects implemented in 2014 covered approximately 330, in 2015 -390, in 2016-390 children with higher risk of placement in state child institutions and their families.

Separation from parents (art. 9)

74. According to Article 65 of the Family Code, the deprivation of the parenthood shall be effected in court. 62 and 76 parents were deprived of parental rights accordingly in 2015 and 2016. The parents deprived of parenthood shall not be relieved from the duty to maintain their child. The child, with respect to whom the parents (one of them) are deprived of the parenthood, shall retain the right of ownership to living premises or the right to use living premises, and also the property rights based on the fact of kinship with his parents and with his other relatives, including the right to receive inheritance. If it is impossible to give the child to other parent, or in the case of deprivation of the parenthood of both parents, the child shall be placed in the charge of the guardianship and trusteeship body. The child's adoption in the case of the parents (one of them) being deprived of the parenthood, shall be admissible no earlier than after the expiry of six months from the date, when the court passed corresponding decision. Information on the institutions for placement of children deprived from parental care located in the country is given in Table 4 of the Annex 5.

Family reunification (art. 10)

75. Regulation of migration processes and the relations arising in this sphere, the norms applying to legal statuses of foreigners and stateless persons in the AR are established by the Migration Code of the AR approved by the Law No. 713-IVQ dated July 2, 2013 and entered into force on August 1.

76. According to the Migration Code, the term "family members of a foreigner or stateless person" mean a foreigner's or stateless person's wife (husband), children under the age of 18, children who are 18 or older, but unable to work and parents supported by him/her.

77. Foreigners and stateless persons may obtain a permit for temporary or permanent residence in the territory of the AR if they: are in a close relationship with a citizen of the AR; are family members of foreigners and stateless persons temporarily or permanently residing on the territory of the AR; when they enroll as a full-time student in higher or special secondary education institutions and when they get education at secondary schools in the AR and etc.

78. During the first 11 months of 2017 228,450 aliens and stateless person entered the AR (total number of entries - 293,258), while the number of aliens and stateless persons leaving the country amounted to 229,232. 113,085 alien children were registered by the State Migration Service.

79. The State Migration Service of the AR issued temporary residence permits to 5,697 children and permanent residence permits to 154 children.

80. The permit for residence of children below 18 years of age in the territory of AR is issued upon application of their parents or other legal representatives.

81. Permit for permanent residence in the AR is obtained for a minor under the age of 14 upon application of his/her parent or other legal representative, for a minor between age of 14-18 upon application of his/her parent or other legal representative with the consent of the minor.

Children deprived of a family environment (art. 20)

82. Special measures were introduced to support children without parental care throughout their education and upon leaving the State care system. A residential building with 120 one-room flats was constructed at the request of the Ministry of Education to provide employment opportunities and housing for orphan children or children deprived of parental care - leavers of boarding schools and orphanages who are in need of a residential place. 124 graduates from state-run child institutions (in years 2006-2013) in need of a residence place, who lost their parents or deprived of parental care, have been provided with a residence place in "Graduate Houses".

83. Pursuant to a decision of the CMAR, two small family-type group houses are operating under the Ministry of Education. The establishment of these group houses aimed at providing children with family-level care under home conditions until their adoption or placement under care. Children of school age living in small group houses attend the schools located close to the houses. Contrary to state-run child institutions, children in small group houses enjoy separate bedrooms and possess personal belongings. Upbringing of children living in these houses is carried out by educators working on a shift base. The management personnel of the family type small group houses received training in the countries with best practices in this field.

84. The guardian (the trustee) of the child shall have the right and shall be obliged to bring up the child, put under the guardianship (trusteeship), to take care of his health and of his physical, mental, spiritual and ethical development.

85. The duties involved in the guardianship or trusteeship with respect to the child should be discharged free of charge. The guardian (trustee) shall be paid monthly the monetary means in the amount established by the state.

86. 13 boarding school and other residential childcare institutions underwent thorough repair and equipped with new inventory, equipment and vehicles. All pedagogical staff members of the boarding schools were subjected to diagnostic assessment and their position salary doubled. Teaching staff of the boarding schools participated in curricula-related trainings. Braille alphabet and large-font textbooks and guidance manuals were published for children with vision impairments. Further, an electronic resource called "Audio Fairytales" was developed for the students of the primary school grades with vision impairments and distributed among the students of special schools. New academic programmes were developed based on international experience in order to ensure quality special education in special boarding schools for Children suffering from hearing impairment, deaf-dumbness and acquired hearing loss. In accordance with new academic programmes, new generation textbooks were developed: for the 1st grade of the primary school - "Alphabet" and "Mathematics"; for 2nd 3rd and 4th grades - "Reading" and

“Mathematics”. The textbooks in reading and mathematics, work-books for primary school students were published and distributed to education institutions along with guidance materials for teachers. A methodological manual called “Logopedic album” was developed for teachers working with children with speech disorders.

87. No cases of abusive, violent or exploitative treatment of children were identified in state-run child institutions.

88. In addition, employment of the graduates from such institutions is ensured in order to prevent exploitation of child labor. Thus, children living in general education boarding schools and orphanages for persons deprived of parental care and persons from low-income families, who will graduate from these institutions participate in regular trainings on the topics related to start-up businesses and independent life skills, organized in collaboration with the MLSP, international organizations and local NGOs with the purpose of helping with employment of these future graduates. Also, within the framework of cooperation between the Ministry of Education and Baku city Central Employment Office, trainings in different occupational categories (repair of domestic appliances, repair of computers and etc.) are organized for the students with disabilities- future graduates from state child institutions. Certain measures are implemented to ensure that these students participate in labor market and receive jobs upon completion of the training.

89. One of the activities of the SCFWCA is implementing measures that are aimed at reintegration of children living in state child institutions with their families. Starting from 2013 the Committee, in cooperation with the Ministry of Education carries out awareness-raising measures that involve organization of the meetings of children deprived of parental care with their parents in the institutions where they study and are brought up. The main objective of these measures is to ensure that children meet their parents and to give relevant recommendations to parents on restoration of parental care. The meetings were organized with the aim to support convicted mothers and promote parental responsibility among them along with reviewing and solving their problems and contributing to their adaptation to society.

90. Within the framework of the “State Program (for 2006-2015 years) on alternative care and giving of children (Deinstitutionalization) from state child establishments to the families in AR”, a review of the status of children in state child institutions was carried out and a database within the Ministry of Education is organized based on the results of the monitoring, which is updated every three months. During the period of the State Program’s implementation, 39 boarding schools under the Ministry of Education were transformed into vocational lyceums, general education schools and gymnasiums, while 2 boarding schools were abolished. Within the framework of the State Program 305 children studying in the Orphanage No. 2 and the Boarding School No. 2 for children deprived of parental care were returned to their biological families upon individual assessment of the families. As a result of the Program’s implementation, in total 387 children from boarding schools of the Ministry of Education were returned to their biological parents or close relatives by relevant orders of regional and city executive power authorities. Notification letters were sent to the executive power authorities of these regions and cities requiring them to carry out regular monitoring of the status of these children and inform the Ministry of Education on the results of such monitoring.

91. Along with above-said activities, the work has been started on development of alternative structures aiming at gradual replacement of the orphanages and state-run residential care institutions with the system of family-based social services. Number of children studying in the boarding schools for children without parental care is 593. 111 of them are CWD. 427 students deprived of parental care and 859 CWD were placed in state child institutions located far from their places of residence for their inclusion in special education.

92. Establishment of daily care centers by NGOs upon request of the MLSP in 13 regions of the country can serve as an example of preventive measures carried out with the aim to prevent placement of children in state child institutions.

93. According to the Laws of the AR “On Labor Pensions” and “On Social Allowances”, children, who have lost their parents or deprived of parental care, receive labor pensions or social allowances for loss of the family head, while their guardians receive monthly allowances. Social service institutions under the MLSP of the AR ensure full maintenance

of children from corresponding groups and provide social services to such children. Profession-oriented works are carried out with children from such groups upon their request and they are provided with vocational training and with the opportunity to engage in professional activities.

Periodic review of placement (art. 25)

94. According to the Article 34 of the Civil Code of the AR, the guardianship and trusteeship bodies in the place of residence of children under guardianship monitor the actions of guardians and trustees.

95. The inspection of the child's residential care institution is the responsibility of the State bodies under which the institution operates. At the same time, the SCFWCA performed monitoring surveys of 133 children given for guardianship or trusteeship in the regions where Children and Families Support Centers are located.

Adoption (national and intercountry) (art. 21)

96. Primary registration of children deprived of parental care is carried out by guardianship and trusteeship bodies of local executive authorities. Centralized registration of such children under the age of 3 is carried out by the Ministry of Health, while registration of children older than 3 years - by the Ministry of Education, and general registration - by SCFWCA of the AR.

97. A citizen of the AR, intending to adopt a child should apply to and be registered with the Guardianship and Trusteeship Commission of relevant city (region) executive authority. Upon registration with said body, if the person wishes to adopt a child 0 to 3 years of age, his submissions are referred to the Ministry of Health and to the Ministry of Education if the child belongs to 3-18 age group.

98. After selecting the child for adoption from the centralized list of the children eligible for adoption maintained by the Ministry of Education, the citizen apply to relevant city (region) court, submitting all required documents.

99. The court decision on giving the child for adoption is considered as a ground for his adoption. The executive authority of relevant city (region) submits to the court its opinion on the relevance of adoption to the interests of the child. Also, according to Article 124.3 of the Family Code, to adopt children maintained in educational establishments, the written consent of the heads of the given institutions is required. Relevant court sitting is organized with participation of representatives of local guardianship and trusteeship bodies and state child institutions (orphanage, boarding schools) where the child is maintained.

100. In 2017, the Ministry of Health registered 33 children deprived of parental care were entered in central register and referred 32 (36 in 2016) children to adoption in accordance with the procedure established for children deprived of parental care.

101. Over the recent four years (including 2017) 52 children (29 boys and 23 girls) from the centralized list of the Ministry of Education were given for adoption.

102. 30 children were adopted in years 2013-2017 by foreign citizens and stateless persons applying to the SCFWCA. These persons are the citizens of Russian Federation, USA, Georgia, German Federal Republic and Turkey. The reports reflecting the information on social environment, education, and behavioral characteristics of children-citizens of the AR adopted by foreign citizens are submitted on a regular basis to the SCFWCA.

Illicit transfer and non-return (art. 11)

103. According to Article 144 of the Criminal Code, kidnapping of a person creates criminal responsibility. During recent 15 years 61 persons were subjected custodial sentences in accordance with Article 144.3 of the Criminal Code for kidnapping of minors.

Protection of the rights of children whose parents are in penitentiary institutions or children living with their parents in penitentiary institutions

104. In Azerbaijan currently 4 convicted women live in penitentiary institutions with their minor children. 4 children in total (2 boys and 2 girls) currently are living in the penitentiary institutions for women. In accordance with provisions of applicable legislation children live with their parents in such institutions until they reach 3 years of age, following which they are placed under the care of relatives or in a State child institution.

VII. Disability, basic health and welfare

Children with disabilities (art. 23)

105. Azerbaijan has acceded to UN Convention on the Rights of Persons with Disabilities by adopting the Law No. 686-IIIQ on October 2, 2008. Since then there were carried out important works towards social protection of the persons with disabilities and children with health limitations and their reintegration into society, rehabilitative and health-resort treatment, referral to recreational-rest facilities and etc. Important measures were taken to adapt the legislation to the Convention.

106. Pursuant to Article 102.3 of the Tax Code, the monthly taxable income of disabled people of I and II groups (except for veterans of war), persons under age of 18 with limited levels of health from any type employment shall be reduced by the amount of 200 manats. Article 102.4.4 of the same Code establishes that the taxable income of any of the parents (according to their own decision), wife/husband, guardian or patron taking care of a child with limited level of health with whom they live together, who need a permanent care and who is an invalid from childhood or belongs to the 1st group of disability is reduced by 100 manats.

107. Our country began to improve the legislative base concerning the person with disabilities upon accession to UN Convention on the Rights of Persons with Disabilities. The MLSP has developed a new draft law “On the Rights of the Persons with Disabilities”, which was submitted to the government for review upon wide public discussions for considering the opinions of disabled persons and consultations with relevant government authorities. The new Law focuses on social issues rather than on healthcare-based approach. Thus, the term “disability” is defined as a long-term physical, psychological, mental or sensory handicap which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

108. Further, the draft Law reflects such issues as the respect for individual characteristics of the persons with disabilities, including children below the age of 18 years and their rights to preserve this individuality, accepting such persons as a component of human diversity and part of humanity; importance of awareness-raising activities for cultivation of the respect in children for disabled persons in all stages of education and beginning from the early ages; and ensuring the inclusiveness in all periods of their life.

109. Over the past five years, there were implemented and are in the process of being implemented many social projects in the regions with higher concentration of the persons from vulnerable population groups (disabled persons, children with health limitations, children deprived of parental care, ownerless children and children in a socially dangerous situation, children in conflict with the law) on the basis of State orders. These projects aim to provide social services to these persons, ensure their social rehabilitation and reintegration into society. Currently, the MLSP maintains cooperation with more than 50 NGOs.

110. MLSP has ordered implementation of the projects by NGOS that aim to provide social rehabilitation services to CWD and organize leisure time of CWD - citizens of Azerbaijan both in foreign countries and locally. The projects implemented in 2014 covered approximately 620 CWD and their families, in 2015 covered: approximately 1200 CWD and their families, in 2016 - approximately 1416 CWD and their families. Number of the

similar projects in 2017 reached 69. In total, these projects covered 4146 children and their families.

111. During 2017, on the orders of the MLSP, 29 NGOs were engaged in provision of social services to more than 4100 children with health limitations in 13 daily care centers, 23 community-based social rehabilitation centers, 2 social rehabilitation centers for children with Down syndrome, 2 audiology centers, 1 center for autism and 22 social rehabilitation centers for CWD. In addition, a small, family-type group house is being operated, which houses 6 children with health limitations.

112. A specialized non-governmental organization carries out the Project called "Establishment of the Center for Psychological and Physical Support of CWD" for the purpose of implementing the Order of the President of the AR Ilham Aliyev dated January 9, 2013 "On additional measures to provide social services for CWD and those in a dangerous social situation that have not reached adolescence". The Project's objective was to improve the workforce capacity in the field of social rehabilitation of CWD, ensure access of specialists, parents and CWD to print media, electronic data storage mediums (books, magazines, booklets and etc.), and access of children to specific state-of-art equipment, instruments and products. Within the Project's framework there was established a Center of Support for Psychological and Physical Development of CWD within the Child Rehabilitation Center under the Ministry of Labour and Social Protection. 50 physicians and other medical personnel participated in trainings on new methodologies organized in the Center (methods of Kozyavkin, Bobat and Vojta (Reflex locomotion)). Informational materials were distributed among the parents (on cultivating self-service skills, understanding of elementary rehabilitation terminology and the regulations for appropriate use of apparatus) and a training aid was developed reflecting modern rehabilitation methods.

113. In accordance with the Decision No. 147 of the CMAR dated April 12, 2017 "On the issues regarding establishment and operation of social service centers within the State Social Protection Fund under the MLSP of the AR", there were established such social service entities within the State Social Protection Fund under the MLSP as "Center of Rehabilitation for Minors with Vision Impairment" and "Social Shelter and Rehabilitation Center for homeless, ownerless children being in a socially dangerous situation". The objective of the creation of said Centers was to carry out social rehabilitation of the persons falling into said categories within the terms established by applicable legislation and ensure normal living.

114. The State Rehabilitation Center for Children Needing Special Care under State Medical-Social Expertise and Rehabilitation Service and other children rehabilitation centers jointly carry out rehabilitative treatment of children.

115. In 2017, the MLSP organized rehabilitative treatment of 2980 CWD (1137 - hospital stay and 1843 - outpatient treatment) in children's rehabilitation centers and 309 children in the State Rehabilitation Center for Children Needing Special Care. During the same year the Prosthetic and Orthopedic Rehabilitation Center equipped 247 children with wheelchairs, 247 children with hearing devices, 25 children with upper and 19 children with lower extremity prosthesis, 22941 persons with orthopedic shoes and 2284 children with other rehabilitation means. In 2017, 3566 children were classified as CWD according to evaluations carried out via Medical and Social Expertise and Rehabilitation Subsystem. During summer months of the year, the MLSP has referred CWD and their parents to summer recreation centers.

116. Continuous international cooperation and information exchange is being carried out with UAFA organization and Norwegian Humanitarian Enterprise.

117. Currently, the number of children living in state institutions, including institutions for mental illness is 331.

118. The education system of the Ministry of Education of the AR includes 7 special schools for children with health limitations. In these education institutions, 1853 children with health limitations receive education and training. 691 students with 766 of them stay overnight in the institutions. Remaining 1087 children benefit from education and daytime care services of these schools. 691 students with mental and psychological limitations live in their own families and study in special schools.

119. Students with mental and psychological limitations do not study in general secondary education institutions (except for children benefiting from inclusive education).

120. Children with mental and psychological limitations do not study in special service higher schools.

121. The beneficiaries of the Centers of Support for Children and Families under the SCFWCA are: the families, women and children at risk; children and women with physical and mental handicaps and disabilities and their family members; homeless and ownerless children, children deprived of parental care; refugees and internally displaced persons and Shahid families; children and adolescents from state child institutions; persons - victims of violence; persons released from penitentiary facilities; children with single parent (guardian or trustee); minors in a socially dangerous situation; low-income and multi-child families. Covering only the community children in need of special care at the beginning of their activities, the Centers later expanded their coverage to include different risk groups pertaining to different problems related to family, women and children. Personnel of the Centers have visited 2709 families at risk up to this day. The Centers are staffed with the specialists who have learned from England and France's experience in case file management, gained theoretical and practical knowledge in Hajettepe University (Turkey), specialized in Denver II Developmental Screening Test (USA, Colorado) and PORTEC system (England). Together with the early intervention specialists they work for early identification and solution of existing problems with application of above-mentioned systems and tools. In addition to development and proposal of new service models which are needed by population but don't exist in the community, the Centers of Support for Children and Families work towards meeting the primary needs of the community in this regard and establishment of a sustainable service base. These efforts include active therapy sessions (for CWD), logopedic rehabilitation services, psychological consultations and trainings, various rehabilitation services (art therapy; computer, English and Russian language courses; craftsmanship courses and etc.). Working in a spirit of innovation since the very beginning, the Centers carry out the assessment of children's skills and implement rehabilitation programs, organize integrative group activities and various circles. Despite relatively short period of existence, the number of group and individual activities organized in the Centers has reached 17,550, with total number of participants reaching 7265. 89 children were engaged in PORTEC early intervention program activities. 126 children were subjected to DENVER II screening tests.

Survival and development (art. 6, para. 2)

122. During the reporting period there were established and equipped with modern equipment Republican Perinatal Center in Baku city and regional perinatal centers in Nakhichevan, Ganja, Lenkoran, Guba, Sabirabad and Sheki regions. This creates conditions that ensure more equal distribution of perinatal services' accessibility among the population of the cities and regions of Azerbaijan.

123. Strengthening of material and technical base of healthcare institutions serving mothers and children, including neonatal reanimation departments, improvement of the system improve the system for supplying medications and medical equipment within the framework of the state program adopted for protection of maternal and child health resulted in positive dynamics of maternal and child health indicators. There has been a positive development towards decline of child and infant mortality rates in Azerbaijan over the last decades. Thus, this indicator gradually declined since 1990 (23.0%) and fell down to 10.2% in 2014. In 2016, by taking into account international live birth criteria, it was 11.4%.

124. As elsewhere in the world, the child mortality statistics are mainly formed by infant mortality rates. The 3 leading causes of infant death are conditions originating in the perinatal period, diseases of the respiratory system and congenital malformations.

125. Child and infant mortality rates for the reporting period and the number of children died within first year of life (disaggregated by root causes) are given accordingly in Tables 6 and 7 of the Annex 5.

Health and health services, in particular primary health care (art. 24)

126. According to the Law of the AR “On Public Health Care”, public health care consists of complex of the political, economic, legal, scientific, medical, sanitary and hygienic measures directed to protection of physical and mental health of each person, increase in his active longevity, providing with medical care. Data on some health indicators are given in Tables 8 and 9 of the Annex 5.

127. According to the “State Program on Protection of the Child’S and Maternal Health”, extension of the scale of activities aiming to raise awareness of population, especially women before pregnancy and young families on reproductive health and family planning, and improvement of quality and efficiency of healthcare services for protection of women’s health are set as priorities and relevant works are being carried out in this direction. Some statistical data related to this field are given in Tables 10 and 11 of the Annex 5.

128. Activities are carried out within the framework of the “Action Program on Fights against Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome for 2016-2020 years.

Most prevalent health challenges and efforts

129. Pursuant to the Law of the AR “On mandatory annual medical examination of children”, children have the rights to undergo medical examination according to the procedure established by said Law, receive outpatient, inpatient or health-resort treatment based on medical indications established according to the results of such examinations, and obtain full and impartial information on the results of mandatory medical examinations, including the results of diagnostic and treatment activities carried out based on such results. Data on breastfeeding and children covered by prophylactic immunization in 2016 are presented accordingly in Tables 13 and 13 of the Annex 5.

Reproductive health

130. 11 Centers of Support for Children and Families under the State Committee on Family, Women and Children Affairs have implemented a range of measures in the regions of the country with the aim to raise awareness about prevention of harmful habits among the families and children at risk and reproductive health. In 2017, 490 adolescents have participated in 54 trainings on such topics as “Healthy lifestyle”, “The ways of avoiding harmful habits”, “Reproductive health” and etc. In total, 2869 persons participated in various events and trainings and various educating materials were distributed during 2017. Table 15 shows the Number/percentage of children infected by HIV/AIDS.

Measures to protect children from substance abuse (art. 33).

131. According to Article 455.2 of the Code of Administrative Offenses, sale of ethyl (food-grade alcohol) alcohol, alcoholic drinks and tobacco goods to juveniles creates administrative responsibility. In 2017, 14 facts were identified with the purpose of prevention of such cases.

132. Also, pursuant to Article 234, illegal purchase or storage without a purpose of selling of narcotics or psychotropic substances in a quantity (amount) exceeding necessary for personal consumption; illegal purchase or storage with a view of selling, manufacturing, processing, transportation, transferor selling of narcotics or psychotropic substances; manufacturing, purchase, storage, transfer, transportation or selling drug with a view of illegal manufacturing and processing of narcotics or psychotropic substances; purchase or sale of precursors with a purpose of illegal manufacturing and processing of narcotic drugs or psychotropic substances or manufacturing, purchasing, storing, transporting or sending the precursors in large scales for the same purposes creates criminal responsibility. Tables 16 and 17 of the Annex 5 present the data on Drug and substance abuse rates among population.

133. According to the Law of the AR “On Narcological Service and Control”:

- In provision of drug abuse treatment services, narcological patients below the age of majority as well as narcological patients who represent a danger to themselves or to others are placed separately from other patients.
- Officers providing narcological services and exercising narcological control shall be obliged to inform relevant executive authorities of the AR on narcological patients who do not care for their children, use violence against them and violate the rights of surrounding people.

134. “Regulations and conditions for the use of narcotic drugs and psychotropic substances for medical purposes and for implementation of medical measures with regard to persons addicted to drugs”, approved by Decision No. 39 of the CMAR dated February 9, 2006. Pursuant to latest amendments to these Regulations (Decision No. 82 of the Cabinet dated February 23, 2016), “The compulsory treatment applied in accordance with these Regulations are not punitive or administrative penalty in nature and are designed to improve health and psychological well-being of drug addicts, prevent other complications of this disease, restore normal life style of drug addicts and protect the rights of the persons surrounding the drug addicts and prevent any cases of violations of the rights of other persons.”

Social security and childcare services and facilities (arts. 26 and 18, para. 3)

135. Social allowances should be spent in accordance with the interests of children. According to Article 7 of the Law “On Social Services”, a person (family) is considered to be in hardship if one of the following occurs:

- Loss of parents or parental care by children;
- Limited health capacity of children;
- Neglected minors or under-age children living in socially dangerous condition;
- Loss of the self-service ability due to illness, disability or old age, as well as lack of able-bodied relatives or legal representatives to take care and provide assistance.

136. Lack of relatives to take care of and provide assistance to persons who lost the self-service ability due to illness, disability or senility is defined by the relevant authority according to rules in place;

- Limited life activities due to contraction with publicly dangerous disease;
- Victim of human trafficking;
- Domestic violence;
- Lack of place of residence;
- Persons who became homeless after leaving social service facilities where they lived due to loss of parents or parental care;
- Persons facing de-adaptation and social deprivation.

137. Article 11 of the same Law establishes that provision of social services is undertaken on the basis of the assessment and determination of the need of a person (family) experiencing hardship for social services by a social worker. Criteria used for the assessment and determination of the need for social services are social de-adaptation, social deprivation, hard social conditions. Social worker prepares a report on assessment and determination of the need for social services which indicates ways, type, place and duration of the provision of social services and an individual plan on provision of social services to a person (family).

138. The “Procedure for placement of a person (family) experiencing hardship in State social services institutions” approved by Decision No. 320 of the CMAR dated November 15, 2013, establish the rules governing the placement of such persons (families) in social service institutions. Placement of the persons experiencing hardship in State social service institutions is carried out based on the principles of the respect for the rights and freedoms,

dignity and honor, tolerance, non-discrimination and non-stigmatization, equal opportunity, humanity and confidentiality.

139. According to Article 6.1.9 of the Law “On mandatory annual medical examination of children”, placement of sick children and children at risk of a disease in health and social assistance establishments as well as their referral to health-resort treatment based on indications established by healthcare institutions is guaranteed by the State.

140. To ensure the access of disabled persons and children with special health needs to labor markets through vocational training or to ensure their self-employment, the Vocational Rehabilitation Centre No. 1 under MLSP, located in Raman town in Baku city’s Sabunchu district was commissioned and resumed its activities upon thorough overhaul in December, 2013. 1309 persons were placed on vocational training in 10 fields of specialization in this institution during years 2014-2017. In addition to vocational training, they were provided with accommodation and 3-time meals along with psychological assistance. 1168 of them passed examinations and 546 of them received certificates.

141. A single parent or another family member who is directly caring for a child until it is three years old, shall be eligible for partially-paid social leave. The person caring for the child for duration of this social leave shall be eligible for an allowance in the amount established in accordance with applicable legislation until the child reaches three years of age. The amount of the allowance for pregnancy and childbirth in all cases will be equal to 100% of average daily wage taken into account in calculation of the allowance for temporary disablement and paid without any limitation with regard to period for application for such allowance. The total amount of the allowance shall be calculated by multiplying the daily allowance amount by number of working days falling into the leave period. The family receives a lump-sum allowance at the child’s birth in the amount established by legislation. If mother is not employed after the child’s birth or if the child does not have mother for any reason, the allowance is paid to working father.

142. In cases where two or more children are born, the amount of the allowance will correspond to the number of born children. Payment of the childcare allowance to working mothers will continue until the child is three years old after formalization of partially paid leave following the period of pregnancy and childbirth leave.

143. The period of the partly-paid social leave for caring for the child, paid until the child is three years old, will be calculated starting from the day following the end of the pregnancy and childbirth leave. This being the case, the mother may choose to use the leave in full or in parts.

144. The childcare allowance paid for care of a sick child below 14 years of age shall be paid for duration of the child’s sickness regardless of whether he is subjected to inpatient or outpatient treatment. The allowance for the care of a sick child is paid to the child’s mother (father) or other persons caring for the child.

145. The allowance for the care of a child below 18 years of age with health limitation infected with HIV or suffering from AIDS is paid to one of the parents or to other person caring for the child for the whole of the period for which the child needs care.

146. In cases where non-working mothers cannot care for children, the allowance for temporary disablement is paid to persons caring for the child until he is three years old or caring for the child with health limitations until he is 18 years old.

147. In the event that a parent takes leave to care for a sick child older than 14, a care allowance is payable for seven calendar days. In the event that a sick member of the family needs care for more than 7 calendar days, allowance may be paid for the period exceeding 7 calendar days in exceptional cases depending on the severity of the sickness or domestic conditions.

148. Pursuant to Decision No. 189 of the CMAR, parents have the right to take leave from work.

Standard of living and measures (art. 27, paras. 1–3)

149. As a result of the focused policy implemented in years 2007-2016, poverty level in our country was reduced from year to year and fell down to 5.9% (2016) from 15.8%. In

2017, the living wage was established at the level of 155 manats, which exceeds the level set for 2016 by 14.0%. It is reported that in accordance with the Laws “On Living Wage” and “On the Targeted Social Aid” the need criteria will be increased on a step-by-step basis to match the level of living wage. The amount of the need criterion used in calculation of targeted social aid for low-income families was set as equivalent to 74.8 % of the living wage, which corresponds to 116 manats. This is only one of practical measures implemented by the state toward improvement of social status of low-income families.

150. With the purpose of improving the living conditions of people, create conditions for providing the citizens of Azerbaijan with subsidized housing, meeting the demand for housing that is increasing against the background of population increase, and especially for solving the housing problems of low- and middle-income families and young families, the State Housing Construction Agency (MIDA) was established under the President of the AR by the Presidential Decree No. 858 dated April 11, 2016.

151. “ABAD” Public Legal Entity was established under the State Agency for Public Service and Social Innovations under the President of the AR (“ASAN Service”) by Decree of the President of the AR dated 23 September 2016 aiming to ensure active participation of citizens in the socio-economic development of Azerbaijan, promote small and medium sized enterprise’s development, provide additional support for increasing the employment rate and support formation of businesses based on family labor. “ABAD” Centers render to the family businesses the services in such fields as business planning, marketing, branding and design, along with financial and accounting services and legal assistance.

152. In accordance with the instructions of the President of the AR, 41 400 job seekers were provided with jobs by means of 8 employment-promoting events. As a result of further development of non-oil sectors and entrepreneurship activities during 2017, new jobs were created along with ensuring the implementation of the Order of the President of the AR “On additional measures to ensure self-employment of population” dated April 7, 2016. Thus, assets were purchased and handed over to 1281 families whose business plans received positive assessment. 311,156 persons were engaged in paid public works, 3,561 persons participated in vocational training courses, while 12,996 persons acquired the status of unemployed and 14,823 persons started to receive unemployment benefits.

153. Azerbaijan joined Sustainable Development Goals approved for 2016–2030 in the Sustainable Development Summit of the states-members of UN held on September 25–27, 2015. These goals include 17 Sustainable Development Goals and 169 targets.

154. A National Coordination Council for Sustainable Development was established in Azerbaijan by Decree of the President of the AR dated October 6, 2016. According to this Decree, fulfillment of the functions of the Council is vested in the Ministry of Economy. The Secretariat of the Council was established and began its activities within the said ministry to this end. The Council organized field working groups with the aim to ensure the fulfillment at the highest level of all corresponding functions of relevant government authorities related to issues arising out of the document called “Transforming our world: the 2030 Agenda for Sustainable Development”

155. The Law “On targeted social aid” was adopted on January 1, 2006 and first introduced in July of the same year with the aim to ensure provision of state assistance to low-income families. Social allowance is granted for 2 years starting from the first day of the month when the application was made. At the end of this period the low-income family will be entitled to apply once again for social allowance.

156. In 2017, 132 368 low-income families on the average (total number of family members – 558 133, children - 268 847) were receiving state social allowances.

VIII. Education, leisure and cultural activities

The right to education (art. 28)

157. The level of education quality is determined in accordance with the system of corresponding quality indicators (educational programs – curricula, the readiness level of matriculates, material and technical foundation, infrastructure, information resources,

professionalism and scientific-pedagogic level of educators, progressive teaching technologies, etc.) by each academic level, having adjusted to the principles of international and European education systems under the national educational standards adopted in the country.

158. Annual expenditure on mandatory education amounted to an average 1001.5 million manats. It is forecast that this amount will be increased by 10% percent next year.

159. Share of children involved in preschool education at the country level is 14.2%.

160. Since 2016, with a view to improve the quality of primary education, school preparation groups are being established in state-run general education schools financed from the State budget. Currently, 65 percent of children aged 5 are involved in preschool education in such groups.

161. With a view to provide children with the opportunity of receiving education which corresponds to their abilities, a pilot project had been implemented since 2011 for subject-focused education in general secondary education. Subject-focused education at the secondary education level became a common practice since 2016. Currently, 30% of the students of 10th grade are engaged in focused education in the subjects of their own choice.

162. A General Education Information System was developed with the aim to ensure accessibility of data on general secondary education and provide input for decision making. All data on general education schools, learners, pedagogical and administrative staff members are entered into this database. Key countrywide indicators for general education secondary schools are given in Table 17.

163. Azerbaijan is expanding the opportunities for receiving vocational training and supporting the rights of children to receive education on equal and fair terms without any form of discrimination, acceptance of documents from the persons intending to receive vocational training at the State's expense is carried by "ASAN Service" Centers of the SACSSI under the President of AR.

164. In 2017-2018 academic year more than 11 thousand students entered primary vocational-specialized education institutions via electronic admission system. Persons submitting documents to primary vocational-specialized education institutions are entitled to select 10 specialties. Students are accepted on the basis of the education certificate and taking into account GPA.

165. Regular Open Days and visits of general secondary school students are organized to primary vocational-specialized education institutions in order to raise awareness of the students and ensure accessibility. At the same time, brochures and booklets are printed and distributed at various events (exhibitions, workshops, info-tours and etc.) as a part of professional orientation activities to provide information on the opportunities to receive vocational training.

166. Currently, work is done for development of a Higher Education Information System with the aim to ensure the accessibility of higher education.

167. Expansion of the network of general education, primary vocational and higher education institutions, opening of new education institutions, especially commencement of activities of new institutions in the regions of the country has greatly increased educational opportunities.

168. In accordance with the Action Plan for implementation of the "National Strategy for the development of education in the AR", draft Azerbaijan "National Qualifications Framework for Lifelong Learning" was developed and submitted to the CMAR for approval.

169. Within the framework of the Project "Support to the Ministry of Education of the AR for further adherence of the higher education system to the European Higher Education Area", assessments were carried out in 3 pilot higher education institutions (Azerbaijan Technical University, Azerbaijan State University of Economics and Azerbaijan State Pedagogical University) in accordance with the "Standards and Guidelines for Quality Assurance in the European Higher Education Area". The results of these assessments were analyzed and corresponding reports were developed.

170. In development of quality standards, the experience of advanced countries (Finland, Estonia, Australia, England and etc.) was studied and assimilated. Quality standards for relevant levels of education were developed with due consideration of applicable Azerbaijani legislation. The requirements of European Quality Assurance System (EQAS) were accepted as the basis for development of the quality standards. Concepts for evaluation of the quality at different levels of education also were defined on the basis of EQAS.

171. The quality standards for every level of education were developed taking into account the level of satisfaction of the learners with physical environment of educational institutions and education services as well as how their needs are met by these institutions. - Main objective of the quality standards is to evaluate how the process of education serves the interests of the learners and how it contributes to their development.

172. The importance of ensuring the participation community representatives and education experts in evaluation of the activities of education institutions also is noted. Ministry of Education and financial regulatory institutions (Chamber of Accounts of the AR, Ministry of Finance) carry out regular monitoring, audits and inspections to identify hidden costs and combat possible cases of corruption, and perform remedial actions and activities aimed at efficient and reasonable use of allocated funds.

173. Starting from 2014, diagnostic assessments of secondary school teachers were carried out. Salaries of approximately 150,000 students were increased as a result of these assessments. Currently, the average salary of secondary education school teachers is 465 manats. Teachers participate in three qualification upgrading training modules:

- Training on common basis of professional activities;
- Training on specialty areas;
- Training on innovations.

174. Programs on various themes corresponding to training needs of educational workers are developed and implemented within the framework of said modules. According to a previously adopted procedure, teachers were obliged to participate in 102-200 hour refresher trainings every 5 years. Currently, transformation to module-credit system is being carried out in compliance with the requirements of National Strategy for the development of education in the AR.

175. In 2014, 120-hour subject-related trainings were organized for teachers who showed poor results according to the analysis of diagnostic assessment results. These trainings covered more than 6000 teachers of the schools of Baku city and 9 regions with poor assessment results.

176. In summary, the priority given to implementation of curriculum and ICT Literacy programs is currently being shifted to skills-focused programs that aim to develop learning and teaching skills. New programs are being developed and tested on a continuous basis.

177. It is planned to introduce amendments to the Education Law of the AR and involve the learners in certification activities every five years with the aim of assessing the level of professionalism and competence of educators in state general education institutions. For this purpose, draft amendments to the Law and certification rules have been developed and submitted to the CMAR.

178. Institute for Professional Development of Education Workers organizes in-service teacher trainings in collaboration with higher and supplementary education institutions. Currently, school-based in-service teacher trainings are being tested.

179. In 2015-2017, a program for teachers was developed on the topic “Democratic Citizenship and Human Rights Education (EDC/HRE) in Eastern Partnership countries” which is a joint project of the Council of Europe and European Union.

180. In 2016-2017, UNICEF provided scientific and methodological support to Institute for Professional Development of Education Workers in development of the “Methodology of organization of the works in school preparation groups” and material support in organization of trainings.

181. Education resources of EC, UNESCO, UNICEF and other international organizations are widely used in these activities.

182. In April and May of 2016, the main stage of the PIRLS 2016 survey was implemented in general education schools. 170 general education schools for the survey were selected on a random basis. The results of the PIRLS survey show that the reading skills of Azerbaijani students increased by 10 points (from 462 to 472 points) from 2011 to 2016.

183. Azerbaijan is going to participate in another survey program called TIMSS 2019 (Trends in International Mathematics and Science Study). It is an international Mathematics and Natural Sciences Assessment Program. Currently, preparations are made for the main stage of the survey to be implemented in 2018.

184. In 2015, Ministry of Education of the AR in conjunction with UNICEF carried an evaluation of the efforts spent in the field of inclusive education and analyzed relevant international experience. As a result, organization of education of persons with disabilities was taken to the next level.

185. This stage envisages the implementation of fundamental reforms, revision of the rules for involvement of disabled children in education, and their engagement in inclusive education in general education schools, and employment of new approaches to inclusive education.

186. President of Azerbaijan has issued an order on approval of the “State Program on Development of Inclusive Education for People with Disabilities in 2018-2024” by Order dated December 14, 2017 with the purpose of ensuring the education of the persons with health limitation in an inclusive environment. The Program aims to engage the persons with disabilities in all stages of education and ensure the creation of an environment free of any obstacles in this regard. The State program provides for implementation of the following measures:

- Improvement of existing legislation in order to ensure the engagement of the persons with health limitations at all levels of inclusive education;
- To take relevant measures for adapting the educational institutions and academic programs to special needs of persons with health limitations;
- Training of teachers or engaging teachers in qualification upgrade courses in connection with organization of education of persons with health limitations;
- Creation of a database on persons with health limitations engaged in inclusive (integrative) education;

187. Carrying out promotional and awareness-raising works in conjunction with relevant governmental bodies for better engagement of persons with health limitations in education and explaining the importance of social inclusion.

188. In 2015, the Ministry of Education, in cooperation with the UNICEF, launched the Project “Implementation of the inclusive education at the primary education level” with the aim to engage CWD in education at general education schools. Two experimental schools of Baku city in academic year 2015-2016 and two more in academic year 2016-2017 were selected for implementation of the Project. As a continuation of the project, 40 persons with health limitations have been involved in inclusive education at 4 pilot schools covered by the Project in academic year 2017-2018.

189. The followings measures were implemented in selected pilot schools for organization of education of the persons with health limitation in an inclusive environment:

- 40 children have been involved in inclusive education within the framework of the Project.
- An inclusive education-related training trip to Germany was organized for Directors, teachers of experimental classes and education specialists of the pilot schools.
- They participated in two-week trainings conducted by faculty members of Oldenburg University, Germany.

- The needs for adaptation of the infrastructure were identified, the schools were evaluated on an individual basis against feasibility criteria, a reconstruction plan developed and repair works were carried out.
- Within the framework of the Project and for the first time in Azerbaijan, there was carried out the evaluation of the special educational needs of children with health limitations by German specialists and special education specialists of the schools using non-verbal tests.
- An Individual Education Plan was developed for the children brought to inclusive education in accordance with the results of the evaluation. This Education Plan is updated every three months.

190. As a part of the activities for execution of the project “Implementation of inclusive education at primary education level”, the model of organization of inclusive education will be introduced for large scale implementation towards the end of the next academic year. To employ a comprehensive (systematic) approach to the issue, the reforms have been started aiming to improve teacher training in the field of special education. A new department of corrective pedagogy was established in Azerbaijan State Pedagogical University.

191. Republican Medical, Psychological and Pedagogical Commission carried out monitoring of the activities of local commissions. Composition of these commissions was changed based on the results of the monitoring. Members of newly established commissions receive trainings for enhancement of their knowledge and skills in relation to survey of children with health limitations, adaptation of the infrastructure, and determination of required training equipment and organization of special education.

192. Draft amendments to the Law of the AR “On education of the persons with health limitations (special education)” were prepared and submitted to CMAR. The proposed amendments define as the target group of special education not only the persons with disabilities, but also all persons who experience difficulties in receiving general education curriculum due to individual properties. Terminological changes were made to the proposed supplements to draft laws which stipulate a shift at the conceptual level from medical towards social model of the special education. This draft document also includes proposals for replacement of medical diagnoses and terms with pedagogical and psychological terms. 10,010 children with health limitations are involved in special education in current academic year 2017-2018, where 6401 of them receive education at home and remaining 3609 - in special education facilities.

The aims of education (art. 29)

193. Full and comprehensive development of the child’s personality, talents and mental capacities is established as the main principle of the State’s educational policy (Article 3) and main objective of education (Article 4) by the Education Law of the AR. These principles and objectives determine the main directions of the activities of educational institutions.

194. One of the key objectives of education in the AR is training education specialists who protect national, moral and universal human values, possess a comprehensive worldview, and are able to evaluate and appraise initiatives and innovations, possess theoretical and practical knowledge, have modern habit of thought and competitive capabilities. The principle of national consciousness and secularism – establishment and development of a secular education system on the basis of protecting national and universal values, and ensuring their dialectic harmony is defined as a key principle of the State’s education policy. Corresponding standards have been developed in relation of different subjects taught in general education schools for implementation of these objectives and principles. Currently, the education process is being conducted on the basis of said standards.

195. Application of democratic procedures in the schools, cultivating in children culture of peace and the values that exclude violence, promotion of respect for environment is included in the content of the “State Standards and Programs (Curriculums) of General Education Level” as skills cultivated in the students as a result of teaching of different subjects.

Children of minorities (art. 30)

196. According to the Education Law of the Republic of Azerbaijan (Article 7: Language of Study), the language of instruction in educational institutions of the Azerbaijan Republic is the state language – the Azerbaijani language. Further, subject to different circumstances stipulated by the same Law, the instruction can be delivered in other languages under respective state standards of education on condition that the Azerbaijani language, literature, history, and geography will be instructed, as well.

197. Lezghian, Talysh, Hebrew, Avar, Tsakhur, Udi, Kurdish and Khynalug languages are taught in various general secondary education schools in a range of the regions of Azerbaijan. According the academic programme approved by the Ministry of Education, two lesson hours are allocated weekly for teaching of each of these languages. Lezghian language is taught in the grades from 1 to 9, Hebrew – from 1 to 11 and other languages – in the grades from 1 to 4. Languages of ethnic minorities are taught to 37222 students of 354 general education schools located in areas with high concentrations of such ethnic communities. School preparation groups are organized for children representing the ethnic minorities who reach the school age in areas with high concentrations of ethnic minorities. More information is given in the annex 6.

Rest, play, leisure, recreation and cultural and artistic activities (art. 31)

198. With a view to the rational organization of children’s leisure and recreation and providing them with opportunities for cultural and creative activity, the State established and is operating an extensive network of out-of-school institutions and sporting and cultural establishments for children and young people, as well as other places of recreation; it also established rules for the use of these facilities free of charge or on preferential terms.

199. The destruction of places used for the organization of out-of-school recreational and free-time activities for children or the use of such places for other purposes is prohibited, except in cases involving construction works of special importance to the State.

200. Physical activity and sports services rendered to children from low-income families, children who loss their parents or deprived of parental care, preschool-age children and children with health limitations in state and municipal physical activity and sports centers are free of charge.

201. Measures were implemented for enhancement of facilities and equipment at children’s libraries and their digitalization. Table 18 shows the number of children’s libraries.

202. Ministry of Youth and Sport has carried out many activities with a view to organize rest and leisure time of children, including recreational and cultural activities. Said Ministry is operating the Republican Vacation and Recreation Center. Over the last 5 years a total of approximately 10 thousand children have benefited from these activities and facilities. Organization of various trainings, camps, intellectual and games has played important role from the perspective of keeping children away from bad habits.

IX. Special protection measures

Refugee children (art. 22)

203. According to Article 11 of the Law of the AR “On status of refugees and internally displaced (persons displaced within the country) persons”, the person applied for the refugee status granting has right: have a temporary residence on the territory of the AR; free of charge use of the interpreter’s service; temporary employment; obtain the medical services; placed and kept voluntarily in the Detention Centers for Illegal Migrants of the State Migration Service in accordance with the procedure established by Migration Code of the AR until the refugee status granting procedure is completed in accordance with the

Migration Code of the AR; free practicing his/her religion; be in touch with the representative of Supreme Commission of UN on refugees.

204. It also should be noted that Article 6 of the same law establishes the following guarantees for refugee children: to get free-of-charge medical assistance and day-to-day goods on favourable conditions at the places or the temporary residence by the elders, children, poor people, and the families who have lost their providers; to educate the children in kindergartens and the teenagers and the youth at relevant educational institutions.

205. As a result of invasion of Armenia followed by occupation of Azerbaijani territories 799 schools, 288 kindergartens, 11 vocational education institutions, 9 specialized secondary education institutions, 1 higher institution, 2 branches of higher institutions were destroyed. 175,600 school and higher education institution students, 19,400 education workers became forcibly displaced persons in their own countries. More than 7500 internally displaced families were placed in educational and housing campus buildings of 9 higher education institutions, 17 specialized secondary education institutions, 48 technical vocational institutions, 850 general education schools and more than 100 kindergartens. Number of internally displaced children from occupied regions aged 1-17 and living in the territory of Azerbaijan, is 244,421.

206. A range of important measures have been implemented with a view to improve the education conditions for children of internally displaced families. Thus, the settlements build for IDPs have new schools, while operation of the schools located in other territories of settlement of IDPs and refugees also was ensured and children from IDP and refugee families are involved in education in these educational institutions. Despite those measures, the right of IDPs to education can be fully exercised only upon their return to homelands.

207. Currently, 44 applicants (67 persons together with family members) are registered with the State Migration Service. 8 of these 67 refugees are children below 18 years of age, two reached 18 and the remaining are over 18.

- 3 of refugee children below 18 years of age are currently placed in kindergarten, four receive education (in schools), while one of them recently completed general education school and is currently preparing for enrolling in a higher education institution.
- 2 refugees below 18 years of age also are preparing for enrolling in a higher education institution.
- 7 persons among the refugees over 18 years of age have graduated from a higher education establishment located in Azerbaijan.
- Only 3 of the refugees over 18 years of age received no education, while the rest of them are with secondary or higher education.

208. According to the amendments to the “Rules to examine the Applications for Refugee Status”, introduced by Decree No. 1257 of the AR dated February 23, 2017 “in cases of identification of persons under 18 years of age, who entered the country unaccompanied or become unaccompanied after entering the country, such persons shall be referred to guardianship and trusteeship bodies.

209. The guardianship and trusteeship bodies clarify the fact of entry of unaccompanied persons or becoming unaccompanied after entering the country, and if such persons intend to obtain refugee status, apply to State Migration Service in accordance with the procedure established by these rules.

210. The guardianship and trusteeship bodies place such persons in social service institutions until such time as a decision is taken with regard to granting refugee status. Unaccompanied children living in the country are held equal to parentless children and children deprived of parental care. Their social protection is secured by the State and their rights and interests are safeguarded in accordance with legislation.

211. Persons applying for obtainment of the refugee status through State Migration Service (and their family members) and the persons, who received the refugee status without a place of residence, are placed on a voluntary basis in the centers for detention of illegal migrants, located in cities of Baku and Yevlakh.

212. Persons seeking asylum and their family members are provided in these centers with accommodation, three meals a day and other services. Necessary conditions are created for them to study Azerbaijani language, enjoy leisure time and hold religious ceremonies. There are game halls in the rooms allocated for children, equipped with sports equipment, toys, children books, paint sets, a TV and other recreational equipment. Children here may play and entertain themselves in an outdoor sports playground.

213. The right of the asylum seekers placed in the centers to leave them is secured. Persons placed in the centers have the right to call directly the Ombudsman at any time by dialing certain phone numbers with regard to issues of concern. National Preventive Group of the Ombudsman's administration carries out regular monitoring with regard to protection of human rights of the placed persons and inspections with the aim to examine detention conditions.

214. In accordance with relevant provisions of the Migration Code, the asylum seekers have the right to possess and use their own personal belongings, including clothes and footwear; be provided with clothing suitable for climate conditions free of charge in case they do not have suitable clothing; purchase and obtain via the staff members of the centers food products and other necessary goods; and go for a walk every day. Asylum seekers are free to use the bath and laundry operated within the center's premises.

215. The refugees registered with the State Migration Service, the persons applying with the statement for obtaining the status of refugee as well as the persons under guardianship of UN High Commissioner for Refugees and their children are entitled to receive water, sanitation, education, medical assistance and language courses free of charge. Details are provided in the annex 7 of this report.

216. Within the framework of collaboration and information exchange with relevant structural units of the Ministry of Internal Affairs, applications were dealt with regarding 61 minors entering Azerbaijan in the years 2014 - 2017 from Russian Federation, Ukraine, Turkey, Kyrgyzstan, Belarus and Moldova, who were registered by law enforcement and social service authorities of these republics as homeless or socially vulnerable children living apart from their legal representatives or biological parents. 26 of them were handed over to their legal guardians living in these countries based on the identification documents presented by the Ministry. In connection with 12 of these children it was decided to place them under the care of their biological parents pending relevant court decision, while 23 children were placed in State child institutions upon drawing up relevant documents establishing their citizenship status and social origin.

Child labour (art. 32)

217. Exploitation of children, including the induction of children into vagrancy or begging creates certain responsibility. Thus, such acts are punishable through penalty of a fine or administrative arrest pursuant to the following Articles of the Code of Administrative Offenses: Article 192.8 (Engagement by an employer of persons under 15 years of age in labor activities), Article 192.9 (Engagement of children by an employer in activities that may endanger the life, health or morals of children).

218. The SCFWCA and MLSP jointly implemented the "Joint Action Plan for Prevention of Child Labor Exploitation (2013-2015)" with the aim of preventing the exploitation of child labor, identification of cases of child labor exploitation and protection of the rights of children facing such challenges. According to said Action Plan, the SCFWCA organized in 2014 regional trainings for regional representatives of State Labor Inspectorate, police inspectors working with minors and the officials of the Commissions on Affairs and Protection of Rights of Minors under local executive authorities. At the same time, a booklet called "Your Labor Rights" was published and distributed to educational institutions and specialists engaged in activities related to child homelessness. A research on the situation with child labor was conducted in 2015, covering the whole country. The research involved monitoring activities carried out in public catering enterprises and households jointly with city and regional executive power authorities. Visits were made in 2016 to the regions where the facts of child labor exploitation were registered. Said visits led to significant reduction in the number of exploited children in these territories (34 cases

in total). Strengthening of control measures and carrying out preventive works with families resulted in significant progress in this field.

219. In accordance with the Decision No. 147 of the CMAR dated April 12, 2017 “On the issues regarding establishment and operation of social service centers within the State Social Protection Fund under the MLSP”, there were established social service entities within the State Social Protection Fund under the MLSP as “Social Shelter and Rehabilitation Center for homeless, ownerless children being in a socially dangerous situation”. The objective of the creation of said Center was to carry out social rehabilitation of the persons falling into said categories within the terms established by applicable legislation and ensure normal living, provision of social-domestic, social and legal assistance and other social services to them, including organization of trainings with the aim to develop in them certain professional and labor skills.

Use of children in the illicit production and trafficking of narcotic drugs and psychotropic substances (art. 33)

220. There are organized and carried out activities on an annual base with a view to improve the efficiency of preventive measures implemented among the narcotics and psychotropic substance abusers and increase the professional competence of the persons implementing said measures. Thus, workshops were organized in 2017 in “Khazri” Health and Resort Center of the MIA for officials of republican criminal investigation officers, responsible persons on duty, local police inspectors, and officers of the Service for Preventive Activities among Young People within the framework of the refresher courses. Also, there were organized workshops in general secondary education, specialized secondary education and higher education institutions of Baku city and more than 30 cities and regions of the country with participation of Deputy Directors of Education, psychologists and medical personnel. Data on narcotics-related crimes are included in the information presented in Table 19 on crime rates among children aged 14-17.

Sexual exploitation (Article 34)

221. Rehabilitation of children exposed to sexual abuse is carried out by NGOs as commissioned by the MLSP. The Centers of Support for Children and Families under the SCFWCA carrying out their activities in the regions also implement relevant rehabilitation measures with regard to such cases. In 2017 these centers performed rehabilitation works in connection with 7 cases of sexual violence and abuses of sexual nature and prevented 2 early marriages.

Sale, trafficking and abduction (art. 35)

222. Azerbaijan has developed the Action Plan that provides for continuous educational, training, awareness-raising and information measures in the field of sale and abduction of children. This action plan draws upon the principles of the combat against human trafficking, including the implementation of relevant legal, political, social, economic and organizational measures. Awareness-raising workshops were held in all education institutions of the AR according to this Action Plan with participation of the representatives of mass media and executive authorities, healthcare professionals, local entrepreneurs and the officials of transport, education, social service and employment centers and NGO representatives. 4800 booklets published by the MIA were distributed among the workshop participants. These events involved presentations and statements by the participants on such topics as “We will not be the victims of human trafficking”, “Protection of children in education and training institutions against human trafficking and child labor exploitation”.

223. A unified database was developed in the Main Department on Combating Trafficking in Human Beings of the MIA for registration and use of the data collected in the process of investigation of human trafficking crimes. The database is used also for keeping the records regarding children-victims with due consideration given to the principle of confidentiality.

224. Number of children-victims of trafficking in 2012-2017 was only 5. There were not identified any children-victims of human trafficking in years 2016-2017. As can be seen from the above, exposure of children to human trafficking is not typical for our country.

225. However, prevention of exposure of children to human trafficking is reflected in Decision No. 37 of the CMAR dated 06/02/2014 on approval of the "Program for Social Rehabilitation and Reintegration into Society of Children -Victims of Human Trafficking.

226. Annual report on the activities against human trafficking carried out in AR is presented every year at the country's Parliament by National Coordinator for combating human trafficking, Deputy Interior Minister and taken into account in adoption of relevant decisions. The information contained in the report is published in mass media and results in wide public discussions. At the same time, this annual information is submitted to Ombudsman and Head of State and placed in official Internet pages of Parliament and Main Department on Combating Human Trafficking of the MIA.

The administration of juvenile justice (art. 40)

227. Conditional early release of minors condemned to corrective works, restriction of freedom or imprisonment may be carried out after they serve: not less than one third of punishment term appointed for a crime, not representing big public danger or less serious crime; not less than half of punishment term appointed for serious crime; not less than two thirds of punishment term appointed for especially serious crime.

228. Deserved part of the penalty of the minor condemned to imprisonment for the crimes not representing a big public danger or less serious crimes in accordance with provisions of the Criminal Code may be replaced by a court decision with any form of mitigate kinds of punishments stipulated in Article 85.1 of this Code subject to his/her behavior during the time of serving or the punishment. In such case the person can be fully or partly released from serving and from additional punishment.

229. Kinds of the punishments appointed to minors are as follows: penalty; public works; corrective works; restriction of liberty for a certain term; imprisonment on a certain term. The penalty shall be appointed only at presence at a minor, who is condemned, of independent earnings or property on which collecting can be inverted. The penalty is appointed at a rate up to 600 manats. Public works shall be appointed for the term from 80 up to 320 hours, and consist of the works, feasible for the minor condemned in free from study or basic work time. Duration of execution of the given kind of punishment by persons in the age of till fifteen years cannot exceed two hours per day, and persons in the age from 15 till 16 years - three hours per day. Corrective works shall be appointed to minor condemned for the term from two months up to one year. In this case from earnings of condemned shall be made deduction to state at a rate, established by a decision of court, in limits from five up to twenty percents. Restriction of liberty can be appointed to minors for the term from two months to two years. Imprisonment can be appointed to minor condemned for the term not over ten years.

230. Minors condemned shall serve time in the following educational establishments:

- Minor girls, and also minor boys condemned for the first time to imprisonment - in educational establishments of the general mode;
- Minor boys, earlier punished to imprisonment - in strict-regime educational establishments.

231. Restriction of leisure and an establishment of special requirements to behavior of the minor can provide an interdiction of visiting to certain places, as well as of a certain forms of leisure, including management of a mechanical vehicle, restriction on living outside of a house after certain time of day, departure to other districts without a permission of the appropriate state body. Minors also can be assigned with duty to continue education or to be employed with the help of the appropriate enforcement authority. Restriction of leisure and an establishment of special requirements to behavior of the minor can provide, and other measures.

232. The court can release from punishment a minor condemned for commitment of less serious crime if recognizes, that a purposes of punishment can be achieved only by his

premise in the educational or medical-disciplinary establishment provided for such persons. In this case the minor stays the provided establishments until he/she reaches 18 years of age, but not longer than three years in any case.

233. Condemned minors are held on the education institution located in Baku city and Nakhchivan mixed-type penitentiary institution located in Nakhchivan city. In addition, it is envisaged to hold these persons in new penitentiary institutions of Baku, Ganja and Lenkoran cities, which currently are in the process of construction.

234. UNICEF, which is the key coordinator of Juvenile Justice reforms, has implemented programmes in cooperation with republican government during the period of its activities in our country (2014-2015 and 2016-2017).

235. Specialists were recruited to work in Child-friendly rooms at police stations (subject to maintaining the control over individual preventive works with minors). During the period of their activities, legal representatives of minors in conflict with law or living in socially dangerous situations were invited to these community-based rooms at police stations.

236. In many districts of Baku and regions of Azerbaijan, covered by the pilot project implemented within the framework of the Joint Action Programme, the works carried out were kept under control and children from the risk groups and their families benefited from various forms of assistance.

237. 19,259 accused persons were kept in 71 temporary detention places under the MIA. 141 of these were minors.

238. In accordance with Article 5.2 of the Law of the AR "On the rights and freedoms of individuals kept in detention facilities", the detained persons cannot be kept in the place of temporary detention for more than 7 days, on the basis of the court decision when being sent to the prison according to the sentence, which entered into force or other final decision of the court or abolition of substituting one punishment to another or of conditional conviction or early release. In other cases not more than 48 hours if during this period there is no court decision about choosing remand detention as a restrictive measure.

239. The accused against whom the court issued a decision on detention on remand shall not be kept in the temporary detention facility for more than 24 hours from that moment and should be transferred to the investigation isolator before this period elapses. This period shall not include the transportation time to the investigation isolator.

Children in conflict with the law, victims and witnesses (37 (b and d), 37 (a))

240. According to the Article 57.2 of the Criminal Code, life imprisonment is not appointed to persons, who at the moment of commitment of the crime were below 18 years of age.

241. Pre-trial proceedings for the crimes committed by children are carried out only in the form of preliminary investigation. The application of custodial measures of restraint against children is only permitted in cases involving the commission of less serious, serious and especially serious offenses. A penalty involving deprivation of a child's liberty should be applied only after meticulous examination of the matter and should be reduced to the minimum wherever practical.

242. Except otherwise required by the interests of convicted children, their detention with adults is prohibited. Children subjected to penalty of deprivation of liberty are detained in educational institution in accordance with the procedure established by Penal Enforcement Code of the AR.

243. Management of the educational institutions for detention of children should create conditions necessary for formation of children as conscientious and dignified personalities and cultivation of relevant educational and professional skills in children.

244. Children deprived of liberty may on their written request or on the request of their close relatives or their legal representatives be accorded access to a lawyer or other persons entitled to render legal assistance with a view to receiving legal assistance.

245. 1268 minors were convicted from 2013 to the end of the first half of 2017. 369 of them were condemned to deprivation of liberty for a certain period, 393- subjected to penalties, 91- to corrective works and 12- to public work, while remaining 403 were subjected to conditional condemnation. 16 among the (6%) were convicted for repeated commitment of crimes.

246. There were not registered any cases of torture, inhuman and degrading treatment against minors kept in temporary detention places. Numbers of children below 18 years of age found guilty by the court, condemned to conditional punishment or to alternative punishments without deprivation of liberty were as follows: 94 in 2012, 57 in 2013, 57 in 2014, 61 in 2015, and 45 in 2016.

247. Decree of the President of AR dated February 10, 2017 aims to improve penitentiary activities, humanize the penalty policy, and expand the coverage of alternative penalties and procedural coercive actions not involving isolation from society. This Order is considered to be an important document in terms of liberalization of penalties in Azerbaijan, correction of offenders without isolation from society, improvement of the right of freedom and principle of respect for a person.

248. Ministry of Justice has established the Probation Service for the purpose of organization of effective control over the punishments that do not require removal from society and improving the efficiency of the management activities in this direction. A joint collaboration project of the Ministry of Justice and European Union is being implemented with regard to probation services. The project provides for training of specialists in relevant fields.

Physical and psychological recovery and social reintegration (art. 39)

249. Ministry of Labour and Social Protection carries out the projects aimed at rehabilitation and reintegration of socially vulnerable children. Such projects implemented in 2014, 2015 and 2016 covered 500, 450 and 468 socially vulnerable children accordingly.

250. Within the framework of its cooperation with the Ministry of Justice, the SCFWCA organizes regular events in the Correctional Center for Juveniles of the Penitentiary Service of the Ministry of Justice. Work is being carried out within the framework of these events focusing on: reintegration of children detained in this institution into society; efficient organization of their leisure time; raising their interest in reading and sports; enhancing their world view and intellect; physical development and formation of healthy lifestyle habits; organizing their meetings with parents; to learn more about their needs; and awareness raising. Education of children in Correctional Center for Juveniles of the Penitentiary Service on their rights and duties on a regular basis, taking measures focusing on efficient use of their leisure time plays an important role in their reintegration into society upon leaving the institution.

X. Optional Protocol to the CRC on the sale of children, child prostitution and child pornography

251. According to the law “On Fight against Human Trafficking”, a system of activities on prophylactics of human trafficking shall include the following: strengthening legal and social protection of women and children; establishing a system of social, legal, pedagogical and other measures directed at discovering and eliminating reasons and grounds leading to children being abandoned or uncared for and effectively using them; discovering children deviating from education, upbringing them and taking measures to provide them with education; preparing and implementing special programs within educational institutions, orphanages, boarding schools and other bodies and institutions carrying out prophylactics of abandonment and delinquencies of minors; organizing specialized educational courses for the personnel of the bodies fighting human trafficking.

252. In Azerbaijan, restoration of the rights of children-victims of human trafficking, their social rehabilitation and reintegration into society is carried out in accordance with applicable legislation. In carrying out the social rehabilitation of human trafficking victims, due consideration is given to the age, sex and needs of the victims, including their need for

shelter, education and care. The best interests of children-victims of human trafficking should be set as priorities in the process of assistance. The quality of the services rendered to these children depends on evaluation of educators' qualification is organized at the time of recruitment and organization of upgrading of their professional skills during the employment period. The centers of assistance engaged in social rehabilitation of children-victims of human trafficking develop individual rehabilitation plans.

253. According to the "Rules for placement and maintenance of children who are the victims of trafficking in human beings in shelters", placement and maintenance of children in shelters is carried out on the basis of the principles of voluntarism, confidentiality, and individual approach, protection of the victims' interests, ensuring their safety, equality, and respect for victims, urgent assistance and free-of-charge aid.

254. Shelters and assistance centers shall immediately inform guardianship and trusteeship body and the Commission on issues of minors and protection of their rights about the child who became a victim of human trafficking. Statistical data on children – victims of human trafficking are presented in Cluster X (Article 35).

255. Guardianship and trusteeship body and the Commission on issues of minors and protection of their rights shall take measures for the protection of rights and interests of the child in accordance with the legislation of the AR. If it is impossible to determine the exact age of the person who is being accepted for a shelter and if there is an assumption that the person is under 18, he/she shall be considered as a child. The children shall remain in shelters for 60 days. The period for sheltering can be prolonged on the basis of the motion of the special police agency, guardianship and trusteeship body or the Commission on issues of minors and protection of their rights. When accommodating children in shelters and prolonging sheltering period an opinion of children above 10 shall be asked about it and taken into account. As a rule, children shall be sheltered separately. Taking into account interests of the child, he/she can also be accommodated together with the parents (except the cases when there is an assumption that the parents are the reason for the child to become the victim of human trafficking) or other individuals who can have positive influence on the psychological condition of the child. Children accommodated in shelters shall have a possibility to continue their education and to contact their parents (except the cases when there is an assumption that the parents are the reason for the child to become the victim of human trafficking).

256. If a child who became a victim of human trafficking is not aware of his parents' whereabouts or is deprived of parental care, state bodies fighting human trafficking shall take measures to search the parents or to determine guardianship and trusteeship body.

257. Assistance Fund for victims of trafficking in human beings is established and carries out its activities in accordance with the "Regulations on the Assistance Fund for victims of trafficking in human beings" approved by Decision No. 8 of the CMAR.

258. It also carries out promotional campaigns in mass media to raise funds on a voluntary basis and allocates received funds for the purpose intended. In fulfillment of its duties the Fund works in coordination with state bodies and non-governmental organizations and presents reports on its activities. According to Chapter 5 of the Regulations, the money accumulated in the Fund is expended on payments made to the victims of human trafficking, their social rehabilitation, covering healthcare and other expenditures of such persons and compensation of material and moral damage incurred by the victims of human trafficking.

259. Article 19 of the Law "On Mass Media" stipulates that in cases of publication (broadcasting) of pornography the Ministry of Internal Affairs (MIA) and State Security Service of the AR are entitled to initiate legal action with the aim to end production and publication (broadcasting) of such materials.

260. According to Article 60 of the same Law, in cases where the editorial staff (editor-in-chief) of mass media organizations give publicity to (or broadcast) pornographic materials, they shall bear civil, administrative, criminal and other types of responsibility.

261. Article 13-2.3.6 of the Law "On Information, Informatization and Protection of Information" an owner of information resources and their domain names should refrain from placement in such resources of any information dissemination of which is prohibited, including pornography and child pornography.

262. According to Article 171-1 of the Criminal Code, manufacturing, acquisition or possession of child pornography with a view to distribute, advertise, sell, transmit, send, propose such materials, and create conditions for their acquisition creates criminal responsibility.

XI. Optional Protocol to the CRC on the involvement of children in armed conflict

263. No cases of involvement of children in armed conflicts were revealed in the reporting period.

264. Currently, Azerbaijanis are still being killed along the frontline regions. Although a ceasefire was announced in 1994, the killing of children is still reported. On March 8, 2011, as a result of a fire attack by Armenian snipers, Fariz Badalov, 9, on July 14, 2011, Aygun Shahmaliyeva, 13, in April, 2016, 16 year old Turana Hasanli were killed. During 2011-2016, 8 children were heavily wounded.

265. The academic programme of the military schools in Azerbaijan does not provide for direct or indirect participation of the first-year and second-year students in armed conflicts (they do not have military status as they are below 18 years of age). The age limit for enrollment in military schools is 17-20, while only males are admitted. Children undergo medical examinations before finally admitted into the above-mentioned schools and they are required to submit relevant medical certificates issued by a specialized healthcare institution. Academic programme for the military schools contain higher education programmes and the programmes for military occupational specialties. It also provides for teaching courses in theory of the use of firearms. Social protection of the students of the military schools includes the provision of food products, necessary items and allowances along with the entitlement to annual leave and other recreational and rest opportunities.
