



Convention on the Rights of the Child

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Committee on the Rights of the Child

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Implementation of the Convention on the Rights of the Child

List of issues concerning additional and updated information related to the third and fourth combined periodic report of Azerbaijan (CRC/C/AZE/3-4)

Addendum

Written replies of Azerbaijan *

Part I

Reply to the issues raised in part I, paragraph 1, of the list of issues (CRC/C/AZE/Q/3-4)

1. In accordance with the Master Plan on Transformation of State Children's institutions developed with regard to the implementation of paragraphs 12, 13 and 14 of Action plan of the State Program on Transfer of Children from State Children's institutions to Families and Alternative care in the Republic of Azerbaijan (2006-2015), expedient measures are taken on changing types of institutions to be transformed in the course of 2011. A transformation plan was developed for 7 state children's institutions functioning in Khazar and Surakhany districts. In order to transform special boarding school #12 for children with disabilities in Khazar region and special boarding school #7 for children with disabilities in Surakhany district into general schools with inclusive components, general classrooms will be established in those schools starting from a new academic year. In accordance with the Master Plan, alternative services are envisaged to be introduced in boarding school # 14 for children with speech disorders, Goychay city boarding school and Lenkaran city special boarding school for children with disabilities. Ganja city boarding school of sanatorium type and Gusar city boarding school will be transformed starting from a new academic year.

* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not formally edited before being sent to the United Nations translation services.

Reply to the issues raised in part I, paragraph 2, of the list of issues

2. The Ministry of Health of the Republic of Azerbaijan, Ministry of Education, State Committee on Family, Women and Children Affairs (in case of adoption of children who are citizens of the Republic of Azerbaijan by foreigners and persons without citizenship), Guardianship and Trusteeship bodies of local executive power bodies and Commissions on Affairs of Adolescents and Protection of Their Rights (in case of adoption of children who are citizens of the Republic of Azerbaijan by the citizens of the Republic of Azerbaijan) cooperate in the field of adoption.

3. In accordance with the Law on the Rights of the Child, control over observation of children's rights and the organization of the fight against children's negligence are carried out by Commissions on Affairs of Adolescents and Protection of Their Rights under the Cabinet of Ministers of the Azerbaijan Republic, Cabinet of Ministers of Nakhchivan Autonomous Republic and district, city executive power bodies and State Committee on Family, Women and Children's Affairs. Work on mentioned activities is done within the frame of cooperation among concerned bodies.

4. From December 4th 2009 article 51.7 was added to the Family Code of the Azerbaijan Republic by the Law № 924-IIIQD: "51.7-The implementation of Children's rights is under control of the appropriate executive bodies".

5. According to article 51.7 of the Code the powers of the corresponding executive powers are implemented according to the directions defined in the law by the State Committee for Family, Women and Children Affairs, Ministry of Internal Affairs, Ministry of Education, Ministry of Health, Ministry of Labour and Social Protection, Ministry of Youth and Sport, Commissions on the protection of minors and their rights, Guardianship, Custody and foster care agencies at the local executive bodies

6. According to Decree # 317 of the President of the Republic of Azerbaijan of August 13th, 2010 it was assigned to the Cabinet of Ministers of the Republic of Azerbaijan to prepare suggestions on establishment of the control mechanism over the implementation of child rights

7. The State Committee for Family, Women and Children Affairs has submitted regulations for the implementation of the state control over children's rights and proposed them to the government. According to these regulations The Commission on children's rights should be created at the Cabinet of Ministers of Azerbaijan Republic in order to increase the efficiency of the state control, centralization of the control and coordination of the activities of the controlling state bodies. State control on realization of children's rights is accomplished via evaluation of activity of state bodies supervising the realization of children's rights and via provision of monitoring.

Reply to the issues raised in part I, paragraph 3, of the list of issues

8. In order to take measures on the protection and promotion of children's rights, addressing their problems, the Human Rights Commissioner appointed a Counsellor on Child Rights. It should be noted that, afterwards chiefs of ombudsman apparatus regional centres were appointed as coordinators on children's rights.

Reply to the issues raised in part I, paragraph 4, of the list of issues

9. Financial resources allocated from the state budget are envisaged for the building of settlements with necessary social-technical infrastructure or high-storey buildings for the purpose of improving living conditions of refugees and internally displaced persons. In the course of 2001-2011 6 settlements and private houses, 126 secondary schools, 40

kindergartens and 4 music schools were constructed. Besides, refugees and internally displaced children are exempted from the education fee in higher educational institutions.

Reply to the issues raised in part I, paragraph 5, of the list of issues

10. Based on the information collected during assessment of state children's institutions conducted within the frame of the State Program on Transfer of Children from State Children's institutions to Families and Alternative care in the Republic of Azerbaijan (2006-2015), a continuously updated database on children living in state children's institutions under the Ministry of Education was created. In accordance with information included in database, currently 9874 children are enrolled in 46 state institutions; of them 6014 children get education in institutions, while the remaining children get education and live in those institutions. The majority of children staying overnight in institutions go home regularly. The number of children who live in institutions and do not go home is 590. Out of 3860 children staying overnight in institution, 1473 children are children with disabilities. The number of children staying overnight in state children institutions amounted to 4055 in 2008, 3945 in 2009 and 3860 in 2010.

11. According to Article 18 of the Law of Azerbaijan Republic on prevention of domestic violence N 1058-IIIQ of 22nd June 2010 it was supposed to create a data base on domestic violence. By signing the Decree of the President of Azerbaijan Republic N 331 on October 1, 2010 on the implementation of "The law of Azerbaijan Republic on prevention of domestic violence" it was also supposed and ordered to the Cabinet of Ministers to define and set rules for creation of data base on domestic violence. Proposals are being prepared by relevant state bodies.

Reply to the issues raised in part I, paragraph 6, of the list of issues

12. The Government has taken a number of measures in order to protect children from all types of violence. With this purpose, the law of Azerbaijan Republic on prevention of domestic violence N 1058-IIIQ dated 22nd June 2010 was adopted.

13. The law defines and regulates measures realized in the direction of social protection of victims of violence, provision with legal aid, as well as the elimination of reasons of domestic violence. The Draft law on Protection of Children Against All Forms of Corporal Punishment is being discussed by the Government.

Reply to the issues raised in part I, paragraph 7, of the list of issues

14. In accordance with the Law on Education of the Republic of Azerbaijan of June 19 2009 and the Law on Education of Persons with Disabilities of June 5, 2001, every citizen, irrespective of their health capacity, are provided with equal rights in any pillar of education. With regard to the implementation of the Convention on the Rights of Persons with Disabilities, proposals have been developed on making changes on inclusive education to the Law on Education. Based on existing legislation in the education sphere, children with disabilities were involved in the education process at special schools, special boarding schools or homes. In accordance with the results of an assessment carried out in 2008 within the frame of State Program on Transfer of Children from State Children's institutions to Families and Alternative care in the Republic of Azerbaijan (2006-2015), 37.7% of children living in state children's institutions were placed in special boarding schools due to their need for special education.

15. Within the frame of the Development program on organization of education of children in need of special care (2005-2009), the Heydar Aliyev Foundation initiated capital rehabilitation of schools for children with disabilities, orphans, deprived of parental care; new schools were put into operation. Within the frame of Program, 3 pilot projects have

been implemented and are being continued. 17 general schools, 13 preschools educational institutions and more than 200 children with disabilities were involved in inclusive education. Based on the Resolution of the Cabinet of Ministers of the Republic of Azerbaijan, 56 teacher assistant positions were allocated for pilot institutions. Furthermore, methodological manuals on inclusive education were published. In order to expand opportunities for education of children with disabilities, distant education project was approved for the schoolchildren of the 7th grade of Sabayil region school #219; schoolchildren were provided with computers and obtained access to the general network. Within the frame of State Program on Transfer of Children from State Children's institutions to Families and Alternative care in the Republic of Azerbaijan (2006-2015), 7 boarding schools are envisaged to be transformed to general schools with an inclusive component. The Barda city boarding school of mixed type has already been transformed into a general school with an inclusive component.

16. In order to involve children with disabilities together with other children in high quality education in all pillars of education and address obstacles faced by them in society, the Ministry of Education takes measures on the implementation of new projects and programs. With this end in view, based on Order of the Ministry of Education, the Working Group on development of the state program on development of inclusive education was established with the technical support of the United Nations Children's Fund (UNICEF). A developed draft document envisages principles and elements of inclusive education. In order to prevent placement of children with disabilities in institutions, a day-care centre was established under the auspices of Barda city boarding school, Sabunchu district special boarding school #11 and Surakhany district children's home #2 and a rehabilitation-development centre was created under the Republic Auxiliary Boarding school for children deprived of parental care in Khazar region.

17. The Ministry of Labour and Social Protection of Population:

(a) Developed an individual rehabilitation program and mechanisms of its implementation for persons and children with disabilities;

(b) Developed a draft of a State Program for the years of 2012-2015 on strengthening social protection of children from this category;

(c) Facilitates treatment within and beyond the country for children with disabilities based on the opinion of the Ministry of Health Commission dealing with issues on sending citizens to foreign countries for treatment;

(d) Provided technical assistance with regard to the education of children from this category;

(e) Allocated financial resources for the Paralympic and Special Olympic Committees in order to create conditions for their participation in international competitions;

(f) In order to increase attention to and care for children with disabilities in society, with financial support of Labour and Social Protection of Population and organisational support of Heydar Aliyev Foundation and UNICEF, carried out the promotional campaign "Abilities are endless" aimed at prevention of discrimination against children with disabilities; advertisements were placed in the city's major spots, website, Multi-Media disks, booklets and brochures were developed and measures were taken on their distribution among public.

Reply to the issues raised in part I, paragraph 8, of the list of issues

18. In order to enable country's population to live in a healthy environment and ensure efficient utilization of natural resources, the following documents were adopted:

- National Program on ecologically sustainable social-economic development in the Republic of Azerbaijan
- National Strategy and Action Plan on protection and the sustainable use of biodiversity in the Republic of Azerbaijan
- Complex Action Plan on the improvement of the ecological situation in the Republic of Azerbaijan for the years of 2006-2010.

19. In order to ensure protection of environment and improvement of existing situation within the frame of Complex Action Plan, financial resources were allocated from the state budget with the purpose of improving ecological situation in areas polluted with industrial wastes, improving management of wastes accumulated in the cities of Baku and Sumgayit in accordance with a solid waste management scheme and taking other measures.

20. Agencies of the Ministry of Ecology and Natural Resources ensuring protection of the environment carry out control over observation of the requirements of legislation on protection of the environment. Special attention was paid to an expert assessment of the country's regional and international projects requiring large-scale investments; their social and ecological assessment is carried out by taking into account their importance for country's economic development. 85 project documents were returned due to failure to meet environmental requirements and omissions in technical project documents required for expert assessment. The main area of operation of the Ministry of Ecology and Natural Resources is to ensure continuous high quality monitoring of harmful chemical, physical and biological impacts on environmental components such as atmospheric air, water and soil. To this end, the National Environment Monitoring Department under the Ministry and the Centre on Monitoring of Extreme Impacts on Environment under the mentioned department were created and equipped with up-to-date equipment. In order to prevent waterside pollution of the Caspian Sea, the resolution of the President of the Republic of Azerbaijan of June 20, 2007 on a number of measures with regard to the protection of the Caspian Sea from pollution was signed. During monitoring carried out within the frame of the resolution, 341 streams connected to the Caspian Sea were identified; of them 310 streams condition anthropogenic impact on the sea from the direction of shore front, 31 streams exert impact as a result of the operation of entities located in a defined area of the Caspian Sea.

21. One of the most important measures taken on the prevention of negative impact on environment is public awareness work. To this end, articles were published, programs were broadcast on TV and radio channels and cleaning and renovation work was conducted in residential areas on Ecological calendar days (Day of Earth, Day of Environment, Day of Sea etc). Public service announcements on various themes were created with the purpose of the involvement of a wide public in addressing ecological problems.

Reply to the issues raised in part I, paragraph 9, of the list of issues

22. In accordance with the recommendations of the Committee on the Rights of the Child, as well as Human Rights Institutions of the Council of Europe, in order to generalize, analyse criminal cases committed by children and against children, including domestic violence, cases of suicide and attempted suicide, conduct actual assessments of and control over existing situations by taking into account the demographic and criminogenic situation in the regions, starting from 2006 mechanisms on the systematization of relevant indicators were improved and a new database was created. Official statistics on the classification of the mentioned types of crimes, persons committing the crime and crime victims were developed in the databank and forwarded for the implementation.

(a) Measures to address the increasing rates of suicide amongst adolescents

23. It should be mentioned that based on the relevant Order of the Ministry of Internal Affairs, area police bodies conducted inspections with regard to all registered facts of suicide and attempted suicide, defined underlying causes and conditions of cases, analysed results and sent orientation suggestions and recommendations to concerned bodies.

24. In the course of 2008-2010 and during 6 months of 2011 statistics on cases of suicide among children were as follows:

<i>Cases of suicide</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>	<i>2011 (six months)</i>
By children	58	54	57	16
By boys	30	38	37	10
By girls	28	16	20	6

25. The State Committee for Family, Women and Children Affairs (Children and Family Support Centers under SCFWCA) provides awareness-raising campaigns in educational institutions, other state agencies and for families from risk groups, with the participation of psychologists and experts in this field, social reels are presented to the attention of the society.

(b) Measures to effectively monitor and enforce the prohibition of sale of alcoholic beverages and tobacco products to adolescents;

26. Inadmissibility of and preventive measures on cases of use of tobacco products and alcoholic beverages by children, addiction of adolescents to psychotropic and doping substances are carried out in accordance with the Law of the Republic of Azerbaijan on the Rights of the Child (Articles 9, 28) and relevant paragraphs of Decree #2007-110 of the Ministry of Internal Affairs covering obligations pertaining to requirements of that law. The use of children's labour in the production and sale of alcoholic beverages and tobacco materials is prohibited by the legislation. In accordance with Articles 236 and 307 of the Administrative Violations Code of the Republic of Azerbaijan, sale of these products to children and adolescents and compulsion to drunkenness condition administrative liability.

27. In order to root out and prevent such cases, area structures of the Ministry of Internal Affairs together with concerned government and non-government institutions, especially children commissions under city, district level executive power bodies, public and mass media representatives, in the course of 2008-2010 carried out 400 raids; 92 facts on sale of alcoholic beverages and tobacco products, as well as exploitation of child labour for the purpose of sale of those products were identified; 63 materials, presentations and applications were sent to children and administrative commissions, as well as tax institutions; and sanctions were imposed on guilty parties. During 6 months of the current year 41 raids and inspections were conducted for these purposes, 6 facts on illegal sale of alcoholic beverages were identified, relevant measures were taken.

(c) Measures to monitor and prevent substance abuse by adolescents

28. In the course of the mentioned period, promotional and enlightening work on prevention of the cases of abuse, sale and distribution of alcoholic beverages, psychotropic substances and drugs by children, especially children of school age, as well as on harmful consequences of, legal responsibilities and punishment mechanism for such acts was in the centre of attention, continuous measures were taken together with concerned parties. Thus, during the last 3 years more than 900 meetings, events, round table discussions were held in general, secondary and higher educational institutions, more than 25 thousand students of upper grades, their parents, as well as 321 psychologists of general schools participated in

events conducted with the participation of 200 experts of city, district central hospitals of Republican Drug Rehabilitation Centre.

29. Within the frame of different events, 150 electronic means, booklets, brochures and manuals developed by relevant agencies of the Ministry together with Azerbaijan Offices of UNICEF and the Organization for Security and Cooperation in Europe (OSCE) and Non-Government Organisations Alliance were distributed among children, youngsters, child protection organisations, wide-scale promotion of and training on the means of practical application of the booklet on protection and abstaining from drug and psychotropic substances developed by OSCE experts for police personnel and teachers and schoolchildren of general educational schools were ensured.

Reply to the issues raised in part I, paragraph 10, of the list of issues

30. Measures on the prevention of cases of exposure of children to street life were one of the most important areas of the police structure's work and special attention was paid to this issue, continuous and systematic measures were implemented in this regard. In the course of the last 3 years, in order to identify adolescents from this category, more than 400 raids and inspection visits were conducted, around 300 children living on the street who are left without family environment, control of pedagogical team, as well as public influence means and who are in need of state care were identified, 197 materials were sent to commissions under executive power bodies in order to provide such children with care and support and address their social problems, of these 47 persons were placed in children's houses and boarding schools, special schools, while 75 persons were placed in social asylums.

31. In the course of the first six months of this year, more than 100 observation visits, raids and monitoring visits were conducted, 41 persons living on the streets, working on the streets and involved in illegal labour activities were identified. Of these, 14 were placed in children's homes and social asylums, 8 in special schools, while 28 materials on addressing problems of the remaining persons were sent to education, health and children's commissions, petitions were raised before concerned institutions in order to provide those persons and their parents with the necessary support. Of the persons identified and provided with support during the mentioned period, 74 were persons from refugee communities.

32. The State Committee for Family, Women and Children Affairs with the support of UNICEF provided a project entitled "Analysis of the situation with street children in Azerbaijan" in 11 regions of the republic, in 2010. The main goal of the project was to explore life conditions of street children, to find out reasons of such cases, analyze them and realize relevant measures in regard to the resolution of these problems.

33. As the result of the occupation of Nagorno-Karabakh and 7 regions by military forces of Armenia, Azerbaijan is not able to implement provisions arising from all international treaties regarding children's rights in these regions.

34. Internally displaced children from Nagorno-Karabakh are provided with free-of-charge medical examination and treatment. Besides, experienced and professional psychologists in secondary schools of settlements for internally displaced persons provide children with necessary psychological support.

35. The draft law of the Republic of Azerbaijan on Social Services was developed and passed the first hearing in the Parliament. This draft law envisages the provision for persons living in difficult living conditions, including neglected adolescents, children exposed to socially dangerous situation, with social, health-social, social-psychological and social legal services at home, permanent-set and semi-permanent-set institutions.

36. Within the frame of the State Program on Social-economic Development of Regions of the Republic of Azerbaijan in the years of 2009-2013 and the State Program on Social-economic Development of the City of Baku and its Settlements in the years of 2011-2013, the Specialised Rehabilitation Centre and Social asylums are envisaged to be constructed in the city of Baku and other regions of the Azerbaijan Republic.

Reply to the issues raised in part I, paragraph 11, of the list of issues

37. Starting from 2005 the Ministry of Internal Affairs together with UNICEF Azerbaijan Office, OSCE Baku office and NGO Alliance on the Rights of the Child implemented a number of projects and programs on juvenile justice system reforms within the country, exploration, application and development of international experience in this area. A number of training courses and tailor-made courses were organized with the participation of United Nations experts and professionals, 500 police officers dealing with issues of children, including investigators were involved in those training courses.

38. As a new and more effective stage of reforms in the area of juvenile justice, in 2007 Ministry of Internal Affairs signed Memorandum of Understanding on Cooperation with UNICEF Country Office, OSCE Baku Office and NGO Alliance on the Rights of the Child; Work Plans on mutual activities for the years of 2008-2010 and 2011-2012 were approved and implemented together with the Ministry of Justice. In accordance with the Work Plan, relevant measures have been taken on facilitating improvement of legal and procedural basis of justice for children system, testing a child friendly court model and increasing knowledge of law-enforcement bodies' personnel.

39. Within the frame of the program, a pilot project on work with children in conflict with the law was implemented in the Narimanov district of the city of Baku, the Children's Legal Clinic and Children and Youth Social Rehabilitation Centre were put into operation in this region. Within the project, community based police rooms for children were created in police structures of Narimanov, Nizami and Khatai districts.

40. As one of the most important aspects of the development of the children's justice system, special attention was paid to the establishment of a legal framework, and an Inter-sectoral Working Group, composed of Representatives of Ministry of Internal Affairs, Republican Prosecutor's Office, Ombudsman apparatus, State Committee on Family, Women and Children's Affairs, concerned ministries and public institutions, as well as OSCE and UNICEF Country Offices, was established based on approval of the Cabinet of Ministers with the purpose of the development of a draft law on Juvenile Justice in the Republic of Azerbaijan; within the frame of 5 meetings, proposals and recommendations on the draft law were submitted to the Parliament, public discussions were initiated with the participation of Parliament commissions.

41. The project on Juvenile Justice sets forth the realization of alternative imprisoning measures and assignment of Juvenile judges.

42. More than 100 employees of police-investigation and public security services were involved in 2 training courses, 4 seminars, conferences and round table discussions held by OSCE experts on the theme of the introduction of alternative mechanisms for adolescents who have committed crime, participants were provided with information and knowledge on advanced working methods, useful exchange of views and discussions on the application of gained experiences in practical work were conducted.

Part II

Reply to the issues raised in part II of the list of issues

(a) New bills or laws, and their respective regulations

43. New bills or laws, and their respective regulations, include:

- Law # 1058-IIIQ of the Republic of Azerbaijan of June 22, 2010 on Prevention of Domestic Violence;
- Law #833-IIIQ of the Republic of Azerbaijan of June 19, 2009 on Education;

Changes to legislation

44. Based on Law #971-IIIQD of the Republic of Azerbaijan of March 5, 2010, Section 4 was added to Article 25 of the Law of the Republic of Azerbaijan on the Rights of the Child: “State and municipal physical training and sport institutions provide free-of-charge physical training-sport services for children from low income families, children without parents and deprived of parental care, children of preschool age and children with disability.”

45. Based on Law # 992-IIIQD of April 20, 2010, the words “3 months at the latest” were replaced by the words “1 month at the latest” in Article 167 of the Family Code: “Information on birth shall be provided within 1 month at the latest, while in case of stillbirth -within 3 days after birth at the latest.

46. Based on Law #992-IIIQD of April 20, 2010 of the Republic of Azerbaijan, Articles 166.3 and 166.4 were added to Family Code.

“166.3. The health facility shall send information on case of birth urgently to the concerned executive power body, while the concerned executive power body shall forward information through the information system to the information system of concerned executive power body.

“166.4. The health facility bears responsibility for not sending urgently or sending inaccurate information on birth to the concerned executive power body, the concerned executive power body bears responsibility for not sending urgently or sending inaccurate information through the information system to the information system of the concerned executive body and parents bear responsibility for failing to appeal for birth registration within the period defined by Article 167 of this Code without having justified reasons in manner stipulated by legislation.”

47. Based on Law # 904-IIIQD of the Republic of Azerbaijan of October 27, 2009, Article 8 of Law on Labour Pensions was amended.

“8.1. A woman who delivered and brought up five and more children until the age of 8 and has at least 10 years of insured service record possesses right to a labour pension due to age and benefit from a reduction of the age limit by 1 year per child based on Article 7 of this Law.

“8.2. A woman who brought up a child with disability until the age of 8 and has at least 10 years of insured service record possesses the right to a labour pension due to age and benefits from reduction of age limit by 5 years based on Article 7 of this Law.

“8.3. A Father of children whose mother died, divorced or deprived of parental rights who alone brought up five and more children until the age of eight by not entering into secondary marriage, as well as a father who adopted and alone brought up five and more children until the age of 8, a male guardian who alone brought up

five and more children until the age of eight and has at least 10 years of insured service record possesses the right to a labour pension due to age and benefits from a reduction of the age limit by 5 years based on Article 7 of this Law.”

(b) New institutions (and their mandates) or institutional reforms;

48. In order to ensure the implementation of the State Program of Transfer of Children from State Children’s Institutions to Families (De-institutionalization) and Alternative Care in the Republic of Azerbaijan (2006-2015), the De-institutionalization and Child Protection Agency operating on self-supporting basis was created under the Ministry of Education of the Republic of Azerbaijan within the frame of Ministry of Education Working Group. Resolution #5 of the Cabinet of Ministers of January 13, 2010.

49. According to the agreement “About Children and Family Support Centres” between the Government of Azerbaijan Republic and the United States Save the Children organization dated December 29th 2010, Children and Family Support Centres in nine regions of Azerbaijan were assigned to the State Committee for Family, Women and Children Affairs. The main goal of Children and Family Support Centres is integration to the society and rendering society-based care to children with restricted abilities and children from risk groups.

(c) Recently introduced policies, programmes and action plans and their scope and financing

50. Recently introduced policies, programmes and action plans and their scope and financing include the following:

(a) Resolution # 1621 of July 7, 2011 of the President of the Republic of Azerbaijan on Approval of the State Program on Azerbaijani Youth in the years of 2011-2015;

(b) Resolution # 1578 of June 28, 2011 of the President of the Republic of Azerbaijan on Approval of Plan of Actions (2011-2015) on Implementation of the State Program on Poverty Reduction and Sustainable Development in the Republic of Azerbaijan in the years of 2008-2015 approved by Resolution # 3043 of September 15, 2008 of the President of the Republic of Azerbaijan;

(c) Resolution # 1490 of May 4, 2011 of the President of the Republic of Azerbaijan on Approval of the State Program on the Social-economic Development of City of Baku and its settlements in 2011-2013;

(d) Resolution # 233 of December 13, 2010 of the Cabinet of Ministers of the Republic of Azerbaijan on Approval of Program of Actions on the Development of Blood, Blood Components Donorship and Blood Services for the years of 2011-2015;

(e) Resolution # 226 of November 26, 2010 of the Cabinet of Ministers of the Republic of Azerbaijan on Approval of the Action Plan on Combating Tuberculosis covering the years of 2011-2015;

(f) Resolution # 225 of November 26, 2010 of the Cabinet of Ministers of the Republic of Azerbaijan on Approval of the Action Plan on immunological prevention of infectious diseases covering the years of 2011-2015;

(g) Resolution # 223 of November 26, 2010 of the Cabinet of Ministers of the Republic of Azerbaijan on Approval of Action Plan on treatment and prevention of thalassemia covering the years of 2011-2015;

(h) Resolution # 224 of November 26, 2010 of the Cabinet of Ministers of the Republic of Azerbaijan on Approval of the Program of Actions on haemophilia covering the years of 2011-2015;

(i) Resolution # 137 of July 16, 2010 of the Cabinet of Ministers of the Republic of Azerbaijan on approval of state standard and program of preschool education;

(j) Decree # 80 of the President of Republic of Azerbaijan of April 14, 2009 on Approval of the State Program on social economic development of regions of the Azerbaijan Republic in 2009-2013;

(k) Resolution # 44s of February 25, 2010 of the Cabinet of Ministers of the Republic of Azerbaijan on Approval of the Action Plan on prevention and treatment of drug addiction;

(l) Resolution # 1313 of February 11, 2011 of the President of the Republic of Azerbaijan on measures pertaining to the construction of a new building for the Republic Tuberculosis Sanatorium for Children and Adolescents.

51. The mentioned state programs are financed from the state budget and other sources not forbidden by legislation.

(d) Recent ratifications of human rights instruments

52. Recent ratifications of human rights instruments include the following:

(a) Law # 1004-IIIQ of May 11, 2010 of the Republic of Azerbaijan on Acceding to Convention No. 183 of the International Labour Organization concerning the revision of the Maternity Protection Convention (revised);

(b) Law # 1003-IIIQ of May 11, 2010 of the Republic of Azerbaijan on Acceding to Convention No. 156 of the International Labour Organization concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities;

(c) Law # 1002-IIIQ of May 11, 2010 of the Republic of Azerbaijan on Approval of the Council of Europe Convention on Action against Trafficking in Human Beings.

Part III

Reply to the issues raised in part III, paragraph 1, of the list of issues

(a) The budgetary allocations for programmes aimed at implementing the Convention or otherwise for the benefit of children

53. During the formation of the state budget, budget allocations aimed at children are defined within the frame of education, health, social protection and other program expenditures.

(b) The number of marriages of girls under the age of 18

54. For the number of marriages of girls under the age of 18, see table 1.

Table 1.
Girls who have entered into child marriages by economic and administrative districts of the Republic of Azerbaijan

<i>Years</i>	<i>Name of economic or administrative district</i>	<i>Girls under the age of 18 entered into marriage</i>	<i>Proportion to total number of persons entered into marriage %</i>
2008	Baku	737	4.1
	Absheron economic region	211	5.5
	Ganja-Gazakh economic region	507	5
	Sheki-Zaqatala economic region	383	7.2
	Lenkeran economic region	653	8.7
	Quba-Xachmaz economic region	451	9.9
	Aran economic region	1341	7.7
	Upper-Karabakh* economic region	386	8.4
	Kelbejar-Lachin* economic region	137	7.7
	Mountainous Shirvan economic region	351	12.7
	Nakhchivan economic region	387	10.2
2009	Baku	733	3.9
	Absheron economic region	199	5.3
	Ganja-Gazakh economic region	488	5.2
	Sheki-Zaqatala economic region	328	6.5
	Lenkeran economic region	609	8.3
	Quba-Xachmaz economic region	434	9.6
	Aran economic region	1317	7.8
	Upper-Karabakh* economic region	398	8.9
	Kelbejar-Lachin* economic region	155	8.3

<i>Years</i>	<i>Name of economic or administrative district</i>	<i>Girls under the age of 18 entered into marriage</i>	<i>Proportion to total number of persons entered into marriage %</i>
2010	Mountainous Shirvan economic region	371	13.7
	Nakhchivan economic region	348	10.1
	Baku	733	3.8
	Absheron economic region	153	3.9
	Ganja-Gazakh economic region	445	4.6
	Sheki-Zaqatala economic region	305	6.2
	Lenkeran economic region	589	8.2
	Quba-Xachmaz economic region	326	6.9
	Aran economic region	1264	7.4
	Upper-Karabakh* economic region	311	7.2
	Kelbejar-Lachin* economic region	140	7.0
	Mountainous Shirvan economic region	313	11.8
Nakhchivan economic region	304	8.9	

* As these regions are currently under occupation of the Republic of Armenia, statistics are based on the number of families displaced from this region.

(c) **The number of children deprived of a family environment**

Table 2.
Boarding schools for children

<i>Institutions</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>
Number of infants' homes	4	4	4
Number of children placed in those institutions, person	124	122	143
Number of children homes	6	6	6
Number of children placed in those institutions, person	529	507	513
Number of boarding schools for orphans and	2	2	2

<i>Institutions</i>	2008	2009	2010
children deprived of parental care			
Number of children placed in those institutions, person	449	409	398
Number of special boarding schools for children with disabilities	11	11	11
Number of children placed in those institutions, person	2480	2660	2537
Number of boarding schools for children with mental retardation	2	2	2
Number of children placed in those institutions, person	330	279	267
Number of general boarding schools	30	23	22
Number of children placed in those institutions, person	10 119	7 160	6 395

Provisions on property and living place

55. Children without parents and deprived of parental care, as well as persons from this category and children under guardianship (trusteeship), for the period of education in all types of educational institutions, service in Armed Forces of the Republic of Azerbaijan, social service institutions or serving sentence in detention centres, maintain right to the apartments belonging to their parents or themselves or where they previously lived. If person cannot move to this apartment, he/she is provided with an apartment of the same size out of turn.

56. Children without parents and deprived of parental care, as well as children under guardianship (trusteeship) who previously did not have a place to live are provided by executive power bodies out of turn with a living place of a size not less than social norms defined by legislation three months before graduation from all types of educational institution, discharge from social service institutions and the Armed Forces of the Republic of Azerbaijan, and release from detention centres. If adolescents without parents and deprived of parental care released from penitentiary institutions have no living place, they are sent to the relevant boarding school by concerned executive power bodies in a manner stipulated by legislation and taken under full state patronage.

57. Registration of children without parents and deprived of parental care is carried out at the place of his/her residence and temporary living place (institutions, dormitories for children without parents and deprived of parental care), place of residence of guardians, adopting persons.

58. Withdrawal from the registration of children without parents and deprived of parental care at a place of residence or temporary living place is feasible only with consent of concerned executive power body.

59. Conducting transactions on privatized apartments which are the property of children without parents and deprived of parental care, as well as on living places where those children do not live temporarily but have the same rights as proprietor or leaseholder requires in advance consent of the concerned executive power body or guardianship or trusteeship body in case of assignment of guardianship or trusteeship for the children.
60. When persons released from a penitentiary institution are provided with living place, the consent of guardianship and trusteeship body is required if children without parents and deprived of parental care given to guardianship or trusteeship live in that place (with the exception of cases when the person released from penitentiary institution is the proprietor of that apartment).
61. In case of death of parents or a forced change of living place of parents deprived of parental rights, concerned executive power bodies, heads of institutions for children without parents and deprived of parental care, guardians (trustees), adopting persons, in the manner defined by legislation of the Azerbaijan Republic, should privatize the living place that children without parents and deprived of parental care have rights to, and in case of forced change of that living place, an agreement to transfer this living place into the possession of children without parents and deprived of parental care should be signed.
62. Children without parents and deprived of parental care, as well as persons from this category and children under guardianship (trusteeship) are exempted from the payment of duties during the signing of civil-legal agreements and the purchase or change of apartments (private houses).
63. Special apartment funds can be established at the expense of state budget means and other sources not forbidden by legislation in order to provide children without parents and deprived of parental care and persons from this category with a living place.
64. Children without parents and deprived of parental care and persons from this category are provided with land plots and targeted non-returnable donations in the manner stipulated by legislation for the purpose of the construction of private houses.
65. Children without parents and deprived of parental care and persons from this category possess the right to inheritance in a general manner on shares they receive during the privatization of property, land and state property which were in the possession of their parents.
66. In case of appeal of children without parents and deprived of parental care aged 15-18, the concerned executive power body takes measures on their occupational orientation and ensures assessment of their suitability for occupational activity by taking into account their health constitution.
67. Employers who have created special workplaces for children without parents and deprived of parental care and persons from this category benefit from relevant concessions in accordance with the legislation of the Republic of Azerbaijan.
68. The concerned executive power body ensures the vocational training and occupational activity of children without parents and deprived of parental care and persons from this category. Specialized work places could be created for them in social service institutions.
69. During employment for the first time, children without parents and deprived of parental care and persons from this category are provided by the concerned executive power body, in accordance with defined norms, with clothes, shoes, soft stuff and equipment and lump-sum allowance in the amount not less than five times of average wage. In accordance with their desire, stuff and equipment can be replaced by compensation in the

form of money or this money can be transferred to a relevant bank account opened in their name.

70. In accordance with existing legislation, children without parents and deprived of parental care, as well as persons from this category looking for a job for the first time and registered as unemployed in concerned executive power bodies are provided with an unemployment allowance in the amount equal to an average salary. During this period the concerned executive power bodies ensures vocational orientation, vocational training and employment of persons from this category.

71. In case of dismissal of children without parents and deprived of parental care and persons from this category due to headcount reduction, the employer (his/her legal representative) shall involve them in new vocational training at own expense in order to employ them afterwards in the same or other entity. Employers whose list was defined by the concerned executive power body shall allocate one out of every fifty workplaces for children without parents and deprived of parental care and persons from this category. In case of violation of this rule, the employer shall pay a fine for each workplace (on unemployed months) in the amount of three times the average wage defined for the republic.

72. Furthermore, within the framework of cooperation between the Ministry of Education and the Baku City Supreme Employment Agency, 3-month training courses are organized for the graduates of state children institutions. Measures are taken on their participation in labour fairs and employment upon completion of these courses.

73. In 2008 the Heydar Aliyev Foundation constructed a residential building with 25 apartments under the children home #1 for temporary placement of girls who have reached mature age and who are without kin. The Ministry of Education together with the SOS Children's Village-Azerbaijan Association took certain measures on establishment of a Youth house with the aim to ensure the adaptation of youth graduating from state children institutions to society. The ultimate purpose of establishment of the Youth house is to help socially mature adolescents and youths who have reached the age of 16 and completed secondary education prepare for life; develop their social and life skills, and create an environment enabling them to choose occupation.

74. Term of stay in the Youth House is 4 years. The next stage is stage of semi-independent life which continues until reaching the age of 23. This Youth house is envisaged for the placement of 16 youth.

(d) The enrolment rates at primary and secondary school levels for non-citizen children, including stateless children;

75. Information was not provided.

(e) The number of judicial proceedings undertaken for alleged violations of child rights;

76. 288, 9 and 9 persons were sentenced in the course of 2008-2010 based on Articles 152 (Sexual relations and other actions of sexual nature with a person who has not reached age 16), Article 153 (Depraved actions) and 171 (Involving a minor in prostitution, or commitment of immoral actions) of the Criminal Code of the Azerbaijan Republic respectively.

(f) The total number of children with disabilities and the percentage of those among them attending regular school

77. There are 57 961 children with a disability in the Republic of Azerbaijan. Of these, 7750 children receive education at home, 1105 in special educational institutions, 2664 in special boarding schools, while 217 children are enrolled in inclusive education. 21 children

with disability are enrolled in Sheki city mixed-type boarding schools, 113 children in the Goychay district boarding school and 39 children in the Govlar secondary school.

(g) The number of child victims of sexual exploitation and trafficking, as well as related prosecutions, convictions and sentences pronounced

78. 11 child victims of human trafficking were identified in 2008-2010 and during 6 months of 2011, of these 7 infants were the victims of sale-purchase operations. Five criminal cases were commissioned with regard to the before-mentioned cases and 5 court sentences were pronounced.

(h) The number of children who are subject to situations of economic exploitation, including that of domestic work and/or other situations

79. No child exposed to domestic work and exploitation was recorded.

80. The State Labour Inspection under the Labour and Social Protection of Population Ministry of Azerbaijan Republic provides inspections of compliance with labour legislation in entrepreneurship institutions, as well as revelation of cases of child labour exploitation. During 8 months of last year inspections were provided in 3309 institutions.

Reply to the issues raised in part III, paragraph 2, of the list of issues

(a) Right to life and development (updated information)

Table 3.

Maternal mortality (death of confined and pregnant women due to pregnancy, pre- and after pregnancy complications)

<i>Years</i>	<i>Number of persons</i>	<i>Per 1000 live births</i>
2007	54	35.5
2008	40	26.3
2009	37	24.3

Table 4.

Infant mortality

<i>Years</i>	<i>Number of children died under the age of 1</i>			<i>Per 1000 live births</i>		
	<i>Both sexes</i>	<i>Male</i>	<i>Female</i>	<i>Both sexes</i>	<i>Male</i>	<i>Female</i>
2007	1 756	966	790	12.1	12.6	11.5
2008	1 715	931	784	11.4	11.6	11.2
2009	1 731	950	781	11.3	11.5	11.2

Table 5.

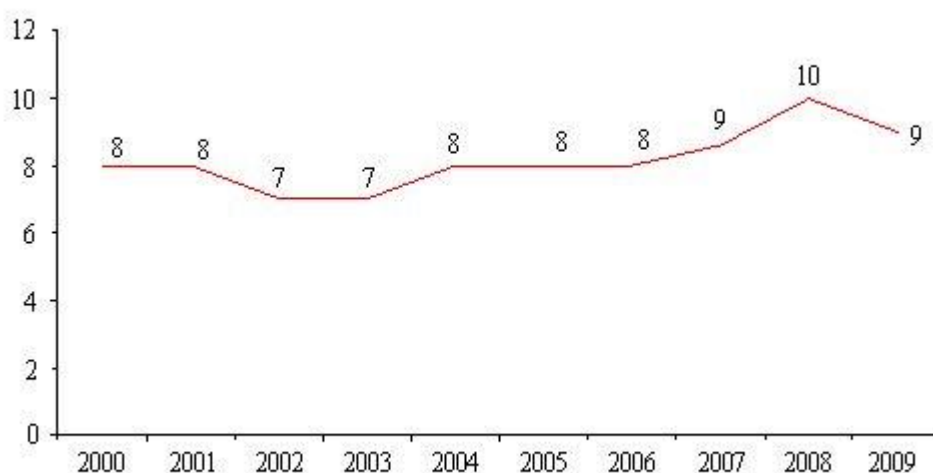
Number of persons registered with the symptoms of acquired immunodeficiency syndrome (AIDS) and immunodeficiency virus (HIV).

	<i>2007</i>	<i>2008</i>	<i>2009</i>
Number of persons who were registered for the first time with the symptoms of acquired immunodeficiency syndrome (AIDS)	41	59	99
Of them children under the age of 18	2	-	2
Total number of persons with AIDS registered in health	294	349	447

	2007	2008	2009
centres			
Number of persons who were registered for the first time with the symptoms of immunodeficiency virus (HIV)	400	377	356
Of them children under the age of 18	1	5	4
Total number of persons with HIV registered in health centres	1026	1395	1727

Figure 1.

Number of abortions in 2000-2009 (Per 1000 women aged 15-49)



(b) Parental responsibility (updated information)

81. The lump-sum social allowance for birth of child was increased in 2010 and amounted to 75AZN.

(c) Payment of compensation for child care related expenses (updated information)

82. In 2011 minimum subsistence level amounted to 95 AZN at the country level, 102 AZN for the able-bodied population, 72 AZN for pensioners and 76 AZN for children.

(d) Adoption of children (updated information)

83. 798 children were adopted in 2010. Of them 7 children were adopted by foreigners. The adoption of 59 children was cancelled based on Resolution.

(e) Allowances assigned by the State for the population (updated information)

Table 6a.

Allowances assigned by the State for the population (part 1)

	2008		2009	
	Number of persons assigned to social allowances	Average monthly amount per person, (AZN)	Number of persons assigned to social allowances	Average monthly amount per person, (AZN)
Social allowances - total	287375	34.26	293528	34.48
including:				
Due to age	18720	45.0	17781	45.0
Due to disability	89554	35.6	92701	35.49
To family members due to loss of head of family	30414	40.0	33057	40.0
To children under the age of 18 with disability	56433	50.0	58122	50.0
To civil servants (life-time)	58	21.15	51	25.68
For utility, transport and other services	54979	24.3	56156	24.37
To an employee of a state entity that has been privatized or handed over for management who suffered an industrial injury as a result of an industrial accident or occupational disease or to family members and other persons who are under the trusteeship of an employee who died due to these reasons	368	49.02	873	49.92
To family with children (monthly)-number of children	23481	6.43	22576	6.17
To family with a child under the age of 1	12238	20.0	11218	20.0
To guardians of orphans and children deprived of parental care	1130	25.0	993	25.0
Lump-sum allowances - total	100172	x	102961	x
including:				
Due to birth of child:				
To families	89167	x	92362	x
To children	93035	36.59	95995	47.07
To persons who became disabled as a result of radiation for treatment purposes (annual)	5093	113.4	5095	150.0
For burial purposes	2044	71.11	1853	100.0
To persons released from penitentiary service	18	293.33

Table 6b.

Allowances assigned by the State for the population (part 2)

	2006	2007	2008	2009
Lump-sum allowance due to birth of child:				
Contingent number, thousand persons	18.5	25.6	26.8	31
Amount, thousand AZN	555.5	854.3	1003.2	1507.1

	2006	2007	2008	2009
Childcare allowance until 3 years old:				
Contingent number, thousand persons	21.4	22.1	25.4	33.7
Amount, thousand AZN	553.7	684.2	1247.0	4418.5
Allowance for burial purposes:				
Contingent number, thousand persons	39.1	41.2	40.8	40.2
Amount, thousand AZN	4038.4	6625.1	7094.8	8785.1

Table 7.
Main health indicators for medical facilities

	2001	2006	2007	2008	2009	2010
Number of doctors of all specialities, thousand persons	29.0	30.6	30.8	32.4	32.5	32.8
Per 10 000 persons	36.3	36.3	36.6	37.4	37.0	36.9
Average number of medical staff, thousand persons	60.0	60.8	61.6	62.2	62.5	62.9
Per 10 000 persons	75.1	72.1	73.2	71.8	71.2	70.9
Number of hospitals	735	729	726	748	752	756
Number of hospital beds, thousand	69.9	68.9	68.4	68.1	67.8	67.4
Per 10 000 persons	87.4	81.7	81.3	78.6	77.3	76.0
Number of beds for sick children, thousand	11.9	11.7	11.5	11.4	11.3	11.3
Number of health facilities providing out-patient-policlinic services	1 614	1 595	1 589	1 692	1 695	1 692
Capacity of out-patient clinics-policlinics (number of visits in one shift), thousand	105.6	104.1	103.9	104.7	104.2	102.7
Per 10 000 persons	132.1	123.4	123.5	120.9	118.7	115.7
Number of maternity welfare centres, establishments with maternity welfare departments	313	321	319	315	321	315
Number of children's polyclinics, out-patient clinics and establishments with children's departments	600	602	595	589	591	592
Number of beds for pregnant and confined women, thousand	7.5	7.4	7.4	7.4	7.4	7.4

Table 8.
Targeted social assistance provided to low income families.

	2007	2008	2009	2010
Number of families assigned to targeted social assistance	48 705	78 092	163 409	144 844
Number of family members receiving targeted social assistance, person	218 673	364 059	749 965	657 317
of them:				

	<i>2007</i>	<i>2008</i>	<i>2009</i>	<i>2010</i>
women	83 529	168 007	387 609	332 799
children	92 291	165 064	357 620	322 994
Amount of average monthly targeted social assistance, AZN	8.4	17.4	22.0	25.0
