



**Convention on the
Rights of the Child**

Distr.
GENERAL

CRC/C/AZE/Q/2/Add.1
20 December 2005

ENGLISH
Original: RUSSIAN

COMMITTEE ON THE RIGHTS OF THE CHILD
Forty-first session
Geneva, 9-27 January 2006

**WRITTEN REPLIES BY THE GOVERNMENT OF AZERBAIJAN
CONCERNING THE LIST OF ISSUES (CRC/C/AZE/Q/2)
RECEIVED BY THE COMMITTEE ON THE RIGHTS OF
THE CHILD RELATING TO THE CONSIDERATION OF
THE SECOND PERIODIC REPORT OF AZERBAIJAN
(CRC/C/83/Add.13)**

[Received on 19 December 2005]

**IMPLEMENTATION OF THE CONVENTION ON THE
RIGHTS OF THE CHILD**

**Additional information submitted by the Government of Azerbaijan in connection
with the consideration of its second and third periodic reports**

PART I

A. Data and statistics

Paragraph 1

Age structure of the population up to the age of 18 (2002, 2003, 2004, 2005)

Age groups	2002	2003	2004	2005
Total	3 022.4	2 966.8	2 907.5	2 858.4
0	110.4	110.7	113.5	131.6
1	115.6	108.9	109.2	112.4
2	115.3	115	108.5	108.8
3	109	115	114.8	108.2
4	123.7	108.9	114.9	114.6
Total 0-4	574	558.5	560.9	575.6
5	145.9	123.5	108.8	114.8
6	155.4	145.8	123.4	108.7
7	169.5	155.3	145.6	123.4
8	173.2	169.3	155.2	145.6
9	180.5	173.1	169.2	155.1
Total 5-9	824.5	767	702.2	647.6
10	182.8	180.4	173	169.1
11	193.5	182.7	180.3	172.9
12	186.8	193.3	182.6	180.2
13	186.1	186.7	193.2	182.5
14	181.8	186	186.6	193.1
Total 10-14	931	929.1	915.7	897.8
15	183.8	181.7	185.9	186.6
16	177.8	183.7	181.6	185.8
17	169.1	177.7	183.6	181.5
18	162.2	169.1	177.6	183.5
Total 15-18	692.9	712.2	728.7	737.4

Information on the population up to the age of 19 (by gender, age, minority and ethnic groups, and urban and rural areas) is contained in the table in annex 1.

Paragraph 2

Cabinet of Ministers Decision No. 179 of 7 November 2001 contains the following provisions designed to improve the social protection of children lacking parents and parental support: when they begin their first job, children lacking parents and parental support shall be provided with clothing, footwear, minor items and other equipment paid for from the resources allocated under the section entitled “Expenditure on education” of the central State expenditure budget, in accordance with the regulations set out in Cabinet of Ministers Decision No. 15 of 17 January 1994, and with a one-off cash payment of not less than five times the average monthly wage for the whole country.

In accordance with the Children Lacking Parents and Parental Support (Social Protection) Act of 22 June 1999, children and young people shall be under the protection of the State until the age of 23.

In accordance with the aforementioned Act, children lacking parents and parental support shall receive, at the expense of the State budget, free food, clothing, accommodation, education and medical care. Pursuant to article 5 of the Act, the legal guardians of children in this category shall receive monthly allowances from the State.

Students with category I or II disabilities receive an additional allowance equal to 50 per cent of the bursary received. The State pays the tuition fees of persons attending fee-paying higher and secondary specialized education institutions who became category I or II disabled as a result of the events that took place in Baku on 19 and 20 January 1990, or who were disabled while protecting the territorial integrity, independence and constitutional order of Azerbaijan.

Pursuant to article 10 of the Medical Insurance Act, compulsory medical insurance for children and students, taking into account the indexing of prices for the medical service, is provided free of charge by the competent government body from the social welfare budget and resources.

The Presidential Order of 22 May 1996 on increasing benefits for needy families established allowances for children from needy families in appropriate amounts and also the one-off childbirth allowance, which are disbursed from the State Social Welfare Fund (the other benefits are disbursed from the national budget), with funding provided before the beginning of each calendar month.

The Cabinet of Ministers, the Ministry of Health, the Ministry of Labour and Social Welfare, the Ministry of Education and the Ministry for Youth, Sports and Tourism are responsible for formulating and carrying out specific programmes for the social protection of children lacking parents and parental support and persons assimilated to that category based on special central residential facilities and educational, social welfare and other institutions, and for establishing State social reintegration and rehabilitation agencies.

Expenditure on the social protection of children lacking parents and parental support and persons assimilated to that category is based on the State social standards set by the Cabinet of Ministers.

Tutors and guardians receive monthly allowances in respect of children lacking parents and parental support in accordance with the procedure and in the amounts established by the Cabinet of Ministers.

Other measures may be enacted for the social protection of children lacking parents and parental support and persons assimilated to that category.

The measures referred to above are financed in accordance with article 4 of the Children Lacking Parents and Parental Support (Social Protection) Act from the State budget and State and non-State funds and from grants and other sources not prohibited by law.

State budget expenditure

Expenditure	2002	2003	2004	2002	2003	2004
	Billions of manat			Percentage of GDP		
Total	4 658.8	6 172.7	7 510.7	15.7	17.3	17.9
Including:						
The economy	685	1 214.6	1 454.5	2.3	3.4	3.5
Social and cultural activities	2 248	2 676	3 211.1	7.6	7.5	7.7
of which:						
Education	956.2	1 174.2	1 470.5	3.2	3.3	3.5
Culture and the media	102.6	139.8	170.5	0.3	0.4	0.4
Health	224.1	276.6	367.5	0.8	0.8	0.9
Sport	14	15.4	20.4	0	0	0
The social welfare fund	725.8	768	844.1	2.5	2.1	2
The social security fund	225.3	302	338.1	0.8	0.8	0.8
Science	57.1	83.1	100.2	0.2	0.2	0.2
Rights protection agencies	472.8	602.8	779.6	1.6	1.7	1.9
State executive and administrative bodies	272.6	343.8	446.3	0.9	1	1.1
Other expenditure	923.3	1 252.4	1 519	3.1	3.5	3.6

Expenditure on education (2002-2004)

	2002	2003	2004
Overall expenditure on education (millions of manat)	956 194.9	1 174 223.4	1 470 479.6
Including:			
Pre-school establishment	77 417.6	92 475.9	106 898
Kindergartens, primary, general and secondary schools, gymnasiums, lycées	617 288.8	767 117.9	963 576.3
Secure residential schools	12 629.2	16 658.5	18 618.7
Special schools	3 108	4 147.7	4 732.4

Paragraphs 3, 4 and 5

In 2003, 2004 and the first half of 2005, Azerbaijani registry offices registered 1,930 adoptions. Of the total number of adoptions, 143 children were adopted by foreigners and stateless persons.

It should also be noted that, as the registry office's computerized databank has been operating only since 1 October 2003, it is not possible to provide disaggregated data by gender, age, minority and ethnic groups or urban and rural areas.

Statistical data from the Ministry of Education indicate that there are currently 25 special and residential schools for children with special needs (children with mental and physical disabilities), including 18 residential schools and 7 special schools. There are 5,535 students in these educational establishments, and 1,996 teachers are engaged in their education and upbringing. All students attending special schools and 1,303 students in residential schools live with families.

In accordance with article 23, paragraph 3, of the Convention on the Rights of the Child, the principal aim of educating children with disabilities is to integrate them into society and ensure their fullest possible individual development. The leaders of Azerbaijan pay very close attention to the aims and tasks set out in the Convention.

Policy in the area of education of children with disabilities (special education) is carried out in accordance with the Persons with Disabilities (Special Education) Act. The Act was signed by the President of Azerbaijan on 19 July 2001. In order to implement the provisions of the Act, the Cabinet of Ministers adopted a decree providing for the elimination of shortcomings in this area and for the integration of children with disabilities into society. The legislative framework in the area of children with disabilities also includes a number of decrees adopted by the Cabinet of Ministers:

- Decree No. 72 of 29 April 2002 approving the rules governing the acceptance of persons with disabilities into vocational schools;
- Decree No. 2002 [sic] of 29 April 2002 approving the regulations governing the speech therapy service;
- Decree No. 74 of 29 April 2002 approving the regulations governing the psychological, medical and pedagogical commission;
- Decree No. 77 of 10 May 2002 approving the list of illnesses entitling persons to be educated at home, and the regulations governing education at home;
- Decree No. 78 of 10 May 2002 approving the regulations governing special education establishments;

- Decree No. 85 of 29 May 2002 approving the regulations governing rehabilitation centres;
- Decree No. 86 of 23 May 2002 approving the rules governing free special education for persons with disabilities;
- Decree No. 88 of 29 May 2002 approving the regulations governing in-hospital education.

In order to implement the aforementioned decrees, the Ministry of Education issued a special order on the improvement of the provision of supplies and utilities to residential educational establishments and on a plan of action for 2004-2006 to ensure the social welfare of children deprived of parental care.

At present, with support from the Heydar Aliyev Fund, all residential educational establishments attached to the Ministry of Education have undergone major repairs and have been provided with the necessary equipment, means of transport and teaching materials. The Heydar Aliyev Fund participated directly in the reconstruction of a school for blind and visually impaired children, and of a school for children with speech problems. The remaining schools have also been refurbished.

In addition to the aforementioned measures, the Ministry of Education has developed a programme to provide education for children with special needs for 2005-2009. Some of the tasks of the programme have already been carried out. In particular, in some districts and cities experiments in integrating children with special needs into mainstream education are being carried out.

An early childhood development project is being carried out under an agreement between Azerbaijan and the Asian Development Bank, which was signed in 2004. The aim of the project is to facilitate the adaptation in later life - and, in some cases, the full integration - of children with special needs.

Azerbaijan has four residential schools for orphans and children deprived of parental care, and six children's homes.

In all, 1,448 children receive instruction in the aforementioned educational establishments. The Government of Azerbaijan is currently implementing a joint programme with the United Nations Children's Fund (UNICEF) for the period 2005-2015 in the area of social support for children. With the active participation of European experts, training courses are being conducted for the teaching staff of educational establishments.

Under this programme, 26 children have already returned to their families.

The Parliament of Azerbaijan is currently considering issues involving material support and social protection for dysfunctional families.

Schools for children with disabilities (beginning of academic year)

	Number of schools			Number of students		
	2002	2003	2004	2002	2003	2004
Schools	19	20	21	5 060	5 313	6 111
Including schools for:						
Children with mental disabilities	9	9	9	2 288	2 344	2 535
Blind children	1	2	2	262	271	269
Deaf children	2	2	2	643	679	733
Children with hearing impairments and who subsequently lost their hearing	1	1	1	183	182	175
Children with locomotor impairments (poliomyelitis and cerebral palsy)	1	1	1	231	228	209
Children with speech impairments	2	2	2	472	519	523
Others	3	3	4	981	1 090	1 677
In addition, classes for children with disabilities conducted in general education schools	-	-	-	555	581	575

Residential schools for children with disabilities and for orphans (beginning of academic year)

	2002	2003	2004
Number of residential schools for children with mental disabilities	2	2	2
Total number of children	359	366	381
Number of orphans	185	154	112

Paragraph 6

In 2002, the court for serious offences considered 43 criminal cases involving offences committed against minors (3.3 per cent of all criminal cases heard by Azerbaijani courts), and charges were brought against 59 persons:

- Four criminal cases against four persons charged under article 120 (Murder) of the Criminal Code of Azerbaijan;
- Two criminal cases against two persons charged under article 126 (Intentional infliction of grave harm to health) of the Criminal Code;
- One criminal case against one person charged under article 128 (Intentional infliction of minor harm to health) of the Criminal Code;
- Three criminal cases against six persons charged under article 123 (Beating) of the Criminal Code;

- Two criminal cases against five persons charged under article 149 (Rape) of the Criminal Code;
- Sixteen criminal cases against 17 persons charged under article 150 (Violent acts of a sexual nature) of the Criminal Code;
- Nine criminal cases against 12 persons charged under article 70 (Enticement of minors into criminal activity) of the Criminal Code.

In 2003, the court for serious offences considered 37 criminal cases involving offences committed against minors (4.4 per cent of all criminal cases heard by Azerbaijani courts), and charges were brought against 42 persons:

- Two criminal cases against four persons charged under article 120 (Murder) of the Criminal Code;
- One criminal case against one person charged under article 126 (Intentional infliction of grave harm to health) of the Criminal Code;
- Two criminal cases against two persons charged under article 144 (Abduction) of the Criminal Code;
- Nine criminal cases against nine persons charged under article 149 (Rape) of the Criminal Code;
- Fourteen criminal cases against 15 persons charged under article 150 (Violent acts of a sexual nature) of the Criminal Code;
- Eight criminal cases against 10 persons charged under article 170 (Enticement of minors into criminal activity) of the Criminal Code;
- One criminal case against one person charged under article 263 (Violation of the regulations governing road traffic and the operation of vehicles) of the Criminal Code.

In 2004, the court for serious offences considered the following criminal cases involving offences committed against minors (4.4 per cent of all criminal cases heard by Azerbaijani courts), and charges were brought against 45 persons:

- Eight criminal cases against eight persons charged under article 120 (Murder) of the Criminal Code;
- Four criminal cases against five persons charged under article 144 (Abduction) of the Criminal Code;
- Two criminal cases against three persons charged under article 149 (Rape) of the Criminal Code;

- Three criminal cases against five persons charged under article 150 (Violent acts of a sexual nature) of the Criminal Code;
- One criminal case against one person charged under article 152 (Sexual intercourse and other acts of a sexual nature with a person under 16 years of age) of the Criminal Code;
- Five criminal cases against five persons charged under article 170 (Enticement of minors into criminal activity) of the Criminal Code;
- Two criminal cases against five persons charged under article 173 (Trafficking in minors) of the Criminal Code.

Paragraph 7

Statistics on the number of schools and the teacher/pupil ratio

	2000	2003	2004
Pre-school establishments			
Number of children (end of year)	111 467	110 891	110 081
Number of children in general education day schools			
First grade	142 634	137 052	125 980
Fifth grade	167 577	161 481	161 287
Tenth grade	132 366	133 102	125 797
Number of children leaving general education day schools			
Completed fourth grade	166 587	160 866	160 300
Completed ninth grade	160 741	159 016	150 260
Completed eleventh grade	50 446	97 098	122 732
Teacher/pupil ratio	10	10	10

Literacy rate among children between the ages of 6 and 17 (based on 1999 census data)

Number of children (in thousands)	2 054
Literacy (per 1 000)	970

Paragraph 8

Birth rate

Years	Number of births	Including women under the age of 19	
		Absolute numbers	In %
2002	90 960	14 540	16
2003	93 558	10 409	11.1
2004	105 519	11 734	11.1

**Sexually transmitted diseases
(diagnosed for the first time)**

Years	Sex	Total		Including persons under the age of 18	
		Absolute number	Per 100 000	Absolute number	Per 100 000
2002	M	1 511	37.6	11	0.8
	F	1 859	44.5	9	0.7
2003	M	2 426	59.8	9	0.6
	F	2 373	56.4	12	0.9
2004	M	3 599	87.7	13	0.9
	F	3 477	81.9	20	1.6

**Number of persons with psychological disorders
(diagnosed for the first time)**

Years		Total		Including persons under the age of 18	
		Absolute number	Per 100 000	Absolute number	Per 100 000
2002	Total	107 029	1 304.8	20 383	728.6
	Rural population	28 909	714.1	1 651	112
2003	Total	113 808	1 376.9	21 278	779.4
	Rural population	32 305	805.3	1 663	116.7
2004	Total	118 263	1 416.8	21 498	803.7
	Rural population	33 137	818.4	1 645	117.1

**Number of persons with drug disorders
(diagnosed for the first time)**

Years		Total		Including persons under the age of 18	
		Absolute number	Per 100 000	Absolute number	Per 100 000
2002	Drug disorders total	34 840	424.7	7	0.3
	Rural population	3 885	96	1	0.1
	Including psychological and behavioural disorders caused by alcohol abuse	17 360	211.6	-	-
	Rural population	767	18.9	-	-
	Drug addiction	11 127	135.7	-	-
	Rural population	1 662	41.1	-	-
	Substance abuse	103	1.3	6	0.2
	Rural population	7	0.2	-	-

Years		Total		Including persons under the age of 18	
		Absolute number	Per 100 000	Absolute number	Per 100 000
2003	Drug disorders total	35 540	433.3	7	0.3
	Rural population	3 830	94.6	1	0.1
	Including psychological and behavioural disorders caused by alcohol abuse	17 513	213.5	-	-
	Rural population	781	19.3	-	-
	Drug addiction	11 494	140.1	-	-
	Rural population	1 562	38.6	-	-
	Substance abuse	108	1.3	8	0.3
	Rural population	5	0.1	-	-
	2004	Drug disorders total	36 169	441.0	7
Rural population		4 192	103.6	-	-
Including psychological and behavioural disorders caused by alcohol abuse		17 795	216.9	-	-
Rural population		894	22.1	-	-
Drug addiction		11 895	145	-	-
Rural population		1 762	43.5	-	-
Substance abuse		119	1.5	7	0.3
Rural population		12	0.3	-	-

Paragraph 9

Infection with HIV/AIDS

	2003	2004	2005
Registered cases of AIDS (total)	12	21	12
Including children under 14	-	-	1
Registered persons infected with HIV (total)	114	121	163
Including children under 14	-	1	1

Paragraph 10

In 2002, the court for serious offences considered criminal cases against 29 minors. Of that number, 25 minors were sentenced to deprivation of liberty, 2 were sentenced to punitive deduction of earnings, 1 to a fine, 6 received suspended sentences under article 70 of the Criminal Code, and 1 was sentenced to compulsory medical treatment.

In 2003, the court for serious offences considered criminal cases against 34 minors. Of that number, 32 minors were sentenced to deprivation of liberty, 1 was sentenced to punitive deduction of earnings, 1 to a fine, and 7 received suspended sentences under article 70 of the Criminal Code.

In 2004, the court for serious offences considered criminal cases against 45 minors. Of that number, 44 minors were sentenced to deprivation of liberty, 1 was sentenced to punitive deduction of earnings, and 16 received suspended sentences under article 70 of the Criminal Code.

In 2002, of the 15,520 registered offences 523, or 3.4 per cent, were committed by minors. A study of the dynamics and structure of these offences revealed that 231 criminal cases involving 282 persons were referred to the courts. The nature of these offences is as follows: 12 murders, 3 attempted murders, 23 offences involving the infliction of serious harm to health, 24 involving less serious harm to health, 30 involving minor harm to health, 57 beatings, 17 violent acts of a sexual nature, 4 rapes, 220 thefts, 16 robberies, 10 cases of aggravated theft, 53 acts of hooliganism, and 18 cases involving illicit drug trafficking.

In 2002, of the 102 minors who committed offences, 66 were schoolchildren, 12 had not finished secondary school, 21 had completed secondary school, 4 were not employed in socially useful labour, and 4 had criminal records.

In 2002, 107 minors were convicted for various types of offences.

In 2003, of the 15,206 registered offences, 480, or 3.2 per cent, were committed by minors and, in 2004, of the 16,810 offences 528 were committed by minors. Such offences included 9 murders, 2 attempted murders, 17 offences involving the infliction of serious harm to health, 19 offences involving minor harm to health, 56 beatings, 11 violent acts of a sexual nature, 4 rapes, 207 thefts, 4 abductions, 15 robberies, 17 cases of aggravated theft, 42 acts of hooliganism and 7 offences involving illicit drug trafficking.

In 2003, investigative bodies referred 227 criminal cases involving 268 minors to the courts.

In 2004, 515 offences committed by minors were registered. Such offences included 12 murders, 3 attempted murders, 16 offences involving the infliction of serious harm to health, 37 offences involving minor harm to health, 68 beatings, 9 violent acts of a sexual nature, 2 rapes, 183 thefts, 3 abductions, 18 robberies, 16 cases of aggravated theft, 59 acts of hooliganism and 18 offences involving illicit drug trafficking.

In 2004, 260 criminal cases involving 293 minors were referred to the courts.

In 2004, of the 16,030 registered offences 791, or 3.1 per cent, were committed by minors, including 471 males, 20 females, 67 schoolchildren and 3 unemployed minors.

The prison facility for minors holds 100 persons. Minors are not held in prisons for adults.

Paragraph 11

With reference to minors requiring special protection, we should like to point out that, on 9 November 2005, the Cabinet of Ministers adopted Decision No. 203 on regulations governing the establishment, financing, operation and supervision of special institutions for victims of trafficking in persons. Paragraphs 3.4 and 3.5 of the regulations provide that help centres and shelters shall immediately inform tutorship and guardianship agencies and the Commission on Minors' Affairs and Protection of Their Rights about children who have been victims of trafficking. Children are placed in shelters for 60 days. This period may be extended by application to the Ministry of Internal Affairs, a tutorship or guardianship agency or the Commission on Minors' Affairs. In all cases, the views of children over 10 are sought and taken into account.

In shelters, children are generally kept separately from other persons. Depending on the interests of the child, he or she may be placed with other people who have a positive influence on his or her psychological state, or with his or her parents (except when the parents are presumed responsible for the child's becoming a victim of trafficking). In shelters, children are given an opportunity to continue their education, maintain contacts and meet with their families (except when the parents are presumed responsible for the child's becoming a victim of trafficking).

During the first nine months of 2005, three cases involving the enticement of children into sexual activity and sexual exploitation were identified. Appropriate measures were taken to deal with these cases.

B. General measures of implementation

Paragraph 1

Paragraphs 9, 10, 30 and 31 of the Committee's concluding observations on the initial [sic] report of Azerbaijan (absence of a comprehensive policy to promote and protect the rights of the child).

In order to implement the Committee's recommendations, the Cabinet of Ministers adopted a number of measures, a working group consisting of representatives of interested State bodies and non-governmental organizations (NGOs) was set up, and a national plan of action was drafted. The plan of action was approved on 16 December 1999 by the Commission on Minors' Affairs of the Cabinet of Ministers.

In addition, on 14 April 2003 the Cabinet of Ministers adopted a decision approving the Plan of Action to tackle the problems of homeless and street children in Azerbaijan.

Presidential Order No. 932 of 18 July 1999 approved the State Programme for the Protection of Human Rights. Pursuant to paragraph 22 of the Programme, the State Programme for the Protection of the Rights of the Child and Improvement of Education and Training Work with Children was drafted and subsequently approved by a Cabinet of Ministers order dated 22 July 2000. The main tasks of the Programme are to create favourable conditions and implement a series of measures for the application of the Convention on the Rights of the Child and the Rights of the Child Act.

The Ministry for Youth, Sports and Tourism is responsible for coordinating all work being done with children, including the work of NGOs.

To this end, the National Coordination Council for Children's Affairs was established in February 2001 under the auspices of the Ministry for Youth, Sports and Tourism. Its permanent members include representatives of 12 State executive bodies and the directors of some 30 children's NGOs.

Paragraphs 12 and 33 (budgetary allocations)

State budget expenditure

Expenditure	2002	2003	2004	2002	2003	2004
	Billions of manat			Percentage of GDP		
Total	4 658.8	6 172.7	7 510.7	15.7	17.3	17.9
Including:						
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Paragraphs 19 and 40 (inadequate support to families living below the poverty line, and single-parent families)

On 29 December 2000, the President of Azerbaijan signed a decree on increasing State assistance for disabled persons and certain other categories of needy citizens.

The Presidential Order of 22 May 1996 on increasing benefits for needy families established allowances for children from needy families in appropriate amounts and also the one-off childbirth allowance, which are disbursed from the State Social Welfare Fund (the other benefits are disbursed from the national budget), with funding provided before the beginning of each calendar month.

Thus, the State provides support for families, mothers, fathers and children; it has established the following benefits and other guarantees of social protection:

- Maternity benefit (100 per cent of average earnings);
- A one-off benefit payable on the birth of each child (70,000 manat);
- An allowance for poor families in respect of children under 16 (students receiving no bursary - under 18), if the per capita family income does not exceed 16,500 manat (9,000 manat a month);
- An allowance for children of military personnel on fixed-term military service (12,500 manat a month);
- An allowance for children of war invalids and persons disabled as a result of the events of January 1990 (20,000 manat a month);
- An allowance for children of the families of martyrs (35,000 manat a month);
- An allowance for minor children of families affected by the accident at the Chernobyl nuclear power station (25,000 manat a month);
- An allowance for the care of a sick child (100 per cent of average monthly earnings);
- A monthly allowance during leave taken to look after a child under the age of 3 (15,000 manat), etc.

The State provides needy citizens attending fee-paying educational institutions with allowances based on the regulations of State educational institutions of the same kind and type.

Pursuant to article 30 of the Rights of the Child Act, the State runs special programmes to protect children living in areas affected by military operations, epidemics and natural and environmental disasters, and children suffering the effects of such phenomena, as well as orphans, children from single-parent and needy families and children of martyrs.

A draft policy outline on the reform of Azerbaijan's social welfare system has been prepared with a view to reinforcing the social protection of needy members of the population and their children and introducing reforms in order to improve the provision of targeted assistance to this category of persons. With a view to drafting new regulations, pilot projects are currently being carried out in order to ensure that active measures are taken to identify needy families and to allocate benefits for their children.

Paragraph 22 and 43 (ill-treatment and abuse of children within the family)

Article 152 of the Criminal Code establishes criminal liability in respect of sexual intercourse or other acts of a sexual nature committed by a person who has attained the age of majority with a person known to be under the age of 16.

Article 153 establishes criminal liability in respect of the commission of sexual abuse not involving the use of violence with a person known by the perpetrator to be under the age of 14.

Under article 171 of the Criminal Code, it is a criminal offence to involve a minor in prostitution or the commission of other immoral acts.

Under article 64 of the Family Code, parents (or either one of them) may be deprived of parental rights if they treat their children cruelly or subject them to physical or psychological pressures.

Measures to prevent the ill-treatment of children and their sexual and physical exploitation are also taken pursuant to the provisions of articles 12 and 28 of the Rights of the Child Act, paragraph 5 of the State programme to improve the upbringing of children and protection of their rights of children, and section 2 of the Plan of Action to tackle the problems of homeless and street children. In accordance with the instructions issued by the Ministry of Internal Affairs, over the past three years the relevant agencies identified more than 200 cases of ill-treatment of children and illegal employment, and appropriate measures were taken. During the first nine months of 2005, three cases involving the enticement of children into sexual activity and sexual exploitation were identified, and appropriate measures were taken.

In cases of child suicide, the police and the procuratorial agencies must conduct an investigation in accordance with criminal law, try to establish the reasons and the circumstances, and take steps to prevent child suicide.

Fourteen child suicides were recorded in 1998, 18 in 1999, 15 in 2000, 32 in 2001 (21 of them boys) and 26 in 2002 (19 of them boys); in the first six months of 2003, 19 child suicides (15 of them boys) were recorded. Most of the children who committed suicide were between the ages of 14 and 17, and 60 to 70 per cent of them were boys.

Paragraphs 23 and 44 (street children)

For the purposes of assisting children who live or work on the street owing to the absence or weakening of parental care or their family's unfavourable social and economic conditions, the Cabinet of Ministers, in its Decision No. 60s of 14 April 2003, approved the Plan of Action to tackle the problems of homeless and street children. The Plan takes into account the provisions of the Convention on the Rights of the Child and the Rights of the Child Act. It provides for the protection of children's social and economic rights and sets out measures to support their education and health care, the organization of out-of-school activities, and international cooperation for their benefit.

Paragraphs 24 and 45 (general health situation of children)

On 10 October 2000, the Cabinet of Ministers approved the Rules on compulsory medical treatment of disabled persons, pregnant women and nursing mothers, men over 60 years of age and women over 55 years of age, and drug addicts who have committed an offence and who are suffering from one of the diseases set out in the list approved by the Ministry of Health.

The State Programme for the Protection of the Rights of the Child and Improvement of Education and Training Work with Children provides for the implementation of a number of measures, including:

- Establishment of an effective system to ensure children's harmonious development and improvement of the education and upbringing of the younger generation;
- Improvement of the protection of children;
- Protection of maternal and child health;
- Improved provision of food products;
- Increased care for children with mental or physical disabilities who are in State guardianship;
- Intensification of work with families requiring social protection;
- Adoption of measures to eliminate the exploitation of child labour;
- Guarantee of the exercise of children's rights.

In its decisions of 16 and 17 February 1999, the Cabinet of Ministers approved two State programmes, the first on improvement of the education of young people in patriotic and civic values and the other on young families. The decisions give particular attention to solving problems relating to the health of mothers and children, reproductive health and the legal protection of children.

Paragraphs 26 and 47 (refugees and IDPs)

Several projects have been carried out to make the Convention known to children in difficult circumstances (children living in refugee camps, boarding schools for orphans, reform schools). A number of options have been prepared for holding training and educational courses on this subject.

Free shows, concerts, charity events and opportunities for participation in various festivals are arranged for children deprived of parental care and children from refugee families.

A total of 89,985 refugee children from Armenia and children forcibly resettled from the Azerbaijani territories occupied by Armenia are being educated free of charge in 695 general education schools for refugees and displaced persons.

Paragraphs 27 and 48 (children affected by the armed conflict)

Pursuant to article 37 of the Rights of the Child Act, the State assumes responsibility for the provision, in accordance with the norms of international law, of protection for children in areas affected by the armed conflict. The military authorities must do everything possible to evacuate children from conflict zones to safe places in order to protect their lives and health. The direct participation of children under the age of 15 in military action is prohibited.

Pursuant to article 5 of the Rights of the Child Act, State agencies and natural and legal persons must be guided in their actions by the best interests of the child and must create conditions for the exercise of children's rights. National legislation and the decisions of the competent authorities must not work to the detriment of the best interests of the child, and their application must not harm a child's life, development or upbringing. Any restriction of the rights and interests of the child is legally invalid.

Paragraphs 28 and 49 (administration of juvenile justice)

By Act No. 652 of 28 July 1993, Azerbaijan acceded to the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, which were adopted on 29 November 1985.

In accordance with the Code of Criminal Procedure, the principle of legality (art. 10), the equality of all persons before the courts and the law (art. 11), respect for honour and dignity (art. 13), the right to professional legal assistance (art. 19), the presumption of innocence (art. 21), the free services of an interpreter (art. 26) and the right of appeal to a higher court (art. 35) are extended equally to juveniles involved in criminal proceedings.

Under article 432, paragraph 2, of the Code, it is mandatory for a lawyer to appear on behalf of juveniles.

Article 432, paragraph 4, of the Code provides that the fundamental procedural guarantees must be applied at all stages of preliminary investigations in juvenile cases in respect of the following rights:

- The right to be informed of the charge;
- The right to refuse to give testimony;
- The right to defence counsel;
- The right of parents or other legal representatives to participate;
- The right to confidentiality.

Under article 432, paragraph 5, of the Code, the investigator must ensure that an education professional or psychologist is present during investigations involving children under the age of 16 and minors with mental disabilities.

Additional information on the administration of juvenile justice may be found in chapter VIII, section B, of the second and third periodic reports.

Paragraph 2

Under article 148, paragraph 2, of the Constitution of Azerbaijan, the Convention on the Rights of the Child, like other international instruments to which Azerbaijan is a party, is an integral part of Azerbaijan's legislation.

Accordingly, courts are also guided by the provisions of the Convention.

There are no recorded cases of the Convention being directly invoked in domestic courts.

Paragraph 3

In accordance with the recommendations of the Committee on the Rights of the Child, a system for collecting information about children covering all aspects of their lives and Convention-related matters has been prepared.

The research centre on youth problems of the Ministry for Youth, Sports and Tourism has devised a two-year course to train social workers to deal with the problems of children and young people. The Ministry is working on a mechanism for the collection and processing of information from district and municipal authorities and is creating an extensive database on the situation of children. The lack of reliable data of this kind is currently obstructing the attainment of better results in terms of the genuine protection of the rights of this category of children.

Paragraph 4

The Ministry for Youth, Sports and Tourism is responsible for coordinating all work being done with children, including the work of NGOs.

To this end, the National Coordination Council for Children's Affairs was established in February 2001 under the auspices of the Ministry for Youth, Sports and Tourism. The permanent membership of the Coordination Council includes representatives of 12 State executive agencies and the directors of some 30 NGOs. The Council considers current problems, establishes working groups to draft measures to ensure the exercise of children's rights, and may lobby on any issue affecting children.

Since its creation, the Coordination Council has discussed policy outlines on the children's voluntary movement and the organization of children's summer holiday activities, and has drafted urgent measures to help children living or working on the street. It is planning to discuss the situation with respect to working children. The Council regularly considers reports

from NGOs and information from State agencies concerning their work. At least once a year, the Ministry's Central Administrative Board considers the work being done with children in various regions of Azerbaijan, including on-site investigations. It is also responsible for monitoring compliance with the provisions of the Convention.

Paragraph 5

As indicated in articles 2, 3, 5, 6 and 7 of the Regulations governing commissions on minors' affairs and protection of their rights, which were approved by the Act of the Republic of Azerbaijan of 31 May 2002, the following bodies belong to the system of commissions on minors' affairs and protection of their rights:

- District and municipal local commissions;
- The commission attached to the executive authorities of the city of Baku;
- The commission attached to the Cabinet of Ministers of the Nakhchyvan Autonomous Republic;
- The commission attached to the Cabinet of Ministers of the Republic of Azerbaijan.

Commissions are established by the Cabinet of Ministers of the Republic of Azerbaijan, the Cabinet of Ministers of the Nakhchyvan Autonomous Republic, the executive authorities of the city of Baku and the local government bodies of districts and cities. They are composed of from 9 to 11 members, including a chairman, executive secretary (secretary) and a child psychologist.

In order to carry out the day-to-day work of the commissions and monitor their compliance with decisions, the posts of executive secretary and child psychologist are being introduced in local commissions. The posts of executive secretary and secretary have been introduced in the commissions attached to the Cabinet of Ministers of the Republic of Azerbaijan and the Cabinet of Ministers of the Nakhchyvan Autonomous Republic, including the commission attached to the executive authorities of the city of Baku. These posts are included in the staff list and are remunerated. All other members of the commission carry out their activities on a pro bono basis.

The number of commission members is established by the Cabinet of Ministers of the Republic of Azerbaijan, the Cabinet of Ministers of the Nakhchyvan Autonomous Republic, the executive authorities of the city of Baku, and district and municipal authorities where commissions are established depending on the volume of work.

The commissions include directors of educational establishments, public health bodies, internal affairs agencies, cultural institutes and other institutions. They may also include representatives of NGOs (voluntary associations and foundations).

Local commissions on minors' affairs and protection of their rights are empowered to:

1. Take part in the drafting of legislation and regulations relating to the rights and legitimate interests of minors;
2. Take part in the drafting of the corresponding programmes for the protection of the rights and legitimate interests of minors, improvement of their living conditions and protection of their health, upbringing, education, work and leisure, as well as for the prevention of homelessness and monitoring of the programmes' implementation;
3. Study the conditions under which minors are maintained and educated in residential institutions, vocational schools, children's homes, special re-education and training institutions of the open and closed types, ordinary re-education and training and medical/education facilities, and reception/distribution centres;
4. Obtain the necessary information from the inspectors for minors' affairs of the Ministry of Internal Affairs;
5. Check on the organization of the social education work with minors in general education schools and other educational establishments and also in enterprises, organizations and establishments, regardless of their form of ownership, where minors work;
6. Require the administrations (employers) of enterprises, organizations and establishments, regardless of their form of ownership, to supply any information needed for the commissions' work;
7. Hear at commission meetings statements from the administrations (employers) of enterprises, organizations and establishments, regardless of their form of ownership, on matters connected with the education and upbringing of minors;
8. Interview minors, their parents and other legal representatives, to consider their complaints and applications, and to study individual cases;
9. Involve the community in the upbringing of minors and to appoint volunteer mentors;
10. Make representations to the competent State agencies, enterprises, establishments and organizations, regardless of their form of ownership, in connection with the upbringing, employment or education of minors;
11. Apply to the courts for the imposition of a lighter penalty than the one handed down for the offence, for the replacement of an unserved part of a sentence with a lighter form of punishment, for the imposition of a conditional sentence, for the early expunging of a criminal record, or for conditional early release from a punishment;
12. Submit matters to the competent State agencies in connection with the prosecution of officials who have failed to carry out commission decisions or refused to consider commission applications for the restoration of the violated rights and legitimate interests of minors;

13. Submit petitions to the Presidential Pardons Commission for clemency for persons convicted by the courts who were between 14 and 18 years of age when they committed their offence;

14. Make representations to the competent State agencies with a view to prosecuting persons who have infringed the rights of minors or incited or enticed minors to commit unlawful acts;

15. Consider the question of consent to the annulment of the registration of children lacking parents or parental protection in their place of residence or sojourn;

16. Give consent to transactions relating to the privatization of living accommodation owned by minors lacking parents or parental protection, or of living accommodation from which such minors are temporarily absent but to which they have equal rights with the owner or lessee in the event of privatization;

17. Privatize, in accordance with national legislation and within the limits of their powers, living accommodation to which children lacking parents or parental protection hold entitlement in the event of their parents' death or the compulsory replacement of the living accommodation of parents who have been deprived of their parental rights or in the event of the compulsory replacement of the accommodation in question, and sign agreements on the transfer of such accommodation to the ownership of children lacking parents or parental protection;

18. Clarify the reasons for the commission of unlawful acts by minors and - with a view to preventing such acts - keep records of such cases considered at their meetings and to report this information in a standard format at least twice a year;

19. Invite officials, experts and citizens to commission meetings in order to obtain information and explanations about matters considered at the meetings;

20. Make any necessary representations to enterprises, establishments and organizations, regardless of their form of ownership, in order to restore violated rights or legitimate interests of minors;

21. Consider files transmitted by the competent State agencies concerning minors who have committed crimes but are still below the age of criminal responsibility established by criminal law;

22. Transmit to the competent health institutions files concerning minors who use alcoholic spirits, narcotic drugs or psychotropic substances or engage in similar forms of substance abuse with a view to the implementation of preventive or rehabilitation measures;

23. Submit applications to the courts for release from punishment and placement in a re-education and training or medical/re-education institution of minors who have committed an offence that does not pose a great danger to society, or a less serious offence and who are below the age of criminal liability established by criminal law;

24. Submit applications to the courts on the basis of representations by the administrations of special re-education and training institutions of the closed type in connection with the early release of minors from such institutions;

25. On the basis of an application by a minor, verify the grounds for cancellation by an employer of a labour contract concluded with the minor;

26. Participate in the consideration by the courts of actions brought by a commission concerning the protection of the rights and legitimate interests of minors.

At least twice a year, the local commissions in Baku submit reports on their work to the commission attached to the competent executive agency, and the local commissions in the Nakhchyvan Autonomous Republic submit reports to the commission attached to the Baku government authorities, and the local commissions of the Nakhchyvan Autonomous Republic submit reports to the commission attached to Cabinet of Ministers of the Nakhchyvan Autonomous Republic. The commissions attached to the executive authorities in Baku and the Cabinet of Ministers of the Nakhchyvan Autonomous Republic, and all the other local commissions, with the exception of the local commissions in Baku and the Nakhchyvan Autonomous Republic, submit reports on their work at least twice a year to the commission attached to the Cabinet of Ministers of the Republic of Azerbaijan.

The commissions on minors' affairs and protection of their rights attached to the Cabinet of Ministers of the Republic of Azerbaijan are empowered to:

1. Coordinate the activities of the local commissions designed to prevent homelessness and the commission of unlawful acts by minors, eliminate the causes of these phenomena and protect the rights and legitimate interests of minors;

2. Take part in the drafting of laws and regulations relating to the protection of the rights and legitimate interests of minors;

3. When necessary, create temporary working groups to resolve specific issues;

4. Monitor the activities of the commission attached to the competent executive agencies in Baku and in the Nakhchyvan Autonomous Republic, coordinate these activities, provide the commissions with procedural back-up and compile and disseminate information about the successful aspects of their work;

5. Review the decisions of local commissions on the placement of minors in special re-education and training institutions and to revoke such decisions when they are found to be unlawful or unwarranted.

The commissions on minors' affairs and protection of their rights attached to the Cabinet of Ministers of the Nakhchyvan Autonomous Republic and the executive authorities of the city of Baku are empowered to:

1. Coordinate the activities of local commissions designed to prevent homelessness and the commission of unlawful acts by minors in the Nakhchyvan Autonomous Republic and in Baku, eliminate the causes of these phenomena and protect the rights and legitimate interests of minors;
2. Take part in the drafting of laws and regulations relating to the protection of the rights and legitimate interests of minors;
3. When necessary, create temporary working groups to resolve specific issues;
4. Monitor the activities of the local commissions in the Nakhchyvan Autonomous Republic and in Baku, coordinate these activities, provide the commissions with procedural back-up and compile and disseminate information about the successful aspects of their work;
5. Review the decisions of local commissions in the Nakhchyvan Autonomous Republic and in Baku on the placement of minors in special re-education and training institutions of the open type and revoke such decisions when they are found to be unlawful or unwarranted.

Paragraph 6

The Azerbaijani and English versions of the second and third periodic reports of Azerbaijan have been placed on the official website of the Ministry of Internal Affairs. Information about the website has been widely disseminated in the media.

On the initiative of the Azerbaijan Children's Fund, the Convention on the Rights of the Child was translated into Azerbaijani and published by the UNICEF office in Azerbaijan in an edition of 7,500 copies.

There has been a marked increase of interest in recent years in the protection of children's rights and the dissemination of information about the Convention on the Rights of the Child. This is demonstrated by the emergence of new NGOs and by the number of projects initiated by groups consisting entirely of schoolchildren and students (the children's groups *Nur* and *Ushagdan ushaga syulkh shyabyakyasi*; the network for peace *Ot rebenka k rebenku*; *Khazar*; *Shafa*; and others).

The public is also informed about the principles and provisions of the Convention through the conduct of all kinds of conferences, seminars, forums and round tables. The mass media, both printed and electronic, regularly put out material on the situation with respect to the protection of the rights of the child by means of talk shows, best-reportage competitions, best-film competitions, and so forth. State educational institutions and youth, culture and health establishments hold many competitions to publicize and increase awareness of the provisions of the Convention. Several projects have been carried out to make the Convention known to

children in difficult circumstances (children living in refugee camps, boarding schools for orphans, reform schools). A number of options have been prepared for holding training and educational courses on this subject. The UNICEF office, in cooperation with the youth organization *Nadezhnoe budushchee*, has published a handbook for teachers entitled *The Convention on the Rights of the Child and instruction in the Convention in general education schools*, and has also held a competition of drawings and posters, entitled "Convention on the Rights of the Child".

It should also be mentioned that, in the teaching of the subject "Man and society" (grades 8-11) in all general education schools, a great deal of attention is devoted to human rights and freedoms, including the rights of the child with reference to the provisions of the Convention on the Rights of the Child. Teachers' conferences are held regularly in Azerbaijan. The handbooks entitled *My rights* (grades 1-4) and *Human rights and me* (grades 5-11) were prepared for printing and published.

With a view to ensuring the integration of children without parents into society, the "SOS Kinder" children's village was established in the city of Baku with support from the international organization SOS KINDERDORF INTERNATIONAL. The children's village accommodates 106 children who receive comprehensive care and are surrounded by maternal love and family warmth. Each family is headed by an SOS mother. SOS mothers are women who do not have children and families of their own and who are prepared to devote their lives to orphans and SOS families. Each child living in the "SOS Kinder" children's village receives individual attention, and particular importance is attached to his or her integration into society. Children are educated in general education schools and also belong to various circles and study groups; they also attend musical, sports and other schools.

The "SOS Kinder" children's village in Baku also has a kindergarten. In order to facilitate children's integration into society from an early age, a new school building was opened in the "SOS Kinder" children's village in Baku; since the beginning of 2003, the children's village has been accepting children from neighbourhood families. At present, 84 children, including 12 children from the "SOS Kinder" children's village, are attending the "SOS Kinder" kindergarten. In August 2004, work began on the construction of an "SOS Kinder" children's village in the city of Gyandzha; the children's village, which will provide comprehensive care for another 100 children deprived of parental care, is expected to commence operation at the end of 2005.

In cooperation with UNICEF and with the participation of directors of children's homes and specialists from the Ministry of Labour and Social Welfare, seminars and conferences are being conducted, meetings with parents of living children are being held and public awareness efforts are being made with a view to implementing measures to place children in their own or foster families. Also in cooperation with UNICEF, alternative children's centres are engaged in preparatory work for the provision of social assistance services to families and for the placement of children in families. To this end, efforts are being made to raise the awareness of parents of such children.

Paragraph 7

The relevant State agencies and the NGOs Azerbaijan Children's Fund and the National Children's Organization took part in the preparation of the second and third periodic reports.

The charity operating under the name "Azerbaijan Children's Fund", which was founded 15 years ago, in April 1988, joined the International Association of Children's Funds in 1996. The Fund has offices in all towns and districts of Azerbaijan.

The representative of the Fund, who is a member of the Commission on Minors' Affairs of the Cabinet of Ministers, takes part in the working groups on the drafting of State programmes on the protection of children's rights.

The Fund's Convention-related charitable work is conducted under four main programmes: orphaned children (art. 6), refugee children (art. 22), children's health (art. 24) and children's education (art. 26).

As has been mentioned, the representative of the Fund, who is a member of the Commission on Minors' Affairs, also was a member of the working group that drafted the National Plan of Action to implement the Convention (detailed information on the Plan is contained in section B, paragraph 1). It should be mentioned that the UNICEF office in Azerbaijan also took part in the drafting of the National Plan of Action.

It should also be mentioned that, in the preparation of replies to the Committee's questions, account was taken of information contained in alternative reports under the Convention on the Rights of the Child that were prepared by NGOs.

Paragraph 8

As a result of Armenia's aggression against Azerbaijan, 20 per cent of Azerbaijan's territory is under occupation, over 50,000 people have been wounded or disabled, 18,000 people have died, and schools and educational establishments and medical institutions have been destroyed. As a result of the aggression and the ethnic cleansing of Azerbaijanis from the territory of Armenia proper and the occupied Azerbaijani territories, there are currently about 1 million refugees and displaced persons in Azerbaijan.

The situation of children who have suffered and continue to suffer as a result of the armed conflict is a priority requiring immediate attention, in order to protect the rights of such children and, accordingly, implement the Convention.

PART II

The Convention on the Rights of the Child has been translated into Azerbaijani (an electronic version is attached).

PART III

New bills or enacted legislation

In Azerbaijan, the transition to a market economy is still in progress, and major changes are being made to revitalize the country's social and economic development. The dynamic development of the economic and social sector has had a direct effect on the Government's fulfilment of its obligation to implement the Convention on the Rights of the Child. Since it ratified the Convention, Azerbaijan has adopted a number of legislative acts that lay the legal groundwork for the protection of children's rights in Azerbaijan.

In 2004 and 2005, Azerbaijan adopted the following legislative acts which, in one way or another, consolidate and protect children's rights.

Acts of the Republic of Azerbaijan:

- Newborn Babies and Infants (Feeding) Act of 17 June 2003;
- Prevention of Homeless and Violation of Minors' Rights Act of 24 May 2005;
- Prevention of Trafficking in Persons Act of 28 June 2005;
- Targeted State Social Assistance Act of 21 October 2005;
- Trafficking in Narcotic Drugs, Psychotropic Substances and Their Precursors Act of 28 June 2005.

The Targeted State Social Assistance Act will enter into force on 1 January 2006. The Act provides that all members of needy families shall receive monthly allowances.

With a view to developing a mechanism for the provision of targeted social assistance, with support from Teacher and Student International Communication (TASIC), special application forms and questionnaires have been prepared with a view to determining the incomes of families receiving child allowances. Pilot projects to improve the social welfare system have been carried out in social protection centres for the population living in Nizami district in Baku and in Kuba district. Pilot studies involving more than 7,000 families with children have been carried out in order to determine the actual material situation of families and their real need for social assistance from the State. The State programme for the development of demography and population in the Republic of Azerbaijan, which was adopted by Presidential Decree No. 517 of 11 November 2004, provides for a number of measures for providing social protection for children, reducing child mortality and raising the birth rate.

Azerbaijan has ratified a number of International Labour Organization (ILO) conventions concerning children's rights. In January 2004, the Government of Azerbaijan ratified ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

The Prevention of Homelessness and Juvenile Offences Act and the Prevention of Trafficking in Persons Act provide the legal basis for the creation of a State system in Azerbaijan for the prevention of homelessness and juvenile offences and of trafficking in persons; they also provide for the social protection and rehabilitation of minors and victims of trafficking in persons.

Decisions of the Cabinet of Ministers of the Republic of Azerbaijan:

Decision of 7 March 2005 approving the procedure for providing medical assistance (services) to disabled persons, forcibly displaced persons, the elderly, children, the needy and persons who have lost a breadwinner, persons who have been granted the status refugee or internally displaced person and living in temporary residences and hospitals, citizens who have suffered in attempts to save the lives of people in emergency situations and in the provision of medical assistance, citizens of Azerbaijan infected with HIV/AIDS, donors in operations involving the removal of organs and/or tissues and medical, remedial and psychological assistance (services) for disabled children and children with mental and physical disabilities, and also approving the procedure for providing medicines to persons disabled as a result of the events of 20 January [1990], persons who have become disabled as a result of ethnic conflicts, disabled children and other persons with category I and II disabilities, children or adolescents under the age of 18 who have been resettled from evacuation and resettlement areas, including children who were in their mother's womb on the day they were resettled, owing to the accident at the Chernobyl nuclear power plant, and children born after 26 April 1986, one of whose parents participated in the elimination of the consequences of the accident at the Chernobyl nuclear power plant, or who suffered as a result of the Chernobyl accident and were probably directly exposed to radiation, the elderly, children, needy persons and persons who have lost a breadwinner, persons who have been granted the status of refugee or internally displaced person and living in temporary residences and hospitals, citizens infected with HIV/AIDS, and donors in operations involving the removal of organs and/or tissues;

Decision of 3 February 2005 approving Azerbaijan's Development Programme (2005-2009) for the provision of education to children with special needs (with impaired health);

Decision of 9 November 2005 approving the regulations governing the establishment, financing, operation and supervision of special institutions for victims of trafficking in persons.

Order of 14 April 2003 on the Plan of Action to tackle the problems of homeless and street children.

New institutions

Following Azerbaijan's accession, on 30 March 2004, to the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, the Ministry of Justice was designated as the lead agency.

In connection with the fulfilment of the obligations arising from the Convention, by an order of the Ministry of Justice of 8 February 2005, a civil registry department was established in the Office of the Notary and the State registry office under the Ministry of Justice.

The department was established with a view to ensuring compliance with the procedures relating to international adoption, improving the work of the State registry office and increasing the provision of legal services in this area.

New programmes

Article 10, paragraph 2, article 11, article 12, and article 15, paragraph 1, of the Prevention of Homeless and Violation of Minors' Rights Act of 24 May 2005 provide for the organization and conduct of individual social rehabilitation programmes for minors, educational programmes, programmes and teaching methods to inculcate in minors respect for society and the law, and programmes to protect minors' social and legal interests.

As has already been mentioned, on 3 February 2005 Azerbaijan adopted its Development Programme (2005-2009) to provide education to children with special needs (with impaired health). The principal aim of the Programme is to create identical conditions for all children with special needs, ensure their equal access to education, strengthen State and social protection of such children, provide the logistical and educational basis for special educational institutions in compliance with current international standards.

Under the Programme to Eliminate Child Labour, carried out jointly by the Ministry of Labour and Social Welfare and ILO, research is being conducted on the timely evaluation of child labour in Azerbaijan.

The research and study centre for labour and social problems attached to the Ministry of Labour and Social Welfare is conducting sample studies with a view to analysing and evaluating the condition of children deprived of parental care and who work and live on the street. This study was conducted on the basis of the methods for the timely evaluation of child labour, which were developed by ILO and UNICEF. The study concentrated on children between the ages of 5 and 17 who work on the streets of Baku and in the informal sector. The studies identify the circumstances that prompt children to work and, through the timely evaluation of child labour, make it possible to put forward appropriate proposals with a view to solving these problems.
