



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Pre-session working group

Thirty-seventh session

15 January-2 February 2007

List of issues and questions with regard to the consideration of periodic reports

Azerbaijan

The pre-session working group examined the combined second and third periodic report of Azerbaijan (CEDAW/C/AZE/2-3).

Constitutional, legislative and institutional framework

1. Please provide more detailed information on the process of preparing the report. This information should indicate which Government departments were involved in its preparation, the extent of consultations with non-governmental organizations and whether the report was adopted by the Government and presented to the Parliament.
2. Please clarify the applicability of the Convention before national courts and indicate any court cases where the Convention was referred to.
3. The report mentions on page 5 that “a definition of gender discrimination modelled on article 1 of the Convention is included in the draft legislation on State guarantees to provide equal rights and equal opportunities for men and women”. Please provide information about this draft legislation, including the definition of discrimination and the time frame for its adoption and its scope. In particular, what are the types of “positive discrimination” which the legislation will encompass, and does it provide for the prosecution of discriminatory practices against women?
4. The report refers on page 9 to Azerbaijan’s National Plan of Action on Women’s Issues for 2000-2005, which is based on the strategies of the Beijing Platform for Action and on the Convention on the Elimination of All Forms of Discrimination against Women. Please describe the concrete results achieved in its implementation and results of the actions taken in the implementation of the Committee’s concluding comments contained in its report on its eighteenth and

nineteenth sessions (A/53/38/Rev.1). Please provide information on any new strategy in this respect for the period after 2005.

5. It is not clear from the report whether the mandate of the Human Rights Ombudsman includes the protection and promotion of women's human rights. Please indicate whether this mechanism has become fully operational and describe its activities for the protection and promotion of women's human rights.

6. The report refers on page 8 to the Criminal Code, which contains 15 articles entirely or partially devoted to crimes committed by women only. Please provide the content of those articles.

Violence against women

7. Please provide detailed information on the forms and extent of violence against women in Azerbaijan, including domestic violence, including any available statistics and information on trends over time.

8. The Special Rapporteur on violence against women noted in her 2003 report (E/CN.4/2003/75/Add.1, para. 1890) that domestic violence is a taboo subject in Azerbaijan's patriarchal society and that women have no recourse against violence by their husbands, particularly in rural areas, and also that rapes are underreported (para. 1891). What measures are the Government implementing to overcome such attitudes, and to enhance women's access to justice? Has the Government set up any specialized departments within the police or prosecutor's offices to handle rape cases in a gender-sensitive manner? How many shelters exist in the country?

9. The report indicates on page 27 that a working group made up of experts from government and non-governmental organizations and media representatives analysed the compatibility between national legislation and international instruments in the light of Council of Europe recommendations on the protection of women against violence and on trafficking in human beings for the purpose of sexual exploitation. Please indicate what measures and recommendations the working group proposed and steps taken by the Government in response.

Trafficking and exploitation of prostitution

10. Please provide an update on the status, and the anticipated time frame for adoption, of the draft bill on combating trafficking in persons and the draft bill to supplement the Criminal Code of Azerbaijan with provisions relating to combating trafficking in persons, referred to on page 28 of the report. Please provide information about the trafficking cases which were successfully prosecuted and the sentences imposed on the perpetrators.

11. Please provide information about any follow-up in response to the Committee's concluding comments contained in paragraphs 74 and 75 of A/53/38/Rev.1.

Participation in political and public life and representation at the international level

12. Given the underrepresentation of women in political life, what concrete measures are envisaged to achieve women's full and equal participation at all levels of Government, including in the foreign service, taking into account general

recommendation 25 of the Committee, on article 4, paragraph 1, of the Convention, and general recommendation 23, on women in public life?

Education and stereotypes

13. As stated in the report, stereotypes regarding the role of men and women still persist in Azerbaijan society, particularly in the rural areas. What efforts have been made since the consideration of the initial report to eliminate stereotypes? In particular, does the Government plan to change school textbooks, curricula and teaching methods with a view to promoting a non-stereotypical image of women and supporting equality between women and men?

14. Please provide information about the dropout rates for girls and women at all levels of education, including major reasons why girls or women discontinue their education.

15. Please indicate the role of the media in strengthening a non-sexist and non-stereotyped image of women.

Employment

16. The report refers on page 5 to some private foreign companies which use various tacit forms of discrimination with respect to the hiring and firing of women. It further notes that, while the Government does not have access to specific figures relating to those practices, individual instances are publicized through the media and necessary action is being taken. Have any such cases been brought before the courts, and what were the outcomes? In addition, please give details on the measures that the Government is taking to ensure respect for women's labour rights and to raise women's awareness about those rights.

17. The report states on page 47 that "on average, women's salaries are about 70 per cent of men's salaries". Please provide information about the reasons why the gap between women's and men's salaries continues to be significant and on measures that have been taken to address discrimination against women in the area of employment, including vertical and horizontal employment discrimination and discrimination in pay.

18. The Committee, in its earlier concluding comments (A/53/38/Rev.1, para. 55), welcomed information on the proposed establishment of a women's bank to provide loans and credits for small enterprises organized by women. Please provide an update on the impact that bank has had on women's entrepreneurship, and in particular on how many women have benefited from its establishment and for what kind of businesses.

Health

19. The Committee, in its earlier concluding comments (A/53/38/Rev.1, para. 73), recommended the elaboration of adequate family-planning programmes. Similarly, the Committee on Economic, Social and Cultural Rights, in its 2004 concluding comments (E/C.12/1/Add.104), recommended that a comprehensive sexual and reproductive health programme, including a public awareness-raising campaign about safe contraceptive methods, be introduced. Please provide information on what action has been taken in response to those recommendations, as well as on

measures to reduce the maternal and infant mortality rates and to ensure that abortions are carried out under adequate medical and sanitary conditions.

20. Please describe current laws and customs which, in certain regions of Azerbaijan, oblige a woman to obtain her husband's approval for all her actions, including family planning, as referred to on page 66 of the report.

Women and poverty

21. The report mentions that Azerbaijan is carrying out a range of reforms aimed at achieving the Millennium Development Goals and that a number of State programmes have been adopted that take into account gender factors and women's issues. Particular mention is made on page 15 of the State programme on poverty reduction and economic development. The report does not indicate whether, and to what extent, these programmes take into consideration the Convention on the Elimination of All Forms of Discrimination against Women. Please describe how the implementation and impact of these State programmes are monitored. Also indicate whether civil society, and in particular women's groups, were consulted during the drafting of these programmes.

Marriage and family relations

22. Does the Government of Azerbaijan envisage bringing the legal age of marriage for women (see p. 89 of the report) into line with the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, and how will it promote and monitor adherence in practice?

Refugees and internally displaced women

23. Please provide information on the situation of women refugees and internally displaced women with regard to their access to employment, social security, health care and shelter. Please explain further how the State Programme on the settlement of the problems of refugees and internally displaced persons, referred to on page 15 of the report, addresses the situation of women.

Optional Protocol

24. Please describe measures in place to publicize the Optional Protocol, which Azerbaijan ratified on 1 June 2001, and to encourage its use.
