



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Forty-fourth session

Summary record of the 893rd meeting (Chamber B)

Held at Headquarters, New York, on Friday, 24 July 2009, at 3 p.m.

Chairperson: Ms. Neubauer (Rapporteur)

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In the absence of Ms. Gabr, Ms. Neubauer, Rapporteur, took the Chair.

The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Fourth periodic report of Azerbaijan (continued)
(CEDAW/C/AZE/4 and Add.1,
CEDAW/C/AZE/Q/4 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Azerbaijan took places at the Committee table.*

Articles 1 to 6 (continued)

2. **The Chairperson** said that the delegation had asked for an opportunity to clarify its response under article 5 with regard to the draft law against domestic violence, which had not been adequately rendered at the previous meeting.

3. **Ms. Hijran Huseynova** (Azerbaijan) reiterated that the draft law against domestic violence emphasized prevention of violence, whether psychological, physical or sexual. It provided that abusive husbands be served with restraining orders after each violent incident, which denied them their parental rights and mandated their separation from the family for a period of from 80 to 130 days. At the same time, they received psychological and mental help. The draft law would require corresponding amendments of the Criminal Code provisions regulating domestic violence. In addition, the Ministry of Internal Affairs had in 2007 established, in Baku and the outlying villages, a hotline for the reporting of any incidents, each of which was logged, investigated and actively monitored.

Articles 7 to 9

4. **Ms. Murillo de la Vega**, referring to articles 7 and 8 relating to the participation of women in politics, observed that there were only 14 women in Parliament, reflecting the low percentage of women in senior posts in any field of activity. The report was silent about affirmative action to help women advance as citizens, although much was being done to counter discrimination in other fields.

5. **Ms. Belmihoub-Zerdani** said that in order to reverse the very small proportion of women active in political life, the focus should initially be on getting

women involved in local elections, which would provide good experience for them when they later sought higher offices. The political parties themselves should encourage the participation of women and the Government should refuse to subsidize those which did not. The same principle applied to the assignment of women to responsible posts in international organizations.

6. **Ms. Ameline** asked whether voting procedures under the electoral code had been reformed in any way. Along with quotas for women, that would be a good way to help them make their presence felt in political life and heighten the public perception of the importance of women.

7. **Ms. Hijran Huseynova** (Azerbaijan) said that the active participation of women in politics was a priority, and it happened that the ruling party, unlike many of the opposition parties, was very receptive to attracting women to serve in office. She agreed that one must begin at the local level, for there were no female deputy mayors or heads of municipal committees at the moment. Aiming at realistic change, the Government was canvassing all areas of the country, providing practical information on how women could stand as candidates in local elections and what kind of support they would need, including legal support. The Office of the President had become involved in the effort, and the meetings held under the President's auspices had been attended by thousands of prospective women candidates. As long as survival had been the chief national concern, other issues had retreated into the background. Now, however, the climate was favourable for women, and the time was ripe to speak of establishing quotas to increase their political participation.

Articles 10 to 14

8. **Ms. Murillo de la Vega**, referring to article 10, observed that one of the main tools for the advancement of women was education. She found it surprising that the proportion of women at the various levels of education had stayed the same as in the fourth periodic report: a 10- to 16-per-cent gap overall between men and women, and a particularly worrisome seven point gap in higher education. It would be interesting to know how the State party accounted for that gap and was dealing with it.

9. Referring to article 11, she wondered what the Government planned to do to improve the access of

women to senior decision-making posts; and whether enterprises themselves were applying equal employment measures and fostering the upward mobility of women.

10. **Ms. Bailey**, referring to article 10, said that the failure to provide disaggregated data on the different levels of education made it difficult to determine to what extent there was universal education in Azerbaijan. The Government's response had failed to address specific reasons for the low participation of young women and girls or to mention steps to address the issue. She wondered if, apart from poverty, internal displacement and early marriage, the Government could indicate what other factors might be causing low participation rates, especially at the secondary level, and what was being done to encourage girls to attend school. The Committee would be interested in specific information concerning the results of analyses of stereotypes in educational materials and of the seminars held to raise gender awareness and sensitivity at the secondary level. She asked what steps had been taken to introduce girls to non-traditional clusters of subjects in order to combat segregation.

11. **Ms. Patten**, concerned by compliance with article 11, wondered what measures were being taken to close the wage gap, particularly in industries with wide gaps, and what facilities existed to adjudicate cases of wage discrimination, in both the public and the private sectors. She asked if the Government envisaged amending its Labour Code to include provisions for equal pay for work of equal value. The Committee was interested in details regarding the functioning of quota-based placement services and the sectors they targeted. Information would be welcomed regarding the impact of microfinance, especially on women in rural areas.

12. **Mr. Bruun**, acknowledging steps taken in the public sector to address imbalances, wanted to know how women were being given access to traditionally male-dominated sectors. He wanted to know what sanctions existed for sexual harassment in the workplace.

13. **Ms. Ameline** said that although Azerbaijan had one of the highest rates of economic growth in the region and had instituted remarkable economic reforms, its women workers did not seem to have benefited: many of them were still poor and worked in the informal sector. In terms of labour legislation, she

wondered what the Government understood by equal conditions for women's employment. The major changes needed in the country required obligations that were binding on employers in the areas of human resources and equality. The inclusion of equality measures in the future diversification of the country's economy would be interesting.

14. **Ms. Irada Huseynova** (Azerbaijan) said that 72.9 per cent of secondary school teachers were women. More than 90 per cent of primary school teachers were women. Eighty per cent of teachers in special schools for children with disabilities were women. In vocational schools, women accounted for 48.8 per cent of teachers, and 74.2 per cent in technical colleges. Forty-six per cent of teachers in higher education were women. Forty-six per cent of secondary school students were female, a rate that climbed to 68.7 per cent for special and technical education.

15. **Ms. Hijran Huseynova** (Azerbaijan) said that in rural areas, girls accounted for 47 per cent of students. However, early marriage was a problem, especially in the southern parts of the country, which were influenced by neighbouring States. The phenomenon was monitored in coordination with the United Nations Development Fund for Women (UNIFEM). Each year, the Committee on Students published a handbook on gender issues that analysed university applications by region. Crisis centres had been set up in the regions identified as problem areas.

16. With regard to employment and economic development, she referred to the project for women in agriculture, with development and management assistance for entrepreneurs, including capacity-building. Women were the priority targets for support, training and finance for business creation.

17. During the conflict in Azerbaijan, many persons had been displaced and there had been an exodus from rural areas, which were being repopulated. To encourage businesses in those areas most taxes had been abolished and subsidies amounting to €8 million per year had been introduced for technical and other support.

18. To follow up on Azerbaijan's women's congresses there were annual trade fairs, held in cooperation with the Ministry of Development, at which gender issues in business could be resolved. More women were going into fields like economic development, where the presence of a woman minister provided an incentive, or

into the security field, where — and that in a Muslim country — a woman was a national security general. Almost 2,000 women worked in the Ministry of Justice, and there were over 100 women judges. A body reporting to the President monitored the advancement of women in the civil service. Thus, serious and sound work was under way. The situation was, of course, complicated by the fact that it was the women themselves who had to be convinced that it was possible to make headway.

19. **Mr. Mammadov** (Azerbaijan), responding to questions on labour matters, said that Azerbaijan was a member of the International Labour Organization (ILO) and had ratified a number of conventions, including the Equal Remuneration Convention, 1951 (No. 100). Under the Law “On guarantees of gender equality” employers were obliged to provide equal conditions, including pay, for equal work, which covered hiring, training, promotion and other aspects of work. In the public sector, a pay scale had been established that allowed no distinction between men and women. On the proportion of women workers in various sectors, he said that women accounted for 73.8 per cent of workers in the health and social sector, 69.7 per cent in the education sector, 34.5 per cent in the financial sector, 32.1 per cent in the hotel and restaurant services sector, 32.1 per cent in the retail and wholesale sector, 29.6 per cent in the oil refining sector, 24.6 per cent in the transport and communications sector, 17.3 per cent in the construction sector and 14.3 per cent in the oil production sector. Overall, 46.5 per cent of workers in the public sector were women and 34 per cent in the private sector, yielding an average of about 40 per cent. Unemployment rates amounted to 5.6 per cent among women registered in the workforce and 7.5 per cent among men; nearly half the unemployed were women. Through Government efforts the poverty rate had been reduced sharply to the current rate, which was around 12 per cent. In that connection, particular attention had been devoted to social development and job creation in the regions. Programmes had been established to train and retrain women for the labour market, with particular focus on the artistic and handicraft sector. In cooperation with ILO various programmes and pilot projects had been established to train women for self-employment by developing entrepreneurship.

20. **Ms. Hijran Huseynova** (Azerbaijan) said that primary and secondary education, covering children

from 6 to 9 years of age and 10 to 14 respectively, was mandatory irrespective of sex. By now, nearly 90 per cent of girls attended school regularly, which had required Government campaigns and monitoring, especially in the rural and mountainous regions, to ensure that girls were free to attend and to facilitate their access.

21. **Mr. Gurbanov** (Azerbaijan), responding to questions on sexual harassment, said that the Law on gender equality instituted fines and other criminal and civil penalties for applying such pressure on workers. The Labour Code obliged heads of companies and establishments to pay compensation to victims of sexual harassment.

Articles 10 to 14

22. **Ms. Zou Xiaoqiao**, speaking with reference to article 12, noted that the number of abortions in Azerbaijan seemed to be rising as was the rate of maternal mortality and asked whether the Government had studied the problem and planned any measures to deal with it. More information would be useful on the availability and coverage of family planning services, including for rural and internally displaced women, as well as plans and programmes to keep women healthy. Noting that the incidence of HIV/AIDS was increasing, she asked about the reasons for that and what the Government was planning to do to improve that situation.

23. **Ms. Razekh** asked for more information on access by women in rural areas to health-care services and on the National Strategy plan of action on reproductive health, in particular its activities and target population. She asked whether the Strategy planned to broaden reproductive choices and make free contraceptives available. Noting the troubling rise in the maternal mortality rate, she requested further details on the number of obstetric hospitals in the country, in particular as to whether there was a sufficient number to serve the more than 1 million women of childbearing age. She hoped that the Strategy would include measures to increase awareness and access to health care and reproductive health services. The report was relatively silent on the problems of women with disabilities, especially with regard to their access to health care and measures to deal with physical and environmental obstacles. It would also be useful to know more about mental health

services for women, since domestic violence often had psychological consequences.

24. **Ms. Zou Xiaojiao**, speaking with reference to article 14, noted that nearly half of the women in the country lived in rural areas, and she asked about their participation in agricultural production and decision-making, about their access to training, education and health care and about measures to deal with poverty among rural women. It would be useful to get more information on how gender had been mainstreamed in national measures to support the rural population, especially with regard to internally displaced and refugee women and women in poverty, and on any benefits experienced by rural women as a result of the land reform programme. Noting the reference in the report of a programme to promote development in mountainous regions, she asked what the goals of the programme were and to what extent women from those regions had participated in preparing the programme. On the subject of refugee women, she asked about their access to education and employment.

25. **Ms. Hijran Huseynova** (Azerbaijan), responding to questions on the health-care system in Azerbaijan, said that the National Strategy plan of action on reproductive health had been adopted in 2008, and much work had been done on two of its five main areas, namely, sexual exploitation and gender violence, especially in the regions away from the capital. She noted that the maternal mortality rate had indeed risen in earlier years but it had fallen in the last two, thanks to the adoption of the World Health Organization standards. The number of maternity service institutions had nearly tripled to reach over 900 in 2007, and a number of prenatal centres had also been established, with modern clinical protocols and equipment. The operation and standards of health-care institutions was now being monitored constantly by United Nations agencies.

26. Azerbaijan was one of only five countries to have adopted a national strategy on reproductive health. The strategy focused on five major areas: maternal health, adolescence, sexually transmitted diseases (STDs), gender-based violence and reproductive and sexual health.

27. An important factor in the success of the Government's programmes was funding, including that from the World Bank and other international organizations. When funds were no longer available,

the results could be drastic: one of the reasons for the radical increase in abortions since 2004 had been the discontinuation of outside funding for free contraceptives. Any State strategy for reproductive health therefore had to include broad access to free contraceptives. Such a strategy also needed to deal with the taboo of abortion through training of middle-level medical personnel, who were the primary implementers of family planning policy. While abortions were performed free of charge through primary medical care up to the twelfth week of pregnancy, a large number of abortions continued to occur after that period. One of the major causes of maternal deaths in cases of abortion was administration of the wrong medicine. The Ministry of Health was currently working with several organizations to resolve that problem.

28. The Government had taken steps to promote public awareness about and prevent venereal diseases and was working with international organizations to train the staff of sexual and reproductive health information centres. Youth centres and university student centres had also been set up to provide young people with information on STDs. The National Plan of Action on protection of human rights and the State Program on Poverty Reduction and Sustainable Development both included a section on HIV/AIDS; all State bodies were responsible for contributing to their full implementation.

29. Turning to the issue of persons with disabilities, she said that as of 2007, disabled people had access to free medicines, as well as to family planning and reproductive health services, from both private and public facilities. Lastly, prevention of sexual violence was one of the Government's major priorities and, as such, had been incorporated into the work of all reproductive health facilities throughout the country.

30. **Mr. Mammadov** (Azerbaijan) said that of the 179,580 women with disabilities living in Azerbaijan, 135,000 received a pension, while the rest received social benefits. There were 15 rehabilitation and medical centres designed specifically to serve persons with disabilities. The Ministry of Labour and Social Welfare provided free wheelchairs and other medical equipment to a number of disabled persons every year, as well as access to free occupational therapy, with a view to enabling such persons to become as independent as possible. In addition, Azerbaijan had

two Paralympic committees, which met every four years and helped promote Paralympic games.

31. **Ms. Hijran Huseynova** (Azerbaijan), in reply to the questions about refugees and internally displaced persons, said that as of August 2003, all internally displaced persons had access to free secondary and tertiary education; in addition, those in secondary schools did not have to pay for textbooks. When organizations were forced to reduce staff, refugees and internally displaced persons were given priority to stay. Finally, they were provided access to State-approved medications at no charge and received tax deductions. A presidential decree in 2007 had increased monthly benefits to refugees and internally displaced persons by 50 per cent.

Articles 15 and 16

32. **Ms. Belmihoub-Zerdani** asked whether or not the proposal submitted to the National Parliament for equalization of marriage age for women and men had been adopted. The legal age for marriage as it stood was not consistent with either the Convention on the Elimination of All Forms of Discrimination against Women or the Convention on the Rights of the Child. It would also be interesting to know whether, in addition to civil marriages under the Family Code, religious or traditional marriages took place in Azerbaijan. If that was the case, she would like to know whether those marriages automatically received civil recognition.

33. **Ms. Awori** said that early marriages continued to be of concern. According to information she had received, customary marriages were prevalent in rural areas, and were registered only by the local mosques and therefore not reflected in national marriage statistics. In addition, religious marriages were said to leave women vulnerable, especially with regard to property rights after divorce. Further details on the proposals submitted to the National Parliament should be provided, so as to ensure that they addressed the Committee's areas of concern.

34. She would welcome additional information on the research conducted jointly with the United Nations Children's Fund (UNICEF), among other organizations, on early marriages and on the resulting changes to the Government's policy on marriage.

35. **Ms. Hijran Huseynova** (Azerbaijan) said that the proposed amendment to equalize the marriage age for men and women had been discussed at the highest level

within the Government and was expected to be adopted without difficulty in the 2009 autumn session of Parliament. It was hoped that the proposals to make medical examinations prior to marriage and marriage contracts compulsory would be dealt with under the Family Code. Marriage contracts should help to protect women's rights.

36. Since Azerbaijan had joined the Council of Europe, it had worked to bring its legal system into line with Council of Europe principles, including with regard to living conditions and property rights. Nevertheless, a married individual who owned no property was currently at a disadvantage in the event of a divorce. While there had been some progress in establishing acceptance of the concept of marriage contracts, therefore, there was still much to be done.

37. With regard to medical examinations before marriage, there were many diseases, including some that were endemic to certain regions of Azerbaijan, that would come to light in a medical examination. Under no circumstances could such examinations be made compulsory; nevertheless, they could prove useful, as individuals wishing to get married could make a more informed choice based on the knowledge of their partner's diseases, if any. The conducting of medical examinations prior to marriage would be an important topic under discussion at the parliamentary session later in the year.

38. In Azerbaijan, there was a separation of church and State. Religious marriage was optional and could be celebrated only once the civil marriage had taken place. Together with UNICEF, the Government was monitoring the issue of early marriage with a view to gathering support for a law on violence, as forced early marriage could be considered, to a certain extent, as violence against the individual. However, the issue concerned only a very small percentage of marriages in Azerbaijan. Over the past two years, the Government had worked successfully to prevent early marriage through television programmes and awareness-raising campaigns. The results of the research conducted on early marriage by UNICEF and other organizations had not yet been finalized, but would be discussed in great depth, including with educational institutions.

39. **Mr. Mammadov** (Azerbaijan) said that, in order for a marriage to take place in Azerbaijan, both individuals had to be registered with the local authorities. Such data as was available on marriage

contracts showed that the promotional initiatives taken by the Government in that area had been successful. From 2004 to 2008, some 120,000 marriage contracts had been signed, and the number was set to increase in coming years.

The meeting rose at 5.15 p.m.