

**Information submitted by the Government of the Republic of Azerbaijan for the preparation of the report on the rights of the child and inclusive social protection to be presented at the 54th session of the Human Rights Council**

- 1) What social protection systems are in place for children in your country? Please provide examples of specific laws and regulations, measures, policies and programmes directed at ensuring children's access to inclusive social protection.

Azerbaijan attaches great importance to protection and social care of all children. Moreover, care and support from the state for children in arduous living conditions, i.e. orphaned children and children deprived of parental care and attention, children with established disabilities, as well as neglected or socially vulnerable children, children affected by domestic abuse or human trafficking, have been further improved, while the social protection of children with established disabilities and those deprived of parental care and attention has been further strengthened and expanded.

The general legal framework for the provision of social services to children in arduous living conditions is set forth in the Law of the Republic of Azerbaijan on Social Services. Special arrangements for the protection of the rights of children with arduous living conditions who fall under various categories are defined by the laws of the Republic of Azerbaijan on Children's Rights, on Social Protection of Orphaned Children and Children Deprived of Parental Care and Attention, on the Prevention of Juvenile Neglect and Delinquency, on the Fight Against Human Trafficking, on the Prevention of Domestic Abuse and on the Rights of People with Disabilities. Guided by these laws, measures have been taken to protect children's rights and prevent domestic violence, social danger, human trafficking, and neglect of children as well as ensure the rights of children with disabilities.

Strategy of the Republic of Azerbaijan for Children for 2020-2030 was approved by the Order No. 2073 of the President of the Republic of Azerbaijan as of 2<sup>nd</sup> June 2020 to form flexible institutional arrangements for the protection of children's rights and ensure the coordinated activities of relevant state bodies (institutions).

Accordingly, the Action Plan for the Implementation of the Children's Strategy for 2020-2025, which was approved by the Order No 2306 as of 27<sup>th</sup> November 2020 of the President of the Republic of Azerbaijan, provides for the implementation of appropriate measures to improve and expand the social protection arrangement for children and, in particular, for those with arduous living conditions, alongside the approval and implementation of special state programmes towards this goal.

With reference to the Socio-Economic Development Strategy of the Republic of Azerbaijan for 2022-2026, which was approved by the Order of the President of the Republic of Azerbaijan on the July 22, 2022, the country-wide social and economic development model aims at strengthening the economic potential of the country and improving the social welfare of the population. By further strengthening the socio-political stability in the country, this model serves as a foundation for sustainable economic growth, increased social welfare and time-proven stability.

Moreover, the Action Plan for the Socio-economic Development Strategy for 2022-2026 provides for updating and simplifying the electronic platform for receiving targeted state social assistance (TSSA) and optimizing the terms and conditions for receiving TSSA, which in turn aims to improve the electronic information system for determining the right of families to receive TSSA and to ensure the accessibility of social protection systems for the population. At the same time, the Strategy covers the development of arrangements for the improvement of social protection for the social groups with low-income and vulnerability to poverty in potential crisis situations (economic

crisis, pandemic, etc.) and the provision of access to quality social services for people with arduous living conditions, including a social service system that meets modern requirements, trained qualified personnel and application of relevant international standards and innovative technologies.

The new Law of the Republic of Azerbaijan on the Rights of Persons with Disabilities was adopted on May 31, 2018. This Law provides for all rights and freedoms set forth in the Convention on the Rights of Persons with Disabilities (CRPD), including the main principles of state policy in this area, state guarantees, prevention of disability, rehabilitation of persons with disabilities, employment, social security of persons with disabilities and other important issues. As part of the implementation of Decree No. 213 of the President of the Republic of Azerbaijan as of July 18, 2018, on the execution of the aforementioned Law, 17 regulatory legal acts were drafted by the Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan and approved by the Government.

Among the projects under development, the Procedures for Reasonable Adaptation of Infrastructural Objects for the Use of Persons with Disabilities, Regulation of Maintaining the Register of Persons with Disabilities, as well as the Individual Rehabilitation Programme, which includes the application of social rehabilitation, are some of the noteworthy elements of the plan. Currently, a module is being developed in the e-system of the Ministry for the implementation of the Individual Rehabilitation Programme, which is planned to be introduced by the end of the year. The individual programme includes comprehensive measures related to the medical, occupational, psychological, and pedagogical rehabilitation of persons with disabilities, the provision of assistive technologies and the development of social skills.

In addition, about 40 legislative acts have been adopted to replace the words and expressions used in relation to disability or persons with disabilities, which are considered offensive or negative, with neutral words and expressions in the national legislation.

Rehabilitation of persons with disabilities is carried out by 15 rehabilitation centres operating under the Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan. Among them, Gabala Children's Rehabilitation Centre, Children's Rehabilitation Centres No. 1 and 2 are operational in Baku. Currently, a Children's Rehabilitation Centre is being built in Shamkir region as part of the expansion of the network of children's rehabilitation institutions. The purpose of the centres is to restore the social status of persons with disabilities under the age of 18 and ensure their integration into society by conducting medical, social, and labor rehabilitation measures.

One of the systems ensuring social protection of children deprived of parental care is related to the development of alternative care services for such children. Thereupon, with the Decree No. 393 as of December 10, 2018, on Measures to Improve the Management of Adoption, the authority in the field of adoption were given to the Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan. As a result of the reforms carried out in this field, the legislation was progressively amended, and the Rule on the Adoption of Children Deprived of Parental Care and Attention, including the Adoption of Children, who are Citizens of the Republic of Azerbaijan, by Foreigners and Stateless Persons was approved by Decree No. 946 as of February 27, 2020.

As a result of the changes to the legislation:

- The authority in the area of the adoption is concentrated in a single state institution (i.e., in the Ministry of Labour and Social Protection of Population);
- Fundamental changes in the adoption process have been made to prioritize the interests of children;



- E-registration of children and persons who want to adopt has been secured;
- Most of the adoption process has been transferred to the electronic subsystem removing the need for a direct government official-citizen contact;
- The requirements related to age, income, property, convictions for the candidate parents, as well as the legislation related to the monitoring of the adopted child until the age of 18 have been improved.

As of November 1, 2022, pursuant to the Presidential Decree 'On issues related to the prevention of children's deprivation of parental care and attention and strengthening the protection of their rights' dated as of February 15, 2022, the authority to carry out the state policy related to foster families; the regulation and state control; the electronic registration of families (individuals) who wish to become foster families (foster parents) and children given to foster families; the adoption of decisions regarding the placement of children deprived of parental care and attention in institutions and their leave; the return of children from institutions to their families or their transfer to a foster family through the implementation of social support arrangements; the measures to avoid reliance on institutional placements; and the preparation of individual development plans for children in institutions has been granted to the Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan.

As a result of the aforementioned decree, legislative drafts have been prepared; the main objectives of these drafts are to prevent children from being placed in institution without necessity, and where the family care is not possible, to approach the children through the most appropriate alternative care model (guardianship, foster care, and foster family) based on child's interests. Moreover, arrangements have been envisaged to prepare Individual Development Plans for children in institutions to ensure access to inclusive social protection for children who have been deprived of parental care and attention.

As part of the project 'Services of daily care centres for the purpose of preventing children from being placed in state-controlled children's institutions and providing access to social services for children and families in arduous living conditions', which is carried out under the social orders of the Social Services Agency of the AR Ministry of Labour and Social Protection of Population, 45 cities and districts of Azerbaijan were covered by daily care centres (DCC). For this purpose, DCCs were organized to provide daily care services to children aged 3-12 in arduous living conditions (except for children aged 3-6 who are eligible to be placed in kindergarten).

Currently, social rehabilitation centres covering 25 districts and cities of Azerbaijan are operating within the framework of the project 'Organisation of social rehabilitation centres for children with limited health abilities' through the 2022 social orders for persons with established disabilities under the age of 18. The aim is to provide services to 2500 children with limited health abilities in these social rehabilitation centres. Children involved in rehabilitation were provided with psychosocial rehabilitation, abilitation, family support and family education services by specialists.

Neglect of the most vulnerable members of our society - children and adolescents - has a disastrous effect and can lead to a number of social problems. However, a majority of such cases can be predicted and prevented through programmes that address the causes and risk factors. The goal of the 'Support to the development of social shelter' project is to enable the replacement of children who are in a socially dangerous situation, without a fixed place of residence, deprived of parental care and attention, victims of violence (with the exception of children under 18 years of age, infectious and mental diseases) to a safe, stable and caring environment by placing them in a social

shelter and improving their well-being, as well as by protecting their rights and ensuring their full and harmonious development in the society.

2) What are the main gaps and challenges to children's enjoyment of social protection in law, policy and practice in your country and the impacts on children's rights? Please provide any relevant statistical or disaggregated data based on age, gender, disability, ethnicity, religion, sexual orientation and gender identity, migration status, or other categories. Please consider the specific situation of marginalized children and those in vulnerable situations in your response.

One of the key principles of the State Policy of the Republic of Azerbaijan for Children is to provide children with comprehensive care and quality social services, create the necessary conditions for their growth in a social environment based on high moral values, and help them grow as personalities and responsible citizens.

Over the last 4 years, appropriate measures have been taken to increase the amount of wages, labour pensions, social benefits, pensions and other social payments in order to strengthen the social protection of the population. Moreover, **6 billion manats were allocated from the state budget as part of 3 social reform packages covering 4 million people:**

Wage reforms: covered 1.5 million people, and for this purpose, 3.2 billion manats were allocated from the state budget:

- the minimum wage was increased 2.3 times (from 130 manats to 300 manats);
- salary fund increased 2.2 times;
- average salary increased by 52% (from 545 to 827 manats);
- median salary increased by 89% (from 223 manats to 421 manats);
- the number of labour contracts have increase by 30%.

Social payments: covered 2.5 million people and 2.8 billion manats were allocated from the state budget for this purpose:

- minimum pension increased 2.2 times (from 110 to 240 manats);
- the average monthly pension was increased by 78% (from 208 manats to 371 manats), the age pension was increased by 71% (from 234 manats to 399 manats);
- payments of social benefits and pensions increased 3.5 times (from 400 million manats to 1.4 billion manats).

Currently, social payments related to children cover 611,000 children and the annual amount is 650 million manats:

- 50,000 children under the age of 18 with disabilities;
- 50 thousand people who take care of them and have guardians;
- 166,000 children who lost their family heads;
- 160,000 children from low-income families (targeted state social assistance);
- 50,000 persons for each child of those who are family members of martyrs, persons with war-related disabilities and women with more than 5 children;
- working parents are provided with appropriate social payments for childcare up to 3 years old (35 thousand children).
- 120.000 lump-sum childbirth allowances were secured

The total number of children deprived of parental care and attention in the electronic subsystem of the AR Ministry of Labour and Social Protection of Population is 1,557 (923 of them are boys and

634 are girls). From all the children within the institution, 1158 are healthy, 295 are disabled under the age of 18, and 104 are children with health problems.

3) *What are the good practices initiated by the Government to ensure that social protection benefits the rights of children in your country?*

With the initiative of the Government the Assembly of Children's Ambassadors was established on June 1, 2020 in order to develop the ability of independent self-expression and management culture of children. The main goal of the Assembly of Children's Ambassadors under the State Committee for Family, Women and Children Affairs is to raise and discuss important issues before the relevant executive bodies for the child development and their life being and to take relevant measures to solve the emerged problems, as well as to establish contacts and encourage children for active participation.

In order to increase the social activity of children and ensure their active participation in the implementation of state policy, the Committee has been organizing Children's Forums since 2009. The forums are attended by hundreds of children from all cities and regions of the republic, possessing leadership qualities and actively participating in social life. About 500 children participate in each forum. Before the forum, children meet with the heads of state institutions and discuss topics related to children's rights.

Moreover the "Graduate House" was established to provide housing for orphaned young people who were brought up in state children's institutions and left these institutions after turning 18 years of age. An apartment is provided to each graduate in the "Graduate House". Their utility expenses are paid from the state budget during the first 6 months. Utility expenses of persons under the age of 23 who live in the building and are studying full-time in state, municipal and private higher and secondary educational institutions are provided from the state budget during their education.

The names of children with special talents are included in the "Golden book" of young talents of Azerbaijan and they are given a special monthly scholarship.

Autism Center, Down Syndrome Rehabilitation Center, and Thalassemia Center operate in the country. The centers teach children the necessary communication and life skills, work with families to prepare them for independent life, and educational projects are carried out.

In the current legislation, several types of allowances have been defined in order to strengthen the social and material well-being of children from a number of categories and to increase state care for them:

Allowance for the children with disabilities up to 18 years of age, for caring for a child up to 3 years of age, allowance for children of full-term active military servicemen, for guardians (custodians) of children who have lost their parents and are deprived of parental care, for low-income families with children under 1 year of age, for women with more than five children, allowance due to the loss of the head of the family to the children of the deceased person up to the age of 18 (until the completion of education for full-time students, up to 23 years of age), or to unemployed persons who take care of the children of the deceased person up to the age of 8 (one of the parents, brothers, sisters, grandparents), allowance for an adopted child, including an allowance for a child with disabilities under the age of 18, as well as a one-time allowance for the birth of a child.



In order to ensure the implementation of the Order No. 2965 of the President of the Republic of Azerbaijan dated October 16, 2021, on Additional Measures in the field of Protecting the Social Welfare of the Population:

- Based on Decree No. 1493 as of December 20, 2021 of the President of the Republic of Azerbaijan *"On making changes to Decree No. 643 as of April 15, 2019, of the President of the Republic of Azerbaijan "On the Establishment of the Scholarship of the President of the Republic of Azerbaijan for Persons with the 1<sup>st</sup> Degree Disabilities or persons who care for children under the age of 18"*, the amount of the Presidential scholarship has been increased from 50 manats to 80 manats.
- According to Decree No. 1495 of the President of the Republic of Azerbaijan dated the 20<sup>th</sup> of December 2021 *"On amending Decree No. 72 dated as of December 27, 2013, of the President of the Republic of Azerbaijan "On determining the amount of the allowance for women with more than five children"*, the amount of the mentioned social allowance has been increased from 55 manats to 70 manats.

According to the Decree No. 1496 dated December 20, 2021, of the President of the Republic of Azerbaijan *"On making changes to Decree No. 973 dated August 29, 2013, of the President of the Republic of Azerbaijan "On increasing the amount of social allowances"*, allowances for children with disabilities up to the age of 18 have been increased from 150 manats to 200 manats, allowances for the loss of the head of the family from 80 manats to 100 manats, allowances for the children of full-term military servicemen from 100 manats to 120 manats, allowances for guardians (custodians) of children who have lost their parents and deprived of parental care from 100 manats to 120 manats, allowances for low-income families with children under one year of age from 55 manats 70 manats, allowances for an adopted child, including a child under the age of 18 with limited health abilities, up to the end of the month in which they turn 18, has been increased from 160 manats to 200 manats, and from 480 manats to 600 manats, accordingly, and allowances for the birth of a child has been increased from 200 manats to 300 manats.

In order to ensure the social protection of low-income families, the current legislation envisages the provision of targeted state social assistance (TSSA) to these families. TSSA aims to improve the social well-being of low-income families without any discrimination, based on the principles of targeting, fairness, and equality.

As of December 21, 2022, TSSA payments were made to 276,929 family members of 62,406 families, of which 140,864 family members were children under 18 years of age.

Currently, the Social Rehabilitation of Neglected, Abandoned and Socially Vulnerable Juveniles Department and the Social Rehabilitation for Victims of Domestic Abuse Department operate in the Shelter and Social Rehabilitation Institution for people from vulnerable population groups under the Social Services Agency of the Ministry of Labour and Social Protection of Population. Children from the relevant category are provided with temporary shelter and involved in various social service activities.

Meanwhile, inpatient social services are provided to 5-18 aged children with established disability who are not involved in education at the Social Service Institutions for Children with Disabilities Nos. 1 and 2 operating under the Social Services Agency.

Pursuant to the Law of the Republic of Azerbaijan on Social Services, the Ministry of Labour and Social Protection of the Population has issued state orders in the field of social services to non-

governmental and non-commercial organisations in order to ensure the protection of persons in arduous living conditions since 2013.

Call Centre "Care" (116 / 123) of the Social Services Agency has been operational since the 1<sup>st</sup> of February of this year. The "Care" Call Centre responds to requests for information on social services provided by the Social Services Agency and the procedure for admission to institutions, support for victims of domestic abuse, Children's Hotline, and provides online psychological support.

According to the relevant amendment to the Law of the Republic of Azerbaijan "On Social Allowances" in 2020, to stimulate the adoption of children considered difficult to adopt (healthy children and children with disabilities between 3 and 18 years of age), persons who adopt children between 3-18 years old receive allowance amounting to 200 manats per a child, and those adopting children with disabilities receive 600 manats per a child. In addition, according to the amendment made in Article 102.3 of the Tax Code of the Republic of Azerbaijan, the monthly income of one of the parents who adopt children with disabilities, which must be taxed from any salaried work, has been reduced by 200 manats.

Also, in the legislative package prepared in connection with the implementation of Decree No. 1599 dated as of February 15, 2022, of the President of the Republic of Azerbaijan, the draft law On Amendments to the Law on Social Benefits provides for one-time and monthly benefits to foster families.

Moreover, in order to ensure the reintegration of children from the institution to their families, as well as to prevent children from falling into institutions, children's families are involved in social support measures of the Ministry (targeted state social assistance, employment, day care centres, disability registration, etc.). 240 children have been reintegrated into their families since 2020.

As of July 1, 2022, the Disability Determination Criteria was approved and entered into force. From this date onwards, disability is no longer limited to 3 degrees, but is assessed in 5 per cent increments, ranging from 35 to 100 per cent. In connection with the application of new criteria, the amount of social payments given to children will be increased according to the percentages corresponding to the diagnoses.

Besides, in order to strengthen the social protection of persons with disabilities, the amount of allowances given to them has been increased. Thereupon, in the last four years (2018-2022), 3 packages of social reforms were implemented, and as a result, the average monthly disability pension amount was increased by 82%, the amount of benefits given to children with limited health abilities was increased by 52%, and the payment amount of benefits due to disability was increased by 2.4 times.

4) *Are there examples of how measures and responses to alleviate poverty through social protection systems in emergency situations or, for example, in response to the COVID-19 pandemic, have positively affected children's rights, particularly to social security?*

Provision of social support measures to families of 828 children temporarily returned to their biological families (or close relatives) from residential child care institutions during the pandemic of coronavirus infection (COVID-19) and assessment of their families in order to prevent the return of these children to orphanages after the end of the quarantine regime (reasons for placing children in the institution, social and psychological state, social protection needs, opportunities and risks of living with the child in the family). The representatives of the Ministry of Labour and Social Protection

visited 244 families living in 42 districts, assessed the social situation of families, researched social protection needs and drew up Family Development Plans. 131 children were reintegrated into their families as a result of appropriate social support measures, which could ensure the stay of children in the family.

During the strict COVID-19 quarantine regime, the admission of persons with disabilities to rehabilitation centres was limited, and difficulties arose in the assessment of disability and the provision of rehabilitation tools. In order to address these challenges, some services were provided in mobile and online mode during quarantine regime. Therefore, the Prosthetic-Orthopaedic Production and Rehabilitation Centre of the Ministry of Labour and Social Protection of Population provided mobile services (delivering the rehabilitation facilities to persons with disabilities at their place of residence) and online psychological assistance to persons with disabilities.

By Resolution No. as of April 7, 2020, of the Cabinet of Ministers of the Republic of Azerbaijan "On extending the period of disability of persons with disabilities in the fight against the new type of coronavirus (COVID-19) pandemic", children's disability period has been extended. The payment of the monthly disability allowance or pension, as well as the monthly pension assigned to persons with disabilities and those who take care of children with limited health capabilities, continued during the special quarantine regime.

According to Resolution No. 128 as of April 7, 2020, of the Cabinet of Ministers of the Republic of Azerbaijan, the disability period of persons with disabilities, whose disability period has expired since the 1<sup>st</sup> of March 2020, has been automatically extended until the 1<sup>st</sup> of July 2020 due to the special quarantine regime in the territory of the Republic of Azerbaijan, while this period has been extended until the 1<sup>st</sup> of September 2020 in the regions (cities) where the tightening of the special quarantine regime was applied.

According to Resolution No. 123 as of April 1, 2020, of the Cabinet of Ministers of the Republic of Azerbaijan, the provision of targeted state social assistance (TSSA) to families, whose period of TSSA eligibility expired during the special quarantine regime in the territory of the Republic of Azerbaijan as of the 1<sup>st</sup> of March, has been extended until the 1<sup>st</sup> of July 2020. Moreover, during the special quarantine regime in the territory of the Republic of Azerbaijan, targeted state social assistance was assigned to families without an examination of their financial conditions until the 1<sup>st</sup> of July 2020. This was an important step to reduce the negative effects of the special quarantine regime on the social well-being of children in low-income families.

During the COVID-19 pandemic, with the support of social partners, along with other citizens from vulnerable groups, 100,000 families who lost the head of the family, families with many children, or had children diagnosed with disabilities under the age of 18, were given food rations 3 times.

5) *How can States deliver more effectively to ensure the effective implementation of universal social protection for children, including through international cooperation?*

According to the Joint Action Plan on Social Protection and Child Protection between the Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan and Azerbaijani Delegation of the UN Children's Fund, the implementation of the Periodic Action Plan for 2021-2022 has started. The Action Plan aims at developing arrangements to improve the social protection of low-income families and the vulnerable groups in crisis situations (economic crisis, pandemic, floods, floods, etc.).



In an effort to secure the aforementioned arrangements, meetings were held between UNICEF's ad-hoc expert invitee Ms Sharlene Ramkissoon and the relevant structural divisions of the Ministry of Labour and Social Protection of Population, the Ministry of Economy, the Ministry of Finance, the Ministry of Emergency Situations, the executive authorities of Sabirabad and Shamakhy districts and employees of other relevant state institutions on the 10<sup>th</sup> to the 21<sup>st</sup> of October 2022.

Based on the results of these meetings, Ms Sharlene Ramkissoon submitted final recommendations to the Ministry of Labour and Social Protection of Population, which was followed by a start of the activities towards the goal.