



**Permanent Mission
of the Republic of Azerbaijan
to the UN Office and other
International Organizations**

GENEVA

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The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights, and with reference to the letter of the Special Rapporteur on violence against women, its causes and consequences dated 30 October 2018, has the honour to transmit herewith the information of the relevant authorities of the Government of the Republic of Azerbaijan in response to the request for contribution.

The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Enclosure: 4 pages



Geneva, 29 November 2018

**Office of the United Nations
High Commissioner for Human Rights
GENEVA**

**Information submitted by the Government of the Republic of Azerbaijan
in regard with the request by the Special Rapporteur on Violence against
Women, its Causes and Consequences**

All-round measures related to ensuring the rights of women, detection of crimes committed against them, prevention of violence as well as elimination of discrimination in any form are considered as main tasks for the appropriate state institutions and measures are regularly taken in this regard.

Guiding and following the law and normative-legal acts, internal affairs bodies take all the appropriate measures for prevention of violence against women and children as well as detection of the crimes committed in this area. The investigation of applications, connected with violence against women and children, including murder cases, submitted to the Ministry of Internal Affairs and its territorial police bodies are paid particular attention, also preclusive operational-preventive measures are implemented by the participation of the relevant bodies and agencies and families with such cases are recorded for further control.

Measures on the prevention of these crimes, taken by officer of the territorial police offices are appraised with the view of legal aspect. Inspections are made on every fact of crime committed on the ground of domestic violence.

At the same time, preventive measures and operational-search activities in order to suppress involvement of women and girls to prostitution, inciting them to drug abuse and turning object of "trade" as well as infringement of women's rights in other form, are in the center of attention.

All criminal proceedings, including materials in which women are known as accused or victims are regularly analyzed.

In addition, according to the recommendations of the UN and EU Human Rights Institutions, summarizing and analyzing crimes committed against women and children, including acts of violence, in particular with regard to the demographic and criminogenic situation of the regions, establishment and systematization of the relevant database was carried out, also indexes in periodic reporting forms on the classification of crimes, criminal offenders and victims had been supplemented with the purpose of assessing and keeping under control.

Criminal Code of the Republic of Azerbaijan enshrines some norms ensuring protection of women, such as sexual violence (article 108), bringing to suicide (article 125), loss of health and ability to work as result of violence for the purpose of deliberate causing of less serious harm to health (articles 126, 127, 128), torture causing strong physical pains or mental sufferings by regular causing battery or other violent actions (article 133), crimes against sexual inviolability and sexual

other violent actions (article 133), crimes against sexual inviolability and sexual freedom of the individual (articles 149-153), coercing woman into marriage (article 176-1.1), coercing woman into early or child marriage (article 176-1.2), restriction of women's rights (article 164).

Norms have been stipulated in the articles 157 (beating), 158.1 (application of illegal economic constraints on the domestic grounds) and 158.2 (psychological violence on the household grounds) of Code of Administrative Offences of the Republic of Azerbaijan which embrace legal responsibility for these unlawful acts.

It should be mentioned that the Law of the Republic of Azerbaijan "On Prevention of Domestic Violence" was adopted, in 2010 to regulate domestic violence and other forms of violence against women. Four types of domestic violence are characterized by legislation (physical, mental, economic, and sexual violence) which implies responsibility for each type of violence.

According to Article 5.1 of the Law of the Republic of Azerbaijan "On Prevention of Domestic Violence", information on crimes committed on domestic violence shall be considered in the manner prescribed by the Criminal Procedure Code.

The act of violence committed against the pregnant woman in the Criminal Code has been defined as aggravating. According to the Code, crimes of violence committed against women are punished generally.

At the same time, a new amendment was added to the Criminal Code in 2011, specifically concerning violence against women. Thus, article 176-1 of the same Code envisages criminal liability for forcing a woman to marry.

Cases where there is no evidence of a crime in the domestic violence complaint (the use of psychological violence on and the application of economic constraints) are investigated by local executive authorities under the Code of Administrative Offenses.

Article 164 of the Criminal Code also contains liability for the violation of the person's right depending on his / her gender.

During the last 2016-2017 and 9 months of 2018, 15,801 (2016 – 5923, 2017 – 5755, 2018 – 4123) cases related to women were registered in the country, including 6,074 (2016 – 2221, 2017 – 2145, 2018 – 1708) crimes related to violence. The number of women killed in violence-related crimes was 99 (2016 – 32, 2017 – 39, 2018 – 28).

7,809 (2016-2812, 2017-2993, 2018-2004) people were prosecuted for these illegal activities.

No criminal offence was detected related to the restriction of women's rights during the mentioned period.

During the reporting period, 1,623 (2016-553, 2017-591, 2018-479) cases of crimes against juveniles have been registered, including 557 (2016 – 196, 2017 – 203, 2018 – 158) crimes related to violence.

The number of killed teen-agers were 8 (2016 – 1, 2017 – 6, 2018 – 1) on the crimes committed against minors on the grounds of family conflicts as well as other social and domestic aspects.

1,193 persons (2016 – 429, 2017 – 457, 2018 – 307) were involved to responsibility for these unlawful actions.

Besides, to ensure improved institutional response capacity as well as availability of an adequate tool for internal accountability and monitoring collection, analysis and use of data on domestic violence, database was developed by the government the inter-agency on Gender Based Violence (GBV). The representatives from all relevant agencies (Ministry of Justice, Ministry of Internal Affairs, Ministry of Labour and Social Protection of the Population, State Committee for Family, Women and Children's Affairs (SCFWCA), local executive powers and the referral centers with accreditation to provide support services to the victims of domestic violence) have been duly registered in the system in the capacity of the Database users. These agencies will collect relevant data and enter it to the database which includes information about the victim (including information on sex, age and relationship with the perpetrator), perpetrator, location, interim measures (protection orders, court judgments, etc.). The SCFWCA acts as the Administrator of the Database. The GBV database is currently being further improved in partnership with UNFPA and other relevant stakeholders.

At the same time, SCFWCA initiated a two-year project entitled "Combating gender-based violence in Azerbaijan" in close partnership with UNFPA and US Agency for International Development (USAID) which covered 2016-2017. The main objective of the project was to support the Government of Azerbaijan with creation of effective guidance and response mechanisms to combat gender-based violence. Mrs. Pramila Patten, then member of the CEDAW Committee and currently the Special Representative of the UN Secretary General on Sexual Violence in Conflicts, provided high level technical assistance to the Government of Azerbaijan for developing the policy framework on GBV prevention and response. Series of meetings were held with high level government officials, NGOs and expert community. In addition, the trainings to increase local capacities for effective development, implementation, monitoring and evaluation of the National Action Plan on GBV prevention and response were conducted. Both the draft National Action Plan and the guidelines for establishment of the inter-agency coordination mechanism on GBV prevention were developed through a highly

participatory procedure. These important policy documents were officially shared at the high level conference on “Creating an effective response mechanism for combating domestic violence” held on 24th October, 2017.

Special monitoring groups on gender-based violence and violence against children were established in the country with participation of different state organizations (Ministry of Justice, Ministry of Internal Affairs, Ministry of Health, Ministry of Education, Ministry of Labour and Social Protection of Population, Azerbaijan Attorney General) and executive powers. As an effective controlling mechanism, these local monitoring groups examine the situation and the effectiveness of the implemented measures in places, determine the families at risk and provide support for them, analyze the causes of violence, provide protection of the victims and ensure appropriate assistance to carry out such functions as coordination of gender based violence prevention and response efforts among different state institutions.