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The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other international organizations at Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honor to transmit herewith the responses of the Institute of the Commissioner for Human Rights of the Republic of Azerbaijan to the questionnaire on “Non-discrimination and equality in family and cultural life” elaborated by the UN Working Group on the issue of Discrimination against Women in Law and Practice, pursuant to Human Rights Council resolution 15/23.

The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other international organizations at 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: 18 pages.

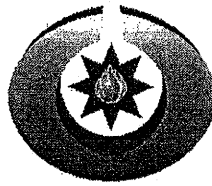


Geneva, 31 July 2014

THE OFFICE OF THE UN HIGH
COMMISSIONER
FOR HUMAN RIGHTS
GENEVA

Fax: 022 917 90 06

Email: wgdiscriminationwomen@ohchr.org



**THE INSTITUTE OF THE COMMISSIONER FOR HUMAN RIGHTS OF
THE REPUBLIC OF AZERBAIJAN**

**RESPONSE TO QUESTIONNAIRE OF THE UN WORKING GROUP
ON THE ISSUE OF DISCRIMINATION AGAINST WOMEN IN LAW AND
PRACTICE “THE NON – DISCRIMINATION AND EQUALITY IN
FAMILY AND CULTURAL LIFE”**

Baku 2014

Questionnaire

General

1. What status/hierarchy does your Constitution give to international human rights treaties versus domestic law?

Please explain

Article 25 of the Constitution stipulates equal rights of men and women. Article 151 of the Constitution says whenever there is disagreement between normative-legal acts in legislative system of the Republic of Azerbaijan and international agreements wherein the Republic of Azerbaijan is one of the parties, provisions of international agreements shall dominate. Azerbaijan: Vision2020' strategic plan. In accordance with Commissioner's mandate provided by the Constitutional Law on the Commissioner for Human Rights of the Republic of Azerbaijan (hereinafter referred to as "the Commissioner") the Commissioner are engaged on the issue of eliminating discrimination against women in law and in practice. She indicated good practices relating to the elimination of laws that discriminate against women or are discrimination in terms of implementation or impact. Commissioner makes recommendations on the improvement of legislation and the implementation of the Law on Prevention Domestic Violence (2010), Law on Gender (man and women equality, 2006), National Program for Action approved by the order of the President 2011, to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan.

2. Has your State ratified international human rights treaties with reservations to provisions dealing with equality in family life?

Yes

No

- Ô 1992 – Accession of the Republic of Azerbaijan to the UN
- Ô 1992 – The International Covenant on Economic, Social and Cultural Rights
- Ô 1992 – The International Covenant on Civil and Political Rights
- Ô 1992 – Convention on the Rights of the Child
- Ô 1995 – Convention on the Elimination of all Forms of Discrimination Against Women
- Ô 1996 – International Convention on the Elimination of All Forms of Racial Discrimination
- Ô 1996 – Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Ô 1999 – International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- Ô 2009 – Convention on the Rights of Persons with Disabilities
- Ô 2001 – Azerbaijan became a member of the Council of Europe
- Ô 2002 – Convention for the Protection of Human Rights and Fundamental Freedoms was ratified. This provides an opportunity for the citizens of the Republic of Azerbaijan to apply to the ECHR on the cases of discrimination as well as on violation of any other rights stipulated in the Convention.

3. Are the principles of non-discrimination on the bases of sex/gender and equality between men and women established in the Constitution of your State?

The Constitution of the Republic of Azerbaijan

Chapter III. BASIC RIGHTS AND LIBERTIES OF A PERSON AND CITIZEN

Article 25. Right for equality

I. All people are equal with respect to the law and law court.

II. Men and women possess equal rights and liberties.

III. The state guarantees equality of rights and liberties of everyone, irrespective of race, nationality, religion, language, sex, origin, financial position, occupation, political convictions, membership in political parties, trade unions and other public organizations. Rights and liberties of a person, citizen cannot be restricted due to race, nationality, religion, language, sex, origin, conviction, political and social belonging.

IV. No one may be harmed, granted allowances or privileges, or deprived from granting allowances and privileges on the basis of the grounds elaborated in Part III of this Article.

V. Equal rights shall be provided for everyone in relationship to the state institutions making decisions on rights and responsibilities and those having the competencies of state authority.

4. Are there any specific anti-discrimination or gender equality laws in your State?

Yes

No

If yes, please provide references and briefly describe the content of this law(s), in particular whether it covers family and cultural life

Law of the Republic of Azerbaijan on State Guarantees of Equal Rights for Women and Men (2006). This Law stipulates the bases of activities of the state institutions aimed to guarantee the equal rights status for women and men in the political, economic, social, cultural and other spheres, to ensure equal opportunities in enjoyment of the above listed rights and to prevent gender-based discrimination. And Constitution; Law on Prevention Domestic Violence (2010); Decisions of President; Articles of the Family, Criminal, Civil-Procedural, Administrative Procedural Codes; Articles of the Laws (on the implementation, protection of the population health, on the rules of the consideration of the citizens applications, on the social service, on the receiving the information); National Program for Action; Decisions of the Cabinet of Ministers (rules of implementation).

5. Have there been any recent legal reforms in your State to guarantee non-discrimination and equality between men and women in family and cultural life?

In 2011 Parliament passed an amendment to the Family Code which raised the minimum age of marriage to 18 for women and men (Family Code of the Azerbaijan Republic. Article 10.1). Before the amendments the limit was 17 for girls and 18 for boys. Also in 2011 Parliament passed an amendment to the Criminal Code of the Azerbaijan Republic. The legislation on forced marriage set penalties of two years' imprisonment or a fine of AZN 2,000-3,000 (\$2,500-\$3,800) for forcing adult women into marriage. If minors are

forced into marriage, the penalty could rise to four years' imprisonment or AZN 4,000 (\$5,000). (The Criminal Code of Azerbaijan Republic. Article 176-1.)

Law On Prevention of Domestic Violence (2010) Criminal Code of the Azerbaijan Republic CHAPTER 22 CRIME AGAINST MINORS AND FAMILY RELATIONS: 176-1. Making women enter into a forced marriage; 176-1.1. Making women enter into a forced marriage. It is punished with a fine in the amount of 2000-3000 AZN or imprisonment for a term up to two years. 176-1.2. The same act committed against a person under the age of marriage - It is punished with a fine in the amount of 3000-4000 AZN or imprisonment for a term of four years.

6. Are there any customary, religious law or common law principles/provisions that discriminate against women in family and cultural life?

Yes

No

7. Are there any good practices that you can share regarding the elimination of sex discrimination in family and cultural life in your state?

If yes, please explain and provide examples

The Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan is providing awareness-raising activities to eliminate sex discrimination in family and in cultural life. The elders play an important role in solving conflicts in families and in society. Also Commissioner implements her activity on promotion of gender equality and protection of women's rights within her mandate provided by Constitutional Law. Commissioner conducts public hearings in 58 regions within the implementation of the National Program for Action approved by presidential Decree. It is important to increase trust and confidence of the women in this process. During public hearings women are given a chance to share a social, family problems and to find proper solution on the spot. It is possible, because upon the Commissioner's initiative numerous the representative of the social bodies, municipalities, legal enforcement agencies, courts and NGOs participate at public hearings and assist women in resolving their problems, including the issues related to domestic violence, early marriages, divorce, reproductive rights, property etc.

At the same time women has face-to-face meetings with the staff in the regional offices of the Institute and receive free legal, medical and psychological consultations. It should be mentioned that numerous international organisations, especially OSCE recognised Commissioner's activity as a best practice and published in its publications.

8. What actions have been taken by your State to eradicate negative gender stereotypes, including in the media?

Please provide examples

Constitution; Law on Prevention Domestic Violence (2010); Law on Gender (man and women equality 2006); Decisions of President; Articles of the Family, Criminal, Civil- Procedural, Administrative Procedural Codes; Articles of the Laws (on the implementation, protection of the population health, on the rules of the consideration of the citizens applications, on the social service, on the receiving the information); National Program for Action; Decisions of the Cabinet of Ministers (rules of implementation).

The Commissioner and the staff of the regional offices are holding the trainings on “Gender equality” different parts of the Azerbaijan Republic, including in its regions. The main aim of these trainings is to carry out mass awareness-raising activities on gender equality, to eradicate negative gender stereotypes, to prevent early marriages, to explain the privilege of the law and etc.

9. Are tribunals upholding the principles of equality and non-discrimination in matters relating to family and cultural life?

Yes

No

Equality in division of property acquired during marriage by a husband and a wife, payment of alimony, realizing parental rights and etc.

10. Are there any other mechanisms to monitor draft legislation or reverse decisions discriminating against women in family and cultural life?

Yes

No

If yes, please provide any relevant examples

The Commissioner for Human Rights (Ombudsman) monitor draft legislation and reserve decisions discriminating against women in family and cultural life and presents recommendations to the government. According to the Commissioner’s recommendations aimed at raising effectiveness of protection of women’s rights including low-income families and groups in need of special care and provided in annual reports, as well as submitted to the competent state bodies, in accordance with Paris Principles.

Family life – Equality within marriage

11. Is there a legal designation of head of household?

Yes

No

Women and men have equal conditions for realizing their full human rights and for contributing to, and benefiting from, economic, social, cultural and political development. The equal valuing by society of the similarities and the differences of men and women, and the roles they play. It is based on women and men being full partners in their home, their community and their society.

12. Do women have the same rights as men in your State in relation to:

(+) the minimum age for marriage – if the age of marriage is different for men and women

(+) the right to enter to marriage

According to the Article 10 of the Family Code of the Azerbaijan Republic women have the same rights as men in relation to the minimum age for marriage; according to the Article 34.1-34.2 of the Constitution men and women have the right to enter into marriage and the freedom to choose a spouse and to express consent

13. With permission or authorization from parents/guardians/courts, at what minimum age can men and women marry in your State? What enforcement measures are provided by law in this regard?

According to Article 10.1 of the Family Code of the Republic of Azerbaijan men and women can marry at the age of 18, but to the Article 10.2. if there is a good reason, the appropriate body of the executive power (local bodies of the executive power) of the territory of the place of residence of the minor persons wishing to marry, can reduce their marriage age on the request, but not more for than a year. And according to the article 25 of the Code if marriage is realized by violating requirements of family law (marriage age, marriage terms, cases to prevent the marriage etc.), as well as in the absence of the marriage intention of one or both of parties is invalid.

According to the Article 176-1 of the Criminal Code the forced marriage set penalties of two years' imprisonment or a fine of AZN 2,000-3,000 (\$2,500-\$3,800) for forcing adult women into marriage. If minors are forced into marriage, the penalty could rise to four years' imprisonment or AZN 4,000 (\$5,000).

14. Is there a reference to dowry in the legislation of your State, for example, in marriage contracts or in traditional practice?

Yes

No

If yes please explain

According to Article 34. of the Family Code, the separate property of each of the spouses

34.1. The property, belonging to each of the spouses before marriage, as well as the property presented to one of spouse during the marriage, in the form of inheritance or according to other gratuitous deals (the property of each of the spouses), is separate property of each of the spouses.

34.2. Objects of individual usage (clothes, shoes and so on), despite of purchase during the period of marriage at the expense of the spouses' common funds, are considered to be a possession of the spouse who used them.

15. Are the marriages prohibited in formal and customary laws?

Yes

No

Forced marriages are prohibited by the Constitution and by the Criminal Code of the Republic of Azerbaijan.

See above question 13

16. Are forced marriages or arranged marriages practiced in your state?

Yes

No

If yes, please explain

17. Is polygamy illegal in your State?

Yes

No

If no, is it legal for both men and women

Polygamy is illegal in the country and it is illegal for both men and women.

18. Is the registration of marriage compulsory in the following cases?

(+) civil marriage

(+) religious marriage

The registration of civil marriages and religious marriages is not compulsory in Azerbaijan. At depends on the parties and according to legislation the religious marriage may be concluded only after legal marriage.

19. Are the same sex-marriages allowed in your country?

Ye

No

The same-sex marriages are not allowed in our country.

20. Are the same-sex relations criminalized in your State?

Yes

No

If yes, please provide references

21. Is equality guaranteed between husband and wife in law and practice with respect to:

(+) the right to choose a family name

(+) the right to choose a profession and occupation

(+) the right to choose the place of residence

(+) The freedom of movement (including the right to travel abroad)

If yes, please provide references

The equality is guaranteed between husband and wife in law (The Constitution of the Azerbaijan Republic. Article 34.4) and practice with respect to the right to choose a family name (The Family Code of the Azerbaijan Republic. Article 30.1), the right to choose a profession and occupation (The Family Code of the Azerbaijan Republic. Article 29.3), the right to choose the place of residence (The Family Code of the Azerbaijan Republic. Article 29.3), the right to have and retain one's nationality and the freedom of movement, including the right to travel abroad.

Part 3, Chapter 6, article 30, article 29.3 of the Family Code; Chapter 1, article 7 of the Law on Citizenship of the Republic of Azerbaijan, Article 1. of the Law of the Azerbaijan Republic about exit from the Country, entry into the Country, and about Passports.

And the same time Gender refers to the roles and responsibilities of men and women that are created in our families, our societies and our cultures. The concept of gender also includes the expectations held about the characteristics, aptitudes and likely behaviors of both women and men (femininity and masculinity). These roles and expectations are learned. They can change over time and they vary within and between cultures. The concept of gender is vital because it facilitates gender analysis revealing how women's subordination is socially constructed. As such, the subordination can be changed or ended. It is not biologically predetermined nor is it fixed forever.

22. Do both spouses have the same rights in law and practice with respect to:

- (+) ownership of property and land
- (+) management and administration of property and land
- (+) enjoyment and disposition of property and land

If yes, please provide references

According to the Article 29.1 of Constitution and Chapter VII of the Family Code, the both spouses have the same rights in law and practice with response to the ownership of property and land, in management and administration of property and land and in enjoyment and disposition of property and land.

23. Are women who get married subjected to any form of male guardianship?

Yes

No

24. Do parents have same rights and responsibilities regarding to:

- (+) Deciding the number and spacing of children
- (+) Guardianship, ward ship and trusteeship
- (+) Adoption of children
- (+) Care of children
- (+) Education of children
- (+) Alimony

If yes, please provide references

According to the Article 56 and Article 29.2 of the Family Code In our country parents have same rights and responsibilities regarding to deciding the number and spacing of children, guardianship, wardship and trusteeship, adoption of children, care of children, education of children and alimony.

25. Are de facto unions recognized in law in your State?

Yes

No

If yes, please explain in which law(s) and how this is defined

26. Do men and women have the same legal rights with respect to dissolution of marriage?

Yes

No

If yes, please explain in which law(s) and how this is defined

According to the Family Code of Part 2, Chapter 4, article 14.2. in Azerbaijan men and women have the same legal rights with respect to dissolution of marriage. Marriage can be dissolved upon the application of one or both spouses, as well as upon the application of spouse's guardian, judicially adjudged to be disabled.

27. Do men and women have the same rights in law and practice when a marriage or a union ends in terms of:

- (+) Equal share of the marital property and land
- (+) Custody of children
- (+) Remarriage

If yes, please provide references

In Azerbaijan men and women have the same rights in law and practice when a marriage or union ends in terms of equal share of marital property and land (The Family Code, Article 37.1), custody of children (The Family Code, Article 22.2) and remarriage (The Family Code, Article 180.2)

28. Is it contemplated in the legislation of your State that, in the event of divorce, women should remain in the family or common household?

Yes

No

If yes, please explain in which law(s) and how this is defined

- Ô The State provides protection of girls and women – victims of violence (including provision of protective orders) and strive for the immediate restoration of the violated rights

- Ô Shelters and support centers
- Ô Organize tailored training sessions for major service providers in the area of domestic violence, including law-enforcement, healthcare, community development personnel.
- Ô Relevant amendments to the Criminal Code
- Ô Conduct periodic studies on the causes and consequences of domestic violence and other forms of violence against women.
- Ô Raise public awareness
- Ô Inter-ministerial coordination

29. Are legal provisions guaranteeing non-financial contributions, including care of children, the sick and elderly in the family, taken into account in the division of marital property upon divorce?

Yes

No

If yes, please provide references

The Constitution of the Republic of Azerbaijan, Part 2, Chapter 3, article 34.

See above

30. Are rights of widow(er)s the same for women and men in terms of:

- (+) Custody of children
- (+) Property and land distribution
- (+) Remarriage
- (+) Freedom to choose residence

Please provide references

The Family Code Of the Republic of Azerbaijan, Part 4, Chapter 11, article 49; The Civil Code of the Republic of Azerbaijan, Part 10, Chapter 63, article 1159; Chapter 66, article 1193; The Family Code Of the Republic of Azerbaijan, Part 2, Chapter 4, article 14.1, 23.4.

31. Do women have access to legal aid in relation to family matters?

Yes

No

If yes, please explain

There are 4 regional centers of the Commissioner for Human Rights (Ombudsman) in the regions of Azerbaijan and everyone may access to legal aid.

32. What is the legal definition /concept of “family” in your State?

Family-kinship or loyalty to the legislation of the other features, persons living together or living alone and who has a common household.

33. In law (including customary law) are men and women equal in the family in your State?

Yes

No

If yes, please provide any references

According to the Articles 25.1, 25.2 of the Constitution of the Republic of Azerbaijan all people are equal with respect to the law and law court. Men and women possess equal rights and liberties.

34. Do men and women have the same social status within the family in your State?

Yes

No

If yes, please provide any references

According to the Article 180.2 of the Family Code, in Azerbaijan men and women have same social status within the family.

35. Does your State have data on the number of hours spent by women and by men on functions in the home or in case for family members, including children and the elderly?

Yes

No

If yes, please explain

36. Do men and women in the family have the same rights, in law and practice, with regards to inheritance (including equal rank in the succession)?

Yes

No

If yes, please explain. In addition, is there evidence of waiver of inheritance rights by women?

According to the Article 1159.1.1 of the Civil Code of the Azerbaijan Republic men and women have the same rights, in law and practice, with regard to inheritance. During intestate succession following persons: First of all children of decedent, child born after testator (testatrix)'s decease, wife [husband], parents [adoptive parents] are considered as equal heirs.

37. Does family education in your State include a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of the children?

Yes

No

If yes, please provide any references

According to the Constitution of the Republic of Azerbaijan Family as a basic element of society is under special protection of the state. Parents must take care of their children and their education. The state controls implementation of this responsibility (The Constitution of the Azerbaijan Republic. Article 17.1, 17.2). Maternity, paternity, bringing up and education of children, as well as other issues of the family are solved by spouses jointly in accordance with the principle of spouses' equality. (The Family Code of the Azerbaijan Republic. Article 29.2)

38. If equality is guaranteed in law and practice, does this apply in all different types of families?

Yes

No

Violence within the family and marriage

39. Are there any of the following traditional practices in your State?

- Female Genital Mutilation
- Honour Killings
- Son Preference
- Dowry Deaths
- Polygamy
- Prohibition of work or travel without the permission of a guardian
- other

Yes

No

40. Is/are there any anti-domestic legislation /regulations in your State?

Yes

No

If yes, please provide any references

The Law of the Republic of Azerbaijan on Prevention of Domestic Violence (2010)

41. Does your State have a legal definition of discrimination which covers gender-based violence or violence against women, which includes domestic violence?

Yes

No

See above questions

42. Does your State have a national policy to eliminate gender-based violence or violence against women, including domestic violence?

Yes

No

The Law of the Republic of Azerbaijan on Prevention of Domestic Violence. (2010)

43. Is marital rape considered a crime in the legislation in your State?

Yes

No

The Law of the Republic of Azerbaijan on Prevention of Domestic Violence. (2010) and the Article 149 of the Criminal Code of the Republic of Azerbaijan.

44. Is adultery considered a crime in the legislation in your State?

Yes

No

45. Are there any companies in your State to raise awareness that violence against women and girls is a human rights violation?

Yes

No

If yes, do they attempt to change the attitudes of men?

The National Program for Action provides a number of responsibilities for the Commissioner. The National Program for Action (NPA) was approved on 27 December 2011 with the aim of raising effectiveness of protection of human rights and freedoms, promoting legal culture, ensuring sustainability of activities to improve the regulatory and legal framework, human rights protection system. It is recommended the Human Rights Commissioner (Ombudsman) to lead the activity of the working group on coordination of the implementation of the National Program for Action and submit proposals for its improvement. It defines activities aimed at better protection of the rights and freedoms of various population groups, including those considered vulnerable in terms of exercise of human rights-refugees and internally displaced persons, women, children, elderly people, persons with disabilities, etc. The measures set to be implemented by the Commissioner along with other bodies and organizations are reflected

46. What measures have been taken in your State to raise awareness among law enforcement officials regarding violence against women and girls, including domestic violence?

Please explain and provide examples

According to the paragraphs of the National Program for Action :

- 1.3. Continuation of measures relating to the accession of the Republic of Azerbaijan to the international treaties on the protection of human rights;
- 2.1. Continuation of the work with international organizations to inform the world community of mass violations of the rights of the persons who have become refugees and internally displaced persons as a result of Armenian aggression against Azerbaijan, as well as of the fact of destruction of Azerbaijan's natural, historical and cultural wealth as a result of occupation, and to seek compensation for the damage caused by Armenia to them;
- 2.2. Continuation of the activities to preserve and develop the cultural heritage of ethnic minorities;
- 2.6. Increasing the effectiveness of the measures in the field of ensuring the right to peaceful enjoyment of property;
- 2.12. Involvement of public and non-governmental organizations in correcting sentenced persons, application of public oversight procedures and study the best practices in this area;
- 2.17. Strengthening the measures to fulfill the commitments arising from the international conventions on child labor and documents of the International Labor Organization;
- 2.18. Cooperation with the nongovernmental and international organizations in fighting homelessness and in social rehabilitation of underage children
- 2.20. Supporting the activities of "legal clinics" functioning under higher education institutions;
- 2.22. Arrangement of the courses on the exercise of the freedom of speech and thought for the mass media;
- 3.1. Profound investigation of the violations of law and human rights, abuse, abuse of office and other similar offences during detention, arrest, keeping a person in pretrial detention facilities and implement necessary measures;
- 4.1. Organization of the study of the requirements of the Convention against torture and other cruel, inhuman or degrading treatment or punishment and its Optional Protocol by officials of law enforcement and other relevant agencies, as well as lawyers and representatives of nongovernmental organizations with expertise in law;
- 4.2. Conduct of educational and other necessary activities to ensure effective fulfillment of the functions of the national preventive mechanism in accordance with the Optional Protocol to the Convention against torture and other cruel, inhuman or degrading treatment or punishment;
- 4.6. Continuation of work on preparation, publication and dissemination of educational and visual aids, booklets and posters on human rights;
- 4.8. In order to promote the UNESCO principle "Education for All" and facilitate a more effective protection of human rights and freedoms, preparation of trainers in the field of legal education for different population groups (women, children, youth, disabled, elderly, refugees and internally displaced persons, prisoners, soldiers, drug addicts and people with HIV/AIDS infection);
- 4.10. Conduct of awareness activities in order to develop a proper culture of law, prevent discrimination, promote a culture of peace and tolerance and national and spiritual values of our people;

4.11. Prevention of crime that poses a serious threat to human rights and freedoms, such as aggression, terrorism, corruption, human trafficking, to continue activities both within the country and abroad (roundtables, seminars, conferences, etc.) on the theme of dialogue among cultures and religions and to strengthen religious tolerance;

4.13. Ensuring the study of international instruments on human rights, in particular the European Convention on Human Rights, on the part of civil servants, members of the judiciary, prosecutors, officials of law enforcement agencies and lawyers, members of staff and regional centers of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan and members of municipalities;

4.15. Development of human rights sections of libraries;

5.3. Development of a fruitful cooperation with the UN Council for Human Rights to promote and implement the UN Millennium Develop Goals.

47. Are there special law enforcement units to respond to complaints of the violence against women and girls, including domestic violence?

Yes

No

If yes, do these include female law enforcement officers?

The appeals received by the Commissioner were accepted for examination and many of them were resolved. The appeals were reviewed within the period defined by the Constitutional Law and responded. In this process the Commissioner closely collaborates with the State authorities such as Main Department on struggle against human traffic under the Ministry Internal Affairs, State Committee on the problems of the family, women and children, Office of the Public Prosecutor and so.

48. Please provide information on the incidents/complaints of domestic violence, sexual assault including rape and child abuse against women and girls in your State?

According to the paragraphs 2.15. of the National Program for Action Strengthening the fight against violence, including domestic violence against women, securing the legal remedies, necessary compensation, rehabilitation, medical and psychological assistance to the victims of such violence and 2.7. Conduction of awareness raising campaigns among the population, especially children and young people, for a healthy environment and healthy lifestyle, rehabilitation of those suffering from drug-addiction, alcoholism and HIV/AIDS infected persons.

49. Are there shelters or safe houses for women and girls who are victims of gender-based violence, including domestic violence in your State?

Yes

No

If yes, are there available to women and girls living in rural and remote areas?

There are 2 shelters. One of them is public, the other is private and belongs to non-governmental organization. These shelters are available to women and girls living in rural and remote areas.

Participation in cultural life

50. Are men and women equally entitled in law and in practice to interpret cultural traditions, values and practices in your State?

Yes

No

If yes, please describe and provide examples

In Azerbaijan men and women are equally entitled in law and practice to interpret cultural traditions and to participate in cultural life of the country.

The Constitution of the Republic of Azerbaijan

Chapter III. BASIC RIGHTS AND LIBERTIES OF A PERSON AND CITIZEN

Article 40. Right for culture

I. Everyone has the right to take part in cultural life, to use organizations and values of culture.

II. Everyone must respect historical, cultural and spiritual inheritance, take care of it, protect historical and cultural memorials

51. Are there restrictive dress codes for women which do not apply to men?

Yes

No

52. Are women in the country allowed to be a member and fully participate in cultural and scientific institutions in your State?

Yes

No

Women are allowed to be a member and fully participate in cultural and scientific institution in Azerbaijan (Law of the Republic of Azerbaijan on Culture, Article 6 and Article7).

53. Are women entitled in law and practice, independently of their marital status, to decide freely whether or not to participate in certain cultural events, traditions and practices in your State?

Yes

No

According to the Article 1 of the Law on Culture, everyone can decide freely whether or not to participate in certain cultural events in Azerbaijan. The equality of all citizens to participate in cultural life of the country without any ethnic, national, religious or linguistic definition is guaranteed by the Law.

54. Are there any specific actions to recognize and value the contributions of women to culture in your State?

Yes

No

Every year Azerbaijan government appreciate the contributions of women to culture and gives them awards and titles of honor.

55. Do you have data recording the participation of women in arts, science, sports and in the

If yes, please provide the information

56. Has your State developed any temporary special measures to enhance the participation of women in arts, science, sports and any other cultural activity?

If yes, please provide specific examples of these temporary special measures

- Ô The State reinforces efforts to eliminate professional segregation and provides equal opportunities for women and men on the labor market.
- Ô The State applies *temporary special measures* to provide real equality for women in arts, science, sports and any other cultural activity and at all levels of the labor market.
- Ô Adopt *temporary special measures* to address conflicts between professional and family commitments, including areas as social welfare for children and division of labour between men and women in family and household tasks.
- Ô Adapt the relevant provisions of the Labour Code and the Law on Gender Equality with the article 11 of the Constitution and provide equal payment per the General recommendation 13 of the Committee and Convention (100) concerning Equal Remuneration for Male and Female Workers for Equal Value Work.

57. Are women allowed and encouraged by your State to participate in all sports?

Yes

No

58. Is any special dress code provided in the legal regulations for all women exercising sports in your State?

Yes

No

If yes, please describe and provide examples

59. Are there any differences in your State for women access to museums, parks, theaters, sports stadiums, and other facilities where culture, sports and science are disseminated in comparison with men?

Yes

No

If yes, please describe and provide examples

60. Is your State promoting the participation of women in the arts?

Yes

No

Everyone can decide freely whether or not to participate in certain cultural events in Azerbaijan.

61. Have there been any cases in your State in last decade of women artists prosecuted for the performance of art, allegedly violating public authority or morals?

Yes

No

If yes, please describe