**Information on Reparation for child victims and survivors of sale and sexual exploitation by the Republic of Azerbaijan**

The Republic of Azerbaijan joined the Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography on April 2, 2002.

Child trafficking is prohibited by the Articles 144-1.2.3 and 144-2.2.3 of the Criminal Code of the Republic of Azerbaijan.

In the Republic of Azerbaijan, restoration of the rights of children who are victims of human trafficking, their social rehabilitation and reintegration into society is carried out on the basis of existing legislation. The Law of the Republic of Azerbaijan on Combating Trafficking in Human Beings dated June 28, 2005 and the Regulations on Social Rehabilitation of Victims of Human Trafficking approved by the decision number 62 of the Cabinet of Ministers of the Republic of Azerbaijan dated March 6, 2006 define the basic principles and mechanisms of this activity.

When providing assistance to a child who has become a victim of human trafficking, his/her interests shall be a primary consideration, all measures are taken to protect the rights and legal interests of the child in accordance with the Law of the Republic of Azerbaijan on the Rights of the Child, the UN Convention on the Rights of the Child, as well as other laws of the Republic of Azerbaijan and international agreements to which it is a party. Asylums and assistance centers immediately report a child victim of human trafficking to the guardianship and patronage authority and the Commission for the protection of the rights and affairs of minors.

According to the Article 22 of the Law of the Republic of Azerbaijan on Combating Trafficking in Human Beings, all property obtained from human trafficking (real estate, cash and other property) is confiscated by a court decision in accordance with the law and transferred to a specially created fund to help victims of human trafficking. Funds collected in the fund for the victims of human trafficking are directed to the payment of compensations and other necessary expenses of the victims of human trafficking, including child victims.

According to the article 23 of the Law, the courts resolve the issue of compensation for material and moral damage to the victims of human trafficking (including children). Damages caused to persons (children) who suffered from human trafficking are paid from the property of human traffickers in accordance with the procedural legislation. If this property is not enough, the damages can be paid from the resources of assistance fund for the victims of human trafficking according to the court's decision.

In accordance with the provisions of the Criminal Procedure Code of the Republic of Azerbaijan, a human trafficking victim has the right to receive the compensation determined by law for the moral, physical and material damage at the expense of the state, compensation for the expenses spent during the criminal proceedings and compensation for the damage caused in the result of illegal actions of the authority implementing the criminal process.

The victim has the right to receive compensation for the damage caused by the act stipulated by the criminal law, if the commission of this act against him/her is determined by the following:

- by court order;

- by the final decision of the body implementing the criminal process.

Compensation is settled in civil proceedings, regardless of the decision issued in the criminal case.

The issue of compensation to the victim from the funds of the state budget of the Republic of Azerbaijan for the damage caused by the act stipulated by the criminal law is decided by the court upon the application of the victim.

While reflecting the decision to compensate the victim from the state budget of the Republic of Azerbaijan in the accusation verdict, the court also indicates that the amount of money allocated as compensation should be taken from the convicted person and returned to the state budget.

According to the article 233.1 of the Civil Procedure Code, except for the cases mentioned in the Code, if the court decision has not been appealed, the decision enters into legal force after 1 month has passed from the day it was officially given to the persons involved in the case. According to the Article 234.1 of the Code, the resolution is enforced after it enters into legal force (with the exception of resolutions that are intended to be implemented immediately).

It should be emphasized that in order to provide legal assistance to human trafficking victims, including children, and to file lawsuits in courts for the damage caused to them, an agreement was concluded between the Assistance Fund for the Victims of Human Trafficking under the Ministry of Internal Affairs (MIA) and the Asylum for the victims of Human Trafficking under the Head Office for Combating Trafficking in human beings of the MIA and the lawyers who are members of the Bar Association.

After children who have been victims of human trafficking leave the Asylum, the continuation of preventive and rehabilitation measures and the protection of their safety are important for their healthy reintegration into society.

Determination of the gaps in the process of rehabilitation and reintegration of children undergone to trafficking into society, protection of their rights and improvement of the measures taken in this field are among the urgent issues in our country.

The "Program for social rehabilitation and reintegration into society of children who were victims of human trafficking" was approved by the decision number 37 of the Cabinet of Ministers of the Republic of Azerbaijan dated February 6, 2014. The main goal of this Program is to improve mechanisms in the field of social rehabilitation and reintegration of children who have become victims of human trafficking, to strengthen measures to increase the effectiveness of protection of the rights of children who have become victims of human trafficking and potential victims, to increase the quality of services provided in this field, and to study international experience.

In order to pay special attention to the prevention of child trafficking, various educational publications on children's rights, child labor exploitation, child trafficking and other topics are prepared by the State Committee on Family, Woman and Child Affairs (SCFWCA) and distributed in educational institutions. The SCFWCA is also preparing an information booklet on gender characteristics of human trafficking, child-specific aspects, and involvement of children in sexual exploitation or violence through the Internet.