

**SUBMISSION BY THE COALITION OF AZERBAIJANI NGOs
FOR THE UNIVERSAL PERIODIC REVIEW OF HUMAN RIGHTS SITUATION IN
AZERBAIJAN REPUBLIC BY THE UNITED NATIONS HUMAN RIGHTS COUNCIL
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- NGO Alliance for Children's Rights,
- Citizen's Labour Rights League,
- Reliable Future NGO,
- Economic Research Center,
- World Vision Azerbaijan,
- Open Society Institute Azerbaijan,
- SOS Children's Village Azerbaijan,
- Mushfig Public Union for Children with disabilities,
- Dan International Youth Public Union
- Azerbaijan Child Helpline Service
- World of Law NGO
- Center for Children victims of violence and crime
- Children's Rights Legal Clinic

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General Dynamics of the Situation with Human Rights. International Cooperation in the Field of Human Rights

In 2006 Azerbaijan adopted the National Plan of Actions on human rights that was signed into action by president of the country. The plan has been implemented under the general supervision from Ombudsman of Azerbaijan. The involvement of various NGOs and coalitions in discussions of the content of the plan and development of particular activities to promote the attainment of goals and objectives of the plan has been remarkable and Ombudsman's role in inviting and supporting NGOs involvement is undeniable.

The NPA on human rights has indeed helped to promote increased awareness of international human rights instruments in the country as well as the ratification of various European and international conventions in the field of human rights. The signing and ratification of UN Convention on the rights of people with disabilities in October 2009, as well as the ratification of *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* in January 2009 and appointment of Ombudsman Institute as the implementator of functions of national preventive mechanism of torture, other cruel, inhuman or degrading treatment or punishment has become an important additional steps in implementation of international human rights instruments.

Along with this, Azerbaijan has ratified the following international treaties:

- ILO's Convention #183 on Maternity Protection in 2010,
- ILO's Convention #156 Concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities,
- Council of Europe's Convention against Human trafficking in 2010.

The active work by Ombudsman institute and many other local and international organizations has resulted in ratification of the following human rights documents by Azerbaijan Republic:

- Convention on Discrimination in Education on UN of 1960.
- Protocol #14 to Council of Europe Convention on Protection of Human rights and fundamental freedoms.
- International convention on protection of rights of people with disabilities.

In 2011 Azerbaijan president signed a decree on adoption of Human Rights National Actions Program. The program consists of 6 chapters and 75 articles and covers the areas such as improvement of national legislation, protection of rights of specific population groups, improvement of work of state agencies, promoting the education and awareness raising in the field of human rights and cooperation with international organizations. This program is sort of continuation of the NPA on Human rights signed in by Azerbaijan's president in December 2006. The current program set specific goals and objectives in relation to the strengthening of human rights protection mechanisms of certain population groups including:

- improvement of criminal legislation in the field of sexual abuse against children to the level of and in accordance with international standards;
- improvement of legislation in the field of defamation.
- Protection of rights of people put in custody for extradition.
- Development of draft Migration Code of Azerbaijan Republic.

Legal procedure and judicial reform

Azerbaijan has been implementing the judicial reform for several years now with the support from WB, Japanese Government and other intergovernmental agencies. This work has been extensively detailed in the UPR working group document in 2009. During the last 4 years there have been number of positive developments in relation to the improvement of infrastructures for courts, opening of number of regional appeal courts, first instance courts in the regions of country. The number of complaints has been steadily increasing which can be regarded as the increase in people's trust in the changing judicial system, but also as the increase in number of economic and social disputes and discrimination cases in the country. For example, per Ministry of Justice the number of complaints/cases on economic disputes submitted to Azerbaijani courts have been increased by 30% just in 2010.

During the period of 2009-2011 government opened 20 new regional courts and has continued to increase the number of judges and the staff of courts to assist in handling the court cases in timely and efficient manner. So far, Azerbaijan has established 7 regional administrative and economic courts.

At the same time judicial system has not been left aside of corruption allegations and has been under serious attack by local and international NGOs and human rights defenders due to deep dependence from government's executive branch and also due to corruption that is believed to be widespread in the judicial system.

During the meeting of the Legal-Judicial council of Azerbaijan Republic (chaired by Minister of Justice of Azerbaijan) that was conducted in march 2011, the issues of corruption and importance of fight against corruption were emphasized. The council initiated investigations into corruption related actions of 17 judges, including the cancellation of judicial activities or transfer to lower positions of 8 judges. However, the reasons for actions, nor the proportionality or legality of legal actions against the judges were not highlighted to the public. According to prominent human rights activists, the announcement of numbers is just a mere «show off» of anticorruption work that is being done by government without any longstanding impact.

Need for specialized Ombudsman for children, Ombudsman on Information of the Republic of Azerbaijan

Azerbaijan does not have a specialized body, like Children's Rights Ombudsman, responsible for the protection and promotion of children's rights. There is still no strong mechanism to promote and protect children's rights and restore their violated rights in the country. It is strongly believed that children, who constitute about 3 million of the country's population, deserve and are in need of a specialized Ombudsman who can protect and restore their violated rights. Such an Ombudsman can become a strong ally of NGOs working in the field as well.

With just one dissenting vote, parliament amended its constitutional law, adopted in 2005 on the advice of the Council of Europe, with the effect of cancelling the creation of both an ombudsman and of an institution with the role of addressing issues relating to public access to information. The monitoring of implementation of the right of access to information is given under supervision of current Human rights commissioner (ombudsman). Many more experts and number of members of parliament believe that burdening the current ombudsperson and increasing her workload without any effective delegation of authority within the ombudsman institute as well as without expanding the capacity of the institution would undermine the work on protection of journalists' rights and promotion of public access to information.

Recommendations:

1. Despite the strong advocacy work by Council of Europe itself and also by local NGOs, including NGO Alliance for Children's Rights and Center for Children victims of violence and crime as well as Ombudsman Institute the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No.: 201) has not been ratified by Azerbaijan Republic. Although the convention was signed by Azerbaijan in 2008.
2. Azerbaijan shall adopt the draft Law on Juvenile Justice developed by parliament committee with support from UNICEF.
3. Azerbaijan shall adopt the draft Law on Prohibition of Corporal Punishment of children developed by Ombudsman for Human Rights with support from UNICEF.
4. Adopted by UN in 2006, the International Convention for the Protection of All Persons from Enforced Disappearance has not been ratified by Azerbaijan, despite the fact that the convention was signed by Azerbaijan in 2007.
5. Establish the position of Ombudsman for Children's Rights as part of the existing Ombudsman Institute but with its own staff and work principles.
6. Establish the position of Ombudsman on Access to Information that will serve as a bridge between state agencies and media and promote the protection of rights of journalists and ensure the public access to information.
7. Azerbaijan should foster the ratification of the following international treaties:
 - a. ILO Social Security (Minimum Standards) Convention, 1952, (No.102).
 - b. ILO Conventions such as the Invalidity, Old-Age and Survivors' Benefits Convention, 1967, (No.128),
 - c. the Employment Promotion and Protection against Unemployment Convention, 1988, (No.168),
 - d. the Occupational Safety and Health Convention, 1981, (No.155),
 - e. the Safety and Health in Agriculture Convention, 2001, (No.184),
 - f. the Promotional Framework for Occupational Safety and Health Convention, 2006, (No.187).
8. Azerbaijan shall develop effective cooperation with intergovernmental organizations on the issues of human rights in Azerbaijan, including the permission to reopen the office of Norwegian Human Rights House in Azerbaijan, establishment of Human Rights Council under the auspices of president of Azerbaijan and organization of effective quarterly review process and dialogue with major human rights agencies that work in or in the field of human rights issues in Azerbaijan;
9. Azerbaijan shall issue invitation to Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on the situation of human rights defenders that will help

to promote the human rights advancement in the country and underly the government's commitment to protect and promote the work of human rights defenders and implement its obligations to ensure the right of people to assembly and association.

Freedom of Associations. Interaction between Human Rights NGOs and the State.

It shall be welcomed that Azerbaijani government has been further supporting the work of State Council on support of NGOs via increase of its budget for disbursement of grants. However, the work of State Council has not achieved to promote the recognition and wider support to the work of NGOs and other community based organizations in the country among the state officials, local and central government officials. Many high level public officials treat human rights NGOs and many NGOs who receive funding from international organizations with hostility and have repeatedly stated that NGOs serve hostile foreign interests, represent a threat to the state, are engaged in partisan activity and provide assistance to foreign spies. Current NGO legislation with major amendments made recently provides broad and ambiguously formulated powers to the Ministry of Justice allowing its interference in the NGO activities, made reporting more complicated and liquidation procedure simplified. In 2009 Parliament of Azerbaijan made amendments to the NGO legislation, which have been widely criticized by local and international NGOs. The new amendments put harsher requirements for operation of international NGOs in Azerbaijan as well. The new law now permits the government to issue just two notices to any NGO within a year for any sort of irregularities (not dependent on magnitude or severity of the irregularity) and if the irregularities are not corrected, then shut down the NGO. The new provisions of the NGO legislation were criticized by Venice Commission of Council of Europe, which pointed out that the new provisions are in contradiction with international standards.

Also most times the state registration service requires NGO to get "permission" or "support" of certain minister or ministry in order to get registered.

Many international and local organizations have pointed out that the demolition of building housing several human rights organizations of Azerbaijan, including Institute of War and Peace, the Azerbaijan Campaign to Ban Landmines and the Women's Crisis Centre are part of government's campaign against human rights defenders and NGOs.

Recommendations:

1. Azerbaijan shall conduct thorough investigation of all cases of threats to and assaults on human rights defenders.
2. Azerbaijan shall issue invitation to Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on the situation of human rights defenders that will help to promote the human rights advancement in the country and underly the government's commitment to protect and promote the work of human rights defenders and implement its obligations to ensure the right of people to assembly and association.
3. Azerbaijan shall introduce the Law on Social Offer that will enable local NGOs to get access to state budgets for provision of various social services to vulnerable and disadvantaged groups of population.
 - a. Simplification of the public registration of NGOs and creation of single window registration;
 - b. Simplification of public registration procedures of foreign NGOs and foundations, reserving the registration right at the Ministry of Justice and decreasing legal fees for establishment;
 - c. Online submission of changes about registration information and grant contracts of NGOs, creation of online public registration service and application of online services for making technical changes to database.
 - d. Establishment of "NGO Houses" in regional centers and cities for resolving office problem of NGOs.
 - e. Organization of debates for the bill on "Public participation" and adoption the law.

Freedom of Speech and Information

The creation of State Fund to support Media by the decree of president in 2009 was welcomed by the governmental and oppositional medial representatives. The funding of newspapers and organization of various journalists competitions as well as initiative to build the housing for journalists are just few of significant accomplishments of this fund. The funding provided by this State Fund has helped many media agencies to improve their technical capacities and promote the capacity building for their staff. However, the State Fund has so far played only minor role in promoting the better legislation environment and better political environment for the practice of journalism and for work of independent media in Azerbaijan

The issue of decriminalising the defamation is still a significant obstacle for effective and fearless functioning of media and journalists in Azerbaijan. The defamation still remains as unresolved issue despite numerous calls from international organizations and local activists.

Despite the support from State Fund to number of media institutions and mainly newspapers, the economic conditions of mainly oppositional and independent media remains poor. Recently Azadlig newspaper called out to its readers and supporters to get involved in saving the newspaper from stopping its publication due to fines against the newspaper. Number of newspapers have decreased their circulation capacity and had to increase the prices, which in turn lead to decrease in buying capacity of people/readers.

Monitoring undertaken by a group of media workers and IRFS representatives in September 2012 showed that many of newly established modern Baku's newsstands do not carry newspapers or carry an insufficient quantity to meet demand. This poses new threats to the economic situation of the independent newspapers in Azerbaijan.

In relation to the Internet freedom, Azerbaijani population has complete freedom of access to internet and internet content as there are no barriers built in from the state. However, the low level of access to internet in the regions and higher prices create the artificial barrier to the access to virtual information.

Recommendations:

1. Azerbaijan shall establish the Ombudsman on Information Access that is part of the adopted law on Access to information.
2. Azerbaijani parliament shall decriminalise defamation by abolishing relevant articles of the Criminal Code.
3. Azerbaijani government shall invest more into creation of equal and limitless access to internet and internet media throughout the entire country, including mainly regions. The costs of internet access shall be decreased further.
4. The restoration of broadcasting of BBC, Voice of America and Azadlig Radios on radiofrequencies of country shall become an important step towards the promotion of human rights and public access to impartial information.
5. Government shall promote the establishment and support to the functioning of independent broadcasting and printed media in the regions of Azerbaijan.
6. The independent and oppositional newspapers shall be given equal access to the distribution network in capital and regions. All hindrances to the distribution of oppositional and independent newspapers shall be removed.

The Judicial System and Situation in the Penitentiary System

The establishment of Public Committee for Monitoring of Penitentiary Service by the order of Ministry of Justice has been widely welcomed by the NGOs and various local and international organizations as important step towards the protection of rights of prisoners. The composition of the public committee from among the parliament members, NGO representatives have played a substantial role in providing access for number of NGOs to the prisons and to the information on situation of prisoners in the country. There however remain significant limitations to the work of the Public Committee. The Public Committee's mandate only covers penitentiary facilities under the jurisdiction of the Ministry of Justice. Thus, pre-trial detention facilities under the jurisdiction of the Ministry of Internal Affairs and detention facilities under the Ministry of National Security still remain closed to the Public Committee. The access of Public Committee to the facilities of Ministry of Interior and Ministry of National Security is indeed very important in the context of allegations of torture and ill-treatment by the police during the pre-trial detention, insufficiency of basic legal guarantees for individuals deprived of their liberty in the pre-trial detention facilities and penitentiary facilities, inter alia, access to independent medical examination and legal assistance.

Recommendations:

1. Azerbaijan shall provide the access of Public Committee for control of penitentiary service to the pre-trial detention facilities under Ministry of Interior and also special facility under Ministry of National Security or alternatively the separate Public Committee shall be established under the Ministry of Interior to oversight and monitor the human rights and actions of torture and ill-treatment of people in custody.
2. The juvenile correction facility shall undergo reforms to become more open to public monitoring and disciplinary measures including the placement of a child in single cell shall be prohibited. The children's rights to privacy and maintenance of contacts with families shall be reinforced.
3. Each child shall have annually reviewable correction, rehabilitation and development plan that will put forward the goals and objectives in regards to the correction of child's behavior, promoting his

emotional and psychological health, provide the children with good level of education and access to higher education and also tools for successful reunion with the families and securement of jobs after release from correction facility.

4. Prosecutors and police investigating and working on juvenile cases as well as juvenile advocates shall be specialized and trained in this field with good knowledge of international standards and guidelines and understanding of community based alternatives to arrest and custodial detention and imprisonment.
5. Azerbaijan shall establish the specialized Juvenile Courts and/or positions of Juvenile Judges in Baku and all regional courts. The establishment of at least one Baku Juvenile Court for Serious and Grave Crimes and specialized juvenile judges within the existing system of courts and creation of a community based social services infrastructure on prevention and rehabilitation shall become a priority.

Economic and Social Rights

As per report developed by the Citizen's Labor Rights Protection League for submission to UN Committee "One of the amendments made to the Constitution of Azerbaijan Republic through referendum was presentation of new edition of the second part of the Article 15. According to change the state "is creating conditions for development of socially oriented economy".

The existing mechanisms are not sufficiently effective for provision of economic, social and cultural rights. High level of corruption, mutual support and solidarity policy among the state structures towards each other are creating serious barriers for provision of rights. The people living in the country have the rights to apply and submit complaint to international courts (European Human Rights Court) and quasi – courts (4 UN committees reviewing individual claims) concerning the violation of their fundamental rights and freedoms. However, only internal mechanisms exist regarding the violation of economic, social and cultural rights. The government of Azerbaijan has not yet joined to the collective complaint procedure of the revised European Social Charter."

Women employment

Per the same report by the Citizen's Labor Rights Protection League "It is mentioned on the employment strategy of the Republic of Azerbaijan for 2006 – 2015 that "Unemployment among the women is in high level. Although the specific weight of women among the unemployed population during the recent years is decreased e.g. went down from 59,7 % in 1995 to 53,4% in 2003 the issue of eradication of gender inequality in employment is one of the cases for discussion on the agenda. In accordance with the result of the above-mentioned observations while in 2003 the share of unemployed among the economic active men comprised 9.6 %, this indicator among women was equal to 12.2 %. The studies of statistical indications show that women usually make majority in the works with low status and wages. "The lack of jobs for women is reflected today predominantly with the shortage of flexible jobs (half working day and working week, changing work schedule, work for home etc) corresponding to the role of woman in society and family."

Economic rights of people with disabilities

Again the report developed by the Citizens' Labour Rights League states that "The employer is not ready to cover such costs for the sake of few persons. From this point of view the physically disabled people are considered as "inappropriate for work" for employers. Hiring these people and creating conditions of privileged labor for them are not included in the plans of any employer. Although it is considered creation of jobs for physically disabled people in accordance with the Law on prevention of disablement, rehabilitation of physically disabled people and their social protection through creation of specialized working places for physically disabled people neither government bodies nor private structures don't make efforts to create such working places. In accordance with the Article 26 of the same Law enterprises are obliged to allocate working places and organize new ones for people losing their labor ability as a result of an industrial accident or getting occupational disease and as a result of this considered as physically disabled people. Those employers who don't fulfill these rules should remit to the State Social Protection Fund the sum 120 times exceeding the average monthly salary in the republic. Unfortunately in practice this requirement is not fulfilled either. Persons getting by the guilt of employers industrial disease or industrial disablement later on in many cases lose their work places. Physically disabled people have specific weight among the unemployed existing in the country. Not providing such people with employment causes their disintegration from society, marginalization and expose them to discrimination. Despite the existence of legislation it wasn't possible during long years to hire physically disabled people in accordance with the rules stipulated by the Law.

Youth employment and professional skills development

According to the report by World Bank and IMF in 2012: "Youth forms a large and increasing share of the population, including the unemployed. About a third of the unemployed belong to the 16–24 year old age group, and two-thirds of the unemployed hold upper secondary education degrees. A cross-country comparison suggests that youth are a disproportionate share of the unemployed population in Azerbaijan. The levels of inequality in the access to tertiary education and skill mismatches in the labor market are substantial, as indicated in recent assessments."

Targeted social assistance to vulnerable families

The Ministry of Labor & Social Protection of Azerbaijan informs that as of 1 August TSA was provided to 629,129 people or 141,378 families. At that, 110,062 families received in 2012 state support for the first time, including 39,573 families received TSA first time. As a whole, in 2012 TSA was appointed for 79,559 families. Almost half of social assistance recipients are children under the age of 18 – 306,308 people, including 9,669 infants up to 1 year. At that, 58,627 TSA receiving families have 3 or more children. Per report from ministry as of August 2012 the TSA totaled AZN 110.26 on average per family or AZN 24.78 on average per beneficiary.

According to the report by Economic Research Center based on survey conducted in several regions of Azerbaijan the following responses were collected: "Respondents receiving TSA indicated that they need about AZN 283 to meet their average living standards. Nevertheless, the monthly salary paid to them is AZN 75.3 on an average. Survey analysis in Mingechevir revealed that average TSA paid to recipients is AZN 49 per family. The minimal and maximum rates of TSA are AZN 9 and AZN 160, respectively." Also, In response to the question "What would you buy first if you receive social assistance?" about one third (32.5 per cent) of respondents receiving TSA stated they could spend them for medical treatment and medicines for family members, 5.2% pay rental fees, 15.7 per cent bills for electricity, water and other household expenses. 22% of those who answered the question will use such social assistance to buy only bread, sugar, tea, 8.9% will afford buying some meat, in addition to bread, sugar and tea, 15.7% pay bills for household expenses, in addition to bread, sugar and tea.

Rights to health care

Government and Ministry of Health in particular does not have explicit strategy on health care reform. Also, government lacks the strategy for regional based development of health care. During the last 10 years government has been several times introducing and then backing down the fee-based medical services or widening the range of the fee-based services by state owned medical institutions. Currently the fee-based services are suspended by government. Throughout recent years Ministry of Health made efforts to abolish the corruption or unofficial payments within state healthcare facilities and even several prosecutions on corruption charges were made to show the seriousness of the government. However, these artificial measures with no substantial increase in salaries of physicians, nurses and other healthcare specialists have remained on a paper.

Ministry of Health drafted The Concept for Health Financing Reform and Introduction of Mandatory Health Insurance, which was approved by Presidential Decree in December 2007. In 2008 President signed a Decree establishing the State Agency for MHI (SAMHI) under the Cabinet of Ministers, thus leaving Ministry of Health out of the huge state budget funds. As a result the mandatory health insurance became less appealing to Ministry of health and has been buried deep so far.

Despite the fact that new clinics built in regions, the majority of people living outside of the capital are still leading toward the capital in search for "relatively better" medical care. However, the country's current medical care is not in a position to provide required diagnosis and necessary treatment for many disease conditions. The specialised areas of medical science, like cardio-vascular surgery, laparoscopic surgery, haematology, transplantation of organs and tissues and neurosurgery, are still underdeveloped, which force many patients to leave the country for better medical care to Iran, Russia, Turkey, Germany, UK and Israel. According to UNICEF's report "*The number of hospitals per 100,000 population in Azerbaijan is about 8.6, the highest among 39 countries of Europe and 70 per cent more than the average for the CIS; this might be the reason why Azerbaijan's total in-patient expenditure as a percentage of total health expenditures has been quite high (72 per cent in 2005 and 61 per cent in 2006), lower than that of Ukraine only in 2005. But Ukraine's in-patient care admissions per 100 were about 22 during the same year; four times more than that of Azerbaijan. Either people are healthy and do not need in-patient care very often or hospitals are not easily accessible. In either case the question then arises as for the efficiency of resources allocated to hospitals. Azerbaijan has the lowest in-patient care admissions per 100 among European countries, but the longest average duration of stay in hospitals (2006): 14.5 days.*"

There are still significant regional discrepancies in the availability of qualified professionals between the capital and regions. The studies have showed that rural areas and even regional medical centres often do

not have qualified medical professionals to provide quality care including the care for newborn babies and for mothers and children in general. Health care personnel are also underpaid and do not have incentives to perform better.

Recommendations:

1. *Government shall increase real expenditures for health care system, including salaries of healthcare workers.*
2. *Azerbaijan shall be recommended, inter alia, providing incentives for medical professionals to work in rural areas.*
3. *Azerbaijan shall further work with local NGOs and Global Fund against Malaria, TB and HIV/AIDS and other international agencies to strengthen and expand the work on prevention of the HIV/AIDS and drug abuse, TB and malaria among general public but mainly among vulnerable groups, including street children, detainees of prisons, sex workers. Special strategy or national program on healthcare reform should be developed and adopted.*
4. *Azerbaijan shall allocate more funds to primary care sector and family physicians rather than to hospitals. More family physicians are needed rather than new hospital buildings.*
5. *Evidence based medicine shall be emphasized and this concept shall be effectively applied in practice.*

Vulnerable Groups

Children in need of care and protection

Conducted studies and analysis by NGO Alliance, UNICEF and other international and local organizations clearly shows that each state agency has separate and individualized to the agency needs database or child information registration system. This sort of database only covers the children and families particular agency work with. However, there is no centralized database about children in need of care or protection that can ensure the holistic approach and coordinated efforts of all state agencies and even NGOs in solution of the problems of these children.

It is indisputable that comprehensive database and data management system should be inseparable part of child protection system and should ensure effective activity of that system. At the same time, computerization of such data has not been conducted in most state agencies, as a result, unilateral approach is applied in the solution of problems faced by the child and his/her family. On the other hand, as data about certain child or family present in the database of one state agency does not mean that other agencies know about that and/or have access to this information.

Thus, there is no centralized database of children in need of care and protection in Azerbaijan. In its turn, this also prevents the government to formulate better state policies, to improve the data collection and analysis based on the problems, violated rights, difficulties that children face throughout the whole country.

Recommendations:

1. In order to ensure the successful application of such a databank and case management system, several legislative documents need to be amended. This databank with case management system shall become a universal point of contact for all social, educational, health and other state agencies as well as service providers that will ensure effective communication and coordinated activity among all the related agencies, including governmental and non-governmental organizations.
2. In order to prevent collapse of families in crisis or facing serious difficult life situations local state agencies and NGOs should be involved in designing, planning and implementation of individual family and child care plans, provision of necessary social and other support services to these families.
3. To adopt new procedures and regulations that will require commissions on minors' affairs to conduct thorough assessment of situation of a child and the family as whole and develop plan of actions to assist the family and protect the child and aim at preventing the disruption of family care.
4. The lack of "social partnership" (government - NGO) concept that is required for improvement of social services and their quality. The adoption of the Law on Social Offer (in April 2011) is of great importance for the elimination of these difficulties. It is necessary to develop the sense of Corporate Social Responsibility among business institutions and to support them in preparation of strategies on CSR.

People with Disabilities

The state of discrimination against children with disabilities

Despite the successful implementation of pilot programs in the field of inclusive education, government has

only been able to get only few dozens of disabled children in several districts of Azerbaijan up until the 4th grade of primary schools and once some of them graduated the 4th grade they were out of schools again. The majority of children with disabilities live with their families and still being isolated from the community and society. Many more parents isolate these children in order to protect from humiliation by others, from emotional distress that children may suffer due to their condition.

Recommendations:

1. *Improvement of legislative-normative base on social protection of disabled children and their families, as well as local and national legislation on medico-social rehabilitation of disabled children, organization and provision of community based social and rehabilitation services;*
2. *There is a need in elaboration and adoption of “National Action Plan or State program on development of children with disabilities” according to UN Convention on protection of rights of people with disabilities, as well as on the basis of the rights set forth in UN Convention on the Rights of Children;*
3. *The amount of the social allowances given to families of children with disabilities should be determined depending upon the care provided to children by the families, the degree of disability, need of care, age and sex of the children. To this purpose, relevant amendments are to be made to the Law of the Republic of Azerbaijan on Addressed State Social Allowances and new calculations shall be done to meet the real needs of these families;*
4. *It is important that the information about children with disabilities is included into the special “Database and Case Management System dealing with children in need of special care and protection” that will enable holistic approach to their problems and provide government support and ensure the accountability.*