

**Statement by KAMILA DADASHOVA
to the Committee for the Elimination of
All Forms of Discrimination against Women
on the Second and Third Periodic Report from the
Government of Azerbaijan
22 January 2007**

Thank you, Madam Chair for giving me the opportunity to address the Committee. I'm Kamila Dadashova, president of Azerbaijan Gender Association "Symmetry" and coordinator of the preparation process of Shadow Report. I would like to raise critical areas related to the issues of discrimination against women.

1. Violence against Women

From 2001 up to present large work has been done in the country for prevention of domestic violence with law-enforcement (police, prosecutors, judges). Criminal Code of Azerbaijan Republic (articles 126-133) stipulates criminal responsibility for different actions related to doing harm to the other person.

Pursuant to the data of Ministry of Internal Affairs during 2005 against women 4397 crimes were committed, 28.4% of them are crimes related to domestic violence (almost similar figures for 2002-2004). This data doesn't reflect real situation of all crimes but shows positive dynamics in legal assistance appealability and investigations of domestic violence crimes. Also there are no institutes or mechanisms for assistance and social rehabilitation for victims of domestic violence.

In 2006 the Government developed and submitted to parliament draft law on domestic violence. However neither NGO, no law-enforcement representatives participated in drafting this law, which may in future influence on implementation mechanisms of the law.

Issue of sexual harassment on work places and Higher Educational Institutions is closed topic. There is no official statistics of addresses to police on this issue, but at the same time, according to informal data this widely spread phenomena requiring close attention by the government. According to Article 2, paragraph 2,3,4,5 of the Convention, the government has to develop necessary policy and legislative acts for prevention of sexual harassment at work places, which will help development and promotion of women.

Recommendations:

- Establish mechanisms for rendering social and psychological rehabilitation to victims of domestic violence.
- Strengthen role of NGO in conducting monitoring on implementation of law and national action plan on prevention of domestic violence.
- Involve government in supporting financially and technically NGOs working in protection women rights from domestic violence.
- Strengthen government policy and legislative bases for investigation and punishment for sexual harassment at work places

2. Reproductive rights

Gender stereotypes established in the family lead to discrimination mechanisms related with opportunities of women to realize their reproductive rights. One of such problems is selective abortions on the bases of fetus sex. Data of the reproductive rights research conducted in 2004 show that 31% couples use the practice of determining fetus sex, and if it's female, 23% make abortions on different periods of pregnancies. Mostly it happens on demand of husband or his relatives, and in some cases with woman's own wish. The main motivation for it is discriminating role of husband in the family and society. Besides discrimination factor, this practice has huge impact in psychological and physiological health of women.

Problems of legislative basis, lack of law on reproductive rights, lack of information and education on reproductive rights leaves loophole for sexual screening in medical facilities and contradicts with Article 5 paragraph 1 of the Convention.

Early marriages are also very serious problem, especially in the regions and are staged by parents and in majority cases these marriages are contracted religiously and between cousins (cross-cousin marriages). Early marriages are obstacles for girls' getting education, impact their psycho-adaptational capabilities and are also instruments for discriminational impact.

In 2006 the law on gender equality (male and female), which stipulates creation of equal opportunities for men and women in political, economic, social, cultural and other spheres of public life, but it doesn't concern issues related with families, which contradict with Article 16 of the Convention. We think it doesn't remove discriminational stereotypes of impacting women within family which will, of course, affect development and promotion of women.

Recommendations:

1. Make amendments to the law on gender (male and female) equality.
2. Develop and adopt law on reproductive rights.
3. Strengthen gender policy in public health.
4. Remove practice of selective abortions and conduct annual monitoring.
5. Strengthen state policy for prevention of early marriages.

3. Representation of women in authorities

Representation of women in governmental bodies is limited only with middle and low level of administration. In higher structures men retain positions and their activities don't touch upon women interests much. Only 3% women occupy higher positions in governmental administration (which contradicts Article 7 of the Convention). One of the main reasons leading to it, is imperfection of gender personnel policy, weak activities for increasing women potential in administration, lack of quota in representation of women in administrative and executive power.

Recommendations:

1. Strengthen gender personnel policy and increase access of women to administration.
2. Strengthen role of people responsible for gender policy in ministries and other agencies.
3. Introduce quota as temporary measure to achieve gender equality in administrative and executive powers.