

tion of the family; criminal liability for violations of women's rights; participation in government and electoral rights; nationality; the right to education; employment and free choice of profession, the Labour Code, the Criminal Code and other laws on employment and workers' rights; social security and pensions; health care and reproductive health; access to credit and loans; and provisions in the Civil Code related to the status and situation of women.

The Committee's concluding observations and comments (A/53/38, paras. 37–79) referred to points in the government's oral presentation of the report, including that: 85 per cent of the population lives below the poverty line; there is a large population of refugees and displaced persons of which women and children constitute the majority; a special state committee on women's issues has been established; the government is actively pursuing the policy of equal rights and equal opportunities and that approach forms the basis for interaction with NGOs; by law, women enjoy full guarantees of human rights and freedom from discrimination but the difficult socio-economic situation has resulted in a severe decline in the standard of living and an increase in the unemployment rate, leading to widespread poverty among women and men; the high rates of infant and maternal mortality are issues of great concern; more women than men are unemployed and there are fewer women than men at all levels of decision-making; women in the labour market are usually concentrated in the fields of health care, social welfare, education and culture.

In terms of factors hindering implementation of the Convention, the Committee noted economic, social and political challenges, the high number of refugees, and the transition to democracy and a market-oriented economy. The Committee welcomed: translation of the Convention into Azeri and its wide dissemination; the willingness expressed by the government to strengthen the national machinery for the advancement of women and to engage NGOs in the realization of the goals of the Beijing Platform for Action; the high number of women involved in the professional and cultural life and the relatively high percentage of women in the decision-making process; the establishment, with the help of UNICEF, of six regional family-planning centres to provide a larger number of women and men with assistance in matters of reproductive health; and the proposed establishment of a women's bank to provide loans and credits for small enterprises organized by women.

Subjects of concern identified by the Committee included, *inter alia*: the absence of a definition of discrimination in the Constitution or in the laws, and the lack of mechanisms to strengthen the prosecution of discriminatory practices against women; the failure of the government to put in place a plan for implementation of the Beijing Platform for Action; noting Azerbaijan is a secular state, that there are nonetheless inadequacies in the government's commitment to eliminate deeply rooted patriarchal attitudes and avoid the danger of the insurgence of fundamentalist tendencies; the lack of a

consistent and comprehensive strategy for the full involvement of women in the development process; and continued existence of discrepancies between *de jure* and *de facto* equality.

The Committee also expressed concern over: the great number of highly educated women who are living below the poverty line; a growing percentage of unemployment among women and the lack of measures to address that situation; the failure to adopt temporary special measures aimed at accelerating *de facto* equality between women and men, particularly in the context of the integration of women into politics and employment and with regard to assistance for displaced and refugee women; the high level of maternal, as well as infant, mortality rates and the fact that there are insufficient resources for international emergency aid in that field; insufficient efforts to assess and combat violence against women; the situation of women victims of prostitution and trafficking and the fact that legislation to address those problems may be discriminatory and might not always respect the rights of victims or produce positive results; forced medical control of prostitutes and the fact that such measures are not implemented with respect to clients; the widespread use of abortion as a basic means of family planning; and the general health situation of women, particularly in view of the spread of tuberculosis and other contagious diseases. Concern was also raised over: the situation of women in rural areas, in particular with regard to basic health protection and education, as well as social protection; the precarious material and psychological conditions of women refugees and the fact that insufficient attention has been paid to refugee women, including through failure to seek the support of relevant international agencies.

The Committee recommended that the government, *inter alia*:

- ♦ incorporate a definition of discrimination in the Constitution or relevant laws; ensure that the provisions of the Convention are reflected in legislation, in particular legislation concerning health, education and labour;
- ♦ identify the role of the national machinery for the advancement of women and provide it with the necessary human and budgetary resources;
- ♦ elaborate a national plan of action for the implementation of the Beijing Platform for Action; establish close cooperation with NGOs working in the field of human rights and other representatives of civil society to enhance gender awareness and to promote the campaign to combat traditional stereotypes regarding the roles of women and men;
- ♦ ensure that appropriate institutions consider the utility and necessity of affirmative action, in particular to encourage greater participation of women in decision-making bodies;