

INTRODUCTION TO GENDER

Compilation of Lectures

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FOR HUMAN RIGHTS (OMBUDSMAN) OF THE REPUBLIC
OF AZERBAIJAN PH.D. IN LAW SABINA ALIYEVA**

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INTRODUCTION TO GENDER (Compilation of Lectures)

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The Book provides a compilation of lectures on topical issues related to ensuring gender equality. In the lectures, the concept, classification, principles and national and international protection mechanisms of human rights, including women's rights, activities carried out by the Ombudsman Institution in the field of ensuring gender equality and protecting women's rights, the concept of gender, gender policy in Azerbaijan, state programs, national action plans, and other strategic documents, international and national legislative norms on women's rights and gender issues, and gender equality were extensively analyzed.

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It is dedicated to the 100th anniversary of the National Leader Heydar Aliyev, the 75th anniversary of the Universal Declaration of Human Rights, and 25th anniversary of the first State Program on the Protection of Human Rights



“We are proud that Azerbaijani women have proved themselves in science, culture, education and health, in addition to other fields of the economy - industry, agriculture and commerce, and have contributed to the development of our nation.”

Heydar ALIYEV



“The women of our country, as in every stage of our history, continue to actively participate in the ongoing development works, without taking a break, and as active players of socio-political, socio-economic and scientific and cultural processes, they do not spare to make their contributions to ensuring the rise of our homeland.”

Ilham ALIYEV



“Gender equality is an integral part of a democratic society. The main achievement of the twenty-first century is that we were able to change the values and guiding principles in our society.”

Mehriban ALIYEVA

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FOREWORD

Assuring gender equality is one of the priority tasks of international and regional organizations, working in the field of protection of human rights and freedoms, as well as the legal states. A gender-equal society is one in which human rights and freedoms are equally provided.

Nowadays, almost in every corner of the world, gender equality reforms are being carried out. Throughout its history, the people of Azerbaijan have been proud of their highly intelligent, noble, and kind women who adhere to unique values and traditions, and admired mothers and treated them with deep respect, reverence, and love. The religion of Islam also specifies a high reverence and respect for women, girls, and mothers. The holy book “Quran” commands respect for women’s rights as a spiritual obligation.

Obviously, the treaties adopted by the United Nations, including the 1952 Convention on the Political Rights of Women, the 1962 Convention on Consent to Marriage, the Minimum Age for Marriage and Registration of Marriages, and the 1979 Convention on the Elimination of All Forms of Discrimination against Women, defined significant obligations on the participating states to ensure the balanced participation of women in decision-making processes of political and public importance equally with men.

The UN General Assembly declared the period between 1975 and 1985 “A Decade of Women’s Rights,” and during those years, four global conferences on the status of women have been held in Mexico, Copenhagen, Nairobi, and Beijing, where the attention of the international community has been focused on the problem of gender inequality.

The defining and development of public policy on gender equality in Azerbaijan as a democratic and legal state are interlinked with the name of National Leader Heydar Aliyev. The first Constitution of 1995 of the independent Republic of Azerbaijan, which was prepared under the leadership of the National Leader had created a legal basis for the active participation of women in the building of a democratic state by recognizing equal rights between women and men. The defined public policy on gender equality is being successfully continued by the President

of the Republic of Azerbaijan, Ilham Aliyev. Thus, in 2006, the Laws on Safeguards of Gender (Women and Men) Equality and the 2010 Law on Prevention of Domestic Violence and other legal and normative acts established the legal basis for women's rights and gender equality policy in Azerbaijan.

Today, Mehriban Aliyeva, the First Vice-President of the Republic of Azerbaijan, and the President of the Heydar Aliyev Foundation, who has become a dependable defender of women's rights as well as all vulnerable strata of society, strives to ensure their rightful place in the society, is at the forefront of the global movement for gender equality. In recent years, issues such as gender equality, women's rights protection, and women's participation in public administration have been the priority topics of discussion in several international events held in Baku with the initiative and support of the First Lady of Azerbaijan.

In the contemporary world, one of the significant aspects of a legal and democratic state is the legal education of the population on gender equality and increasing the populations' awareness of legal thinking and legal culture.

One of the rights established in the existing international binding legal documents in the field of human rights is the right to education. The Universal Declaration of Human Rights, which this year marks the 75th anniversary of its adoption, states:

“Everyone has the right to education. ...Education shall be directed to the full development of the human personality and the strengthening of respect for human rights and fundamental freedoms. ... Education should promote understanding, tolerance, and friendship among all nations, racial and religious groups, and shall further the activities of the United Nations for the maintenance of peace.”

Education aims at preparing qualified specialists and helps individuals obtain skills to participate in decision-making processes related to the issues of social, economic, and cultural life along with the enlightenment of people. For that reason, human rights education always necessitates the preparation of qualified specialists. Therefore, one of the tasks ahead is to ensure education on gender equality and the preparation of educational tools that meet international standards.

Since 2000, the “Gender Research Center”, and in 2002, the Department of Gender and Applied Psychology have been established at Baku State University. Scientific research is being conducted to investigate the problem of gender equality and its various aspects, and specialists in this field are being prepared. The subject “Introduction to Gender” is taught in 22 majors at the bachelor's level in 11 faculties of the university.

This book contains a collection of lectures on current issues of gender equality. Through the lectures, the concept, classification, and principles of human rights, including national and international protection mechanisms for human and women’s rights, activities by the Ombudsman institution in ensuring gender equality and protecting women's rights, the gender concept, gender policy in Azerbaijan, women’s rights and gender issues reflected in state programs, national action plans, and other strategic documents, international and national legal norms on women's rights and gender issues, and gender equality were all analyzed at length.

I do believe that this textbook will be very useful for students, including those who study at the master’s level, young researchers, academicians, and the general public audience, seeking necessary information on gender equality and further increasing their knowledge in the relevant field.

Sabina Aliyeva, Ph.D in Law.

***The Commissioner for Human Rights
(Ombudsman) of the Republic of Azerbaijan***

LECTURE 1.

THE CONCEPT, CLASSIFICATION OF HUMAN RIGHTS AND HUMAN RIGHTS PROTECTION MECHANISMS

- 1.1. *The concept of Human Rights*
- 1.2. *Fundamental human rights and liberties, their classification*
- 1.3. *Main principles and provisions of the Universal Declaration of Human Rights*
- 1.4. *Specificities of Human Rights*
- 1.5. *The domestic and international mechanisms for human rights provision*
- 1.6. *Human rights protection in the UN system*

1.1. *The concept of human rights*

We can face various provisions in the literature while explaining the human rights notion. The law itself and its notion relate to human society. Society is not a simple union of people but a complex body; this is the result of interrelations of people, and the embodiment of their activity linked with the production, exchange, and consumption of vital boons. The law is a social fact; the existence of a civilized society is impossible without it. The concept of human rights is primarily based on the state's protection of the political, legal, and social rights of people.

Human rights are a legal notion characterizing a person's status in government-state relations. To begin, human rights and liberties are a set of philosophic views regarding the human's destiny, his place, and role in relationships with others.

Human rights are a system of understanding and outlook based on the world system and humanism principles. This system promotes humanism principles by facilitating the development of interrelations concerning human rights in society. The relations among members of society are regarded as a social – regulatory system consisting of moral – ethical norms.

Human rights are based on ethical and moral norms but they are also evaluated as legal norms.

Being a social-political notion, the law is a primary criterion for empowering people with powers and competencies.

Human rights – are rights belonging to humans due to their dignity. Human actions have a significant impact on the formation of his/her rights. The rights give powers and competencies to a relations party. The responsibility follows it.

Human rights are also a notion understood as an inalienable and important means of expressing the liberty of the individual's personality and his/her life's interrelations with society, the state, and other individuals. Human rights are inalienable. No one can deprive a human of the right to live, the right to personal integrity, freedom of conscience, thought, and belief, the right to freely choose a lifestyle, and other rights. These rights are universal and based on the principles of freedom, equality, and justice.

The origin of human rights is a human self. These rights were created before the state and preceded it. The state does not create them but only determines them. These rights exist outside of political society and will continue to do so. These rights belong to a person because he is a human being. This is the reason why human rights are sometimes called "unalienable rights of a person".

Human rights are a notion defining the legal statuses of people concerning the state, characterizing its capacities, and claims in social, political, and cultural spheres. The notion of human rights came to the stage during the bourgeois revolution. Free and efficient realization of human rights is among the important indicators of a legal state and civil society.

The fundamental human rights serve as a foundation for a person's legal status and are recognized and protected by a state as a necessary condition of its existence. These include the right to live, the right to freedom, the right to inviolability of property, the right to participate in the management of society and a state, the right to respect private and family life, home, and correspondence, the right to freedom of expression and others. All these rights, enshrined in the Constitution of the Republic of Azerbaijan and significant international acts, form the legal basis for derivative rights.

There is an opinion that the human rights concept appeared based on Rome's legal science and religious humanism and contemporary Europe is based on these very two cultures' unity. Even the Rome lawyers and Byzantine political thinkers put forward a thought that there is a necessary minimum extent determining human freedom and this extent cannot be violated by a state. There were also ideas about the necessity of equality of citizens before the law and court. Reflecting human rights,

appearing of the principle of citizenship in ancient writing existed in V-IV cc. B.C. (Athens, Rome) was considered an important step.

Athenian archon Solon developed laws in VI c. BC where several elements of democracy and duties of state officials were enshrined there. To tell the truth, these thoughts were not called human rights then, however by essence they were the primary germs of present human rights. As an example, we can show the reforms in favor of people realized by Pericles Athenian who was one of the first democrats, or the struggle between plebeians and patricians in ancient Rome. However, during that period when saying human rights, the rights belonged to slave owners were indicated only and slaves had no rights.

The Romans contributed a lot to the improvement of human freedoms applied power-sharing, and working out and adopting ideas of natural rights.

As society developed the people started to more organized and struggle more for their rights.

As a logical continuance of this, the Great Charter for the Liberties (Magna Carta) was adopted in England in 1215, and it became the first document on human rights that still preserves its importance. The importance of this document is that for the first time, the king limited his powers in favor of feudal lords. Thereafter, the struggle for human rights in England intensified and the Bill of Rights was adopted in 1689 becoming another achievement of civilization in the human rights sphere.

The new stage took the start in human rights history in the XX century, and it is characterized by collective international measures. Nevertheless, not all world countries accepted human rights until the middle of the XX century.

The first step in this path was taken by the United Nations Organization: on December 10, 1948, the UN General Assembly adopted the Universal Declaration of Human Rights. The Declaration consisted of the Preamble and 30 articles. It states that everyone is entitled to all the rights and freedoms outlined in the Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or another opinion, national or social origin, property, birth, or another status. After this Declaration, the UN adopted the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) on December 16, 1966, which are considered to be the main documents related to human rights even nowadays.

This should be mentioned that the goals and intention of the

Universal Declaration of Human Rights found their further development in the Convention for the Protection of Human Rights and Fundamental Freedoms adopted by the Council of Europe (1950), European Cultural Convention (1954), Convention on the Prevention of Terrorism (1977), Framework Convention for the Protection of National Minorities (1995), European Social Charter (1996), Helsinki Final Act of 1975 signed at the OSCE level, Charter of Paris for a New Europe (1990) and other international documents.

Human rights are moral and legal norms consisting of achieving by each person the individual liberty, participation in social organization in the interrelations with the state.

The main principles in the human rights sphere can be formed as the follows:

- Human rights belong to an individual from his/her birth; therefore, these are natural, inalienable, and inviolable rights;
- Human rights are universal and based on the equality principle; therefore, a state guarantees the rights of all persons in the territories under its jurisdiction, including citizens, stateless persons, political immigrants, refugees, migrants, asylum seekers, and foreigners as well;
- Human rights are supreme values, respect for them, their observance, and protection are a duty of a state;
- Human rights are a means of control over the government. A state shall not cross the borders of liberties determined by human rights;
- Realization of an individual's rights and freedoms shall not violate others' rights and freedoms;
- No discrimination shall be admitted on any grounds in ensuring rights and freedoms;
- Fundamental rights and freedoms shall be common in all territories of a state;
- Civil, political, economic, social, and cultural rights and freedoms are equal; they have no hierarchy in their unique system (means precedency of one before another);
- Collective rights are inalienable from individual rights; they should not be in contradiction with individual rights;
- Human rights are regulated by law;
- Human rights and freedom can be restricted only in cases considered by law, the Constitution, and international legal acts;

Human rights, their social roots, and predestination passing by millenniums as a history of civilization, eternal problems of social and cultural development, were always in the constant focus of attention of

political, legal, ethical, religious, and philosophic thought. Human rights are complex and multi-valued notions.

While talking about the principles of equal rights and non-discrimination as the main human rights principles we should necessarily consider such issues as Sex, Gender, Gender Equality, Gender Stereotypes, gender roles in society and culture, and others.

Progressive world practice shows that in the contemporary period without achieving the provision of gender equality - one of the primary components of human rights in each country, without undertaking purposeful and consecutive steps towards the solution of the problems in this sphere, it is impossible to achieve the building of civil society, sustainable social and social-economic development in the country.

1.2. Fundamental human rights and freedoms, their classification

Constant widening of rights, freedoms, and duties circle requires definite classification simplifying the study of problems regarding any right institution.

Classification can be carried out on many grounds; however, this should be considered that in many cases, it is rather conditional. Since that, the same right and the same freedom can contemporaneously belong to two or even more classification groups.

One of the bases for classification is the division into human rights and civil rights (freedoms and duties respectively as well). When saying human rights (freedoms), we understand that human rights (freedoms) belong to all human rights.

These rights (freedoms) come to the stage as they say “automatically”, from the moment of a human’s birthday. Furthermore, people obtain the mentioned rights (freedoms) despite belonging to the state of residence and being a citizen of that state. States cannot vest such rights to citizens by their laws, as those rights are acquired by people as soon as they are born.

The right to live, the right to freedom, the right to safety, property, the dignity of a person, inviolability of personal and family secrets are traditionally included in the line of human rights (freedoms).

Civil rights and freedoms are those that are determined by a state based on the law. These rights and freedoms are given to citizens by a state (“are presented by a state”) itself. These rights are not vested to a person due to his/her birth and are not considered natural rights and freedoms (inborn rights). Vesting these rights (freedoms) and their

determination are linked to the fact of a person's being a citizen (citizenship fact), his/her belonging to a state.

Civil rights are also protected and shielded, which means ensured by a state. This is because, alongside human rights, civil rights are considered in the Constitution. In most cases, human and civil rights and freedoms and duties are individual due to their features. Rights and freedoms, as well as duties, can be classified as fundamental and additional.

The latter are derivatives from the first and concretize them.

As an example: the right to take part in governing the state (Article 55 of the Constitution of the Republic of Azerbaijan) is a fundamental right, and the electoral right (Article 56 of the Constitution of the Republic of Azerbaijan) is one of its derivatives, manifestations.

Inviolability and indestructibility are the other principles of human rights (freedoms). According to this principle, no one can violate and impinge human rights (freedoms) by criminal and other actions.

The classification is connected with the characters of main rights, freedoms, and duties. The individual and collective character of rights, freedoms, and duties is a matter of the topic. According to one of the main classifications, the rights are divided into 3 generations, i.e., the first generation, the second, and the third generations. Before viewing in detail, the abovementioned rights generations, this also should be mentioned that several scholars carry out discussions on the next human rights generations coming to the stage. The history of the development of the concept of human rights tells us that the emergence of each new generation of human rights is due to certain fundamental changes in society, a change in worldviews. One of the main achievements of the second half of the twentieth century was the development of science, technology, and production.

Some analysts argue that a new generation of human rights is emerging that will include rights that cannot be included in the third generation, future claims for first and second-generation rights, and new rights, especially regarding technological development and information and communication technologies, achievements in medicine and cyberspace.

Nevertheless, the very idea of the division of human rights into three generations was brought forward in 1979 by Karel Vasak – a member of the International Institute of Human Rights located in Strasbourg, of Czech origin. The first generation of human rights includes civil and political rights, the second-generation – economic, social, and

cultural rights, and the third one includes collective rights. Provision of these rights separately is impossible.

The first-generation rights are also called classic or natural rights. The right to live and the right to freedom can be primarily shown as natural rights/civil rights and freedoms including the right to dignity, personal inviolability, the right to inviolability of housing, freedom of conscience, and others. Political Rights and freedoms belong only to the citizens of a state. They include the freedom of speech and conviction, peaceful assembly, and the right to participate in governing a state and society.

The right to vote is one of the most important political rights. This right ensures the participation of the citizen in forming electoral bodies and municipal bodies of a state, and through this ensures the principle of sovereignty of the nation and people's government. Thereby, citizens realize their right to elect and to be elected.

Azerbaijan is the first East country where back in 1918 the women were vested with the right to elect and to be elected by the Republic.

Article 56 of the Constitution of the Republic of Azerbaijan enshrined the right of citizens of the country to elect and be elected to state bodies and to take part in the referendum.

Social rights related to second-generation rights are directed at ensuring social progress in society and a decent life level, increasing the welfare of the population and their lifestyle. The rights to labor, education, health, nutrition, employment, property, as well as cultural, and other rights are included here.

These rights were reflected in the International Covenant on Economic, Social, and Cultural Rights (ICESCR) adopted in 1966, as well as in the European Social Charter adopted on December 12, 1966. The Charter says that each state is responsible for maintaining the economic, social, and cultural progress of its nation. Several international acts were adopted as well concerning the realization of these rights, they were enshrined in the Constitution of the state (Article 12) and normative legal acts.

The collective rights related to the third-generation rights are not natural and form in compliance with the interests of the society or collective. Ecological rights, the right to development, the right to peace, and others can be shown as an example here.

They are closely linked with individual rights and should not be directed at their violation. Their main feature is that these rights are recognized by a state and inherently are social rights, i.e., follow from the

social living of a person. In this way, human rights are divided into individual and collective rights due to their structure.

This should be mentioned that the UN International Covenant on Civil and Political Rights (ICCPR) enshrines political and social rights, as well as its Optional Protocols and the International Covenant on Economic, Social and Cultural Rights (ICESCR) where the economic, social, and political rights are reflected are known as the Bill of Human Rights together with the Universal Declaration of Human Rights of 1948.

Talking about the human rights classification this should also be noted that besides the mentioned rights, there are also special (specific) rights of groups of population – women, children, the elderly, persons with disabilities, military servants, convicted persons, and the others, and they are regulated by particular international conventions and national legislation.

The other general classification is the division of all rights into positive and negative ones. The grounds for such a classification are based on the determination of positive and negative features in these rights. Freedom in a negative understanding means the absence of any violence, or limits concerning an individual, in a positive meaning – the freedom of choice, and mainly, the abilities of a human to achieve his/her goals.

1.3. Main principles and provisions of the Universal Declaration of Human Rights

Human rights are determined by international legal norms and are mainly reflected in international legal documents. After World War II the United Nations Organization plays a leading part in the determination and forwarding of human rights. Later these rights were mainly improved within the states. As a result, human rights were systemized in various treaties and documents ratified by a majority of states (ex. the Convention for the Protection of Human Rights and Fundamental Freedoms). The Universal Declaration of Human Rights adopted by the UN General Assembly in 1948 remains the main document in this sphere. This should be especially noted that despite bearing the recommendation character of the Universal Declaration of Human Rights is the first universal document in history that opened a new stage in the development of interstate relations.

The history of human rights shows that the thoughts on human rights forming within the ideas of natural rights comply with the fundamentals of contemporary statutes on human and civil rights, modern

conceptions linked to the legal status of humans and citizens, law supremacy, and rule of law, on civil society and legal states. This approach to natural law (in a modern modification) is also reflected in the Constitution of the Republic of Azerbaijan, thereby humans' rights, and freedoms are considered the highest values.

The Universal Declaration of Human Rights representing the universal values declared the importance of recognition of human rights of all states and nations, ensuring rights and freedoms, no incitement to discrimination on any different features concerning each individual, guiding by equality of rights at all levels to achieve the establishment of the principle of justice in inter-state relations, the universe, create the unique legal zone.

Despite that the Declaration is not imperative, the principles declared in it were recognized at a global level and in a short period were reflected in the constitutions, and legislative acts of many states, as well as in the international conventions and the other official normative – legal documents.

So, the legal equality and non-discrimination principle became imperative. Application and implementation of these principles limit the governance of the state, kind of subdue it to law and adhere to conventions, and prevent the arbitrariness of officials. Such wise, when ratifying the international treaties each sovereign state directly takes the international responsibilities, and those international norms have superiority over the national legislation acts. This is reflected in Article 151 (legal value of international acts) of the Constitution of the Republic of Azerbaijan. According to this Article, whenever there is a disagreement between normative-legal acts in the legislative system of the Azerbaijan Republic (except the Constitution of the Azerbaijan Republic and acts accepted via a referendum) and international agreements wherein the Azerbaijan Republic is one of the parties, provisions of international agreements shall dominate.

Human rights are enshrined in the UN Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, COE Convention on Human Rights and Fundamental Freedoms, and the other acts as the following:

- human rights belong to a human from his/her birth, due to this these rights are natural, invulnerable, and inalienable;
- human rights are based on the principle of equality and they are universal;

- each citizen under the state's jurisdiction is guaranteed these rights;
- human rights are of the highest value, this is each state's duty to respect, observe and protect these rights;
- discrimination against a human on any grounds is unacceptable;
- realization of human rights and freedoms shall not violate the rights and freedoms of other people;
- fundamental rights and freedoms shall be realized in a unique manner all over the state territory;
- civil, political, economic, social, and cultural rights and freedoms are of equal importance; there is no hierarchy in the unique system of these rights;
- collective rights are inalienable from an individual's rights, they should not contradict an individual's rights, and shall not restrict the legal status of a person; collective rights can belong to one or several groups;
- human rights are regulated by law;
- human rights and freedoms can be restricted by Law in cases as enshrined in the constitution and important international – legal acts: when there is a threat to the bases of the constitutional formation, to morality and health of the population, state, and public order, to rights and legal interests of the other persons. The realization of human and civil rights and freedoms can be partially and temporarily restricted when declaring war, military law, emergency, as well as mobilization.

Human rights are directed at strengthening society, and eliminating political confrontation, as they are consensual by nature and based on the principle that “my freedom shall not damage the freedoms of others”. This feature grounding on the categories of welfare and development increases further the value of human rights and based on a spiritual improvement of the society and formation of solidarity, also creates the foundation for the development of the society and realization of reforms.

Human rights determine the state's administrative borders and at the same time demand states to carry out positive measures to ensure the appropriate environment for the realization of human rights by people themselves.

If human rights would cover all aspects of our life, women and men could build their life in an environment of respect for freedom,

equality, and human dignity, and get corresponding opportunities. Human rights consist of civil and political, social, economic, and cultural rights, as well as the rights to equality, development, peace, and the right to live in a healthy environment.

1.4. The human rights specificities

While talking about the nature of human rights, some of the characteristic features should be mentioned first. These characteristics are mainly as the following:

- Human rights belong to an individual from the moment of his/her birth and therefore are natural, inviolable, and inalienable;
- Human rights are universal and they are based on the principle of equality; each citizen under the state's jurisdiction is guaranteed these rights;
- Human rights are of the highest value, this is each state's duty to respect, observe and protect these rights;
- Human Rights are a tool of control over the administration. These rights limit the absolute government of the state. A state should not exceed the borders of freedoms determined by human rights;
- Realization of human rights and freedoms shall not violate the rights and freedoms of other people;
- Rights and freedoms are not in line with discrimination on any grounds;
- Fundamental rights and freedoms shall be realized in a unique manner all over the state territory;
- The civil, political, economic, social, and cultural rights and freedoms are of equal importance; there is no hierarchy in the unique system of these rights;
- Collective rights are inalienable from an individual's rights, they should not contradict to individual's rights, and shall not restrict the legal status of a person;
- Human rights should be regulated by law;
- Human rights and freedoms can be restricted by Law in cases as enshrined in the constitution and important international legal acts. Temporary restriction of rights and freedoms should be appropriate and proportional to the state determining the necessity of such restriction.

Human Rights have a universal character. International general legal acts, as well as the constitutions of democratic states, as well as of the independent Republic of Azerbaijan guarantee equality of all human rights and freedoms disrespects to any features differing them – race,

ethnic belonging, sex, language, origin, property, living place, religious and political belonging, and the other reasons.

The general character of human rights finds its reflection in recognition not only at the interstate but also regional and global levels that are enshrined in many international documents (the programs of actions and final documents adopted at the Global conferences of the UN General Assembly, Council of Europe, OSCE, Global conferences of the UN and the others). Human rights are inalienable and natural. No one can deprive anyone of the right to live, personal inviolability, freedom of conscience, thought, belief, and other rights and freedoms.

The sustainable development of each legal state and its influence in the international arena is closely linked with the state of human rights and their realization. Therefore, human rights are an integral part of universal culture in the modern world. Human rights are consensual, this means that no one's freedom should damage or disserve others' freedoms. And this is an indicator of their high moral peculiarities serving to the improvement of society, and solidarity.

1.5. The domestic and international mechanisms for human rights ensuring

The demand for the provision of human rights follows from the mutual relations of people with the state and serves to political, legal, and social progress.

The rights that should be protected by each state include those closely related to social activities of people, social relations, living conditions, and first, the right to live, the right to personal inviolability, the freedoms of conscience, belief, the right to participate in political and social life, not to be subjected to torture and the others. When talking about human rights (freedoms) provision their protection by a state is considered. A state intends and determines certain measures for the protection of rights (freedoms).

There are interstate mechanisms of human rights protection which is a significant lawfulness that in its turn increases the level and the value of human rights:

- 1) the court protection ensured by a just trial;
- 2) extra-judicial protection of human and citizens' rights and freedoms;
 - a) the President of the Republic of Azerbaijan;
 - b) the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan;

c) the government of the Republic of Azerbaijan, legislative, and executive power bodies.

In democratic countries, the courts are the main guarantee of human and citizen's rights and freedoms. This is because the court is an independent branch of the government that does not depend on any other state body and obeys only the law.

The judicial power in the Republic of Azerbaijan is implemented only by law courts (Part I of Article 125 of the Constitution). All people are equal in respect to the law and law court (Part I of Article 25 of the Constitution).

Article 60 of the Constitution is devoted to guarantees of rights and liberties in an administrative manner and court. Everyone is guaranteed the protection of his/her rights and liberties in an administrative manner and court. Everyone has the right to an unbiased approach to their work and consideration of the case within a reasonable time in the administrative proceedings and litigation. Everyone has the right to be heard in administrative proceedings and litigation. Everyone may administratively appeal to the court against the actions and inaction of public authorities, political parties, legal entities, municipalities, and their officials. Any arguments related to the violation of rights and liberties of a human being and citizen are settled in law courts (Part VII of Article 71 of the Constitution).

Enshrining, ensuring, and protecting rights and freedoms are the bases of the constitution. It is not coincidental that the main goal in working out such a significant political-legal document as the constitution was ensuring the protection of human rights and freedoms from all arbitrariness and attempts. An unrestricted person only can be a creator of material and moral boons necessary for society. The President of the Republic of Azerbaijan signs decrees and orders for the elimination of gaps in different fields, has a right to legislative initiative, presents draft laws to the Parliament, signs the law, gives political asylum and carries out other measures. These or those competencies of the president considered by the Constitution are linked at a certain level with the implementation of his functions to ensure human and citizen's rights and freedoms. The President of the Azerbaijan Republic is a guarantor of the independence of judicial power.

Human rights are moral – political imperative. In the course of fighting for these rights, it was legally shaped and at the next stage of social improvement, it became one of the most important institutions of

constitutional law. In the contemporary period human rights and freedoms, their protection and provision became an independent institution of international law as well. So, human rights and freedoms, provision, and protection of these rights by different means have formed a global problem.

Among the institutions of the constitutional provision of human rights and freedoms, the Ombudsman, which is widely implied in world countries, plays an important role. The Ombudsman is a person (physical person) empowered, and commissioned for the protection of human rights. This person is called in some country's commissar, representative, people defender, commissioner for human rights, and others. For example, in Scandinavia countries he/she is called the Ombudsman, in Spain – the people's defender (also in Columbia), in France – the representative, in Romania– the people's advocate, in the Republic of Azerbaijan – the Commissioner for Human Rights (Ombudsman).

Recently, many international principles in the field of citizens' rights and freedoms provision entered into force in Azerbaijan, and consecutive measures are realized by the state in the field of human rights protection, provision of rights, and freedoms.

After becoming a member of the Council of Europe Azerbaijan joined the COE Convention on Protection of Human Rights and Fundamental Freedoms. By this, the country took obligations to improve the national legislation in compliance with the international European standards.

The most important step undertaken in this direction became the establishment of the Ombudsman Institution in our country. On December 28, 2001, the Constitutional Law "On the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan" was adopted by the Milli Mejlis.

The establishment of the Ombudsman institution was a demand of the day. Thus, the ombudsman is considered to be one of the most organized law-enforcement structures for using human rights protection means. This institution plays the role of catalyst in the integration process into the common legal space.

Unlike the court and prosecutor bodies, the investigation in the direction of human rights protection is carried out by the Ombudsman with the point of view of not only lawfulness but also efficiency, purposefulness, honesty, and justice.

The image of every state is determined by its attitude to human rights, and the status of human rights in this country. Democracy and

human rights are indissoluble connections with each other and one condition the other. Only the democratic climate of the society can give real guarantees to the protection of human rights. On the other hand, the provision of main human rights and freedoms in the legislation and real life plays a decisive factor role in the formation of democracy in the society and its comprehensive development.

The Republic of Azerbaijan taking confident and decisive steps in building a legal, democratic state with civil society adopted the first national Constitution in 1995, where the provisions following from the Constitutional Act on the state independence of the Republic of Azerbaijan adopted on October 18, 1991, became the main purpose.

Protection of human rights and freedoms takes an important place in the Constitution. The protection of citizens' civil rights alongside the other ones, especially the property right is provided at a high level in this document having the highest legal force.

As an integral part of comprehensive democratic processes in the country, the provision of human rights is among the issues under the state's constant attention. Alongside finding their real provision in daily life, these rights are also enshrined in the normative-legal documents.

The reasons for success in the human rights field in Azerbaijan are their realization of three strategic documents:

- 1) the State Program on Protection of Human Rights (affirmed by President Heydar Aliyev on June 18, 1998);
- 2) the National Action Plan on Protection of Human Rights in the Republic of Azerbaijan (affirmed by President Ilham Aliyev on December 28, 2006);
- 3) the National Program to Raise Efficiency of protection of human rights and freedoms in the Republic of Azerbaijan (affirmed by President Ilham Aliyev on December 27, 2011)

The process of adhering to international treaties on human rights is being continued in our country, new legislative acts are adopted, and cooperation programs are realized with the international organizations in the human rights field, including the specialized bodies of the UN, High Commissioner for Refugees, UNESCO, UNICEF, as well as with the World Bank, the Council of Europe, European Union and the other regional organizations, the struggle with the corruption is strengthening, as well as the cooperation with the civil society in developing the e-services rendered to the population are expanded.

As known, 48 articles of 164 of the Constitution of the Republic of Azerbaijan are devoted to main human and citizens' rights and

freedoms and their provision.

The state guarantees the protection of each person's rights and freedoms. This obligation concerning all branches of the government with no exceptions embraces the respect for human and citizen's rights and freedoms, their protection, and maintenance, as well as realization.

The Milli Mejlis of the Azerbaijan Republic establishes general rules concerning the following matters:

- use of rights and liberties of a person and citizen specified in the present Constitution, state guarantees of these rights and liberties;
- status of physical persons and legal entities and the others.

The international mechanism of provision of human and citizens' rights and freedoms also assumes high importance:

- 1) The UN Treaty Bodies;
- 2) The European Court of Human Rights;
- 3) OSCE Office of Democratic Institutions and Human Rights;

The UN Treaty Bodies are set up for implementation by the states undertaking international obligations under the international treaties on human rights, oversight of this implementation, and encouragement. The Treaty Bodies are the international committees consisting of independent experts who carry out the control over the implementation of each of the treaties on human rights and additional protocols to them by the member-states. The oversight of each of the international treaties is carried out by its committee.

At the present, there are 9 treaty bodies/committees that execute the control over the implementation of 9 international conventions.

The European Court of Human Rights is an international court located in Strasbourg, France. It consists of judges of quantity equal to the number of COE member-states ratified by the COE Convention on the Protection of Human Rights and Fundamental Freedoms. The European Court of Human Rights applies the COE Convention. The Court must ensure the respective attitude of the COE member-states to the rights and guarantees on them enshrined in the Convention. This is realized through a review of the applications submitted by individuals and sometimes by the states (they are also called "complaints"). When a violation by the COE member-state of the rights and one or several of the guarantees connected to them is defined, the Court issues a resolution in this regard. The execution of the Resolution is compulsory: the states violating the Convention shall observe it.

One of the organizations Azerbaijan cooperates with in the field of human rights promotion and protection is the Organization of Security

and Cooperation in Europe (OSCE). There are close cooperation relations between Azerbaijan and the OSCE Office of Democratic Institutions and Human Rights. The ODIHR has actively cooperated with Azerbaijan since 1998 and as a result of cooperation, many projects were realized in the field of democratization, Rule of Law, improvement of the legislation, especially electoral legislation, migration, and gender equality, and other spheres. The ODIHR actively participated in the presidential, parliament, and municipal elections held in Azerbaijan, the Mutual Understanding Memorandum signed on November 25, 1999, gave a new push to cooperation between the OSCE and Azerbaijan. In the addition to Memorandum considered the close cooperation in the direction of the realization of the democratic reforms in human rights in the country.

The official opening ceremony of the OSCE Baku Office took place on July 18, 2000. As the development of the efficient OSCE - Azerbaijan cooperation assumes high importance for our country; the OSCE Friends Group was especially settled in Azerbaijan. The deputies from Azerbaijan represented in the OSCE Parliament Assembly take participation in the Assembly's meetings every year.

On September 24, 2014, the Memorandum of Understanding on "OSCE Baku Project Coordinator" was signed between the Government of the Republic of Azerbaijan and the OSCE, and this document was affirmed by the Law of the Republic of Azerbaijan dated November 20, 2014.

The Convention on the Protection of Human Rights and Fundamental freedoms especially protects the following rights:

- The right to live;
- The right to a fair trial;
- The freedom of expression of thought;
- Freedom of conscience and religion;
- The right to an effective remedy;
- The right to marry;
- The right to free elections etc.

The Convention especially prohibits the following:

- The torture or the other degrading treatment or punishment;
- Groundless and illegal arrest;
- Discrimination in the use of rights and freedoms enshrined in the Convention;
- Expel of citizens by states from its territory or their prohibition to enter the territory of that state;

- Condemning the death penalty;
- Collective expulsion of aliens

From all the above mentioned, we can come to a result that human rights should not bear a decorative character, as the mature and developing level of the civil society depends at the extended level on the status of works linked with human rights, the volume of these works and their realization. Human Rights give the opportunity not only to participate in state governing but also to choose its fate in belief, property, attitude to religion, and personal life spheres. A human has special political-legal ties with a state. The legal status of a person and a citizen widens as a result of the improvement of not only the national but also international legislative norms.

1.6. Human rights protection in the UN system

The United Nations Charter - a document reflecting the principle of respect for main human rights and freedoms by all states was adopted on June 26, 1945. This document entered into force on October 24, 1945, and by its essence became the main political, legal, and ideological fundament for henceforth cooperation of sovereign states and nations in the field of human rights and freedoms. Hereby, as was mentioned the notion of “human rights” has been recognized by member-states since 1945, the date of the UN Charter.

The UN Charter, being a fundamental international treaty, represents in modern international law the principle of respect to and observation of human rights and puts a relevant legal duty over the member-states. Adoption of the UN Charter became a start of a qualitatively new level in the human rights field and it became a multidirectional treaty conditioning the development of cooperation of the states on human rights in the history of international relations.

This should be also noted that the Universal Declaration of Human Rights was adopted in 1948, it précised for the first time the idea of “human rights” following from the UN Charter and systemizing them.

As was mentioned before, the UDHR, International Covenant on Civil and Political Rights the International Covenant on Economic, Social, and Cultural Rights unite the civil, political, social, and cultural rights that differ from and at the same time complement each other. The UDHR and these two Covenants are known together as the Bill of Human Rights forming the minimum standards for the protection of human rights. Later the other international human rights conventions on particular specific topical spheres (ex. racial discrimination) and the protection of

rights of vulnerable groups of population (women, children, migrants, or persons with disabilities) widened the special rights enshrined in the International Bill and completed their essence.

The UN has the following specialized bodies, programs, and foundations:

1. The International Labor Organization (ILO);
2. The UN Organization for Food and Agriculture (FAO);
3. The United Nations Educational, Scientific and Cultural Organization (UNESCO);
4. The World Health Organization (WHO);
5. The Universal Postal Union (UPU);
6. The International Telecommunication Union (ITU);
7. The International Civil Aviation Organization (ICAO);
8. The World Meteorological Organization (WMO);
9. The International Maritime Organization (IMO);
10. The World Intellectual Property Organization (WIPO);
11. The International Fund for Agricultural Development (IFAD);
12. The United Nations Industrial Development Organization (UNIDO);
13. The International Monetary Fund (IMF);
14. as well as the World Bank (including the International Bank for Reconstruction and Development (IBRD), International Development Association (IDA), International Finance Corporation (IFC), Multilateral Investment Guarantee Agency (MIGA);
15. The UN High Commissioner for Refugees (UNHCR);
16. The UN Development Program (UNDP);
17. The UN World Food Program (WFP);
18. The UN Environment Program (UNEP);
19. The United Nations Human Settlements Program (UN-HABITAT);
20. The Joint United Nations Program on HIV and AIDS (UNAIDS);
21. The United Nations International Children's Emergency Fund (UNICEF);
22. The United Nations Population Fund (UNFPA);
23. The UN WOMEN
24. The UN World Tourism Organization (UNWTO);
25. The United Nations Office on Drugs and Crime (UNODC);
26. The International Atomic Energy Agency (IAEA);
27. The UN World Trade Organization (WTO);

28. The Organization for the Prohibition of Chemical Weapons (OPCW);

29. The United Nations Conference on Trade and Development (UNCTAD – the UN permanent intergovernmental body);

30. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

The treaty bodies of the UN play a significant role in the field of international protection of human rights. At the universal level, the conventional organs (treaty bodies) carry out the international oversight on the implementation of international norms related to human rights. The number of these bodies is nine at present:

1. Committee on the Elimination of Racial Discrimination (CERD)

2. Human Rights Committee (HRC)

3. Committee on the Elimination of Discrimination against Women (CEDAW)

4. Committee on Economic, Social and Cultural Rights (CESCR)

5. Committee against Torture (CAT)

6. Committee on the Rights of the Child (CRC)

7. Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW)

8. Committee on the Rights of Persons with Disabilities (CRPD)

9. Committee on Enforced Disappearances (CED)

Each of these structures was set upon a corresponding international treaty, only the Committee on Economic, Social, and Cultural Rights was set up not upon the self-titled Covenant, but the resolution of the Economic and Social Council (ECOSOC).

While reviewing the periodic reports the committees pay attention to the following moments:

- Availability of efficient interstate remedies (court, the administrative, and the others) for restoration of rights and freedoms enshrined in the relevant international act when violated;

- enshrining of universally recognized human rights in the national legislation, foremost, in the main law and other legislative acts;

- the legal status of international acts on human rights concerning the national legislation, their place in the domestic law, normative – legal acts hierarchy;

- the possibilities of direct application of international legal acts on human rights to which a state is a party at the national level;

- the existence and functioning of a national oversight mechanism in the human rights field.;
- the activities carried out by a state in the direction of implementation of the relevant conventional norms, achieved successes, existing challenges, and others;

The following can be mentioned as the aims of reviewing the periodic reports by the committees:

- 1) to analyze the national legislation, conformity assessment of particular legislative acts to international legal norms;
- 2) to increase care to human rights provision by states, ensuring control over this issue;
- 3) to create opportunities for informing the states on the level of implementation of obligations following the relevant international treaties;
- 4) to achieve strengthening and improving the public control over human rights provisions;
- 5) definition of precise indicators in the human rights provision field;
- 6) assistance to states in revealing shortcomings and insufficiencies existing in the implementation of human rights, restoration of violated rights and freedoms;
- 7) mutual information exchange and achieving elimination of existing shortcomings by joint efforts.

The UN adopted many documents in the human rights field. These documents prepared by the UN for the governments in the sphere of human rights and democratization are in the essence of a road map, fastening the transition and transformation during them into a more effective state. The UN has different documents carefully and qualitatively worked out on the protection of rights of various professions holders, children, and women. The governments with a will to carry out reforms can achieve significant progress by including the UN documents in their national legislations. Today international human rights law is the most rapidly developing and the most closely cooperating with the interstate law sphere.

Questions for students' knowledge assessment:

1. The human rights notion.
2. Which kinds of human rights are there?
3. What are the main features of human rights?

4. Which are the main principles of human rights?
5. What are the national mechanisms of provision of human rights?
6. What are the international mechanisms of the provision of human rights?
7. The International Bill of Human Rights is composed of which documents?
8. Which international legal act the absolute rights are enshrined in?

LECTURE 2.

THE COMMISSIONER FOR HUMAN RIGHTS (OMBUDSMAN) OF THE REPUBLIC OF AZERBAIJAN AND HER ACTIVITIES IN THE FIELD OF PROTECTION OF WOMEN'S RIGHTS AND ENSURING GENDER EQUALITY

2.1. The concept of ombudsman and the history of development

*2.2. Establishment and mandate of the institution of the
Commissioner for Human Rights (Ombudsman) in Azerbaijan*

*2.3. Activity of the Ombudsman institution in compliance with
the Paris Principles*

*2.4. Activities and initiatives of the Commissioner on the
protection of women's rights and ensuring gender equality*

*2.5. The activities of the Commissioner in the field of protection
of women's rights during the Patriotic War and post-war period.*

2.1. The concept of ombudsman and the history of development

The Ombudsman institution is the most widespread in the world among non-judicial human rights protection mechanisms. The ombudsman institution has undergone a long process of evolution, primarily in Western Europe, and mainly in the Scandinavian countries. The body, known around the world as the classic Ombudsman model, was founded in Sweden in 1809 and has developed and spread to many European and world countries.

Ombudsman is a word of Swedish origin, derived from the term "ombuds". The word means a person who is powerful, influential, a mediator, or a representative of other people.

In the middle of the XX century, this institution was included in the state mechanism of only two European countries, such as Sweden and Finland, but by the beginning of the XXI century, the institution of Ombudsman was formed in about 50 countries of the civilized world and they are contributing to the human rights protection.

This shows that no matter how well-developed human rights protection mechanisms are in place, the need for this institution, which can keep pace with the development of society, is growing over time. Different models of ombudsman institutions have already been formed in

democratic European countries (Sweden, Great Britain, and France) and specialized commissioner institutions have been established.

From the first half of the XX century, the evolution of the ombudsman institution has intensified, from a law enforcement agency to a law enforcement agency. The Swedish model developed and began to take shape, first in the Scandinavian countries. Founded in Finland in 1919 after Sweden, this institution was almost identical to the Swedish model.

The Ombudsman Institution was established in Norway in 1952 and in Denmark in 1953. Despite the success of the Swedish model, for many countries, the institution of an ombudsman began to be recognized after its establishment in Denmark. It is this model that has found its place among the world's human rights mechanisms.

One of the factors that stimulated the rapid development of the ombudsman institution around the world was the adoption of important international documents in the field of human rights after World War II. The Universal Declaration of Human Rights, adopted on December 10, 1948, has a special place among these documents.

The role and importance of this institution in the democratic development of states have led to the rapid spread of this body in all states. The idea of an ombudsman has already spread from the Scandinavian countries to Europe, America, Asia, and Africa. Ombudsman institutions began to be established in 1967 in some Canadian provinces, in 1979 in Australia, and 1969 in various US states. In 1967, the Law on the Ombudsman was adopted in the United Kingdom.

Both the state and society need an ombudsman institution. Thus, the Ombudsman acts as a mediator between the state and society for the implementation of human rights. His mediation mission can be seen in the names given to the Ombudsman in several countries: Mediator (France), Civil Defender (Italy), People's Defender (Spain), and others. The ombudsman communicates the interests of society to the state, identifies shortcomings and deficiencies that are overlooked or allowed by public authorities, and assists in their elimination.

In world practice, there are three models of the ombudsman institution:

- Executive ombudsman is the executive body, appointed by the government or the president, under his control and accountable to him (for example, in France and some US states that do not yet have an ombudsman);

- Parliamentary ombudsman (elected and reported to parliament);
- An independent ombudsman is a special independent body that does not belong to any branch of government (it can be appointed or elected by the president or parliament, but then operates independently).

The Ombudsman of the Republic of Azerbaijan also belongs to the independent model, and this model is more successful and effective. Thus, the Ombudsman is a high-level independent position. This is due to its high status and democratic character, which ensures the effectiveness of its activities. All these principles and procedures on which the Ombudsman's activity is based assume special importance in the implementation of the function of protecting the rights and freedoms of people from abuse and arbitrariness of state bodies and officials.

2.2. Establishment and mandate of the institution of the Commissioner for Human Rights (Ombudsman) in Azerbaijan

When analyzing the institution of the Ombudsman in Azerbaijan, first, this is necessary to look at the development trend of legislation in the field of human rights. The Declaration of Independence adopted on May 28, 1918, in connection with the establishment of the Azerbaijan Democratic Republic reflected the main principles of activity of the independent Azerbaijani state.

It provided for the government to belong to the people, to ensure the civil and political rights of citizens, to ensure the free development and rights of all people, regardless of national, religious, class, or gender, and the formation of the principle of separation of powers and the establishment of the state. Several normative-legal acts related to human rights have been adopted, among which the provision of suffrage and the equalization of women's and men's rights are particularly noteworthy.

However, the life of the first independent Azerbaijani state lasted 23 months. After the occupation of April 28, 1920, the collapse of the ADR resulted in the exclusion of the principles of independence, and our country became part of the Soviet state, which harmed human rights.

The entry of a qualitatively new stage of human rights development in Azerbaijan is connected with the name of National Leader Heydar Aliyev. It was during the first period of his leadership in the power in Azerbaijan, until the end of 1969-1980, and then in the second period from 1993 to 2003, that our country became a place of comprehensive, radical, and consistent reforms in the field of human rights.

After the adoption of the Constitutional Act on the state

independence of the Republic of Azerbaijan on October 18, 1991, and the return of Heydar Aliyev to power for the second time in 1993 at the insistence of the people, a new stage of rapid development of state-building began in our country.

Since then, the activity of the Republic of Azerbaijan in the field of human rights and freedoms has developed in three important directions:

- to join international agreements and take an active part in the activities of international organizations;
- to adopt domestic normative-legal acts;
- to improve the adopted normative-legal acts following the norms of international law.

Azerbaijan is already a party to more than 230 international human rights treaties and a member of many influential international organizations (UN, Council of Europe, OSCE, OIC, etc.).

On November 12, 1995, under the leadership of Heydar Aliyev, the Constitution of the Republic of Azerbaijan was prepared and adopted by popular vote. As a logical continuation of the legal reforms carried out in Azerbaijan to build the rule of law, the establishment of the Ombudsman is one of the important steps taken to establish effective law enforcement mechanisms.

The establishment of the Commissioner for Human Rights in Azerbaijan was first reflected in the Decree of the National Leader Heydar Aliyev “On measures to ensure human and civil rights and freedoms” dated February 22, 1998, and later, taking into account the goals and objectives arising from this Decree, in the “State Program for the Protection of Human Rights” approved by the Order dated June 18, 1998.

In this connection, the Constitutional Law “On the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan” dated December 28, 2001, was adopted, and the material and legal basis for the establishment and operation of the ombudsman institution has been created. On March 5, 2002, the President of the Republic of Azerbaijan signed a Decree on the application of the Constitutional Law of the Republic of Azerbaijan “On the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan”.

The fact that the normative legal act regulating the activities of the Ombudsman is the Constitutional Law is an indication of the great importance that the state attaches to this institution and the protection of human rights in general. Constitutional laws are an integral part of the

Constitution of the Republic of Azerbaijan, which is the highest legislative act with the highest and direct legal force.

The Constitution of the Republic of Azerbaijan provides for only three norms related to the Commissioner for Human Rights (Article 95, Part I, Paragraph 6, Article 109, Paragraph 14, and Article 130, Part 7). These norms mainly regulate the election of the Commissioner.

In this regard, it should be noted that the Ombudsman is an independent national human rights institution, a form of extrajudicial protection of human rights and freedoms that does not belong to any branch of government (legislative, executive, and judicial).

According to these innovations reflected in the legislation on the establishment of the Ombudsman Institution, as a result of a nationwide vote (referendum) held on August 24, 2002, relevant amendments and additions were made to the Constitution of the Republic of Azerbaijan.

Thus, paragraph 6 of Part I of Article 95 of the Constitution states that the “Election of the Commissioner for Human Rights of the Republic of Azerbaijan on the recommendation of the President of the Republic of Azerbaijan” is among the issues resolved by the Milli Majlis of the Republic of Azerbaijan.

Paragraph 14 of Article 109 of the Constitution states that the President of the country makes a presentation to the Milli Majlis of the Republic of Azerbaijan “On Election of the Commissioner for Human Rights of the Republic of Azerbaijan”.

Also, Article 130 of the Constitution states that the Commissioner for Human Rights of the Republic of Azerbaijan may submit, as prescribed by law, a request to the Constitutional Court of the Republic of Azerbaijan concerning normative acts of the legislature and the executive, acts of municipalities, and judicial acts infringing upon human rights and freedoms, for resolving by the Constitutional Court the issues referred to in items 1-7 of Paragraph III of the present Article.

Elmira Suleymanova was elected Ombudsman of the Republic of Azerbaijan on July 2, 2002, and Sabina Aliyeva was elected Ombudsman of the Republic of Azerbaijan on November 29, 2019, by the Milli Majlis of the Republic of Azerbaijan from among the three candidates nominated by the President of the Republic of Azerbaijan.

A series of seminars were held in the country with the participation of representatives of the Council of Europe, the OSCE, the UN, and other international organizations given that the institution of the Ombudsman is new to Azerbaijan, there is a great need to disseminate information about the Commissioner for Human Rights in society, the

need to establish cooperation of this institution with other government agencies.

The enlightening seminars provided an opportunity for the deputies of the Milli Majlis, employees of the Executive Office of the President (now the Presidential Administration), of the Office of the Milli Majlis, the Constitutional Court, the Supreme Court, the Court of Appeal, the Prosecutor General's Office, the Ministry of Internal Affairs, the Ministry of Justice and other government agencies, and representatives of various NGOs and the media to acquire practical knowledge.

The powers of the Commissioner were expanded by the Constitutional Law of June 24, 2011 "On amendments and additions to the Constitutional Law of the Republic of Azerbaijan "On the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan".

Thus, the previous version of Article 1.1 of the Constitutional Law stated that the position of the Commissioner for Human Rights of the Republic of Azerbaijan is established to restore human rights and freedoms enshrined in the Constitution of the Republic of Azerbaijan and international treaties to which the Republic of Azerbaijan is a party and violated by state and local self-governance bodies and officials. However, as a result of the mentioned amendments, the words "and prevention of human rights violations in the cases specified by this Constitutional Law" were added after the word "committed" in that article.

According to the Order of the President of the Republic of Azerbaijan dated January 13, 2009, The Commissioner was identified as an institution that shall perform the functions of the National Preventive Mechanism (NPM) provided for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, approved by Law No. 724-IIIQD of 2 December 2008. In this regard, following Article 1.2 added to the Constitutional Law, the Commissioner performs the functions of the national preventive mechanism provided for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). To prevent torture and other cruel, inhuman, or degrading treatment or punishment, the Ombudsman visits regularly or whenever she deems it necessary places which detainees cannot leave on their own will.

In addition, Article 12 sets out the rules for dealing with complaints of human rights violations and the implementation of the functions of the national preventive mechanism.

In addition, the Commissioner monitors the implementation of the obligations of state bodies, local self-government bodies, and officials holding information arising from the requirements of the Law of the Republic of Azerbaijan “On Access to Information”. According to Article 1.3 of the Law, The Commissioner supervises the execution of duties by the information holding state bodies, municipalities, and state officials following the requirements of the Law of the Republic of Azerbaijan “On access to information”.

The Ombudsman does not report on her activities to anyone, however not later than two months after the end of each year, the Commissioner shall submit to the President of the Republic of Azerbaijan an annual report on the protection of human rights in the country, submits the report to the Cabinet of Ministers of the Republic of Azerbaijan, the Constitutional Court of the Republic of Azerbaijan, the Supreme Court of the Republic of Azerbaijan and the Prosecutor-General of the Republic of Azerbaijan and speak with that report before the Milli Mejlis of the Republic of Azerbaijan. The annual report indicates the governmental and municipal bodies or officials have violated human rights and failed to comply with the demands of the Commissioner, and the measures taken in this connection.

The annual report of the Commissioner shall also contain general views, comments, and recommendations concerning the protection of human rights. The Report is published for public review in the newspaper “Azerbaijan” and “Compilation of legislative acts of the Republic of Azerbaijan”.

2.3. Activity of the Ombudsman institution in compliance with the Paris Principles

In 1993, the UN General Assembly adopted the principles for the establishment of national human rights institutions. These principles, known as the Paris Principles, have become an internationally accepted criterion that sets minimum standards for the role and functions of such institutions. The Ombudsman Institution of the Republic of Azerbaijan also operates as a national human rights institution in the country following these principles.

The Azerbaijan Ombudsman Institute was accredited in 2006 as a National Human Rights Institution by the Subcommittee on Accreditation (SCA) of the International Coordinating Committee of National Human Rights Institutions (now the Global Alliance of National Human Rights Institutions-GANHRI) under the UN High Commissioner for Human Rights.

1) National Human Rights Institutions (NHRIs) must be independent, and their independence must be guaranteed by law or the constitution.

According to Article 5 of the Constitutional Law on the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan, the Commissioner shall be independent and obey only the Constitution and laws of the Republic of Azerbaijan.

This independence is ensured by the inviolability of the Commissioner, inadmissibility of interference in his activities, and that she shall not be replaced, while in office. At the same time, according to the Constitutional Law, the Commissioner shall be provided with financial and social guarantees. The work of the Commissioner, the Office of the Commissioner, and regional centers shall be financed from the state budget of the Republic of Azerbaijan. The annual expenditure allocated for financing the work of the Commissioner may not be reduced from the previous financial year.

Declaration of a state of emergency or martial law shall not cease or restrict the activities of the Commissioner. Recruitment and dismissal of the Commissioner's staff and employees of regional centers by the Commissioner is also a guarantee of his/her independence. At the same time, the inability of the Commissioner to engage in political activity is another indicator of his independence.

2) NHRIs must be pluralistic in terms of activities and composition

The activities of the Commissioner for Human Rights of the Republic of Azerbaijan are multidirectional. The Ombudsman works to restore human rights and fundamental freedoms violated by state and local self-governance bodies and officials of the Republic of Azerbaijan, on the one hand, and to prevent human rights violations in cases established by the Constitutional Law, on the other. In addition, the Commissioner can submit proposals to the President of the Republic of Azerbaijan on amnesty, citizenship, and political asylum, to the Milli Majlis of the Republic of Azerbaijan on the adoption, repeal, or amendment of laws to ensure human rights and freedoms, as well as amnesty.

The Commissioner' carries out the functions of the National Preventive Mechanism provided for in the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as exercises control over the

implementation of certain issues arising from the requirements of the Law of the Republic of Azerbaijan “On Access to Information”. The Commissioner cooperates with various state, local and international organizations, including non-governmental organizations, under its activities.

3) NHRI should have as wide a mandate as possible

The Commissioner has the right to demand from the governmental or municipal body, whose decision or act (omission) violated the human rights and freedoms, to remedy those violations, when required apply to the subjects entitled to file additional cassation complaints, to apply to the Constitutional Court of the Republic of Azerbaijan in cases where the rights and freedoms of a person are violated by legislative acts in force, to apply to relevant bodies in cases where certain conduct appears to be a criminal offense.

4) NHRI must have sufficient authority to conduct research

When considering complaints on human rights violations, the Commissioner has the authority to review the necessary documents, materials, and information, request written references from officials, and instruct the relevant authorities to investigate the cases reflected in the complaint, also may instruct relevant state bodies and organizations to prepare an expert opinion. The Commissioner has the right to visit the relevant places (eg military units, penitentiary institutions, etc.) to investigate the cases reflected in the complaint and to carry out the functions of the National Preventive Mechanism and to be received without delay by the heads of these places, as well as heads of state and local self-government bodies and other officials.

5) NHRI must operate effectively on a regular (i.e. uninterrupted) basis

According to the Paris Principles, the activities of national human rights institutions must be uninterrupted. From this point of view, the activity of the Commissioner for Human Rights is also regular.

6) NHRI should be adequately funded

It is also important for national human rights institutions to be financially secure. According to the Constitutional Law, the activities of the Commissioner, the staff, and regional centers are financed from the state budget, and the number of current expenditures in the annual budget

allocated for this purpose may not be less than the amount provided for this purpose in the previous financial year.

7) NHRIs should be open to the general public

According to the Constitutional Law, the activities of the Commissioner are based on the principles of publicity, transparency, legality, justice, and impartiality. *At the same time citizens of the Republic of Azerbaijan, foreigners, and stateless persons, as well as legal entities can lodge to the Commissioner a complaint on violations of human rights. During the investigation of the circumstances reflected in the complaint on human rights violations, the Commissioner studies the views of the body and officials against whom the complaint is made. In case of violation of the law, the Commissioner shall take appropriate measures to eliminate it within the scope of the powers established by Law.*

2.4. Activities and initiatives of the Commissioner on the protection of women's rights and ensuring gender equality

The Republic of Azerbaijan adopts strategies, concepts, state programs, national action plans, and programs to ensure more effective human rights at various stages of development. This serves to ensure human and civil rights and freedoms, which are the highest goal of our state, and a decent standard of living for the citizens of the Republic of Azerbaijan.

The “State Program for the Protection of Human Rights” was approved by the Order signed by National Leader Heydar Aliyev on June 18, 1998.

Accession of our country to international agreements on human rights, the establishment of a research institute in this field, ensuring full compliance of normative legal acts with international human rights standards, improvement of legal mechanisms, further development of cooperation with relevant international organizations, as well as training of specialists in research and educational programs in international institutes and centers operating in this field, observance of obligations on human rights and other issues, including the establishment of the authorized commissioner's institution of the Republic of Azerbaijan on human rights was reflected in the same State Program that was approved to increase the effectiveness of measures taken in the field of human rights protection according to the specific stage of development of Azerbaijan.

Then, two more strategically important documents were approved

by the relevant orders of President Ilham Aliyev, who successfully continued the policy of the great leader Heydar Aliyev: “National Action Plan for the Protection of Human Rights in the Republic of Azerbaijan” (28.12.2006) and “National Action Program to increase the effectiveness of the protection of human rights and freedoms in the Republic of Azerbaijan” (28.12.2011).

The guidance of the working group to coordinate the implementation of these documents was recommended to the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan. At the initiative of the Commissioner, certain measures were taken to present the National Action Plan to the public and to educate the population in this area.

The Ombudsman has proposed the development of State Programs, National Action Plans, and Programs to promote, protect and ensure human rights and freedoms, and actively participated in the implementation process after their approval.

At the suggestion of the Ombudsman, June 18 was established as Human Rights Day in the Republic of Azerbaijan, taking into account the approval of the first “State Program on Protection of Human Rights” in the Republic of Azerbaijan by our national leader Heydar Aliyev on June 18, 1998, by the Order of the President of the country dated June 18, 2007, and considering that the protection of human rights is defined as one of the main directions of state policy.

As society develops, women’s activism increases. It is commendable that today Azerbaijani women, who make up almost half of the country’s population, take an active part in the socio-political life, governance, and decision-making of the country as full members of our society.

In defining the goals of human development in the current millennium, the international community has stated that the development of democracy, social justice, and tolerance depends on gender equality. However, despite the activities carried out at the international level, despite the adoption of various documents, the elimination of discrimination against women around the world has not been fully achieved.

This is out of this necessity that the UN General Assembly adopted on December 18, 1979, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), an important document in this area. After the restoration of its independence, the Republic of Azerbaijan has set new goals and objectives for women, and

the work done to increase the activity of citizens in dynamic processes has led to an increase in the role of women in society. In 1992, the Republic of Azerbaijan acceded to the UN Convention on the Political Rights of Women, in 1995 to the Convention on the Elimination of All Forms of Discrimination against Women, and in 2000 to its Additional Protocol.

The first Constitution of the independent Republic of Azerbaijan, adopted in 1995, affirmed the equal rights of women and men and created a legal basis for their active participation in the process of building a democratic state. In addition to acceding to various conventions, several normative and legal acts have been adopted within the country to protect the rights and freedoms of women. The Decree of the President of the Republic of Azerbaijan dated March 6, 2000 “On the implementation of the state women’s policy” ensures equal representation of women and men in all state structures. In addition, the Laws of the Republic of Azerbaijan “On Ensuring Gender Equality (Men and Women)”, “On Prevention of Domestic Violence” and amendments to the Family Code can be cited as clear examples of legal reforms in this area.

The Commissioner’s activities focus on the protection, provision, and promotion of women’s education, and health rights; in addition to taking consistent measures to prevent and eliminate violence against women, extensive proposals are put forward for different leadership styles between women and men, better career models for women and men, the elimination of gender inequality in research and innovation, and the best strategies to give women the same opportunities as men.

Necessary measures arising from the “National Action Program to increase the effectiveness of protection of human rights and freedoms in the Republic of Azerbaijan” (28.12.2011), “Action Plan for the Prevention of Gender Choice before Birth for 2020-2025” (24.02.2020), “National Action Plan for Combating Human Trafficking in the Republic of Azerbaijan for 2020-2024” (22.07.2020), “ Necessary measures are being taken in the Republic of Azerbaijan based on the “National Action Plan to Combat Domestic Violence for 2020-2023” (27.11.2020) and other documents, approved by the President of the Republic of Azerbaijan and the Cabinet of Ministers, are being implemented. It should be noted that the Ombudsman proposed the ratification of the Council of Europe Convention on the Protection of Children from Sexual Exploitation and Sexual Violence. By the way, the convention was approved by Milli Majlis with a relevant statement. The Ombudsman once again proposed the adoption of the draft law “On protection of children from corporal

punishment” prepared with the support of UNICEF and submitted to the Milli Majlis in 2009. Also, the Ombudsman’s proposals were taken into account in the “Action Plan for 2020-2025 on the prevention of prenatal sex selection” approved by the Order of the Cabinet of Ministers of the Republic of Azerbaijan dated February 24, 2020.

The Ombudsman is holding wide-ranged awareness-raising events as part of the “16 Days of Activism Against Gender-Based Violence” campaign held around the world on November 25 - International Day for the Elimination of Violence against Women and December 10 - International Human Rights Day to raise awareness at the local, regional and international levels to prevent violence against women.

Awareness-raising activities on women’s rights and gender equality with the participation of various institutions are also being conducted by the Ombudsman’s regional centers located in Ganja, Guba, Sheki, and Jalilabad, covering the surrounding cities and regions, in connection with February 2 - Youth Day, April 7 - World Health Day, November 12 - Constitution Day of the Republic of Azerbaijan, November 25 - International Day for the Elimination of Violence against Women, December 1 - World AIDS Day, December 3 - International Day of Persons with Disabilities, December 10 - International Human Rights Day, as well as events dedicated to other local and international days.

At the initiative of the Ombudsman, Human Rights Month-long Campaign is declared annually on June 18 - Human Rights Day in the Republic of Azerbaijan, as well as Child Rights Month-long Campaign is declared from October 20-November 20 in connection with the anniversary of the adoption of the UN Convention on the Rights of the Child on November 20, 1989. During these month-long campaigns, participants are being informed about the strengthening of the fight against violence against women, including domestic violence, the importance of legal remedies for victims of such violence, the necessary compensation, rehabilitation, medical and psychological assistance, and other issues.

It is known that the 5th Goal of the Sustainable Development Goals (SDGs) for 2016-2030, adopted by the UN in September 2015 and containing 17 goals, is to achieve gender equality and empower all women and girls. From this standpoint, the Commissioner has recommended that the provisions of these national and international instruments be taken into account when developing the draft National Strategy and Action Plan for the Analysis of Disputes on Gender-Based Violence and Assistance to Victims of Violence. The draft National

Strategy and Action Plan also include several of the Commissioner's proposals. Proposals for the ratification of the Council of Europe Convention on the Prevention and Control of Violence against Women and Domestic Violence and the establishment of the Alimony Fund etc., are among them. The Commissioner carries out its activities in this area in 12 priority areas of the Beijing Platform for Action, which includes women's rights and is one of the main international documents.

The Commissioner cooperates with local and central executive authorities, NGOs and the media, communities, and organizes events to address existing problems to increase women's full participation and initiatives in all spheres of public life, decision-making, and policy development processes based on gender balance and equal powers. The Commissioner has organized conferences, seminars, round tables, and consultations with the participation of members of the Milli Majlis, government agencies, NGOs, as well as media representatives on the implementation of the National Action Program and the protection of women's rights.

The issue of gender means harmonizing national legislation with international instruments to which the state is a party and eliminating the social consequences that can lead to gender inequality. That is why new laws have been adopted in our country, and relevant additions and changes have been made to some existing laws. From the first years of the Commissioner's activity, she receives complaints and applications of various contents. In addition to complaints and applications, appeals are addressed to the Commissioner on social, domestic, health, and education issues, which are treated with special sensitivity, and necessary measures are taken. In addition, complaints and appeals to the Commissioner on gender stereotypes, discrimination, political, social, family, reproductive health, domestic violence, and other issues that form the core of gender equality are investigated and appropriate measures are taken within the powers. Most of the complaints considered within the powers of the Commissioner are satisfied. Among the applicants were the elderly women, people with disabilities, women refugees, IDPs, and women.

Promoting women's rights is supported in close cooperation with relevant ministries, the State Committee for Family, Women and Children Affairs, various government agencies, including international organizations, NGOs, and the media, as well as civil society and community representatives in the field of gender equality and women's rights. Taking into account the Commissioner's recommendations, the Committee on Family, Women, and Children was established in 2015

within the Milli Majlis. And this is another effective mechanism for ensuring relevant human rights.

The Commissioner and staff of regional offices organize seminars and workshops for women living in regions, remote areas, and villages on women's entrepreneurship, gender equality, as well as domestic violence, human trafficking, and early marriages and conduct regular, intensive awareness-raising activities. As a result, thousands of women learn about their rights, increasing their participation in society.

The State Program on Poverty Reduction and Sustainable Development (2008-2015), adopted on 15 September 2008, has a broad gender component and is considered by the United Nations to be the strongest component in Central Asia and the Caucasus and has been proposed as the best practice in the region.

The Commissioner always emphasizes the importance of increasing the scientific activity of women in all fields of science (medicine, biology, technology and innovation, bioethics, education, information and communication technologies, etc.), the implementation of various scientific research and projects, compliance with gender education standards and the integration of gender in all areas of science. Inadequate representation of women in politics, legislation, industry, agriculture, education, and health, especially in decision-making positions, is a matter of concern.

Continuous measures are being taken in this area as well, with a sensitive approach to the protection of the rights of women prisoners. In addition to the organization of regular meetings, legal awareness, and "open door" events in the Penitentiary Institution for Female Convicts of the Ministry of Justice Penitentiary Service, the problems of women prisoners, living and detention conditions, health, and psychological condition are studied; their applications and appeals are accepted and investigated. In addition, guided by Article 1.7 of the Constitutional Law, the Commissioner addressed appeals to the President to pardon prisoners, and at her request, a total of hundreds of convicts, including women, adolescents, the elderly, the disabled, and those suffering from serious illnesses, were pardoned.

The Commissioner's proposals to amend the Family Code to set the marriage age at 18 for men and women, and for women's participation in decision-making, on the issue of "gender budget" for the expansion of entrepreneurial activity and economic opportunities, the adoption of the Law "On Reproductive Health" and the establishment of the Alimony Fund play an important role in improving the legislation.

The Commissioner attaches great importance to the promotion of women's rights through a wide range of activities. The Commissioner's activities in the field of protection of women's rights and gender equality are expanding not only within the country but also at the international level. The Commissioner's activities in the field of women's rights are highly valued by the UN Treaty Institutions, the Council of Europe, and other international organizations, also in the Universal Periodic Review, as a positive experience.

It should be noted that strategy for the protection and development of women's rights, cooperation with civil society, increasing opportunities for the protection of women's rights in human rights institutions of member countries, etc. issues have been reflected in the book "The Role of Human Rights Institutions in Promoting and Protecting Women's Rights and Gender Equality" prepared by the OSCE Office for Democratic Institutions and Human Rights (OSCE / ODIHR) in 2012 and there, the positive experience of only a few countries, including Azerbaijan, has been cited as an example.

In 2010, the German Institute for Human Rights also praised the activities of the Azerbaijani Ombudsman in this area, the COE appealed to the Commissioner to prepare proposals and comments on the draft "Council of Europe Convention on the Prevention and Combating Violence against Women and Domestic Violence" (Istanbul, 11.05.2011) prepared by the relevant Committee of the Council of Europe. Under the guidance of the Commissioner, proposals on the articles of the Convention were prepared and submitted to the COE. These proposals include the development of a mechanism for women to report directly to the Council of Europe in the event of violence against them and to protect their rights under the Convention, paying special attention to raising awareness of the Convention in remote rural areas, refugee and IDP settlements, national minorities and other vulnerable groups, organizing free legal, psychological, medical and social rehabilitation in shelters, adding the term "economic violence" to the draft. The submitted proposals and recommendations are reflected in the draft Convention in an adapted manner.

The Ombudsman of Azerbaijan also brought her innovations and initiatives to the activities of the classic Ombudsman institution. These include the establishment of an independent Council of Experts under the Ombudsman, which includes members of leading non-governmental organizations, training of personnel in the field of protection of human rights at the level of modern requirements, independent monitoring of the

implementation of commitments and recommendations in the field of human rights, internships of students and masters studying in various universities of the country in the Ombudsman's Office and others. Within the framework of these events, for the first time, the teaching of children's rights in secondary schools and human rights and gender theory at both bachelor's and master's levels have been started at Baku State University, the oldest university in the country. At the same time, a series of educational seminars are organized for young participants, people involved in specialization, judges, lawyers, and civil servants and this also serves to increase their knowledge and skills through human rights education.

The Ombudsman's Office provides significant support to achieve equal rights and equal opportunities by participating in various international events, meetings, and exchange programs, and making more effective use of the achievements made in this area.

2.5. Activities and initiatives of the Commissioner on the protection of women's rights and ensuring gender equality

In the late 80s and early 90s of XX century, Armenia began to commit acts of military aggression against our country, openly making baseless territorial claims to the historical lands of Azerbaijan.

Taking advantage of the tense socio-political situation in Azerbaijan in the first years of independence, Armenia occupied 20 percent of our lands, As a result of its policy of ethnic cleansing, more than one million Azerbaijanis were forcibly expelled from their ancestral lands and became refugees and internally displaced persons, along with servicemen, civilians were brutally killed or seriously injured, captured or missing, and taken hostage.

Thus, the basic human rights and freedoms of the civilian population, including women, living in and around Karabakh, the ancient land of Azerbaijan, in particular, the right to life, security, health, property, freedom of movement, and others, including collective rights - the right to sustainable development, peace and a healthy environment - which are considered to be the third-generation human rights, have been violated en masse.

It should be noted that during the occupation, which lasted more than 30 years, the Commissioner has regularly visited IDP settlements, and inquired about the problems of refugee and IDP women, the relevant measures have been taken to ensure proper nutrition, clean water, sanitation, shelter, education, social and health services, as well as

reproductive health, maternal and infant care, and community awareness, and community-based awareness-raising activities have been carried out.

Despite the demand for the immediate, complete, and unconditional withdrawal of the Armenian armed forces from the occupied territories of Azerbaijan that were reflected in the UN Security Council Resolutions 822, 853, 874, and 884 of 1993, as well as the UN General Assembly Resolutions 2006 and 2008 entitled “Situation in the Occupied Territories of Azerbaijan”, as well as in relevant resolutions adopted by the Organization of Islamic Cooperation, the Non-Aligned Movement, the OSCE, the Parliamentary Assembly of the Council of Europe, the European Parliament and other similar international organizations, the provisions contained therein remain only on paper. The peace negotiations held by the OSCE Minsk Group co-chairs during this period, which carried out a mediation mission between the parties, did not yield any results due to Armenia’s destructive position.

In this regard, the political and military leadership of Armenia, confident that it will not be subjected to any pressure at the international level and further inspired, continued to commit crimes against peace and humanity, war crimes, terrorism, and terrorist financing against Azerbaijan using the environment of impunity.

Despite repeated warnings from Azerbaijan to Armenia, the latter continued its aggressive policy and did not hesitate to target civilians, including women and other socially vulnerable groups. This is a gross violation of international humanitarian law, including the 1949 IV Geneva Convention Relative to the Protection of Civilian Persons in Time of War and other international laws. Adhering to the universally recognized principles and norms of international law, Azerbaijan has always sought to resolve its territorial integrity peacefully. However, this did not yield any positive results and Armenia did not give up its policy of aggression.

Even though a ceasefire has been declared between the parties since 1994, also the appeals from the World Health Organization and other influential international organizations to prevent the spread of a new type of coronavirus (COVID-19) pandemic in the world from early 2020 and to combat the economic, social and psychological problems it creates, in 2020, Armenia again made additional territorial claims against Azerbaijan.

In July 2020, the Armenian armed forces launched a military provocation on the Armenian-Azerbaijani state border, shelling the Tovuz district of Azerbaijan, killing 13 servicemen and a civilian.

On September 27, 2020, civilians and servicemen were killed and wounded as a result of shelling of settlements and military positions of the Republic of Azerbaijan in several directions by the Armed Forces of the Republic of Armenia in gross violation of international law, using various weapons, including heavy artillery. In response, Azerbaijan was forced to conduct a counter-offensive on its sovereign territory to prevent and neutralize Armenian attacks on our country, using the right of self-defense enshrined in Article 51 of the UN Charter.

As a result of successful counter-offensive operations carried out from September 27 to November 10, 2020, under the leadership of the President of the Republic of Azerbaijan, Victorious Commander-in-Chief of the Armed Forces Ilham Aliyev, in just 44 days, the brave Azerbaijani Army has signed under a great historical achievement by giving our people the joy of the great Victory they have been longing for almost 30 years.

As a result of the counter-offensive operation carried out by Azerbaijan to restore its territorial integrity within the internationally recognized borders, to establish lasting peace and security in the region, our lands occupied by Armenia were liberated and our country alone ensured the implementation of relevant UN Security Council resolutions.

According to the trilateral statement signed between the President of the Republic of Azerbaijan, the Prime Minister of the Republic of Armenia, and the President of the Russian Federation on November 10, 2020, all military operations between Armenia and Azerbaijan were declared terminated.

During the Patriotic War, even settlements far from the area where the hostilities took place were fired upon by the Armenian armed forces using operational-tactical and ballistic missile devices.

As a result of war crimes committed against the civilian population of Azerbaijan, 27 of the 93 civilians killed in gross violation of the most fundamental natural right to life were women. At the same time, 454 civilians, including 101 women, were injured, a total of 12,292 residential and non-residential areas, 288 vehicles were damaged, and 1,018 farms were damaged.

The protection and promotion of women's rights, which are an integral part of human rights, have always been the focus of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan during the Patriotic War and the post-war period.

In the state of martial law declared throughout the country from 00:00 on September 28, 2020, the Ombudsman paid close attention to the

solution of the problems of women and other socially vulnerable groups, and full accessibility was provided to apply to the institution. To expand the appeal opportunities of each person under the jurisdiction of the Republic and increase the efficiency of the appeals process, a unified 916 Call Center was established on September 17, 2020, using modern information technologies.

Women who want to apply to the Commissioner, like others, sent their appeals by various means, including mail and e-mail, online, 916 Call Center, which operates in an enhanced form 7/24, as well as via social networks accounts (Facebook, Twitter, Instagram).

In addition, appeals submitted by female convicts during visits and monitoring of penitentiaries, temporary detention places, and social service institutions for the elderly, children, and people with disabilities by both the Ombudsman, also the staff of the Office and regional centers were accepted for consideration. Necessary measures were taken to address the appeals on women's rights addressed to the Ombudsman through an objective investigation, inquiries were sent to the competent authorities and as a result of joint efforts, the violated rights of women were restored.

During the 44-day Patriotic War and post-war period, the Ombudsman has carried out a wide range of activities, including fact-finding missions, proving Armenia's military aggression and revealing the crimes of peace and humanity, as well as war crimes and terrorism that targeted civilian infrastructure and caused gross violations of fundamental human rights.

As a result, reports, statements, and appeals were consistently prepared, they were submitted to local and international organizations, foreign ombudsmen, and national human rights institutions also sent to embassies of foreign countries in the Republic of Azerbaijan, diaspora organizations, as well as various religious communities and denominations; video appeals were made to the world community, and information was highlighted by local and foreign media.

In connection with the mass violations of human rights and freedoms by a large number of civilians, including women, as a result of the war crimes committed by Armenia against Azerbaijan since the Tovuz clashes in July 2020, the Ombudsman has developed in a total of 16 reports, 24 statements, 7 video messages, 24 appeals, almost 200 press releases, as well as 3 videos, which were sent to the international community and relevant addresses, also was placed and broadcasted on the social media pages of the institution (Facebook, Twitter, Instagram

accounts and YouTube channel).

The abovementioned reports, statements, and appeals provide real evidence that Armenia has killed and injured scores of civilians, including children and women, by targeting settlements far from the active combat zone and civilians not involved in hostilities, and this information was published in the local and international press. The Ombudsman's statement on unmarked mines in the liberated territories of Azerbaijan stated that the presence of landmines threatens long-term stability not only in the liberated areas but throughout the region, preventing the return of IDPs, including many women, and significantly slowing the recovery and development process as a whole.

In her video message to the world community on the occasion of the International Day of Missing Persons, the Ombudsman has expressed concern over the fate of civilians missing and taken hostage, including women, during and after the First Karabakh War, pointing out the facts in this regard, and stressing that Armenia has not yet provided information on these individuals in violation of the requirements of the Geneva Conventions, she has called on international organizations to take a firm stand in this area. The video message was prepared in three languages, sent to relevant international organizations, ombudsmen and national human rights institutions, and diaspora organizations, and widely disseminated in the media.

The Republic of Azerbaijan has appealed to the International Court of Justice for a ban on incitement to racial hatred against Azerbaijanis in Armenia for Armenia's violation of the Convention on the Elimination of All Forms of Racial Discrimination. The documents submitted by the Republic of Azerbaijan also referred to the reports prepared and sent by the Ombudsman to relevant international organizations. It should be noted that the decision of the court after the hearings held from 14 to 19 October 2021, instructed the Armenian side to take urgent measures to prevent violations of the human rights of Azerbaijanis.

Various international organizations and national human rights institutions have been invited to our country by the Ombudsman to get acquainted with the consequences of Armenia's policy of aggression and war crimes.

Based on these invitations, during the war, delegations led by the President of the Ombudsmen Association of the Organization of Islamic Cooperation (OIC OA) - the Chief Ombudsman of Turkey, and in the post-war period – by the Chairman of the National Human Rights and

Equality Institution of Turkey (TIHEK), the OIC OA President and Adviser to the Secretary-General, Chairman of the OIC Independent Permanent Human Rights Commission, the Chairman of the Commission for Protection against Discrimination of the Republic of Bulgaria visited our country and conducted on-site research as an independent institution.

“Armenia’s actions in Karabakh: Human rights violations and monitoring the violations Report” on the facts of gross violations of human rights and freedoms of the civilian population of Azerbaijan by Armenia during the Patriotic War was prepared by the National Human Rights and Equality Institution of Turkey and sent to international organizations.

The Ombudsman addressed a letter to the UN Children’s Fund (UNICEF) Regional Director for Europe and Central Asia, as well as to the Commissioner for Human Rights of the Council of Europe. In her letter, the Ombudsman stressed that children and women were among the many civilians killed and injured as a result of Armenia’s nearly 30-year military aggression against our country, as well as the firing on various settlements of Azerbaijan during the Patriotic War using prohibited weapons and called on to condemn the serious violation of international human rights instruments on the protection of human rights of the civilian population, including those socially vulnerable groups of the population during military conflicts, as well as for carrying out appropriate punitive measures against the Armenian military-political leadership.

In the abovementioned video message sent by the Ombudsman to international and regional organizations on the occasion of the International Day of Missing Persons, there were stated gross violations of IHL gross violation of international humanitarian law concerning captives, missing persons, and hostages, including women, torture and degrading treatment of 71 minors, including 20 girls, and 267 women, including 154 elderly people, among our many missing compatriots, as a result of the Armenian military aggression.

It should be noted that in connection with the martyrs, missing or wounded servicemen for the sovereignty and territorial integrity of the Republic of Azerbaijan, the appeals of their family members (including mothers, sisters, spouses, and daughters), war veterans themselves are immediately responded to and issues are raised before the relevant agencies to address their concerns.

At the initiative of the Ombudsman, medical and psychological assistance actions were organized in the regions at different times for members of the families of martyrs, veterans who received various

traumas as a result of the war, and people whose relatives died, as well as women.

Questions for students' knowledge assessment:

1. History of the establishment and models of the ombudsman institution.

2. Establishment of the institution of the Commissioner for Human Rights (Ombudsman) in the Republic of Azerbaijan.

3. What are the duties and powers of the Commissioner for Human Rights?

4. What are the Paris Principles?

5. The Commissioner's activities to ensure women's rights and gender equality.

6. Implementation of the state women's policy.

7. Protection of women's rights during the war and post-war.

LECTURE 3.

THE STAGES OF DEVELOPMENT OF THE WOMEN'S MOVEMENT

3.1.Feminism

3.2.Feminist ethnography

3.3.The stages of development of women's movement

3.4.International Women's Day

3.5.The history of women's issues in Azerbaijan

3.1. Feminism

Feminism is a word of Latin origin “femida” (women). Feminism is a social movement within the frames of the bourgeois system struggling for empowering women with equal rights as men. We should note that the term “feminism” was used for the first time by a representative of utopian socialism Charles Fourier who is the author of the phrase “The state of a woman is an indicator of social progress”. Later this phrase was used by Alice S. Rossi in 1895.

It was considered traditionally that feminism is conditioned by biological features and such characteristics as passivity, softness, dedicating her to maternity, carefulness, emotionality, and others related to it. These views were linked with belonging to women, not to the social but in a special sphere. However, feminist researchers criticized the opinion of conditioning the socio-cultural characteristics and processes by biological differences.

While analyzing the women's research, women's history, and main theories of feminism, three stages of “feminine protest” – the women's movement can be picked out.

The first wave of feminism coincides with XIX and the first half of XX centuries. Its main essence is a struggle for the achievement of equal rights of sexes. Beginning in the middle XX century the second wave of feminists got started and the struggle for actual equality between men and women was at its roots. In the middle and end of the 70s, the movement got more massive character in the West, especially in the US, this was accompanied by numerous actions and the establishment of numerous groups of comparatively small sizes.

In the middle of the 80s, the influence of feminists relatively decreased. The researchers connect this with the strengthening of neoconservative directions in western countries, as well as with sharp

self-criticism inside feminism. The supporters of postmodernism feminism completely reject the notion of the subject. They criticize even the stable, universal subject belonging to precisely determined features. As a result, contradictions occur between the theorists and practitioners (executors) of feminism.

So, the ideas of feminism have a great influence on social psychology. Many re-look through the role of women in society; change their attitude towards their family members.

Approximately in the 60s-70s of XX century the new flow – feminism research - came to the stage in the system of scientific knowledge under the impact of feminist ideas.

These researches being directed at all spheres of humanitarian sciences were formed as critical analyzes of traditional intellectual and cultural ideas. As a result of this criticism, such notions as “subject-object”, “human-nature”, “masculinity-femininity”, and “me”-“other-me” were re-studied and looked over once again. As a result, the new analysis perspectives were impossible before were opened before the research. This should be mentioned that in the process of searching the feminism research brought politicizing to the extremes.

To criticize position was peculiar to feminist research differentiates them from the latterly formed women and gender research. Feminism bears not the biological-anatomic but cultural–psychological character. The concrete types of labor division, principles of subordination hierarchy, and the abstract technological notion of science, philosophy, and progress can be related to it.

There are several branches of feminism. Some of them are less known (for example, anarchy-feminism, conservative feminism, humanist feminism), however, some are quite wide discussed (bourgeois feminism, radical feminism, “black feminism”). Despite being disputable, this division is still adopted by some. Besides this, the solidarity and interrelations between the women were called in a term as sisterhood. This is a concept adopted by the second wave of feminism. As mutual support, care, and having their hearts in women's society always existed, the feminist movement formed this system of relations of women into a political term. One of the slogans of early feminism in the west was expressed in the idea of “Sisterhood is powerful!” Here feminism's genesis should be considered as well. The Genesis being of Greek origin is used in the source, origin, and create meanings. This term goes out when studying the origins of a certain nation, or ethnic group in ethnography.

3.2. Feminist ethnography

Feminist ethnography – is an empirical practice over social anthropology and sociology. Differing from the traditional ethnography feminist ethnography considers the research of scientists directed against discrimination alongside benefiting from the methods of describing the results of research related to adapting to alien society, and carrying out long-lasting mutual observations. The feminist ethnography is directed at the elimination of social, including gender and inherited inequality based on collecting social information and positivist schemes of tests in the scientific analyses.

The interest in gender as a category for analyzing ethnographic texts started at the beginning of the XIX century. The feminist analyses carried out in the works of F. Right published in 1821 and titled “The look at the American society and customs in the letters sent from this country to the friends in Britain” (1818, 1819, and 1920 years) and the work of H. Martin “The American society” (1837), based on the ethnographic arguments are being related to this period. The wide popularity got the works of anthropologist A. Fletcher who did not satisfied with only visiting the Siu Hindu stock in the 80s of the XIX century, but also lived among them for a long time and got closely acquainted with their traditions. With presenting the gender aspect in a quite comprehensive manner in his famous ethnographic research published in the small city of Middletown in America in 1924, the foundations of the first wide-extended ethnographic project.

In Britain, feminist ethnography has evolved through the introduction of the Manchester project in the 50s of the XX century. Speaking about feminist ethnography, Shulamit Reinharz, director of the Women's Studies Center at American Law University, named after Brandis, divides three distinctive aspects of research:

- Substantiating the lives and activities of women with documents;
- Understanding of women's experiences from their point of view (this applies to G. Zimmel's work);
- Conceptualizing women's behaviors expressing social context.

The substantiation of women's lives and activities as a traditional protest and, in the opinion of feminist sociologists, often appears as dissatisfaction with androcentric-oriented social studies. For example, such studies have been undertaken in the analysis of relationships with poor colored women and elderly Irish workers.

To make the lives of the groups under study more accessible, the

researchers have combined their in-depth observation practices with intensive participation in their daily lives. The self-awareness of women in terms of their interests corrects the fundamental shortcomings of non-feminist observation about the baselessness (simplicity) of their activities and the way of thinking (men's thinking about women as a rule). In the third direction, feminist ethnographers attempt to examine women's behavior in a social context and are refrained from its view separately from anatomy, culture, and class concepts.

Even though feminist ethnography focuses mainly on studying women's issues, studies on both sexes are conducted to help them to understand properly the impact of gender on human behavior. "Participatory observation" is the main method of ethnography. In any case, the discretions that determine the strategy of participatory observation, condition the course of ethnographic research in many peculiarities. According to the famous American sociologist Arlie Hochschild, ethnographic observations by women (regardless of their feminist status) differ from ethnographic views created by men.

Up to recent periods, in our country, the opponents of feminism have tried to prove by all means that there is no need to apply it to us, for the reason that as a result of the state policy, the ultimate goal of this movement - full political and socio-economic equality of women, was completely achieved. So there is no reason to struggle for the goals they set. But international experience shows that there is a need for feminist concepts to be studied by sociologists and political scientists and the implementation of achieved results in real life.

The issues considered to be studied are as follows:

- The way of development of political views and the behavior of women in the conditions of social and political pluralism;
- Women's economic thoughts and market relationships;
- Women's management, women's political leadership;
- Women's public opinion and authority institutions;
- Women's electoral behavior and election campaigns;
- Women's elite;
- Social protection of women and social guarantees during the transition to market relations;
- Social tension and women's mass.

In general, such a question arises: Should women's public opinion be studied? In fact, as an individual, a woman is an independent subject and is one of the key drivers of public opinion. Western scholars have repeatedly confirmed this idea with their research. For example, in many

developed western countries - the United States, Canada, and other countries, special scientific centers are studying the public opinion of women on various issues of society.

Women are the subject of politics in their public opinion. Like a social group, they affect the life of the society and protect specific women's interests and ultimately achieve increasing their social status. The conducted studies say that women make their position more accurate and unambiguous in family, household, production, cultural and social issues, or in different areas of public opinion. Unlike men, women have a more moderate position in assessing the impact of political processes and their daily lives. Women's public opinion differs from men's; they are more constructive and positive. Such characteristics as tolerance and mercy belong to women who are displaying themselves. Women's public opinion prefers the evolutionary path of development of the political and economic processes, not a revolutionary one. Her regulator is social demands and long-term characteristic interests: protection of family, care about children and their relatives, real guarantees to the right to live, hope for future life, social stability, and public calmness.

3.3. The stages of development of the women's movement

Throughout the historical stages of human development, women have fought for the same rights as men. This fight has a unique way of development and a great history.

The meaning of "women's movement" refers to the diversity of forms of struggle of women for their rights and interests. Sociologists generally study women's movements as a form of social movement. Women's movement itself is a joint activity of various social, demographic, ethnic, and national women groups that have a common purpose, common moral values, a system of norms, and women's interests.

The roots of this movement lead to the XVII century. At that time, it became an ideology for the opposite sex, which used feminism to advance the ideas of the revolutionary spirit of the bourgeoisie class that proclaimed women's equality as the main goal. Feminist women of XVII century were the representatives of their classes and times. But they could hardly reconcile with the effect of the changes that surround the society as a result of feudalism's transition to capitalism regarding the situation of women. Until the successes of XVIII century, women had almost no political and social rights. Both religious beliefs and laws deprived women of many rights. The women themselves could not own any

property or join any business. At the end of XVIII century, the joiners of the feminist movement were promoted as their ideologist the British journalist, Mrs. Mary Wollstonecraft, a supporter of the Great French Revolution. Her sharp accusing speeches and articles calling for a change of social order humiliating a woman were similar to the powder explosion.

These ideas lasted for a long time and were further developed by suffragists who were supporters of the struggle for the equality of women.

“Suffragism” was born in England in the second half of the 19th century. Suffragism is divided into two - right and left branches. Representatives of the liberal movement, which joined the right hand, acted as supporters of constitutional methods of struggle. The representatives of the left-radical branch of British suffragism called “Militant” were distinguished from the right-wing only by their tactics. They used persistent, non-constitutional means. Liberals and radicals were trying to violate election rallies, organize demonstrations in public places, and held unauthorized parades and marches. The main demand of the female suffragists was giving them the right to elect. These women sincerely believed that the right to elect would provide women with equal rights with men, would also provide equal pay in the labor market, and create a path to schools, colleges, and various skilled occupations. At the same time, this tool would prevent violence and crimes against women in society.

Alongside being the period of social transformation, scientific-technical rise, and development, XX century was also a period of “woman’s revolution”. It is known from the history of the world that during the massive political and socio-economic crises, women became the initiators and sometimes leaders of social movements. At this time, they not only do not repeat “strong sex” but they were even penetrating men, their morals, their outlook, and so on. Women, holding the pulse of the period, also as the subject of politics, created women's self-organized forms of power that did not have strength. Women with a general interest were united for a short or a long time in these organizations.

Participants of the Women’s Freedom Movement (NEA) – neo-feminist women were also active. This movement was not created by itself; it was an affirmation of the protest against women's humiliation by society. This organization emerged in the United States in the 1960s, in the environment of the struggle against the humiliation of the rights of women in economic and political life, in the family, and against moral violence. Feminist women’s ideas have led to a vivid resonance among

the masses. According to many researchers, the women's movement in the United States was guided by feminist women. This movement soon became widespread in the UK, Canada, Australia, New Zealand, and Scandinavia.

At the beginning of XX century, the idea of "humanistic ways of women's liberation" was also revealed. The author of this idea was the founder of feminist utopia Sh. Kilman believed that the development of the understanding of women's social processes should remain based on the struggle. Against all previous ideas of the liberation of women, the author proposed a completely new, humanistic theory of "peaceful collective actions of women for socialism".

At the beginning of the twentieth century, women in many countries were able to achieve their political rights, but that did not lead to any significant, noticeable changes in their lives and women could have realized it later.

After the World War II, the American and English women from the middle class remained at the forefront of the women's suffragist movement and were left out of the struggle for a long time for democratic rights. The book "The feminine mystique", authored by Betty Friedan, and published in 1963, gave a powerful push to their struggle and activation. The basis of this book was sociological research. The book fully exposed the ideal bourgeois family, American women's happiness, and consumer-female stereotype created by the propaganda machine; college was characterized as a place where women could find a husband. Female students did not have to demonstrate their knowledge to avoid looking like excessive "thinking". The author calls for objections and came to the conclusion that "Only the sick society does not want to see its problems, fails to create equal opportunities for its members, and remained indifferent to the skills of women". According to the confessions of critics and the media, Betty Friedan's book became an encyclopedia for women belonging to the middle class.

At that time, B. Friedan's like-minded persons established the National Organization of Women (NOW). The main requirements of the organization were the elimination of violations of women's rights in payment for work and the revision of legislation that was indifferent to women's opportunities. This organization reflected the mood of liberal feminism and was part of the movement for the freedom of women in many countries.

In 1970, an anthology titled "Sisterhood is Powerful" was published in New York. All 50 authors of the book (writers, journalists,

teachers, doctors, lawyers, artists, etc.) were representatives of different nationalities and classes and supporters of radical feminism ideas. Most of them were participants in mass protests and united in the ranks of the leftist movement. Some of the participants of NOW believed that the roots of the current women's status should be searched in the political system of the state and, in their opinion, these are the men who create such a system. As a result, it is necessary to fight against men. However, indifference to the demands of women in the movement led the NOW to create an independent movement consisting only of women.

As was noted before, the Movement for Freedom of Women was created in the US in the mid-60s of the XX century. In the early 1970s, the wave of this movement covered all US cities, although it operated for the first period in several major cities of the country. In addition, nurses and women serving in the armed forces joined the movement in groups. At the same time, the elderly women also formed a separate group in this movement. The nuns who served in the Catholic churches began to demand more independence for themselves from the clerical hierarchy consisting of men only. Numerous demonstrations and marches were held as a sign of protest against the law on abusive and unfair practices in the assessment of women's labor and the prohibition of abortions. Feminist women (at the beginning of the movement the participants were all white women) had a certain impact on US colored women as well. Previously, these women were struggling together with men of their race for civil rights, but later they separated, creating an independent movement for the liberation of colored women. The movement of American neo-feminist women has also been widespread in other countries.

Soon the followers of the National Organization of Women appeared in Canada, France, Australia, Sweden, Japan, Germany, the Netherlands, Finland, and the UK. The main requirements of this movement are:

- Equal payments for work;
- Equal right to education and opportunities;
- Free nursing homes during the day;
- Free abortion and free means to prevent pregnancy;
- All women are free from the fear of rape, irrespective of their marital status;
- The abolition of all institutions that advocate the superiority of men and the use of force against women and others.

In the early '80s, in various camps in England, Scotland, Wales, and Northern Ireland more than 100 shelters were created for women to

defend themselves from rape by men. Here they were taught the ways of fighting for women and their children not being economically dependent on men. Feminist women are organizing protest marches and trying to draw public attention to their struggle for women to feel secure in the streets. During the weeks of protests against violence, feminist women spread the relevant literature and leaflets and performed theatrical performances. In addition, participants of the Movement organized their own group's kindergartens and nursing homes and opened women's homes and counseling centers for divorced women. At the same time, they created special funds for the release of detained women.

The efforts to jointly accept the requirements, for specific activities, active work methods and efforts to create a mutual understanding and assistance environment made the neo-feminist women's movement strong and to be regarded. Gradually withdrawing from the narrow framework of "only women's problems", as it interferes with global issues of a broader spectrum, the representatives of the Movement for the Freedom of Women started joining the struggle of democratic and progressive forces.

Feminist women also had their place in the campaign against war. There were demands for conducting the pickets in front of the Ministry of Defense and the creation of peace camps around military bases. The demand of feminist women and women from Socialist Countries to call for the elimination of nuclear weapons of mass destruction was addressed to the special session of the UN General Assembly and a joint petition was prepared. This document was a call for the complete elimination of weapons of mass destruction. Finally, in 1982, the idea of organizing a joint peace march was realized coming through the Western and Eastern countries. This ride started from Copenhagen, Denmark, passing through the Soviet cities Leningrad (now St. Petersburg) and the Minsk, and ended in Memorial Complex in Khatyn. The same slogans and demands of the participants of this march from Sweden, Denmark, Norway, Finland, and the former Soviet Union were united. Thus, as a result of the six-year-long struggle, the Soviet-American Treaty on mutual elimination of their missiles was signed.

When considering the development stages of the world women's movement, it should be noted that over the past decades, the international women's movement has become a serious political force. Despite the ideologically different points of view of the recent period, the desire to take mutual steps for uniting all efforts is evident. Meetings are held on the scale of international forums and conferences and platforms for the

adoption of general decisions are identified. Women have either restored or strengthened the interconnections with long-term breaks and interrupted as a result of the Cold War. They have turned into entrepreneurial and selfless representatives of public diplomacy and become stronger through their struggles. This is a fact that the XX century has changed the status of women in society, creating grounds for their involvement in state-building, completed by men and women each other in governance and administration spheres.

3.4. International Women's Day

The 8th of March has been celebrated through the women's movement and has initially represented itself as a political protest. The demonstrations of 40,000 female workers at the sewing and shoe factories in New York city held with demands for better working conditions and their striking on March 8, 1857, are accepted as the beginning of the struggle for women to be equitable with men. At that time, women worked 16 hours a day, because their labor was considered to be less professional.

New York's weavers marched in the streets of the city protesting against low profits and improper labor conditions. But as the police attacked workers, the latter remained behind the locked doors in the factory, and the fire that followed these, and as a result of workers' failure to escape barricades installed in front of the factory 129 workers, including many women, died. More than 100,000 people attended the funeral of the workers.

For the first time, since March 8, 1857, the new "Trade Unions" organizations have been created. On the same day, hundreds of women in many New York enterprises were demanding the right to "election".

On March 8, 1908, at the call of the New-York Social Democrat Women's Organization, 15,000 women held demonstrations for shorter working hours, wages, and voting rights equal to men. The slogan for women who wanted a particular maternity leave for the first time in the demonstrations was "Bread and Flower". Bread reflected the love of life, the satiation, and the flower - the higher welfare and the way of life.

At the First International Women's Conference in Copenhagen, Denmark, held from 26 to 27 August 1910, (International Socialist Women's Conference), one of the leaders of the German Social Democratic Party, Clara Zetkin, proposed to celebrate March 8 as the "International Women's Day" in the memory of women who died in the textile factory fire on March 8, 1857, and this proposal was accepted. So,

the author of the idea of International Women's Day is the German revolutionary Clara Zetkin.

On March 19, 1911, this holiday was celebrated in Austria, Denmark, Germany, and Switzerland. More than a million men and women took part in the demonstrations. In addition to “the right to hold elected and administrative positions,” women also claimed the right to carry out the same work as men.

By the way, in 1918, in the first democratic state in the East - the Democratic Republic of Azerbaijan women were given the right to elect and to be elected equally with men.

On 15 April 1915, a mass meeting of women was held on the eve of the World War I in Hague (Netherlands). There were over 1,300 attendees representing more than 12 countries in this prestigious event.

In 1917, in St. Petersburg, the women in Tsarist Russia started a strike for “Bread and Peace” demanding the end of World War I, the shortage of food in Russia, and the end of Tsarism. These demonstrations laid the foundations of the February Revolution. Four days later, Nicholas II fell from the throne. The provisional government guaranteed women's right to vote. In the early years of the Soviet Government, Bolsheviks raised a new Soviet woman's image in line with political necessity and determined its specificities in compliance with her roles and responsibilities. Also, the celebration of March 8 as a holiday was used to strengthen the particularly the social side of the Soviet woman's life. The Bolshevik ideology insistently emphasized the class character of equality, giving preference to the interests and needs of the “hard-working” classes - workers women, and women from rural areas.

Starting from the 1920s, March 8 became International Women's Day, for political activities such as fighting for women's rights and although it has not been identified as a day off, it has got an official holiday status.

Beginning in the 1930s, the periodical press regularly claimed on International Women's Day that the equality of women in the USSR is not formal, they use their rights.

Celebration of International Women's Day was carried out on the state scale. The social character of the holiday was supported by the international movement for women's rights.

The date March 8 forbidden to be celebrated in some countries in different years, was celebrated in the US in 1960 and came to the world agenda.

The year 1975 assumes special importance for women of the

world. Thus, this year after announcing the International Women's Year, the date March 8 was celebrated in the UN for the first time as International Women's Day in 1975. Two years later in 1977, the UN General Assembly adopted the Resolution concerning devoting one day a year to international women's rights and International Peace Day. Since 1981, the date September 21 has been celebrated all over the world as International Peace Day.

March 8 is celebrated in Azerbaijan since 1917. International Women's Day is celebrated as a state holiday in the early years of the Soviet Union. Since 1965, this day is no longer a working day.

Despite the collapse of the Union, March 8 is still celebrated in many post-Soviet countries - Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Ukraine, and Belarus. After the restoration of the independence of our country, the holiday kept its essence.

International Women's Day also assumes particular importance for the expanding of women's rights and for recalling the historical reasons for the fact that women are freer today. The date of March 8 is still actively supported as a political tradition in some countries, including Australia. At the end of XX century and the beginning of XXI century, this holiday has become a new symbolic resource for women's movements in the majority of the countries and enjoys its renaissance. Especially on March 8 there are conducted anti-violence actions, presentations of crisis centers, and international forums of women and human rights organizations are held.

3.5. The history of women's issues in Azerbaijan

The history of the women's movement in the West and throughout the world, and its achievements make it necessary to highlight revealing the possibilities of development and perspectives of feminism in Azerbaijan, their study, its development stages, and the main directions to choose the right strategy. However, it is crucial to consider local national traditions, features, and mentality here. Therefore, it is necessary to look at history - to reveal the role and activity of women in the history of Azerbaijan and its experience in this field.

Historical moments related to women in Azerbaijan are reflected in the revealed drawings in the findings of the Azykh cave, discovered in 1960 by archaeologists, Mesolithic, Neolithic and Eneolithic Residences in Gobustan, Kargalartepe and other residences of those periods, and in many other ancient places. Historical Azerbaijan, like the Caucasus, was

the center of religious systems - the confessions (Zoroastrianism, Christianity, Judaism, and finally Islam). All these were reflected in the situation of the woman.

In the Middle Ages, the Albanian women – Tsarinas, Princesses began to actively enter the cultural life of society. Numerous articles on the walls of various buildings and the testimony of historians confirm that the role of the Albanian women in the construction of monuments in different centuries was crucial and they were especially distinguished in the construction of buildings serving ecclesiastical purposes.

The Albanian princesses allotted a large number of funds to the monasteries, and churches to uplift and decorate them. This was because they understood the great and important role that they had in the development and spreading of Albanian culture and education. The historians of that period named those Albanian women in their works with gratefulness.

The Azerbaijani woman has played an exceptional role in the life of our society, and the formation of the national-moral values system of our people through her will and perseverance, purity, and devotion. An illustrative description of beautiful women's characters, characterized by high spiritual values, is given in examples of folklore, ancient narrations, and saga.

The indispensable role of the Azerbaijani woman in the development of our society has been studied by writer-journalist, researcher, and scientist Sabir Ganjali. While reading the Azerbaijani tales, dastans, great memory of the ancient history – “Kitabi Dede-Gorqud” and the books about our nation's heroic past, the patriotism, efficiency, and braveness of the Azerbaijani woman are revived. The ancient Greek poet Eschil wrote: “Girls in Media and Caucasus are fearless”.

In VII century, the ruler of Azerbaijan, Tomris had shown great effort, wisdom, and persistence to prevent the attack of the Iranian king Cyrus on Azerbaijan.

When the troops of the Roman general Pompey invaded Azerbaijan in 65 BC, armed women together with men showed an act of true courage in a fight to protect their homeland from invaders. Ancient Rome historian Appian wrote that there were many women among wounded warriors.

The women of Azerbaijan have written glorious pages in the history of the struggle against Arab invasion for centuries. Under the leadership of the Khurramids and people's hero Babek, so many brave

women were fighting shoulder-to-shoulder together with their husbands and sons in the revolt against Arab invaders.

Names of many Azerbaijani women who lived in XII-XIII centuries were written in history.

One of the Azerbaijani women who became famous for her intelligence, and activity, was Momina Khatun (the year of birth was not identified, died in 1175). She was the wife of Sultan Togrul II. After his death, Momina Khatun who became the wife of Shamsaddin Eldaniz, the founder of Atabeys state, played a major political role during the rule of her husband and also children - Nasreddin Mahammad Jahan Pahlivan and Muzaffareddin Osman Jahan Arslan. Chronicler Sadraddin al-Hussein wrote that Momina Khatun always accompanied Shamsaddin Eldaniz on his country trips, and in solving issues of state importance her opinion was reckoned. Momina Khatun worthed respect among the people as well, because she was not indifferent to the fate and interests of the citizens of the country, and assisted in the development of the culture, and education. The rare and magnificent mausoleum was built in Nakhchivan in honor of this clever and esteemed woman.

In this difficult, tense period when the people of Azerbaijan were forming, women from Seljuks, Oguzs, and the Atabeys kith have shown great wisdom, skill, and persistence, and have been active in military-political events. Jahan Pahlivan's wife Guteyba Khatun, daughter of Zahida Khatun Jalaliyya and grandson, owner of the Ruin Dej tower Silafe Khatun and the other women left unforgettable vestiges on history.

Sultan Togrul's daughter, the wife of the last ruler of Atabeys Muzaffaraddin Ozbey, Mehrijan Khatun, who lived at the beginning of XIII century was a great person. She had an active position in state governance and policy issues.

When Khorazmshah Jalaleddin invaded with a multitude of troops in the lands under the Atabeys' authority, Atabey Uzbek, who has been indifferent and unconcerned, who spent his time at the revel meetings ran to Ganja and from there to Nakhchivan, later he hid in Alinja tower. Unlike his craven husband, Mehrijan Khatun did not leave Tabriz, did not leave her surroundings and people alone. Khorazmshakh Jalaleddin, knowing about her courage and having heard about her sharp intelligence and strong character, assigned her as a ruler of Khoy city of Salmas vilayet of Urmia. He left the country to rescue his homeland from the Mongols. But after some time, his unfaithful vizier decided to deprive the Atabek's descendants of their lands and get this province from Mehrijan Khatun. With a specific mind and skill, Mehrijan Khatun raised her

people to fight against a foreign invader, resisted the enemy, and could maintain the independence of the Azerbaijani lands. Her intelligence and statesmen features were discovered especially during the defense of Tabriz city. It is also interesting that Jalalliya, the daughter of Jahan Pahlivan, headed the defense of Nakhchivan city, and the invaders were forced to withdraw with shame. This also should be noted that Aziza Jafarzadeh, the prominent scientist and national writer of Azerbaijan, has described the heroism of Jajalliya Khatun in her novel, "Jalaliyya".

Wife of Gara Yusuf, the head of Garagoyunlu state in XIV-XV centuries, Aleyka Konuldash was famous for her courage, wisdom, and faithfulness to her husband. In 1421, in fighting against the troops of Sultan Shahrokh in the Alashkard wasteland close to Tabriz together with Jahanshah, the son of Gara Yusuf, the courageous, fearless Aleyka Konuldash also has shown great bravery.

Aghqoyunlu Uzun Hassan's mother, Sara Khatun, was attracting attention with her vision and sophistication in political and state issues. Sara Khatun was a prominent diplomat in the East. As a result of her initiatives and efforts, several diplomatic negotiations gave positive results.

There were many brave and intelligent, foreseeing women who contributed a lot to the establishment, management, and strengthening of the powerful Sefevis state of Azerbaijan and their names have been written on the golden pages of our history. Mehinbanu Sultan, a daughter of Shah Ismail Khatai, was a peaceful, kind, and progressive lady.

She played a great role in relenting confrontations and resolving conflicts between the Ottoman Empire and the Sefevi kingdom. Mehinbanu was corresponding with the daughter of a Turkish Sultan, in her letters she encouraged the Sultan's daughter to be against the war and tried to keep both rulers from this bloody path.

In the middle of XVIII century, Tuti Bika - the brave, intelligent wife of Gubali Fatali was helping him in the issue of saving Azerbaijan from feudal khanates and creating a united state. It was Tuti Bike's ideal to see Azerbaijan as a united state. This noble wish led her to oppose even her brother, Amir Hamza. Fatali Khan was ruling a state together with Tuti Bika. When he was leaving somewhere, he put Tuti Bika in his place.

When Amir Hamza attacked Derbent with his troops, Tuti Bike wore men's clothing and took over the city's protection. Studying the history of Derbent Y.I. Kozubsky wrote: "Fatali Khan's brave wife, Tuti Bike, stood up against his brother and defended the city courageously.

She stands in the fortress as a lion, leading everything herself and threatening her brother with guns of the tower.” For nine months, she did not let the enemy get closer to Derbent, and she became known as a hero woman in history.

When in 1803 Russian troops occupied Ganja under the leadership of P.D Sisianov, Javad Khan's wife Beyim Khanum wearing a man's clothes and taking arms was protecting the main tower of the castle.

During the rebellion of the poor and the artisans in Zanzan city of South Azerbaijan in the spring of 1850, Rustama Khanum has shown great courage. At the end of the XIX century, Zeynep Pasha had propagandized among women of the Amin Zeynaddin estate in Tebriz and raised them to rebel.

As a result of the 1905 Revolution, when the nationwide movement in Iran stepped to a new stage, women also participated in this struggle for freedom equally to men.

At the end of XIX and early XX centuries, there are beautiful examples of women's social activity in Azerbaijan. The activity of women in the life of Azerbaijan in the XIX century is characterized by great activity and great creative achievements. In this sense, the creativity of Khurshid Banu Natavan, Agha Beyim Agha Aghabaji, Gonchebeyim, Fatma Khanum Kameena, Shahnigar Khanum, Gamarbayim Sheyda Garabaghi, and others attracts attention.

The political, economic, and cultural processes that took place in Azerbaijan in that century gave a powerful push to women's enlightenment and more active involvement in social life. In the late XIX and early XX centuries, women in Azerbaijan, their political role, and public status became the object of social debates. The appearance of this problem was closely related to the development of the modern social sphere and modern spoken language, changes in the ideology of colonialism and the concept of citizenship in the Russian Empire, the appearance of the national bourgeois elite, and the oil boom in Baku. Gender-based discrimination was the main factor hindering the active participation of women in public life, education, and participation in new forms of socialization.

The leading women of that time were creating a fairly considerable context for new gender relations. One can think that they were initiators of the organization of various social groups through the creation of ordinary charitable actions, first female schools, women's meetings, and clubs. In Azerbaijan, “modernization” was closely linked to the process of identifying and establishing national consciousness.

Formalized elites demanded carrying out serious social reforms, which would reflect important changes in the status of women.

Women in the privileged class were the first at the stage of the fight for the freedom of women. For them, the concept of feminism or the equal right to elect was a kind of far-reaching notion.

And the mentioned S. Taghiyeva-Arablinskaya, L. Tuganova, I. Ashurbeyova, and many other women, well-known for their charity and educational activities, were well-educated and were often abroad, also acquainted with the ideas of classical, liberal, humanistic feminism. But on the other hand, there is no written and verbal evidence about the tendency of wives and daughters of oil industry workers of Azerbaijan Western ideas of feminism and their knowledge about this.

Russian newspapers wrote about women's movements, and as it is known, aristocratic women were readers of press samples. However, Russian feminists were from the "different ranks (raznochin)", the Azerbaijani aristocratic women's society has built its social identity on any aristocratic unity features. More precisely, it can be said our heroic women did not hear anything about the International Women's Day, commemorated by the American women textile workers strikes, whereas these strikes, as well as the Copenhagen conference which announced the 8th March as women's holiday, also coincided with the flourishing of Azerbaijani philanthropy. The call for Western feminists "There is no need for charity in the world, but the world needs justice" was conceptually alien to the aristocratic women of Azerbaijan. The main force that ladies from wealthy families have been spending was charity and enlightenment activities. First of all, they were trying to enable Azerbaijani girls to get an education.

Thereby, the aristocratic women from Muslim charity societies, the caregivers of women's schools and boarding houses, and those who were involved in charity activities on the path of the Azerbaijani enlightenment, all were at the beginning of the women's movement in our country. The period of the women's movement gaining force in Azerbaijan before the revolution was different not only with its aristocratic wing but also with the existence of its democratic wing.

Starting from 1906, a satirical magazine "Molla Nasreddin" (1906-1930) created by the prominent writer Jalil Mammadguluzade began to promote social reforms, has criticized polygamy, the beating of the spouse, and child marriages, has raised several important issues related to the status of women (education, early marriage, women's rights, etc.). "Molla Nasreddin", as well as "Taza Hayat", "Kaspi" and other

periodicals became an open discussion platform for new intellectuals who were struggling to define the boundaries of new female features of the Azerbaijani women. Azerbaijani freedom-lover women actively participated in the national movement against tsarism and slavery, in the worker's disturbances in 1912-1914 years in Baku, Ganja, and Sheki, and in the struggle for sovereignty and national independence in 1918-1920.

The newly-formed Azerbaijani bourgeoisie and intellectuals began campaigns for women's literacy and invested in this work, founded charity organizations and women's magazines. To achieve social development and the nation's progress the active groups among Muslim intelligentsia considered this the primary condition for women to be free from traditional customs.

Release women through education and better social status and mobility were generally considered "necessary for the protection and growth of the nation". Women's charity societies created by Govher khanum Gajar, Hamida khanum Javanshir, Nigar Khanum Shikhinskaya, Mesme khanum Talishinskaya, Saltanat khanum Ahmadova, and the others were doing a great job. The Tazapir Mosque, the magnificent monument of that time, was built by Nabat Khanum Ashurbeyli-Rzayeva as one of those charity events. As a logical consequence of all these works, for the first time in our history, women were given the right to elect and be elected in 1918.

The women's rights issue was legally validated during the first Azerbaijan Democratic Republic (ADR, 1918-1920). During its short-term existence, the ADR provided women with full political and civil rights, including the right to vote. But our independence did not last long and we forcedly entered the Soviet Union. It should not be denied that the activity and development of women in Azerbaijan have considerably fastened in the Soviet period. Soviet policy in the field of women's problems, gender diversity, and gender-based structures has gone through a series of development stages, covering various historical periods. In the period from 1918 to 1930 years, the early Soviet ideology linked women's freedom with "family weaknesses" and set the goal of directing all households and intellectuals to the public sphere. But in the mid-1930s, this policy was amended and the Soviet government began to "strengthen the family union."

The socio-political life of the 1920-1930s played a great role in the progress of the country, including the progress of women in Azerbaijan. Illiteracy has been abolished in this period, enlightenment and culture have developed significantly, and innovations took place in life

and everyday housing. Women gained new achievements in economic issues, industrial facilities, and scientific and cultural spheres.

The year 1921 entered the history of Azerbaijan as the year of the first congress of women. The main purpose of this congress was the ideas of women's freedom. A great deal of work has been done in a short period after the congress to raise awareness of Azerbaijani women and increase public activeness. The same year, the Preschool Education Institute for girls was transformed into the Higher Female Pedagogical Institute. The first female club established at the initiative of Jeyran Bayramova played an important role in the development of the women's movement during this period.

The beginning of the publication of "The East woman" journal in 1923, became a significant event in the history of the women's movement in Azerbaijan. As we look at "The East Woman", we come across a few athlete girls. The number of girls writing their names to the Baku Aircraft Club was increasing day by day. The first female pilots of Azerbaijan - Leyla Mammadbeyova, Sona Nuriyeva, and Zuleikha Seyidmammadova were then known throughout the country.

In the period from the mid-1930s to the 1950s, the involvement of women in the mass production in the former Soviet Union became a "double suffering" on their shoulders including family problems. During World War II, everyone worked on the front line, from the gentle mothers who sent their sons to the front to young girls, and this showed genuine patriotism sample in creating a fund of protection in the country.

The state policy on "women's freedom" in Soviet Azerbaijan has begun to alter laws that abolish Shariat laws and has changed the position of women in the family and society. The first decrees were targeted at the termination of early marriages by raising the marriage age to 16 for girls and 18 for boys, declaring polygamy, and temporary marriages (sighas) illegal, and also empowering the women with the right to divorce and the right to patronage over their children. By holding mass campaigns, the Soviet government encouraged women's literacy and condemned the veils (chadra). The congresses of the Azerbaijani women held during the Soviet period in 1957, 1967, and 1972 years played an important role in the development of women's movements in our country, in its more organized forming.

The women of Azerbaijan in the XX century have gone on a path of development equal to the centuries. They have undergone radical changes in society, social life, and family.

For the implementation of the party's program on women's

liberation in the country, “Jenotdelles” (Women's Departments of the Communist Party) were established. The purpose of the creation of “Jenotdels” (women’s department) was to strengthen the transformation of the private sector financed by the state. “Jenotdel” and their heirs “Jensovet”, functioned as a shelter for women who were beaten and exposed to violence and women hiding from forced marriages. The women were actively involved in meetings, congresses, gatherings, forums, and mass rallies (especially when it was dedicated to women’s issues or when there were mixed gender issues and participants).

The revolutionary transformation of the social structure, radical elimination of gender inequality in law, and massive involvement of women in education and industrial labor did not result in inequality within the household of the soviet women and men. The Soviet ideology defined the role of a woman as a guardian of the husband and children in the family. This approach was supported by the national male elite. The concessions for women jointly with the state-sponsored measures on emancipation considering forwarding women’s positions, have shaped the model of becoming an Azerbaijani woman and had a profound impact on the development of new relations within the Azerbaijani family.

The line of ensuring the Azerbaijanis’ women's active participation in various fields of society is directly linked with the name of the national leader Heydar Aliyev. During the leadership of Azerbaijan, significant attention was constantly paid to the issues of women's politics. Just from 1969-to 1982 years period the women’s movement in Azerbaijan has gained a new dimension, as one of the branches of the world women’s movements, the Azerbaijani Women’s Council along with its local representatives was at the forefront of the worldwide fight in the field of women’s rights and problems.

After the collapse of the Soviet Union, women began to play a considerable role in the new public sphere. The Azerbaijani women have been at the forefront of the struggle for independence. Since 1988, women have been involved equally with men in complicated processes that took place in the republic. There were women among the victims of the bloody tragedy committed by Soviet troops in Baku and other towns and districts of the country on 19-20 January 1990.

Territorial claims by Armenia against Azerbaijan led to one of the most tragic regional conflicts in the post-Soviet space in 1988. This conflict resulted in the occupation of 20 percent of the Azerbaijani territory for 30 years. The country had lost a considerable part of its territory and its infrastructure and gave asylum to more than a million

refugees and internally displaced persons who had been deprived of their homeland. During the First Karabakh War Azerbaijani women also were among those who sacrificed their lives for the territorial integrity of our country. Thus, the Azerbaijani national heroes - journalist Salatin Asgarova and physician Gultekin Asgarova, who died on the Karabakh front, are remembered as symbols of sacrifice. Salatin Asgarova - National Hero of Azerbaijan, martyr of the First Karabakh war and the first martyred female journalist in Azerbaijan, was brutally killed by the Armenian armed forces near the village of Galaderesi on January 9, 1991, on her way from Lachin to Shusha.

Gultekin Asgarova - National Hero of Azerbaijan, martyr of the First Karabakh war. She worked as a military doctor and for the first time went to war voluntarily, taking with her 5 nurses. Gultekin Askerova was killed on July 19, 1992, in the battle for the heights of Aranzamin of the Aghdam district. Gultekin Asgarova's secondary school #200 was named after her.

Despite the ceasefire agreement achieved in 1994, Armenia continuously targeted civilian settlements and populations resulting in numerous victims among the civil population.

To prevent another territorial claim by Armenia and protect its territorial integrity counter-offensive operation was launched in 2020 by the Azerbaijan Army, and during 44 days long the Second Karabakh war, which is also called the Patriotic War, Azerbaijan has liberated its lands and restored the historical justice was restored. The name of Aresta Bakhishova - the only women martyr of the Second Karabakh War should be particularly emphasized.

Aresta Bakhishova - sergeant and military paramedic of the Azerbaijani Armed Forces, martyr of the Second Karabakh War. During the battles for the liberation of Fuzuli, Zangilan, and Gubadli districts during the Patriotic War in 2020, she provided medical assistance to wounded servicemen from the battlefield and was killed on October 23 during the battles in Gubadli. According to the Order of the President of the Republic of Azerbaijan Ilham Aliyev dated 15.12.2020, Aresta Bakhishova was posthumously awarded the medal "For the Motherland" for her participation in military operations to ensure the territorial integrity of Azerbaijan and honorably fulfilling her duties during the implementation of tasks assigned to the military unit. On May 12, 2021, he was awarded the Florence Nightingale Medal by the International Committee of the Red Cross in honor of the English nurse Florence Nightingale.

After the restoration of the state's independence, the social and economic stability in the country was achieved in 1993 after Heydar Aliyev's coming back to the country's administration has contributed to the social development of women. Since there was no state body dealing with women's issues in the republic at that time, on September 19, 1994, Heydar Aliyev signed a decree "On the establishment of the National Committee of Azerbaijan Women with regard the preparation for IV World Conference on Women.

The first Constitution of the independent Republic of Azerbaijan adopted in 1995 affirmed women's equal rights with men and created a legal basis for their active participation in the process of building a democratic state.

The revival experienced in all areas of life began to be observed in the activities of the Azerbaijani women as well.

On January 14, 1998, President Heydar Aliyev signed an Order "On increasing the role of Azerbaijani women". The decree identified areas demanding more attention from state agencies.

By another decree of the President of the country, dated January 14, 1998, to implement women's politics in the country, the State Committee for Women's Issues was established and the Cabinet of Ministers was instructed to prepare relevant proposals to increase the role of women in the country's political, social, economic and cultural life. The Doctor of Medical Sciences, Honored Scientist, Chairman of the Azerbaijan Ophthalmologists Society, and Professor Zahra Guliyeva was appointed as Chairman of this Committee. The creation of such a committee created a base for the centralized management of women's organizations in the country. Thus, our great leader laid the foundation of the activities for the solution of problems of family, women, and children.

The congresses of the Azerbaijani women held with the support of the national leader opened new pages in the history of the women's movement in the country.

On September 14-15, 1998, the congress of independent Azerbaijan women was held. Over 2,000 delegates from all cities and districts of the republic were present at this magnificent meeting. The Congress was crucial from the standpoint of women's activism and analysis of their unresolved problems. On March 6, 2000, the head of the country signed a decree "On the implementation of the state women's policy in the Republic of Azerbaijan" to ensure equality between men and women, especially their representation at certain levels of public administration. This Decree laid the foundations for the establishment of a

state strategy for gender equality and empowerment of women. The decree considered that women, along with men, were equally represented in all state structures, as well as conducting gender expertise in the legislation. At that time, women began to be actively represented in governance in all areas of the country's life. The Second Congress of the Independent Azerbaijan Women in held 2003 was the confirmation of the activation of the women's movement in the country and embodies the solemnity of the women's policy carried out by President Heydar Aliyev.

Azerbaijan is also represented at the Council of Europe Women's Bureau and is a full member of the United Nations Commission on Women's Affairs. In 1995, Azerbaijan joined the International Convention on the Elimination of All Forms of Discrimination against Women.

A large delegation of Azerbaijani women participated at the Fourth World Women's Conference held in Beijing in 1995, among representatives from 189 countries. The Beijing Declaration and Action Platform were adopted here. The main objective of the platform was to improve the political, economic, and social status of women. The Beijing Declaration and the Action Platform have stated that the rights of all women in the world will be protected, and also that factors that prevent women from closely joining the development process to achieve peace and gender equality would be eliminated. IV World Women's Conference can be regarded as a turning point for the women's movement in Azerbaijan. Azerbaijan has demonstrated the political will to fulfill these commitments.

Leaving the challenges of the collapsed economy and wartime, the women did not remain passive objects in state policy, but on contrary, they have been actively involved in the formation of such contours of the society to better educate the new society for future generations. Taking into account its literacy and activity history women became one of the creators and guides of the newly formed third sector. Women's organizations functioning nationally were organized as well. The main purpose of these institutions was to improve the situation of women in Azerbaijan, to solve their socio-economic problems, gender equality, and other issues. Formation of new women's organizations, expanding the network of existing ones and the scope of activities continue today.

At present, women are actively involved in the building of a democratic, legal, civil, secular state, widely functioning in all spheres of our socio-political and cultural life. Mrs. Mehriban Aliyeva, the First Vice-President of our country, and the President of the Heydar Aliyev

Foundation is distinguished by her public and political activities, as well as her scientific work. She is the leader of a modern Azerbaijan women's movement and carries out wide activity for the sake of our state's progress. There are numerous international meetings under her leadership, including the World Forum on Intercultural Dialogue, the First European Games (2015), and many other events that should be specially pointed out.

Questions for students' knowledge assessment:

1. The history of the feminist movement.
2. What are the directions of feminism research?
3. International Women's Day.
4. Feminist ethnography.
5. Liberal and social feminism.
6. What women can be mentioned in the history of Azerbaijan?
7. Gender issues history in Azerbaijan.

LECTURE 4.

GENDER CONCEPT AND GENDER POLICY IN AZERBAIJAN

- 4.1 *The “Gender” concept*
- 4.2 *Gender terms, ideas, and ideology.*
- 4.3 *Gender psychology and system.*
- 4.4 *Gender budget and quotas.*
- 4.5 *Gender policy in Azerbaijan. The Law of the Republic of Azerbaijan “On Guarantees of the Gender (men and women) equality”.*

4.1. *The “Gender” concept*

According to the concept of sustainable human development the management of society can be considered successful at that time when favorable conditions are created in that society for the realization of each person’s potential irrespective of race, religion, or membership of any particular group.

The cases of lack of legal knowledge of women, lack of necessary resources, the low awareness of law-enforcement and court officials on women’s rights, their often lack to respond women’s rights, human personality, and dignity still exist in many countries. The reproductive rights of women and girls and the factors preventing the exercise of these rights are not properly recognized. Some women and girls still face infringement of rights and injustice due to their racial belonging, age, language, culture, religion, disability or socioeconomic status, belonging to national and ethnic minorities, as well as being refugees and internally displaced persons, labor migrants.

For the first time in the world, the issue of women and their problems was raised in 1975 and that year was declared the “Woman’s Year.” In the same year, the First World Conference of Women in Mexico was called. The Second World Conference of Women was held in Denmark in 1980, the Third Conference was held in Nairobi in 1985, and the Fourth - was in Beijing in 1995. The themes of each of these conferences were “Equality, Development, and Peace”. However, equality of rights of women and men was always at the forefront.

The technical achievements of recent centuries have changed the role of women in household and production. At the end of XX century, the notion of “Gender” was formed and this can be characterized as “social sex”. It should be noted that the notions of social gender, i.e.,

“gender” and biological gender - “sex”, complement each other, although each has separate meanings. Gender - depending on the type of biological sex, expresses the complexity of social and cultural norms that people are suggested by society. These are social-cultural rules that define the psychological characteristics of women and men, behavioral models, types of occupations, and activities. In society, being men or woman is not just possessing anatomical features but also exercising the gender role driven by society.

Gender is the provision of equal rights for men and women in society. Social equality between men and women is understood as gender equality. Real gender equality does not imply only equality in law; it also means that men and women have equal positions, equal powers, and responsibilities in all spheres of social and political life. Equality does not mean the certain same behavior among the sexes, but rather a different approach to the issue. The inequality between men and women should be solved by using a differentiation policy. Although differences in gender respect put women in a more disadvantaged status than men, the latter are also subjected to restrictions due to manhood interpretation.

The majority of researchers affirm that the “gender conception” was included in scientific categories in the 60s and 70s of XX century. S. Khrisanova’s “Gender Terminology Dictionary” provides detailed information on this. For the first time, the term “gender” was worked out by English researcher Ann Hackley and her colleagues in the 70s of XX century. The term has been used to describe the characteristics of men and women reflecting their biological security on their social purpose. This was a stage of transition to a new theory in the differentiation of sex (sex) and gender (social) categories, which are already known from research. Ann Hackley and her colleagues’ training were very helpful in understanding the theoretical difference between sex and gender. This was a universal view of the problem. The American historian sociologist Joan W. Scott tried to explain the theoretical-methodological aspects of gender history in her work “Gender: A useful category of historical analysis” in 1986.

Women’s movement is based on the creation of gender notions. When analyzing the terminology concept of the problem, it becomes apparent that, initially, these issues were under the process of feminism development, and then, in particular, in the process of gender research, have been actualized as “genderology” or “gender studies”. It is not right to study gender issues within only one science, as it links the subjects of research, logic, literature, psychology, linguistics, genetics, statistics,

economics, medicine, culture, religion, and other sciences. Many definitions of the term gender are known. To bring the gender notion into scientific terminology, it is more appropriate to divide the problem into three parts to create a general idea of the subject: firstly, to disclose the assumption that the polarized sex of men and women, such as the “divine appointment”, “natural creation” is a hypothesis; secondly, to extract humanity from the biological-physiological aspect and to explore it at the socio-historical, political and legal level; and, the third, to analyze the term as a category including social aspects, means - class, age, ethnos, and the others.

The concept of “gender” in modern social studies, as a manifestation of socialization, is now widely used from the actuality standpoint. Gender has now become globalized and obtained mass character with its multilateralism as an international, regional, and national problem.

According to the gender approach, the differences in behavior and attitudes of men and women are determined not so much by their physiological characteristics, but more social factors, such as educating and spreading ideas about the essence of men and women in culture. A human belonging to one or another sex sets out some behavioral norms, and attitudes, and sets out various social roles in advance. However, these norms of conduct are not universal; they differ in different societies and at different stages of the development of those societies under the influence of many social and non-social (geographical, climatic) factors. Racial, class, socioeconomic development level, mentality, and culture - all affect the distribution of social positions. Unlike biological gender, gender is dynamic and can vary, since the social role of men and women cannot be determined indefinitely. Gender is a complicated social factor: roles, behaviors, masculinity, and femininity are the differences in society’s mental and emotional characteristics. This is not just a model of social relations that describes the intercultural communication and interactions of the sexes, but also conditions their relationships in the key institutions of society. Gender is one of the basic dimensions of the social structure forming the social system, as well as the other parameters. This allows regarding gender as one of the key indicators of the social structure of the society requiring the regulation of the whole social system. Understanding gender identity is an element of a structure based on gender differences created by society. The most actual problems of society are equally identifying gender by power, violence, self-determination, human freedom, and social roles.

Gender dimensions have been applied to many philosophical problems - human essence, meaning and tasks, time, and place of human existence. Understanding this situation is reflected in a wide range of gender studies throughout the world. The scope of the science involved in gender research is very broad - philosophy, sociology, economics, demography, history, anthropology, psychology, politology, ethnography, culturology, and art criticism - for their exceptional importance, gender studies should be widely used in practice and practice. There are various views on gender issues, such as:

1. Gender outlook is a new field of modern philosophy. This new scientific approach also uses the philosophy of categories, functions, and methods. In general, gender is the new science about male-female relations in the social constantly uses the philosophy of knowledge about the general forms of existence and cognition, the interaction of the environment with the man (male or female sex), the general interrelations and lawfulness of nature, society and thinking.

2. In its research sphere gender studies stages of social development, events and processes, ideas and ideas of historical personalities and thinkers, attitudes towards gender in cultural and written samples, and to this reason is closely connected with the history of philosophy science.

3. The changes happen, the evolving cultures, the position of gender in events and processes, historical facts, and accurate figures are of great importance to gender science and because of this, the materials of the historical science are used in the teaching of gender.

4. Gender uses psychology to study the psychological stereotypes, behaviors, and activities of sexes. Gender psychology is associated with psychological science in the study of consciousness and conscious mechanisms of contradictions, harmonies, and subjective and objective differences between sexes.

5. Gender uses the empirical services from sociological sciences, also learns the issue of gender relations in society, carries out surveys, comes to outcomes based on concrete scientific arguments, and gives proposals and recommendations.

6. Being associated with politology which is a science about policy, the gender policy course was created. Starting with the philosophy of politics, the course focuses on modern political science, international relations, and the place and role of sexes in politics.

7. Human rights and gender policy, uses legal science in the study of such problems gender issues in international and national legislation, etc.

Gender research is closely linked to female research. From the middle of the XX century, women's research centers with special programs were created everywhere in the West. Their main task was to study women's issues and women's experiences from the perspective of women. Increasing the focus on masculinity helped in getting out of gender out of feminism. It has been revealed that in society there are problems not only for women but also for men, sometimes very complicated and sharp ones. An important aspect of gender research is not only studying women's problems but also researching male problems. The multidimensionality and complexity of gender problems require a comprehensive approach to their study and resolution by the whole community. In the 1990s, gender concepts had fallen beyond feminism and sociology borders but did not lose their genetic connection with them.

At that time, this notion became a specific reference in the subject of various sciences, which tend to be used as the equivalent of the general category of sex. Thus, gender studies are not so much about women's problems but the experience of searching for harmony between sexes that contribute to the growth of society's potential in the incompatible unity of two contradictions. Changing the distribution of existing gender roles in society is a process of pulling down the outdated social base and stereotypes. Old, patriarchal relationships between men and women are replaced by new, egalitarian relationships and these relations are based on mutual complementarities and equality in society and the family, not on arbitrariness and subordination. An egalitarian understanding of the principle of equality between sexes means a movement toward a more developed complicated society that is fully based on equal opportunities for self-realization of a personality.

Certain measures were undertaken in the majority of countries in the field of ensuring women's actual access to their rights through the establishment of appropriate conditions, including the adoption of political dimensions, improvement of the protection and monitoring mechanisms, and implementation of legal awareness campaigns at all levels. 187 countries have ratified the UN Convention on the Elimination of All Forms of Discrimination against Women and the full implementation of the Convention has been supported by the Committee on the Elimination of All Forms of Discrimination against Women. At its 54th session, the UN General Assembly adopted the Optional Protocol to this Convention which also allows women living in countries that adopted the Convention to apply to the Committee on the Elimination of Discrimination against Women when the rights under the Convention are violated.

Most non-governmental organizations have supported the adoption of such a document and have been involved in raising awareness of women's rights; also, they have contributed to the International Criminal Court's consideration of the gender aspect in the development of the Roman statute. The Roman statute was ratified by 121 countries. This document contains important provisions for the persecution of sex and gender-based violence. Violence, sexual slavery, forced prostitution, forced pregnancy, forced sterilization, and other forms of sexual violence have been defined as crimes against humanity and war crimes. Important addition is that the application and interpretation of the law should be in compliance with internationally recognized human rights and no distinction should be made on grounds such as gender, age, or race.

Also, progress has been achieved in applying women's rights and gender aspects to the United Nations system, including the United Nations Office of the High Commissioner for Human Rights and the Human Rights Commission.

Still, in some countries, gender discrimination and all other forms of discrimination, including racism, racial discrimination, xenophobia, and intolerance, endanger women's opportunities to enjoy their fundamental rights and freedoms. In the case of armed conflicts and foreign reactions, the rights of women are grossly violated. While gender equality has gradually been widely accepted, many countries have not fully implemented the Convention's provisions. Negative stereotypes about discriminatory legislation, and damaging traditions, men and women still exist.

In Azerbaijan, the Gender notion was widely studied by psychologist R. Ibrahimbekova, philosophers A.Abasov, Z.Guluzade, and R.Mirzazade.

According to A.Abasov, differentiating according to the characteristics of the sexes is related to the outlook and culture of society and reflects the system of values and ideals of a particular society. Therefore, it is possible to face artificially created differences between the male sexes and female sexes in all spheres of life of society, even in language. The scientist then explains the particular meaning of language in explaining this notion that although in the English language there is a difference in "he - she - it" (in Russian, "он - она - оно"), it does not exist in Turkic languages. These three words in our language are simply expressed by the "o" pronoun.

If according to this author, natural (biological) social differences are necessary to solidify between women and men are two basic concepts:

sex and gender, according to Z. Guluzade, gender relations synthesize biological, psychological, social, and cultural aspects and are their organic unity. Sex should be a complete object of research on both sides.

The authors we have mentioned above also confirm that gender conception - being one of the most recent scientific outlook concepts, is disclosed by identifying humanitarian trends, including mutual relationships with categories and terms of medical science.

In the renewed society, the approach to men-women relationships is also up-to-date and the basis of detailed research has been established. From this point of view, philosophy, as a new scientific direction, has created a basis for researching gender research in line with the requirements of the times. The gender theory and its methodology have been formed as a new science in people's outlook and have already begun to emerge.

4.2. Gender terms, ideas, and ideology

Gender ideology is a system of notions and concepts, ideas, and attitudes about the structure of society and the interaction of women and men, such as two social unions in society. Here, the interests of both social groups - women and men are taken into account and expressed. Therefore, in essence, gender is a constructive ideology with a new culture of interaction. This ideology is the humanist achievement of XX century. These social associations have both general and completely different interests and values. The diversity of interests of women and men is the main problem of gender. For this purpose, there is a need for a certain ideology that allows the provision of both general and diverse interests, such as two different social groups. This is a gender ideology that reflects in itself both general and diversity. Representatives of the gender ideology are mainly the UN and the Council of Europe and are now considered the meta-paradigm of XX century.

The feature distinguishing gender ideology is its comprehensive peacekeeping and international character, a constructive search for ways and means of collaboration. Gender ideology can unite people of different ages, faiths, and people from different nations and countries. Its realization takes a lot of time. Gender ideology, which studies the equal and cohesive management activities of women and men, implies the change of human's, and people's, in general, orientation (trends) of values, public opinion, and state powers, as well as the reconsideration of many conventional ideas and realities; it opens up extensive opportunities for interpreting intercourse between sexes and social conditions created

by them and reassessing the power structure in the name for the public interest. Gender ideology serves as real activity mechanisms and methods for addressing several scientific problems that exist in the field of equal rights responsibilities and relations of women and men, including economic and social, political and cultural, scientific-educational, historical, and legal norms. It provides opportunities for the formation of "fatherhood" and "maternity" tasks in particular and the working out of legal mechanisms for their implementation.

The gender ideology is a new, secular, philosophical, sociological, and political thought based on the idea of gender in XX century humanist achievement, the equality of opportunity that both social units can fully realize themselves, strengthen their constructive, fair, and create relationships for the world and development interests in all spheres of life. Gender ideology is not self-sustaining. For its realization, it is essential to establish a legislative basis grounding on gender policy, or rather, a constitution.

The gender idea is the idea of the harmonization of relations of two social groups - women and men, in socio-economic, political, and cultural spheres. The development of this idea considers the realization of the equal opportunities of the two social groups in all spheres of activity of the society, the creation of socio-economic, political, and cultural conditions, as well as public-state means to achieve gender equality. The idea of gender is the basis of gender ideology. Gender inequality is a more complicated issue than men's opposing women or fighting women against men. This is to cast doubt upon the ideology prevailing men over women and gives them greater authority. It also means questioning the institutions supporting those values.

Gender analysis is the process of evaluating impacts on women and men through existing or proposed programs in all public and state spheres, through legislative, and political state courses. Gender analysis is based on the accumulation of high-quality information and understanding of gender trends in the economy and society and on using this knowledge to generate potential problems and their solutions in everyday work. At the same time, it is a tool for understanding social processes. Analysis carried out based on the gender approach is an important part of the overall socio-economic analysis of state policy. Gender analysis doubts that each person, regardless of gender, has the same impact on political courses, programs, and legislation. Such an idea corresponds to the neutral gender policy. There are various ways to apply gender analysis in practice. The United Nations, the International Labor Organization, and

the World Bank have provided pieces of training on gender analysis at the international level or issued statements on gender analysis.

Gender equality (rights equality of sexes) means equal rights, responsibilities, and opportunities for women and men, boys and girls. Equality does not identify men and women, and vice-versa requires consideration of their different needs, priorities, and interests. Gender equality is a strategy for implementing this equality system at all levels of society when considering and making political decisions. This also means the status of equality of rights of women and men, equal opportunities for the realization of these rights, and equal social status of men and women in society.

Gender inequality - is the characteristic of the social structure accompanied by the fact that different social groups (here men and women) have unequal opportunities and permanent differences in society. Gender inequality has been put forward by researchers in social and humanitarian sciences since appearing of gender concept in 1980 as the basis of modern feminist theory. This concept is especially used a lot in sociology (job discrimination, employment problems, etc.). Gender conceptualization has highlighted the process of social constructivism of “personality” and “femininity”, which are not the same as social values and contradictory categories. Analyzing more than 1,600 studies of psychosocial-sexual differences, E. McCooby and K.Jacklen concluded that there is no difference in the fundamental conception of the psychological characteristics of women and men due to their existence. In any case, these differences in small children are not enough to justify the traditional inequality of sexual situations. The notion of gender inequality is actively used in sociology, particularly in labor differentiation, employment asymmetry, etc.).

Although the main target of gender inequality is girls and women, there is not the only woman who suffers from social trouble. Deadly operations targeting teenage boys during military conflicts have been touted on tragic pages of history. These cruel crimes are based on gender-specific tasks that determine the role of the principal guarantor of the future warrior, family, or tribe in specific societies. The roots of committing these brutal crimes are just against boys stay the fact that in specific societies, there are gender tasks that determine the role of boys as the future warrior, and main guarantors of family or tribe. Statistical data show that gender inequality has countless blows to the development of whole society and particular individuals. Humanity should achieve equality for men and women to cope with poverty, illness, domestic

violence, and illiteracy. The human development-oriented policy seeks to eliminate gender inequality at legislative levels, social institutions, and social and family relationships:

Gender sensitivity is the understanding and accountability of social and cultural factor (factors) that are at the roots of sex discrimination.

Gender prejudices are concepts about how one sex is superior or weaker than other breeds. Gender prejudices are part of gender stereotypes.

4.3. Gender psychology and system

Gender Psychology - is a psychological sphere that studies the characteristics of gender identity, which determines social behavior, depending on people's sexual belonging. The occurrence of this problem in science was generally related to the tradition of studying relationships and intercourses in the framework of psychology, social psychology, and sociology.

Gender psychology is a field of psychological knowledge based on differential psychology and developmental psychology. Within the scope of psychology science, psychology of gender relations refers to such areas as sexual psychology, sociology of sex in sociology, social psychology, its big social groups' psychology, psychology of inter-group relations, and psychology of interpersonal relations. Gender relations psychology is a new field of research that combines all the key elements of socio-psychological reality. The sections of the psychology science have identified the basic structure of gender psychology which is represented by two main information blocks: sexual differences psychology (the main subject of the sexual psychology section) and gender socialization. In the Sexual Differences sections, the whole spectrum of psychological differences between male and female sexes are considered, that are the differences between cognitive, motivational, emotional, behavioral, and other spheres of personality. Here, the traditional concepts of psychology are used to open psychological concepts of personality structure. The new concepts are "masculinity", "feminine", "androgenic" and "gender stereotypes". The Gender Socialization section analyzes the role of social institutions in the development of the sex-role of boys and girls, men and women. Basic concepts include sexual roles and their adequacy.

The structure and system of basic concepts of gender relations psychology are defined by several levels of gender relations analysis. So,

at the macro social level, the relationships are analyzed in the system “personality - society – culture”, “group - society – culture”. Inter-group interactions at the mutual influence level are analyzed in a “group-group” system. At this level, the social stereotypes act as factors that determine relationships, while gender stereotypes are the determinants of inter-sex relations. An object of analysis at the level of interpersonal relationships is the “identity-identity”, and “identity-group” system. At the interpersonal level, the object of analysis is the identity of the “I” concept of personality and the ratio of personal and social identities in its structure.

The main research methodology of gender relations psychology is the gender approach. It focuses on the analysis of the dominant system and declares the idea of equality, regardless of sexual belonging. Within the gender approach, inter-sex relations are analyzed not only at the level of social relations (political, economic fields of life activity), but also at the level of psychological interactions from the power and domination standpoint (interpersonal and inter-group interactions). Conditional demands for social expectations, roles, and adequacy of sexual behavior are the indicators of gender characteristics of the behavior. Adoption of the idea that biological sex is not the primary cause of behavioral and psychological characteristics of social roles permits the re-organization of the image and life scenario of “I”, which is linked to the system of imagination about sexual roles, creates opportunities for men and women to re-evaluate their capabilities and claims, to determine their perspectives of life and creativity, to activate personal resources to choose a subjective strategy in the field of optimization of the self-identification and interpersonal relationships.

For a vast majority of studies related to gender psychology, a single methodological method is characteristic. Its essence consists of the separation of two different sex types of research groups to be compared to one another and diagnosis of their specific psychological characteristics. Here a traditional psychological method and methodologies are used. The research directed at revealing the psychological similarities between men and women should be adopted as prospective research on gender psychology. For the elimination of traditional gender stereotypes by men and women, they should be targeted at studying productive strategy and behavioral tactics, as well as the analysis of the personal factors of the successful realization of women in the profession, and men in the family sphere.

Gender system (gender relations system) - this concept includes various components and this system is explained differently by

researchers. The gender system is gender-relevant social structures, behavior, and mutual social impact. This includes three interconnected components: the social construction of gender categories based on biological sex; division of labor because of sex; social regulation of sexuality.

For the first time, the term “sex/gender system” was used by American feminist-anthropologist Gayle Rubin. Rubin identified the sex-gender system as a “collection of mechanisms” that generated biodiversity and productivity of human activities by the community. The application of this system helps to understand the socially-organized relationships among the sexes. The use of that term refers to the traditions of structuralism and structural functionality, focusing on the macro-mechanisms of the reproduction of the relationships arising concerning sex. The gender system is relatively stable and is reproduced through the normative systems of society.

Robert Connell separates three relative independent structural models of gender relations that describe the gender system. The first model conceptualizes the social division of labor between the sexes in the field of open economic sphere and household. The second model describes social relations that are a political sphere. The third one - “Cathexis”, describes emotional and sexual relationships. Later on, Connell gave up using the term “gender system” preferring the term “gender composition” to it.

Soviet society’s gender system can be called ethnocracy (that means dominated by a state) and patrimony. The gender system of that time was conditioned by the tough state regulation of the daily lives of Soviet citizens and their life strategies. This regulation determined the opportunities for both public and private activities. The theocracy system was implemented through the normalization and controlling mechanisms of power. It was regulated by normative documents, ideological campaigns, state-organized mechanisms of social situations, and media. From the first years of the Soviet government, the state worked out and implemented special measures to regulate their social status by identifying women as a special social category within the framework of the ethnocracy gender system. The targeted “women policy” was creating grounds for gender polarization and conflict confronting the sexual categories of the citizens. The main gender contract was called the “working mother”.

The end of Soviet rule was characterized by a crisis in women’s politics. This was coming out in the crisis of masculinity and the crisis of

the unification of women's roles. During the post-Soviet period, the transformation of the soviet system of gender was observed that was conditioned by the change of property relations, decentralization of social security, pluralism, and discourse competition.

4.4. Gender budget and quotas. Gender budget

In recent years, with the support of international organizations, various mechanisms of gender policy and some new trends have been shaped. One of these is the gender budget approach. Several steps were taken in the direction of raising awareness of the broad public, as well as women, about the budget process and strengthening the methodological base of gender budget analysis. Gender Budget – “gender-sensitive budget” (“gender-sensitive budget”) or “female budget” is a combination of processes and tools that allow the state budget to be assessed primarily at the national level based on the gender approach of influence of various male and female groups. However, the gender budget is not a separate budget for women. Gender budget covers only gender-sensitive allocations - for example, the analysis of specific programs for women, separate impact on women and men of the main spending on all sectors and services, strategies and allocations aimed at creating equal opportunities in state services.

Diane Elson, one of the most important researchers in the field of gender budgeting, clarified 7 instruments that should be considered in the gender budget study:

1. *Gender-Based Policies Assessment*: budget-funded programs should be approached from a gender perspective and the budget should be a continuation of certain policies. This assessment serves to establish a direct and strong relationship between budget policy and budget allocations. Such an analytical approach is based on generalization rather than detailing. Gender issues in politics, strategies, and programs should be assessed in a complex.

2. *Gender-Based Assessment of Beneficiaries*: The budget allocation of beneficiaries should be evaluated according to their needs. Such a tool allows the voice of the citizen to be heard. The budget is analyzed according to the priorities of women and men. The budget is analyzed according to the priorities of women and men. Assessments can be made by various government agencies or civil society organizations.

3. *Gender-Based Analysis of Costs*: analysis of the extent to which women and men, boys and girls benefit from the distribution of public spending. This tool assesses the distribution of public funds allocated to

the relevant state programs across the groups of men and women, boys and girls.

4. *Gender-Based Analysis of Income*: considers the analysis of gender factors in the source of income. Such analysis explores the income tax component. This covers how much direct and indirect taxes are paid by various individuals and households. Income information required by gender-based detailed income analysis is usually obtained from household surveys and documents of customs bodies.

5. *Gender-oriented analysis of the budget timetable* involves the link between the national budget and the activities of households. At the same time, the gender distribution of works not paid by the state is also being studied here. This approach even implies that women lost much time as a result of looking after children or ill persons and compensating for the possibility of reducing real income.

6. *Gender analysis of the medium-term economic policy framework*: Gender analysis of national budgets is the consideration of the models of medium-term cost planning. Medium-term economic modeling is realized at two levels. At the general level, the whole economy is modeled where macro indicators such as economic growth, budget deficit, inflation, interest rates, and employment are used. Nevertheless, multiple-year budget allocations are more modeled in compliance with gender-sensitive budgeting goals, and at a more detailed level. The gender indicators can easily be included in the model. This type of analysis requires high modeling habits and access to extensive economic information.

7. *Gender budget report*: each government should report covering the impact of the abovementioned factors on the program and budget, as well as the necessary indicators. This report reflects the government's budget policy, programs, and gender-based audit. When preparing such a document, the methods and tools listed earlier can be used. The gender-based budget report is a report on the government's commitment to reach the set forward gender equality goals and ways to improve the gender budget.

Gender budget is a sensitive concept and Diane Elson's analysis tools can be adapted in a specific context, taking into account the level of awareness of each country and government commitments (Source: Elson, Diane. "Accountability for the progress of women: women demanding action", in *Progress of the World's Women: UNIFEM Biennial Report*, New York, United Nations Development Program, 2002).

World Bank expert Simel Eshim believes that the following

methods are appropriate to use for gender analysis of budget expenditure: classical economic analysis - classification of budget expenditures by classification; institutional analysis - increase of efficient use of resources; analysis of service delivery mechanisms - including government alternatives; analysis of services quality; stakeholders' analysis - considering opportunities and shortcomings; coverage of public spending spheres - depending on the behavior of households and the features of allocations; quantitative methods, including assessment of beneficiaries and poverty assessment.

Gender budgeting requires high political will, adequate resources, and skills, an institutional and legal base, and high-level civil society awareness in this field. Accountability, transparency, equity, and effectiveness, which are the general budget principles, should also be applied to the gender budget.

The sequence of steps towards the formation of a gender budget analysis:

Step 1 - Improvement of the legal, economic and organizational basis of the national budget system in this direction;

Step 2 - Formation of tasks: allocation of resources according to gender (sexes) to ensure equal rights policy and equal opportunities;

Step 3 - a collection of the information: international and national legislation, budget and budget execution reports, statistical and sociological information;

Step 4 - Gender expertise in the current, medium-term, and long-term perspective of the budget, in particular, social spending;

Step 5 - Formation of substantiated recommendations on funding sources, justification of budget allocations, and new budgeting.

In the gender budget, the areas of interest of women which should be viewed as problematic issues are employment and unemployment; equal pay for equal work; participation in the state decision-making process; mother and child health protection.

Duties of the gender budget: increasing women's access to public resources; increasing the effectiveness of the state budget from the gender standpoint; increasing the role of civil society organizations, as well as women's non-governmental organizations in the decision-making process; alternative budgeting (In some Latin American countries after extensive analysis of the state budget the NGOs have worked out a new structure of expenditure from a gender perspective)

Gender budget initiatives are currently being implemented in more than 50 countries around the world. It would be necessary to consider

some of them because a more elaborated gender budget can be prepared by analyzing the relevant international initiatives, and the positive and negative aspects of the experience of several foreign countries.

Australia's gender budget is one of the long-lasting in the world and a kind of example for other countries' initiatives. Thus, the country's first female budget was established after the Labor Party came to the government in the mid-1980s. The Australian women's budget is made up of government-issued documents and existing processes. This process is coordinated by the government through the gender-management mechanism; various ministries are involved in this process.

That gender budget is composed of a budget analysis paper prepared on general methodologies consisting of 300 pages and simplified documents prepared on that basis.

In 1995, Members of the South African Parliament, NGO representatives, and researchers adopted the Women's Budget Analysis Initiative, and in 1997, the government realized this initiative.

Gender budget initiatives in the Russian Federation were brought up in 2002-2003 years by several women's organizations. From 2004- to 2006 years "The Gender Budget in Russia" project was realized with the support of UNIFEM. The goal of the project was to increase the participation of women in government decision-making processes on budget allocation.

The Budget Act adopted in France in 2000 requires the government to include a separate annex, which reflects the financial provision of gender equality for each year's state budget. A report prepared by the French Ministries of Economy, Finance, and Industry has shown that more women live in poverty.

The Philippines government approved a gender and development-oriented budgeting policy in 1994. And it required each government body to allocate at least 5 % of its budget for gender and development goals.

Some of the Commonwealth Countries are applying a "gender perspective approach" in ministries mainly responsible for budget preparation (The action plan adopted by the Commonwealth countries in 1995 is a major regulatory document - the Commonwealth Plan of Action on Gender and Development). Such gender analysis requires the ministries' accurate report with taking precise account of the costs allocated for establishing gender equality, the priority of state services for the solution of women's social problems, the costs allocated for the state agency for women's affairs, etc. One point should be taken into account that sometimes equal opportunities cannot lead to equal use. From this

point of view, the gender budget should also include the consideration of the different social needs of women in central, regional, and local budget allocations.

Articles 345 and 346 of the Platform for Action adopted at the United Nations Fourth World Conference of Women held in Beijing, in 1995, are directly linked to the gender budget. Article 345 requires the integration of a gender perspective in budgetary decisions on policies and programs, as well as adequate financing from governments to ensure gender equality. Article 346 considers the governments to make efforts to systematically review how women benefit from public sector expenditures; adjust budgets to ensure equality of access to public sector expenditures.

The initiatives of working out the gender budget, both inside and outside the country, are currently being implemented in such countries as Canada, India, Tanzania, Mexico, and Zimbabwe.

Gender quotas

These quotas are the legitimate level of representation of women and men in the governmental authorities, and the modern concept of equality is on its basis. The main idea of gender quotas is to increase women's political representation, to involve them at the decision-making level, and avoid isolation from political life. Quotas, like the other positive forms, are a tool for gaining equal opportunities. The achievement of gender equality in government is fair and necessary in the conditions of democracy. The task of the quota system is to represent women in various institutions, such as the country's parliament, by 30-40% of women. A quotation can have a rather significant impact on the political processes and the political culture as a whole. The views on the effectiveness, fairness, and outcome of this system are quite diverse and object to a wide range of discussions. The more efficient ways to use that system are discussed and the experience of countries using this system is being studied. However, the quota system is applied temporarily.

4.5. Gender policy in Azerbaijan. The Law of the Republic of Azerbaijan "On Guarantees of the Gender (men and women) equality".

Equality between men and women before the law and practice is an integral part of human rights and democracy. A democratic society is based on the principle of gender equality and women's activity in social and political life plays an important role in the development of society. It is no coincidence that the Azerbaijani government pays special attention

to ensuring gender equality in the country. The Azerbaijani woman always took an important place in the country's socio-political life. Many bright pages of our history and culture are linked with the name of the Azerbaijani woman.

National women's politics has received state status during the history of the Azerbaijan Democratic Republic. Empowering the woman to be elected and to elect for the first time in 1918 is a historic achievement for the Muslim East. Thus, not only in the East but also before many European countries and the United States, women gained the right to join political processes in social life.

During the early Soviet period and the later Soviet society, the Azerbaijani women were subjected to the influence of strong emancipation processes and had a sufficiently high political (party), economic and social status as a result of rapid development. Their interests were mostly represented by the party-state, trade union, and women's organizations.

Heydar Aliyev, who has always protected our people's rights and freedoms, has always kept the women's movements and women's issues at the center of his attention. When he was appointed for the first time to our republic in 1969, he was attentive and caring for women and began to put them forward in high positions following their knowledge and skills, talent and intellect. At that time, women were in charge of power in many regions. There were several women between ministers and deputy ministers. For the first time in the history of the Republic, women rectors were appointed to the universities. In those years, several women received honorary titles such as "Hero of Socialist Labor", and "Hero Mother". Non-governmental women's societies and organizations began to be established in the republic.

The congresses of the Azerbaijani women during the Soviet period that were held in 1957, 1967, and 1972 years played an important role in the development of women's movements in Azerbaijan and its gaining more organized form.

Unlike the previous period, after gaining independence for the second time in Azerbaijan, the women were more likely to face the effects of the social and economic crisis. In the early 1990s, there were significant gaps in the protection of rights of women and girls as a social group and as a result of this, it was observed that they even became the objects of exploitation and violence. The real socio-economic processes taking the stage in this period and the Karabakh conflict have aggravated the situation of women and significantly increased the number of women

in the situation of objective discrimination. The situation of women and girls in the families of refugees and internally displaced persons, especially those who lost their family heads, was particularly severe. Continuous and regular state care is rendered to them, but still women from refugee and IDP families face several difficulties to be solved on time, especially those related to social provision. This should be specially emphasized that the state launched intensive measures to ensure the safe repatriation of this category of people to their liberated native lands.

It is known that work with women in developed countries is carried out based on 12 strategies adopted at the Beijing Conference. One of these provisions is the problem of teenage girls who are the most minded in society today. The suffering of refugees and internally displaced persons harm the welfare of young people, especially girls from this group of population. Everyone must be mobilized for eliminating existing negative circumstances that do not fit moral and ethical values, and the rise of physical, mental, and spiritual development of our daughters who will be the mothers of the future generation of XXI century.

The political will has been demonstrated for gender equality in Azerbaijan, and measures have been taken in line with international standards. Important steps have been taken to protect women's rights in the Republic of Azerbaijan and relevant decisions were taken. Gender issues have been reflected in our Constitution, adopted on November 12, 1995, which gave a push to the development of gender legislation.

As a result of the First Karabakh war, one million of our compatriots became refugees and internally displaced persons. The fundamental rights of our women, who constitute the majority of them, were grossly violated, and their rights have not been restored for more than 30 years; despite international organizations, the UN and Council of Europe's decisions to support the territorial integrity of Azerbaijan the efforts to return those people to their homeland the situation remained with no result. Those refugees and internally displaced persons, including women faced serious social and economic challenges, severe housing conditions, in many cases the absence of any means of living. They were forcibly withdrawn from their homelands and lost their homes and lands. Despite enormous state support, and various state programs targeted at improving their living conditions, people from this group population suffered for long period. However, being surrounded by state care, the only wish of every refugee and IDP, irrespective of age, previous living conditions, etc, was only to return to their native lands.

On September 27, 2020, the Armenian armed forces and military troops started another military aggression against the territorial integrity of Azerbaijan with the purpose to repeal this aggression and ensuring the security of civilians and densely populated residential areas inside the internationally recognized territories of Azerbaijan, the Armed Forces of the Republic of Azerbaijan have launched counter-offensive measures. During the 44-days long Second Karabakh War, the historical lands of Azerbaijan that remained under occupation for long years were liberated. The population forcibly expelled from their homes gained a chance to repatriation, however, they cannot yet return since those territories were planted with an unimaginable quantity of mines that still are a serious threat to the lives and health of people.

Azerbaijan has joined all-important international documents in this area, including the UN Convention on Political Rights of Women in 1992, the Convention on the Elimination of All Forms of Discrimination against Women in 1995, and in 2000, its Additional Protocol. The Azerbaijani delegation consisting of approximately 100 people in total, including 25 - from the government and 70 delegations from non-governmental organizations participated in the Fourth World Women's Conference held in Beijing in September 1995. After the conference, the activity of women in our republic has increased and the attention and care for their problems have increased in Azerbaijan as in other countries. This was reflected in the fact that women were put forward in administrative positions in the Parliamentary elections (the number of women deputies increased twice).

In 1996, the Government of Azerbaijan submitted a preliminary report to the UN on the joining of the country to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). To pursue the gender policy in compliance with the Beijing Platform the State Committee on Women Affairs was established by the Decree of the President of the Republic of Azerbaijan dated January 14, 1998 (from February 6, 2006, the State Committee for Family, Women and Children Affairs). The Committee carries out its activities jointly with NGOs, women groups in the political parties, trade unions, and the media. Establishing gender research centers, the realization of projects targeted at the solution of problems of women, and gender awareness of the society helped to the successful functioning of this national mechanism.

In 1998, the activity of NGOs which played a major role in the formation of civil society, increased.

Throughout their activities, those NGOs have conducted various

events, mostly enlightening ones, in the field of studying women and children's rights and gender issues have conducted extensive public awareness activities and fulfilled various projects.

Under the leadership of Rena Mirzazadeh, a researcher in the field of gender, doctor of philosophy, and at the initiative of national scientists "Gender and Human Rights" Research Public Union has expanded its activities by conducting mutual scientific research on gender relations and human rights issues in the democratic development. She is also the author of publications, books, and textbooks on women's rights.

In September 2000, an order was issued on the appointment of persons responsible for gender. Rena Ibrahimbeyova, the Director of the Organization "Gender in Development", became the deputy head of the Department of Science, Culture, Education, and Social Issues of the Cabinet of Ministers and head of the Department of Gender and Psychology of BSU. The key importance of the Gender in Development project was to support the "gender mainstreaming" in the community. NGOs have been supported by the Gender Development project, 12 women's organizations were provided with equipment in line with their needs, and the English language courses were organized. Social activity of women was increased, and various pieces of training, seminars, and conferences were held. For the first time in Azerbaijan, within the framework of one year project started in January 2000, the Azerbaijan International scientific Journal "Genderology" (in the Azerbaijani and English languages) has been published. The editor-in-chief of this journal, issued four times a year, is Rena Mirzazade.

In March 2000, the President signed a Decree "On the implementation of the State Women Policy in the Republic of Azerbaijan". This document envisages ensuring the equality between men and women in all state structures of our republic, employment of refugees, and internally displaced women by working out relevant state programs and revising legislation from a gender perspective. This Decree has already been implemented in several regions.

In June 2000 the Cabinet of Ministers of the Republic of Azerbaijan adopted the National Plan of Action on Women Issues for 2000-2005. This program has been worked out based on Beijing Strategies taking into consideration the national priorities. The program covered political, economic, social, cultural, educational, and health spheres, as well as the problems of refugee and internally displaced women.

By the Decrees and Orders of the President of the Republic of

Azerbaijan Heydar Aliyev certain legal basis has been established in the implementation of gender policy in our country and President Ilham Aliyev continues activity for further strengthening of this base.

The Law of the Republic of Azerbaijan “On Gender Equality” can be considered the most important document adopted after the Constitution on the gender field in the Republic of Azerbaijan. The objective of the Law of the Republic of Azerbaijan “On the Ensuring Equality of Gender (Men and Women)” dated October 10, 2006, regulating the guarantees of the principle of prohibition of sexual discrimination enshrined in Article 25 of the Constitution, is to ensure gender equality by setting up equal opportunities for men and women in political, economic, social, cultural and other spheres of social life, eliminating all forms of discrimination based on sex. According to this law, the state takes measures to eliminate all forms of discrimination based on sex, also for creating equal opportunities for men and women, as well as for not allow the superiority of representatives of one sex in government management and decision-making.

The amendments and additions were made to some legislative acts of the Republic of Azerbaijan in connection with the implementation of the Law of the Republic of Azerbaijan “On the Ensuring Equality of Gender (Men and Women)”. In Article 5 of the Law “On the Ensuring Equality of Gender (Men and Women)” four main directions of state policy in this area were pointed out:

1. *Formation, improvement, and development of the normative-legal base for ensuring gender equality;*
2. *Conduction of the gender expertise of normative-legal acts;*
3. *Preparation and implementation of the State programs to ensure gender equality;*
4. *Promoting gender equality culture.*

The peculiarity of this Law is also that here the meaning of many notions is reflected. Thus, gender is understood as the social aspect of male and female relations in the political, economic, cultural, and other spheres of public life, and gender equality as the equality of rights of women and men and equal opportunities for the exercise of these rights and their equal social status in society. While noting the equal opportunities the equal conditions and guarantees created for women and men in the exercise of human rights are put forward. Besides this, the Law provides notions for discrimination based on sexuality and sexual harassment.

The “State Program on Implementation of the Employment

Strategy of the Republic of Azerbaijan (2007-2010)” was approved by Decree #2167 of the President of the Republic of Azerbaijan dated May 15, 2007. Relevant measures have been taken within the program to ensure gender equality in the field of employment.

Along with several normative-legal acts, the “Azerbaijan 2020: Outlook for the Future” Development Concept, approved by the Decree of the President of the Republic of Azerbaijan dated December 29, 2012, also envisages carrying out the measures in the state policy to ensure gender equality in the country and prevention of gender-based violence which is being implemented through the relevant state programs.

The 2020-2023 National Action Plan (NAP) on the Prevention of Domestic Violence was approved under Decree #2307, dated November 27, 2020, by the President of the Republic of Azerbaijan. The National Action Plan covers the refinement of the regulatory framework for the prevention of domestic violence, the establishment of an interagency coordination mechanism for victims of domestic violence, and improvement of the current legislation to provide free-of-charge legal assistance for victims of domestic violence.

Another important step in this regard was the approval by the Azerbaijani government of the Action Plan on the prevention of gender-biased sex selection for the period of 2020-2025, which reflects a set of important measures and activities to be implemented over the following five years by local authorities and institutions with the purpose to address the phenomenon of son preference and promote the value of a girl child in the country.

The Ombudsman Institution, established by the Constitutional Law of the Republic of Azerbaijan “On the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan” adopted on December 28, 2001, by the Milli Mejlis of the Republic of Azerbaijan, plays an important role in improving the relevant legal framework in the field of gender equality, studying international experience, carrying out the awareness measures directed at increasing the legal knowledge of citizens, raising leadership skills for women. The position of the Commissioner for Human Rights of the Republic of Azerbaijan is set up to restore the human rights and freedoms enshrined in the Constitution of the Republic of Azerbaijan and in the international treaties to which the Republic of Azerbaijan is a party and violated by governmental and municipal bodies and officials of the Republic of Azerbaijan, as well as to prevent violation of human rights in cases envisaged by the given Constitutional Law.

The Commissioner for Human Rights carries out the activity within the scope of her competencies and responsibilities under this Law, as well as 12 priority directions of the Beijing Platform for Action which includes women's rights and is one of the key international instruments. Here, intending to promote the participation of women and their initiatives to achieve gender equality, and equal access to all areas of public life, in particular in the decision and policy-making processes, the Commissioner cooperates with local and central executive power bodies, NGOs, and media, communities, and also organizes activities to address existing problems. The Commissioner pays attention to current problems in the implementation of gender policy in the country and effective provision of women's rights, as well as makes suggestions and recommendations to relevant bodies.

In XXI century, the Azerbaijani woman has a special place in the international arena. From this point of view, the international projects realized by Mrs. Mehriban Aliyeva, the First Vice-president, the First Lady of our country, the President of the Heydar Aliyev Foundation, in her sample continues to give a glorious reputation and respect worldwide to the Azerbaijani women.

In the independent Republic of Azerbaijan, the national legislation provides legal equality for women and serves to prevent any discrimination, and the state policy on gender issues is directed at the realization of equal opportunities for women. Nowadays, the national priority targets an indicator our country is successfully continued.

Questions for students' knowledge assessment:

1. "Gender" notion, subject, and tasks
2. What methods are used in gender research?
3. Gender Idea and Ideology.
4. Gender equality and inequality.
5. The essence of gender relations psychology?
6. What researchers can you mention in the field of gender budgeting, and what are the methods of their analysis?
7. What are the gender quotas?
8. Gender policy and legal support in Azerbaijan.

LECTURE 5.

WOMEN'S RIGHTS AND GENDER ISSUES IN THE STRATEGY AND STATE PROGRAMS OF THE REPUBLIC OF AZERBAIJAN

- 5.1 *Influence of socio-economic situation on women's rights*
- 5.2 *Influence of the reforms of the independence period on women's rights*
- 5.3 *The National Action Plan on Women's Issues*
- 5.4 *Women's Rights and Gender Issues in the Strategy and State Programs*
- 5.5 *Protection of women's rights in the National Program for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan dated December 27, 2011*
- 5.6 *Gender equality in the "Azerbaijan 2020: Look into The Future" Concept of Development*

5.1. Influence of socio-economic situation on women's rights

The woman was a leading force in all stages of human development regardless of the historical period, socioeconomic status, geographical location, race, language, or religion. The women's policy is one of the key priorities of the independent Azerbaijan state. This should be mentioned that gender equality and empowerment of women are the fundamental basis for development and take important space in the globalization process. The legal state serves to provide the social protection of the person and normal living conditions for all members of society. Creating favorable conditions for women, and improving gender equality in employment, health, education, and social policy spheres are important factors for the state.

The attention to gender issues is an actual matter from several points. In recent years, much work has been carried out in the world in the field of ensuring the legal equality of women. In the context of universal human rights, the attention paid to women's rights was reflected in many documents. These documents point out that, one of the main conditions for the provision of sustainable development, democracy, and social justice is ensuring women's and men's equality of rights, which means gender equality. This is known from the experience of the world that, as the situation of women directly impacts at economic development of the

country, at social and political stability in a society, the socio-economic situation in the country also has an impact on women's rights as part of human rights.

The women's rights issue was reflected in the documents adopted during the Soviet period. For example, very progressive provisions on ensuring women's rights were reflected in the "Exemplary Rules for Registration of Citizens in need to Improve Housing and Distribution of Living Spaces in the Azerbaijan SSR" approved by Resolution #418 of the Council of Ministers of the Azerbaijan SSR dated October 14, 1983. Women who need to improve their living conditions or those awarded with the title "Hero Mother" or "The Honor of Motherhood" or "Motherhood Medal", as well as families and single mothers with four or more children living together with them were given preference at first. When determining the size of the living space, the pregnant woman in the family was taken into consideration.

At the end of XX century, serious problems of the transition period created a difficult socio-political situation. The deepening economic crisis that has worsened in the late 80s of the last century caused a paralyzing of the economic activity in Azerbaijan as in a whole soviet area, resulting in social shaking, the aggravation of the financial situation of the wide population, the sharp decline in demand for labor and social protection. The aggression of the Armenian nationalists even more complicated this situation. The occupation of 20% of the territories for 30 years, the fact that more than 4,000 industrial and agricultural enterprises and over 300,000 jobs remain in the occupied territories, displacing more than one million refugees and internally displaced persons from their native, home settlements had an extremely negative impact at the economic and social conditions and the at the situation in employment was also aggravated.

Despite all these problems, our women, finding their force, started to take an active part in the process of strengthening the development and independence of Azerbaijan. Analysis of women's economic and social situation, as well as identifying the ways to address the sources of and eliminate the discrimination against them became crucial for Azerbaijan from the standpoint of both human rights protection and gender equality in society, as well as poverty eradication.

The economic challenges that come out concerning the transition period and the changes in social spheres led to the strengthening of patriarchal ideology. In turn, this resulted in the dismissal of girls from schools, the rise of early marriages, and the decline in the social status of

women. Family poverty, a decline of childcare facilities or their functioning, also rise in prices of domestic services, and their absence in rural areas deprived women of social life and income-earning labor. On the other hand, the unemployment among men and the decline in the family budget also led the family to be taken care of by women. Whereas, this was a peculiarity unusual to the previous period. In particular, the number of women working in the informal economy has increased. However, the salaries of women working in this area were much lower than that of men who did the same work.

As a result of social, economic, and legal reforms carried out in our country, human rights, including women's rights protection, became an integral part of state policy. The state guarantees ensuring the protection of these rights, and several important laws, and state programs have been adopted and successfully implemented.

Up to date, the Republic of Azerbaijan joined nearly 250 international treaties, conventions, and such documents as protocols and regulations and there are thousands of normative-legal acts that meet the high legislative requirements.

In our state, which has regained its independence and has moved forward confidently in its independence path since 1991, dozens of important strategic documents containing provisions relating to women's rights and gender equality, three - in the field of human rights, particularly two - in respect of women's rights have been adopted.

By the way, the Concept of National Action Plans and their importance to democratic development was enshrined in the final recommendations of the World Conference on Human Rights held in Vienna in 1993.

At the mentioned conference, it was recommended that each State should consider the purposefulness of preparing an Action Plan that defines steps enabling further improvement of the protection and promotion of human rights.

Continuing the realized reforms, the National Action Plan for the Protection of Human Rights in the Republic of Azerbaijan was approved by the Presidential Decree of December 28, 2006. The Plan takes into consideration the priorities of the United Nations Millennium Development Goals (MDGs) and the Council of Europe's 3rd Summit determined on human rights protection and democracy and the rule of law.

The Plan contains provisions on women's rights such as Para. 17 (strengthen the struggle against violence against women including

domestic violence, ensuring legal protection sources, necessary compensation, rehabilitation, medical and psychological aid, induce awareness in this field), para.18 (Fulfillment of obligations arising from the UN Pacts on Civil and Political Rights, Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on Elimination of All Forms of Discrimination against Women, UN Convention against Transnational Organized Crime, UN Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children, ensuring the observation of the abovementioned documents), para.38 (training of teachers, lecturers, and instructors on different categories of human rights (civil, political, economic, social, and cultural) for different groups of population (women, children, youth, persons with disabilities, elderly people, refugees, and internally displaced persons, convicted persons, servicemen, drug-addicted and HIV/AIDS infected) to further promote the UNESCO principle “Education for All”, the strengthen legal education and protect human rights and freedoms more sufficiently).

This Plan served to transition to a qualitatively new level in the human rights protection process, establish a new cooperation strategy at the international level, and build partnerships between the state and civil society, thereby, establishing a consistent, organized process of fundamental reforms.

The implementation of the National Action Plan for the protection of human rights in the Republic of Azerbaijan has been regularly analyzed; public hearings were held in all regions and cities of the country with the participation of representatives of different strata of the society to discuss its implementation and results. Every year, the status of implementation of the measures considered in the Plan and the results of public hearings were analyzed, and the proposals put forward were summarized and published in the form of a book and presented to the country’s administration and the public. These publications were used as valuable resources in the process of experience exchange and development of cooperation between various institutions. But, as time goes on, every new phase of development presents new goals, priorities, problems, and issues of human rights in the field of human rights and their solutions ways and this requires carrying out new reforms so far.

Women’s rights were identified in both laws and several codes (Family, Civil, Criminal, Administrative offenses, etc.). Several government programs, including “The State Program on Poverty Reduction and Sustainable Development in the Republic of Azerbaijan

for 2008-2015 years”, “The State Program on Implementation of the Employment Strategy of the Republic of Azerbaijan for 2011-2015 years”, “The State programs of socio-economic development of regions of the Republic of Azerbaijan” are crucial in raising the role of women in the political, social, economic, cultural life of the country. The Government of Azerbaijan periodically reports to the United Nations on its accession to the Convention on the Elimination of All Forms of Discrimination against Women. The decrease in the number of recommendations made after the submission of each report indicates that equal opportunities and rights of women in Azerbaijan are increasing year by year to increase the role of women in the political, social, economic, and cultural life of the country and to ensure their international representation.

5.2. Influence of the reforms of the independence period on women’s rights

Even though the development achieved in Azerbaijan in the field of women’s problems is compatible with the universal processes, national identity is also evident. For example, in ancient times, in the prevailing classical patriarchal approaches, there was a positive view of the activity of women in the social and political sphere. The Azerbaijani women achieved certain successes in several areas and the state carries out purposeful work for the further enhancement of the women’s role in the society in our independent republic.

At various development stages of Azerbaijan, many documents were adopted following the priorities of the relevant period in the field of more efficient provision of human rights and freedoms.

In the early years of our independence, oil and gas production was considered one of the key tools to overcome the country’s forthcoming economic and social challenges. In such a situation, the limitations in financial resources made the attraction of foreign companies and investors a strategic necessity. However, the internal controversies surrounding the country, the arbitrariness along with the aggression of Armenia against Azerbaijan evaded the Western oil companies of Azerbaijan. At the same time, the economic interests of Azerbaijan were not fully met in the conducted negotiations.

The negotiations on the oil contract were re-started and, at last, after the difficult negotiation process, the terms of the agreement fully meeting the interests of Azerbaijan were achieved.

The “Contract of the Century” not only allowed the world market

to supply high-quality oil, but also the macro-economic revival of both our country and the entire South Caucasus and assumed strategic importance to some leading western states, as well as to the states of a Central Asian region. Most importantly, this agreement became an important guarantee of the state independence of the Republic of Azerbaijan and ensured its intensive integration into the world community. The Decree "On measures to accelerate socio-economic development in the Republic of Azerbaijan" signed by the head of the state on November 24, 2003, identified the development of a long-lasting strategy envisaging the proper use of oil incomes as one of the most important tasks. The main essence of this strategy was to direct oil incomes to the long-lasting development of the state, to develop the non-oil sector, along with oil revenues and socio-economic development, human rights are one of the key elements of a decent standard of living for the citizens of the country. Surely, along with income from oil and socio-economic development, human rights are one of the key elements of decent standards of living for the citizens of the country.

At the initiative of Heydar Aliyev, a land reform program was prepared in 1996, and a legal foundation was created to realize land reform based on this program. Azerbaijan became the first country to start land reform in the CIS. As a result of Heydar Aliyev's serious efforts, the development of the trade sector in our country brought Azerbaijan to world markets. Since the middle of 1993, because of a consistent and purposeful policy, ensuring social-political stability, preventing the decline in production, and the other measures, a slowdown in the economy has been gradually eliminated and thereby, the foundation of a new stage in the economic development of Azerbaijan has been laid.

Just in those years, an important aspect of economic reforms - the privatization process was successfully implemented. Since 1996, the gross domestic product has grown year by year. An increase in industrial production has been observed since 1997. From this standpoint, an increase in the production of oil refining, metallurgy, woodworking, glass, and porcelain products was much higher. Alongside the development of the industry, special attention was paid to the development of agriculture in the republic. This is the result of this attention that more than 40 normative-legal acts were adopted in the country, the prices for agricultural products have fully stabilized and all barriers to import and export operations were eliminated.

The first Constitution of the independence period laid the foundation for the further development of Azerbaijani society. Heydar

Aliyev said at the last session of the Constitutional Commission: "...I have spent a lot of time preparing this document. I have a right to say that I have been working hard. I have repeatedly examined the meaning of every phrase and every word, and I have repeatedly analyzed its justification for the future. I feel very comfortable with signing under this project and today I declare that I am fully responsible for this project."

The inclusion of the gender factor into a general policy assumes high importance from the standpoint of improving the state's strategies and programs. With the appointment of responsible persons for gender issues, all government agencies and other institutions have improved their activities in ensuring gender equality. As a result, gender problems continue to be included in the policies and programs of these structures. In this case, ministries and the other state organizations gain the opportunity to easily monitor their achievements related to gender problems.

5.3. The National Action Plan on Women's Issues and its main priorities and goals

"The National Plan of Action on Women Issues for 2000-2005 years" has been approved by Order #33 of the Cabinet of Ministers of the Republic of Azerbaijan dated March 6, 2000. The mentioned National Action Plan assumed particular importance in the protection of women's rights. This Plan has been compiled based on the Beijing Platform for Action (BPA), adopted by the Fourth World Conference of UN Women in Beijing, and the Convention on the Elimination of All Forms of Discrimination against Women which Azerbaijan is a party, considering the current situation and priorities of the republic. That Plan was the first special state document in compliance with international standards worked out with the participation of government, non-governmental and international organizations aimed at addressing the problems of women. This document envisages carrying out urgent concrete measures on women's issues in the republic, as well as preparation of state programs. This action plan contains dozens of important measures that are not been fully resolved in the 5 years and do not lose their actuality in the current period.

In general, the National Action Plan covers the following 12 paragraphs:

1. Women and the economy;
2. Women and education;
3. Women and health;

4. Women and violence;
5. Women and armed conflicts;
6. Refugees and IDPs women;
7. Women and human rights;
8. Women and mass media;
9. Women and the environment;
10. Girls;
11. Participation of women in the authorities and decision-making processes;

12. Developing relations with international women's organizations

The State Committee for Women's Issues (SCWI) established an Inter-Governmental Council to implement the NAP and achieve gender balance. The Council consisting of representatives of government agencies (focal points) and women's NGOs carries out coordinating functions. Members of the Interdepartmental Council regularly hold meetings and discuss the implementation status of the NAP and identify the obstacles and ways to solve them.

The National Action Plan gives a separate section to the issues of prevention of all forms of violence against women, women trafficking, and exploitation. The document envisages the undertaking of relevant measures, including bringing of persons guilty of violating women's rights to respond in a manner as prescribed by law.

The National Action Plan covers crucial issues such as issuance and simplification of issuance mechanisms of unguaranteed, concessional, long-term micro-credits to women engaged in entrepreneurial activity with support from state and non-state banking systems, various international aid funds in order to promote entrepreneurship among women; preparation of proposals on organizing the study of the "Gender" subject; also preparation of proposals for inclusion of new annexes and privileges into legislation on the improvement of working conditions of pregnant women and women with infants; carrying out scientific research activities to study the influence of environment on reproductive functions of human beings; learning the problems of single women and women who are the head of the family, and preparing proposals for rendering appropriate assistance to them; taking measures to prevent any sex, race, nationality, religion, social, regional characteristics based forms of violence against women (girls); taking measures by using the opportunities of international organizations to implement the Resolution of the UN Commission on the Status of Women regarding the return of women and children taken captives and hostages a result of the war and to

their returning; the restoration of the rights of women and children subjected to violence during the war and their social and psychological rehabilitation; protection of reproductive health of refugees and internally displaced persons; providing a wide range of medical, social, educational services and the other ones.

5.4. Women's Rights and Gender Issues in the Strategy and State Programs

As you know, State Programs, Strategies, and National Action Plans assume great importance in the field of protection of human rights in the Azerbaijan Republic, including their integral part – women's rights and, generally, in ensuring gender equality, increasing the effectiveness of the measures taken and the more organized implementation.

“The Complex Program on the Problems of Persons with Disabilities or Children with limited Physical Capacities in the Republic of Azerbaijan” was approved by Decision #185 of the Cabinet of Ministers of the Republic of Azerbaijan dated May 10, 1994.

“Adaptation of labor and training conditions to sanitary rules and norms of safety in the enterprises and organizations, educational institutions, preparation and implementation of mitigation measures over the workplace having the number of workers (especially women) involved in severe physical labor and the unfavorable production factors” was included to the list of measures aimed at the social protection of persons with disabilities or children with limited physical capacities as defined by this document.

The Republic of Azerbaijan joined the United Nations Convention on the Elimination of All Forms of Discrimination against Women in 1995 and submits to the United Nations periodic reports on the implementation of this Convention in the country. The purpose of the Law “On Gender (Men and Women) Equality” adopted by Milli Mejlis is to provide equal rights for men and women in all spheres of social life and to eliminate all forms of discrimination based on sexual belonging. According to this Law, through legal, organizational, and other mechanisms the state guarantees the equal representation of men and women in governance and decision-making process, creation of equality of opportunity, ensuring gender equality, and elimination of all forms of discrimination.

By the Order of the Ministry of Education of the Republic of Azerbaijan dated August 7, 1996, “The Statute on rules of keeping professorial-teacher and head of the department in higher educational

institutions” was adopted. Under the provisions of Article 1.8 of that Regulation is not announced for positions for women during pregnancy and childbirth, as well as women with 3-year-olds infants.

The gender issues are touched on in “The Regulations on attestation of pedagogical workers of secondary education schools, preschool, and out-of-school education institutions” affirmed by the Order of the Ministry of Education of the Republic of Azerbaijan dated January 27, 1997. The attestation serves to increase the creative activity of pedagogical cadres, increase their professionalism and initiatives in terms of the requirements of the Law on Education that was in force then, improve the selection and placement of staff in educational institutions, and stimulate work carried out with them. Employees who worked less than one year in the same educational institution, also young professionals who have started to work with an appointment for three years, as well as pregnant women are not included in the attestation. Pedagogical workers on maternity leave for child care can be attested after one year after returning to work. If the staff assigned to the position comes from another school and does not pass the attestation during the first year, as of attended attestation the previous workplace, that result is taken into account.

According to the “The Exemplary Statute of Institutions of Professional Development and re-training of cadres” affirmed by the Decision #77 of the Cabinet of Ministers of the Republic of Azerbaijan dated July 11, 1997, a state guarantees the creation of equal opportunities for men and women in professional development and re-training, student scholarship allocation, selection of curriculum and also knowledge assessment regardless of the type of property. “The State Program on Reforming State Statistical System in 1998-2002 years” adopted by the Decree of the President of the Republic of Azerbaijan dated August 20, 1998, should be mentioned as well.

This program aims to carry out a complex reform of the statistical observation system, full provision of society’s needs in statistical information considering market relations in Azerbaijan through its adapting to transition economy requirements.

According to the Action Plan drawn up under the mentioned Decree, the State Statistical Committee, as well as the Ministry of Labor and Social Protection of Population, was instructed to work out the following international recommendations a system of indicators and methodology on gender statistics (from the standpoint of men and women’s sociological problems).

The “State Program on Protection of Human Rights” was approved by the Decree dated June 18, 1998, signed by the President of the Republic of Azerbaijan Heydar Aliyev considering the goals and objectives following the Decree “On Measures to Ensure Human and Civil Rights and Freedoms” dated February 22, 1998. The Program was approved to increase the effectiveness of measures taken in the human rights protection field following the concrete development phase of Azerbaijan. The program envisaged joining the Republic of Azerbaijan in international human rights treaties; establishing the scientific research institute in this field, ensuring full compliance of the normative legal acts with international standards related to human rights, improvement of legal mechanisms, and further developing cooperation with international organizations in charge with human rights, training of specialists in research and education programs in international institutions and centers operating in this area, observing obligations on human rights and the other issues and the program has been implemented successfully during the previous period.

The social problems of more than a million Azerbaijani refugees and IDPs displaced from their native lands as a result of the Armenian-Azerbaijan conflict became the daily challenges of the Azerbaijani state. One of the enhanced measures taken to solve this problem after Heydar Aliyev returned to the Azerbaijani administration was an affirmation of “The State Program on Solution of Problems of Refugees and Internally Displaced Persons” according to the Decree of the President of the Republic of Azerbaijan dated September 17, 1998. In 1999, for the first time in the world experience, the Social Development Fund for Internally Displaced Persons was organized by the Presidential Decree. Social problems were the issue, first of all, of providing the Azerbaijani refugees or internally displaced persons with living areas.

The Young Family Program (1999-2003) that was affirmed by the Decree of the Cabinet of Ministers of the Republic of Azerbaijan #27s, dated February 16, 1999, consisted of certain provisions regarding the health of young women. The main purpose of this program was to prepare such a system of proposals based on a complex analysis of the problems of pre-marriage and post-marriage problems of each newly-created young family so that the measures to be taken can also contribute to both the happiness of each family and to the country’s progress. The proposed measures were composed of increasing the role of the state in the solution of the problems faced by young people during marrying and family life and helping link the social and family problems of young people in

harmony, finally, stabilization of the family institution, increase of family reputation and values among young people and leading to bringing up a healthy generation. The major directions of the program are determined by the principle of considering the existing problems of the family institute in the republic and the complex solution to the young families' problems. These directions also include the preparation of young people for family life, starting from childhood to marriage, as well as the protection of reproductive health of the young family, strengthening family morality, family's social orientation, child education, and social protection of the family and the others.

"The Demographic Development Concept of the Republic of Azerbaijan" was approved by Decree #290 of the country's President dated December 9, 1999. This Concept has been prepared is based on national interests also taking into consideration the Program of Action of the International Conference on Population and Development held in Cairo in 1994, documents adopted at the World Summit for Social Development conducted in Copenhagen in 1995, and the World Conference on the Status of Women in Beijing.

In compliance with the Decree of the President of the Republic of Azerbaijan "On the implementation of state women policy in the Republic of Azerbaijan" dated March 6, 2000, to practically ensure the equality of women and men, in particular their representation at the decent level in the public administration system, it was decided that women should be represented equally with men at the administration level in all state structures of our country taking into account the type of the institution's activity.

The State Statistics Committee together with the State Committee for Women Issues was instructed to prepare a women's status-related statistical data that meets international standards. The President instructed the Cabinet of Ministers to provide women with equal opportunities with men in the works carried out within the framework of economic reforms in the country guiding the gender policy requirements; to prepare and implement a program for providing them with the job to ensure the employment of refugees and internally displaced women; to analyze existing legislation and put forward the proposals on making appropriate changes and additions to the laws of the Republic of Azerbaijan to strengthen the protection of women's rights. Following this Decree, the Cabinet of Ministers issued a decision on appointing ministries, committees, companies, concerns, and other state enterprises and organizations of persons in charge of women's affairs following the

gender policy requirements within the framework of internal opportunities.

The “Employment Program for Refugee and IDP Women” approved by Decision #176 of the Cabinet of Ministers of the Republic of Azerbaijan dated September 26, 2000, is among the most important documents. Based on this Decision, the set of measures was worked out for the implementation of the following for refugee and internally displaced women:

- Creation of sewing, textile workshops, and other production areas;
- Allocation of land areas and employment of work-capable women as provided by the legislation for temporary use and rent;
- Working out and implementing pilot programs following local conditions to ensure self-employment;
- Organization of issuing relevant loans for individual employment;
- Giving priority by state employment agencies to providing suitable employment for refugee and internally displaced women taking into account the level of female unemployment;
- Implementation of training of women with competitive professions and specialties in the labor market;
- Organization of paid public works in areas of compact settlements, especially in tent camps, involving more women;
- Giving preference for job placement in refugee and displaced women in job fairs, and Labor Exchange services;
- Provision of women with special jobs determined by quotas in enterprises and organizations;
- Involvement of international humanitarian organizations, public organizations in addressing women’s employment problems, and others.

Stable growth rates observed in the economy since the end of the last century ensured social development of the country and created favorable conditions for raising the living standards of the population, opening new jobs, and increasing employment. Just in these years, significant successes were achieved in strengthening the social protection of vulnerable strata of the population, and the economic and social problems that emerged in the initial phase of the transitional period started to be resolved. Important steps taken forward in establishing market economy relations, developing entrepreneurship, and creating a favorable business environment made it possible to achieve progress in the labor market and employment sphere.

The provisions of the legal, economic and organizational basis of the state's employment policy in the environment of new economic realities were reflected in the Law of the Republic of Azerbaijan "On Employment", adopted on July 2, 2001, and in the Decree of the President of the Republic of Azerbaijan dated August 9, 2001, on the application of this Law. Implementing those provisions played an important role in shaping the means and direction of the state policy in the development of employment of the population with increasing the importance of this policy in the labor market regulation in the country, also in the creation and improvement of the relevant institutional environment.

Strengthening the state employment policy in the Republic of Azerbaijan at the contemporary stage is directed at the solution of existing problems and ensuring efficient employment of the population. Alongside the measures undertaken in the sphere of opening new jobs and social protection of temporary dismissed workforce, the issues of the adaptation of the mechanism of the labor market to the rates and characteristics of socio-economic development at the modern level, more benefiting the country's labor potential are in the center of state's attention.

The "Employment Strategy of the Republic of Azerbaijan (for 2006-2015 years)" was approved by Decree #1068 of the President of the Republic of Azerbaijan dated October 26, 2005. The implementation of the first phase of the strategy that covered the 2006-2010 years resulted in a noticeable reduction in the unemployment rate, strengthening the social protection of the unemployed, and vulnerable strata of the population. In addition to this, relevant measures have been taken in the field of improving the labor market, qualitative improvement of labor resources, raising competitiveness, and creating favorable conditions for raising economic activity.

The second phase of this program covered the 2006-2015 years and it embraces the stimulation of demand in the labor force, the formation of an effective business environment, the deepening of structural reforms, further increase of investment activity, and ensuring a high level of human capital. Several tasks were set up with the mentioned State Program.

The further strengthening of macroeconomic stability in the country in the field of macroeconomic policy and entrepreneurship development, maintaining inflation at an acceptable level, a realization of measures to increase the competitiveness of domestic industry products in the world market, expansion of regional economic relations, and maintaining in the focus of attention direction of a portion of revenues

from oil exports at human development are envisaged by the program. To achieve these goals, the following tasks have been implemented:

- Creating necessary conditions for the development of entrepreneurship, in particular, of small and medium-sized businesses, self-employment of the population;
- Support the investment activity ensuring the effective development of employment;
- Strengthening the social protection of employed and unemployed citizens, realize the measures to legalize informal labor relations;
- improving the institutional infrastructure for strengthening the dynamic balance between demand and supply in the labor market;
- Adaptation of the personnel training system, including the professional training and development network, to the dynamically developing labor market requirements.

Paragraph 3.7 of the Employment Strategy outlines the provisions for the development of socially vulnerable groups, including employment development.

Thus, special attention should be paid to assisting women in the field of employment, and the following are carried out in this field:

- Increasing the employment of women through the development of social infrastructure-oriented work, the revival, and development of folk-applied art, as well as the creation of tourism and recreation zones;
- Organization of the vocational training courses for unemployed women within flexible programs to improve self-employment;
- ensuring gender equality in the improvement of small entrepreneurship;
- Providing necessary assistance to women for the development of their entrepreneurship;
- Wide application of flexible forms of employment (part-time work day and week, changeable work schedule, work at home, etc.) to create additional jobs for women;
- Economically stimulating the determination of jobs for women with children in the manner as prescribed by law.

The Employment Strategy of the Republic of Azerbaijan targeted addressing these issues, covering 2006 to 2015 years. The Strategy is based on the Decree of the President of the Republic of Azerbaijan “On measures to accelerate socio-economic development in the Republic of Azerbaijan” dated November 24, 2003, as well as on the State Program “On the Socio-Economic Development of the Regions of the Republic of Azerbaijan (for 2004-2008 years)”, approved by the Decree of the country

President dated February 11, 2004, and is linked with the “State Program on Poverty Reduction and Sustainable Development in the Republic of Azerbaijan for 2008-2015” approved by the Order of the President of the Republic of Azerbaijan dated September 15, 2008, identified the bases of employment programs in our country for increasing the number of female consultants in, restoration of traditional production areas where women work, especially in the regions, improving the statistics on women, etc.

The use of information and communication technologies to address gender problems was identified as a priority direction in the National Strategy for Information and Communication Technologies for the Development of the Republic of Azerbaijan dated 17 February 2003 (2003-2012).

Realization of the strategic task put forward in the “State Program on socio-economic development of the regions of the Republic of Azerbaijan (for 2004-2008 and 2009-2013 years) and in the Decree “On the measures to accelerate socio-economic development in the Republic of Azerbaijan” became a significant stage in the realization of a task of comprehensive development of Azerbaijan and its transformation into an economically powerful state.

That program was approved by the Decree of the President of the Republic of Azerbaijan Ilham Aliyev on February 11, 2004, and continues its implementation.

This program assumes exceptional importance for the comprehensive socio-economic development of the country. A turning point in the socio-economic development of the regions was achieved as a result of the restoration of production facilities and creation of new industrial objects, the organization of the necessary infrastructure for the development of the regions, benefiting from intensive methods in the agrarian sector, creating favorable conditions for attracting investors to the regions, opening of new workplaces, carrying out other complex measures.

As a continuation of the purposeful policy launched in 2004 in the area of comprehensive development of regions, the “State Program on Socio-Economic Development of the Regions of the Republic of Azerbaijan for 2014-2018 years” was worked out and approved by the Decree of the President of the Republic of Azerbaijan dated February 27, 2014. The implementation of this program is of high importance for the development of the country’s economy and it plays a crucial role in ensuring macroeconomic stability, expansion of entrepreneurial activity in the regions, also of creating new businesses and workplaces,

implementation of large-scale infrastructure projects, as well as in increasing the level of utility services, ultimately improving the welfare of the population and reducing poverty.

The socio-economic development of the regions determines the main directions of economic policy of some countries. From this standpoint, the socio-economic development of the regions is realized in Azerbaijan as a result of economic diversification and other reforms in the country.

The socio-economic development of the regions is desirable to be approached from the aspect of the “Azerbaijan 2020: Outlook into the Future” Concept of Development and also the reforms carried out in Azerbaijan for diversification of the economy.

Improving the quality of care rendered to mothers and children is one of the main priorities of the state's social-oriented policy. Important measures were implemented in this area in recent years. The “Mother and Child Health Program” was approved by Decree #211 of the Cabinet of Ministers dated September 15, 2006. The following issues are covered in this Program:

Conducting monitoring and analysis of results of activity of mother and child health protection service in the cities and districts of the Republic of Azerbaijan; working out proposals for bringing legislative acts in the area of reproductive health, mother and child protection in compliance with recommendations of the World Health Organization; carrying out of scientific-practical conference and workshop for studying of international practice for the application of new treatment and diagnostic methods on obstetric pathology; expansion of sanitary-enlightenment work among the population, organization of special radio and television broadcasts on reproductive health and family planning.

The State Program on Maternal and Child Health Protection, as well as the programs on provision of newborns with “Electronic health cards”, and “Immune-prophylaxis of infectious diseases” played an important role in the protection of mothers' and children's health. The creation of seven prenatal centers, the construction or reconstruction of new pediatric hospitals, as well as other measures are examples of special care for this area. As a result of such measures undertaken in our country during recent years, positive dynamics have been observed in the indicators characterizing the health status of mothers and children. The main objectives set up by the program are as follows:

- Ensuring the protection of reproductive health of the population and safe motherhood;

- Improving the training and professional development of medical personnel working in maternity and gynecology;
- Organization of republican and inter-regional prenatal centers;
- Strengthening the material and technical basis of medical institutions providing maternity and gynecological and pediatric services and supplying them with modern diagnostic and diagnostic equipment;
- Improvement of gynecological and neonatal care services;
- Improvement of pharmaceutical supply of obstetric care facilities.

As a result of implemented measures, maternal and infant mortality rates decreased in the republic. Thus, if the maternal mortality rate was 34.2 per 100,000 in 2006, this figure was 14.4 in 2015. The infant mortality rate dropped from 11.9 to 11 per 1,000 live births per those years. Nevertheless, there are still problems in the field of protection of maternal and children's health in our country. The “Azerbaijan 2020: Outlook into the Future” Concept of Development it was envisaged the adoption and implementation of the “State Program on Maternal and Child Health Improvement for 2014-2020 years” and this program was approved by the Decree of the country's Presidential dated June 13, 2014.

The purpose of the State Program is to improve the quality of treatment and prophylactic care provided to women and children in our country and to further improve their health status.

The “Concept of State Support to Non-Governmental Organizations of the Republic of Azerbaijan” was approved by Decree #2288 of the President of the Republic of Azerbaijan dated July 27, 2007.

This concept defines the basic principles for launching a new phase of the NGO sector development in the country.

One of the most important steps toward the support and development of civil society in Azerbaijan is reducing the dependence of non-governmental organizations which are one of the leading elements of civil society on foreign donors and formation of the mechanism of state transformation into the main donor for these organizations. Thus, in the past few years, NGOs operating in Azerbaijan could only receive financial support from foreign donors, international organizations, and foundations to realize their initiatives. The partnership between the state and the NGOs has not developed so much. Finally, after extensive public debates, and learning the international experience in this area, the issue of establishing a mechanism for state-NGO partnership has been resolved in Azerbaijan, as in many developed European countries. Increasing the

economic opportunities of Azerbaijan opened doors for state funding of NGO-proposed projects, of initiatives useful for various social-public aspects of life.

After the discussions on the concept in the public sector, the Council of State Support to Non-Governmental Organizations under *the Auspices of the President of the Republic of Azerbaijan* was established by the Decree of the President of the Republic dated December 13, 2007, the Statute of the Council was approved. Later, members of the Council were elected by transparent elections among NGO representatives and the mechanism formed for state support to NGOs has been applied since April 2008. Giving preference for programs and projects submitted by non-governmental organizations on the social, physical, and moral development of children, women, and youth in this Concept, was included in the priority areas of state support to non-governmental organizations.

To continue the positive measures observed in the economic and social life of our country, including improving the well-being of the population and reducing poverty the “State Program on Poverty Reduction and Sustainable Development in the Republic of Azerbaijan for 2008-2015 years” was approved by the Decree of the President of the Republic of Azerbaijan dated September 15, 2008. The State Program reflects the key 9 strategic goals. Thus, maintaining macroeconomic stability and ensuring sustainable economic growth by balancing the non-oil sector, expanding the opportunities of the population for income, reducing the social risk of elderly people, low-income families, and socially vulnerable groups, continue the measures to improve the living conditions of refugees and internally displaced persons, improving the quality of education and health care, social infrastructure development are among the main strategic directions of the State Program. The measures reflected in the following provisions relevant Action Plan (2008-2010) approved in Appendix #1 to the State Program - 1.4.3.6 (Supporting entrepreneurial activity of youth and vulnerable population groups (women, the disabled, IDPs), 2.1.5.1 (Preparing and implementing action plan to improve women’s competitiveness in the labor market, develop their business skills and self-employment and arrange re-training of women), 2.1.5.2 (Developing business training programs for women to stimulate their participation in entrepreneurship), 2.1.5.3 (Strengthening state and public oversight aimed at improving working conditions and social protection of people (especially women) employed in the private sector), 3.5.1.6 (Conducting an assessment of the obstacles to increasing women’s participation in decision-making), 3.5.1.9 (Organizing National

Women's Congress), 3.5.1.10.2 (Conducting public awareness campaigns to eliminate misconceptions about women's role in the religion), 3.5.1.10.3 (Conducting debates on "Violence against women is a violation of human rights"), 3.5.2 (Strengthening the fight against gender-based violence, violence against children and human trafficking), 3.5.2.1 (Improving legislation on gender-based violence and violence against children), 3.5.2.2 (Developing a reliable mechanism to monitor gender-based violence and violence against children), 3.5.2.3 (Conducting an assessment to define the causes of gender-based violence and violence against children and the obstacles to prevention of such cases), 3.5.2.4 (Strengthening activities to reduce early marriages), 3.5.2.4.1 (Undertaking an assessment to study social-economic factors influencing the marriage age), 3.5.2.4.2 (Strengthening fight against violations of the current legislation and improving public supervision to reduce the number of early marriages), 3.5.2.5 (Developing capacity of the relevant structures (law enforcement, health, social services, education, migration and Mass Media) which deal with detection, prevention and elimination of gender-based violence, violence against children and human trafficking cases), 3.5.2.6 (Providing public awareness on possible risks and consequences of women's employment abroad), 3.5.2.7 (Ensuring implementation of National Plan to Combat Human Trafficking in the Republic of Azerbaijan), 5.2.11.3 (Collecting and publishing data on percent share of women among the IDP population), 5.2.11.4 (Collecting and publishing data on the number of cases of violence against women or children), and 5.2.11.5 (Developing capacity in the relevant bodies to improve a system of the collection, analysis and reporting of gender-disaggregated data) have been implemented over the past period.

Several state programs, including the "State Program on Poverty Reduction and Sustainable Development in the Republic of Azerbaijan for 2008-2015 years" had a positive impact on the role of women in the political, social, economic, and cultural life of the country.

Bu ratifying the UN Convention against Transnational Organized Crime a Palermo *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing the mentioned Convention on May 13, 2003, the basis of anti-trafficking activity in the Republic of Azerbaijan was laid. On May 6, 2004, President Ilham Aliyev approved the first National Action Plan covering trafficking in persons from 2004-to 2008 years. The second National Action Plan for 2009-2013 was adopted with the purpose of effective implementation of the principles of the international treaties to which the Republic of Azerbaijan

is a party, to the rights and obligations arising out of the existing legislation. The third National Action Plan for the 2014-2018 years was also approved by the Decree of the country's President signed on July 24, 2014, and civil society representatives and international organizations along with 27 governmental bodies were involved in its execution.

Despite the persistent efforts of the world community, human trafficking remains one of the most pressing challenges of modern times. Azerbaijan is among the leading countries in the region in preventing human trafficking and one of the most active and progressive. Great activity was realized in the direction of prevention of relevant crimes, protection of victims, restoration of their rights, ensuring social rehabilitation, and secure repatriation.

5.5. Protection of women's rights in the National Program for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan dated December 27, 2011

The National Program for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan affirmed by Order #1938 of the President of the Republic of Azerbaijan Mr. Ilham Aliyev dated December 27, 2011, is a strategic document on human rights. This document was adopted to ensure the continuity of measures to increase the efficiency of human rights and freedoms protection, to develop the legal culture, to improve the legal framework and the law-enforcement system taking into account new priorities for more effective human rights and freedoms.

Certain parts of this Program are devoted to the protection of women's rights. For example, the provisions on women's rights protection are reflected in Para.1.2.9. (Improvement of labor legislation related to labor rights of working women and workers with family responsibilities taking into consideration the obligations arising from the Conventions of the International Labor Organization "On the protection of motherhood" of 2000 and "Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities" of 1981), 2.13 (Increasing the competitiveness of women in the labor market, development of private entrepreneurship among the women, arrangement of courses for the women for acquiring new professions) and the other paragraphs.

This also should be mentioned to the point that the Commissioner for Human Rights of the Republic of Azerbaijan is guiding the Working Group on Coordinating the Implementation of the National Program for

Action and the group's activities are regularly reported to the President of the country

This should be mentioned that this Program, a logical continuation of the National Action Plan on Protection of Human Rights successfully implemented in 2006, has identified new directions. Without a doubt, the implementation of this Program contributes to the adoption of more effective social programs across different sectors for the improvement of welfare of all, especially vulnerable groups of the population, in particular the strengthening of national solidarity, preserving internal stability, improving democratic governance, strengthening the statehood, and has created a basis for further growth of the image in the world.

5.6. The gender equality in the “Azerbaijan 2020: Outlook into the Future” Concept of Development

The President of the Republic of Azerbaijan has signed an Order on the preparation of the concept of “Azerbaijan 2020: Outlook into the Future” dated November 29, 2011. With this document, Azerbaijan has entered a new phase of development. The main goal of this phase is to create a multidimensional, productive, and innovation-oriented economy, to provide sustainable development in the social sphere and to bring the welfare of the population to a decent, advanced international standard, as well as the development of science, culture and new achievements in all aspects of public life. Highly qualified specialists of the relevant state bodies and scientific organizations of the Republic of Azerbaijan were involved in the process of drafting the Concept of Development, also effective cooperation with the United Nations Development Program and other international organizations was realized to benefit from the world's best practice in this area and the participation of civil society institutions was ensured. On December 29, 2012, the head of state signed Decree on Approval of the “Azerbaijan 2020: Outlook into the Future” Concept of Development. The “Azerbaijan 2020: Outlook into the Future” Concept of Development is a strategic document of high importance. In the perfect concept, no sphere is left out of focus of attention, a substantial development program was put forward on poverty reduction, increased employment level, social protection of vulnerable groups, entrepreneurship development, creation of a high-quality education system, reducing the use of natural resources and other issues. To achieve these goals, the application of the most up-to-date methods of governance based on sophisticated scientific principles and a longer-term strategic approach is required. Reflecting on the concept of such issues as the

efficient management system based on science and development planning and management, sustainable growth, environmental civilization, and other aspects increases its importance.

The “Azerbaijan 2020: Outlook into the Future” Concept of Development can be regarded as a roadmap for sustainable development. This document covers the intention to increase the competitiveness of the economy of Azerbaijan in the forthcoming years, improve transport, transit, and logistics infrastructure, balanced development of regions, transition to an information society, human capital development, effective social protection system, the continuation of institutional reforms and environmental protection. Paragraph 7.4 of the Concept is dedicated to gender equality and family development matters. It says that the gender problem in the country will remain at the center of attention and appropriate measures will be taken to resolve it. The main direction of the state policy in this sphere will be to take measures to prevent gender violence, create equal opportunities for women and men in the labor market, promote women at work and expand their opportunities to occupy leading positions. The strengthening of the social security and protection of mothers and children, the facilitation of childcare for working parents in compliance with the ratified international Labor Organization Convention “On Workers with Family Responsibilities”, increasing the number of kindergartens, and the development of the family planning service will be supported.

The difference between the concept and the essence of the scope covered by the international experience is that those long-term strategic documents reflect more socio-economic targets, and this Concept contains a vast majority of issues facing our society

Several special documents were adopted to implement the above tasks. In this connection, the Strategy of the Republic of Azerbaijan on Children for 2020-2030 years has been approved by the relevant Decree of the President of the Republic of Azerbaijan in 2020; it is planned to draft “Azerbaijan’s family strategy”, a national action plan on gender equality, a Children’s Code and others, as well to improve the legislation in this field in further. Along with that, an institute of “family psychologists”, help centers, and other shelters for women subjected to domestic violence, and a system to monitor evasion of education and early marriages will be created.

Generally, there is a need for such adoption of such a document that reflects the goals and principles of the long-term development of each country. From this meaning, the “Azerbaijan 2020: Outlook into the

Future” Concept of Development is a strategic document of great importance in the standpoint of achieving the objectives. Azerbaijan has great opportunities to realize the goals envisaged in the Concept and the implementation of the issues reflected here will ensure the country’s rapid development. This Concept is the beginning of the new great achievements of the Azerbaijani state and its citizens.

Questions for students’ knowledge assessment:

1. The provision of women’s rights during the Soviet period.
2. How does the socio-economic situation affect women’s rights?
3. Women’s rights during the independence period.
4. Which State programs assume importance in the field of women’s rights and gender equality?
5. Which areas does the National Action Plan on Women’s Issues cover?
6. Determination of women's employment problems in the Employment Strategy.
7. What are the main tasks of the State Program on Maternal and Child Health?
8. Work done to improve the welfare of refugee and internally displaced women.
9. Gender Equality in the “Azerbaijan 2020: Outlook to the Future” Concept of Development.

LECTURE 6.

THE ROLE OF WOMEN IN DECISION-MAKING PROCESSES AND SOCIAL ACTIVISM

6.1 The role of women in public administration, emancipation

6.2 Types of state policy concerning women

6.3 Women's leadership

6.4 Expanding opportunities for women

6.5 Women entrepreneurship

6.6 Role of women in decision-making processes and their social activity in the Republic of Azerbaijan

6.1. The role of women in public administration, emancipation

When analyzing this topic, first of all, it is necessary to consider the concept of "state". Detailed information is provided on this concept in the theory of law and constitutional law.

The law is a system of certain rules of behavior that is formally defined by a state and expresses the will of the people. The historical necessity of the law derives from the constant development of social relations, the progress of the economy, and the need to regulate these relations with norms common to all. The law acts as a means of exercising the functions and tasks of the state. In other words, if there is no state, there is no talk of the existence of the law.

State and law are two complicated social events that interact with each other. As a result, both of them form out of a unique economic basis, serving this basis through its strengthening and safeguarding. Hence, they have the same goals and objectives, and also the same social status.

The mutual influence of a state and law is expressed in their dependence on one another. A state uses the law as a means of exercising its functions and responsibilities. In its turn, the law depends on the state for both its establishment and implementation.

The essence of a state is characterized by the following characteristics:

- The state is a mass power with a special enforcement apparatus;
- The state is characterized by the territorial division of the population;
- The state orders are all-mandatory for the entire population;

- The state is a sovereign organization of government (sovereignty is distinguished by its state sovereignty and national sovereignty forms).

The state directly creates legal norms in the process of the law-making activity. In addition to the law-making function, the State also exercises its legal execution and law safeguarding functions.

Equally, to men, women also had invaluable roles and contributions in the development of human civilization and reaching today's contemporary level. There is no sphere of social life where success and prosperity are achieved without women's activity in it. However, glancing at history, we can see that at different stages, depending on the attitude of women, the role of the weaker sex in society was also various. Because the role of women in community life was depending on current socio-political conditions and attitudes towards them and it has been manifested in different manners in different civilizations and societies. Despite this all, the role of women in society, and their involvement in social and public life has always been pointed out as a social problem that impelled humanity.

The participation of women at the decision-making level and their social activity depends on the approach of the government to this issue.

Power can be characterized as a means of bringing people's behavior and activity into the will of the whole society and of particular social groups by any method (will, influence, law, a system of government agencies). Power is an integral part of any human relationship. The re-division of competencies in the society, as well as changing their nature for representation of women in power is one of the main goals. The long-lasting struggle for women's equal rights is a sample of their desire to enter political power. This is not just to share power with men, but also to estimate properly its value.

Former UN Secretary-General Kofi Annan noted that alongside being a development goal, gender equality is an important term for poverty reduction, achieving sustainable development, and good governance.

Women's emancipation

Emancipation (lat. *Emancipatio* – freeing from dependence) - freedom from dependence, lack of restriction, equality in rights. Women's emancipation is a process of their social differentiation as of special social group and women's social mobility in connection with coming from a special field to a common one. The term appeared in the middle of the XIX century and the primary meaning of this term included the movements to be saved from the subordination or pressure, to abolish

restrictions on sexuality, and to achieve gender equality. The purposes of this type of movement were directed at the change of existing social position in women's social status - achieving equal rights in salary, education, etc. These processes are accompanied by the formalization of the women's movement as a social movement.

Women's emancipation is linked to their experience of living in a commonplace, the practice of presenting themselves as individuals, and gaining experience in putting forward their interests in society. Since the mid-XIX century, Western European women have already had the experience and habits listed earlier. The experience of social struggle with the ability to be independent in a commonplace enabled Western European women to start fighting for their rights. This struggle was organized through a special organized women's movement that turned into suffragism in the XIX century. Women's emancipation occurs at different levels:

- 1) At the legal level – obtaining rights and opportunities equally with men;
- 2) At the social level - through the differentiation of women as a special group differing from the other social groups and through learning the practice of protecting their rights;
- 3) At the individual level - understanding the values of women's personalities.

In the XX century, as a result of an acceleration of economic development, during the globalization process in the world, several countries actively involved in international relations increased. Therefore, the problems of women began to be discussed at the international level, leaving the framework of Europe or other regions.

After the Third World Conference on the Status of Women held in Nairobi in 1985, as a sign of political strategy to promote women's interests, the rise of women's opportunities and their influences in various fields has displayed in such a concept as "empowerment".

Concept authors of this period identified "power" as the right to control the broad possibilities and allocation of resources of social life, the ability to make decisions, and to have the potential for transformation in all fields of activity and at all levels.

To achieve gender equality in the preparation and adoption of decisions at different levels of public and social administration, concrete efforts are required from the state, political parties, and civil societies. The state determines gender policy with laws or other mandatory instructions.

6.2. Types of state policy concerning women

The state policy concerning women is a part of general social policy touching upon the interests of women who are a big social-demographic group, forming their legal and social status and regulating interrelations with the society. The state policy concerning women has a concrete historical character. Its content and efficiency depend on, first of all, on the notion of “women's issue” dominating the society and the political elite, on the ideology of attitude towards women; secondly, on the type of the economic relations and the level of socio-economic development of the state; thirdly, on the nature of the political regime, the level of democracy in the state and society; fourthly, on the position and initiative of the authorized structures of the state policy actors, political parties and social movements.

There are several types of state policy concerning women. Each of them is based on a certain gender model of society: patriarchal state policy regarding women, paternalistic state policy regarding women, and liberal-type state policy regarding women. The vast majority of state measures carried out within the framework of the above-listed policy types refer to the specific needs of women, primarily as a social and demographic group, and are aimed at strengthening their status features to alleviate gender asymmetry in society.

Thus, the “woman” state policy touches the interests of a part of society and does not even take into consideration the malefactor, even when it is intended to equalize the status of the sexes.

Within the frames of the *paternalist* type of the state policy about women, state protectionism is applied toward them. The following are typical of this type of policy:

- Recognition by a state of the legal equality of the sexes, the adoption of legislation ensuring the equality of rights of men and women in all spheres of social life, family relations, and marriage;
- Improvement of service rendering spheres to create conditions for the consolidation of women’s reproductive, productive, and family roles;
- Creating a social protection system for women in a form of privileges, allowances, child-birth or child-care vacancies, limitations on women’s labor, etc.

A gender-based system uniting models such as “contract for working mother” or “working alone based on state care for children” lies on the grounds of this type of policy. The paternalistic state policy is inherent to the social structure based on the Marxist-Leninist ideology,

where a state plays a key social, sovereign role and adds to its concept of “constant care for women’s specific interests”. In the works of Russian scientists, it is justly noted that the state protectionism ideology concerning women means “social weakness” and it leads to the repetition of the patriarchal system in gender relations.

The *liberal-type* public policy about women is the type of policy that is based on the model of the sexes’ interrelationships, which takes into account women’s interests in society. It is characteristic of these models, a balance between the status, opportunity, and rights of women and men in general and specific spheres, on the one hand, and, discrimination based on sexual features, occupation, politics, administration, and other fields on the other one:

- ensuring full employment of women in wages paid;
- avoiding the participation of women in high circles of state and political power;
- emphasizing that the functions of child care and upbringing are a function of the family at first and foremost and that the state does not participate in supporting the reproductive functions of women;
- promoting the image of a non-independent, housewife in the mass media.

This type of a state policy can be found in post-industrial or economically developed countries where there are contradictory processes: thus, economic development pushes women’s involvement in professional spheres, however, at the same time, the gender roles ideology causes women to attach to the role of a traditional housewife.

An *equalitarian* state policy is primarily a policy reflecting the principle of creating equal conditions for each individual to realize him/herself in all spheres, irrespective of sexual belonging.

Usually, when talking about an open society its two statements are distinguished – Henri Bergson’s (1859-1941) “elite concept” and Karl Popper’s (1902-1994) “equalitarian concept”. The first envisages an antagonisms-free ideal social organization based on international humanitarian unity, universal, anti-utilitarian morality, freedom, the creativity of personality, solidarity, and humanism. The important provisions of this concept are given in H. Bergson’s work “Two Sources of Ethics and Religion”. This work is his latest work and was published in 1932. We should mention that Henri Bergson was awarded the Nobel Prize Laureate in Literature in 1928.

The common existence of the national tendencies and state foundations and national and universal elements were achieved within

this system. Liberalism has brought a certain dynamic spirit and conservatism has protected this spirit from deviations. Social democracy tried that the equalitarian principles that mean the principles of the legal equality would not be forgotten. The unique public administration abilities of Heydar Aliyev were that he skillfully used this ideological coexistence (without adaptation and partial interchangeability) in the building of independent and democratic Azerbaijan.”

The main directions of an equalitarian policy are the following:

- Equal participation of women and men in all professional spheres, including state governance;
- Setting up such conditions that would maximum discharge family members' from carrying out daily housework;
- Expanding state benefits with regard the children-care for both parents;
- Providing equal access to education for both sexes is an important condition for achieving gender equality;
- Eliminating the existing negative stereotypes regarding the traditional roles of men and women in the society, also establishing a relevant public opinion on gender equality;
- Establish a system of training of state officials at all levels, allowing leaders and specialists to understand the essence of gender equality.

The “economic growth” jointly with the “fair share of revenues” leads to the dispute of *equalitarian* and *utilitarian* models in the philosophical sense of the welfare of society. According to the followers of the utilitarian model, while the most important criterion is to increase the overall income of the community, the equalitarian model followers consider increasing the income of the poorest as the most important target (on the condition that the poorest strata do not exceed the rich).

The US model of liberal development derives from a utilitarian approach and the Swedish classic social model comes from an equalitarian one. This should also be noted that from the mathematics perspective, the most advantageous division is the maximization of income of each stratum in particular. This means multi-dimensioning. Thus, attempts are made to unite criteria in a particular manner. If the income of the various layers of society is considered in total as a single criterion during the distribution of gross revenue and if this amount is maximized, then it is based on that utilitarian approach. On the other hand, if the benefit of the least beneficiary strata is maximal as the combined criterion, then an equalitarian approach is exploited.

The equalitarian policy is based on a comprehensive approach to gender equality issues as a new strategy to achieve gender symmetry in society in the XX century. In the European countries, this strategy is called “gender mainstreaming”; in Russian sociology, the terms equalitarian policy or gender equality are used following this type of policy. Equalitarian policy refers to the “two heads of the family” model symmetrically incorporating women and men into all aspects of public life. Implementation of this type of policy requires the existence of a legal framework, elimination of discrimination on sexual features, establishing committees and councils, the opening of departments or divisions dealing with issues of sexual equality in each ministry, conducting scientific research on gender problems, and establishing a reliable, objective statistical data-base that reflects the status of both sexes. The equalitarian policy strategy proposes completing traditional politics-related women as a specific social and demographic group of the population, rather than their changing.

6.3. Women’s leadership

Women’s leadership is the participation of women in process of working out and adopting decisions at different levels of government and social administration. Concrete efforts are required from the state, political parties, and civil society organizations with the purpose to achieve gender equality in the decision-making process. The state determines gender policy through the laws or other compulsory instructions. This should be noted that leadership has different notions. For example, leadership is the support and management of the activities of others to achieve individual or group goals under certain circumstances.

A leader is a person who can manage, influence, give good examples, and show correct ways. A leader is a person who behaves cleverly intending to direct what is useful to society. The leader uses his power properly and influences the people around him. He/she can stand behind the consequences of his decisions whenever it is required.

It is important to emphasize the importance of women’s leadership here. The forms of women’s leadership: political, economic, and social.

In the *political form*, women are represented in higher and domestic legislative and executive bodies of state power, including as well as the representation of women’s leaders, and political parties in the management of such international organizations as the UN and others.

The *economic form* is the head or leading positions of women in

national government agencies, departments and facilities, international and regional financial institutions dealing with economic issues, including their working as heads in offices, enterprises, and organizations, and as officers in international and regional financial institutions with high management skills.

The *social form* of women's leadership is a women's representation in civil society, municipality bodies, NGOs, and media.

According to the UN *Convention on the Political Rights of Women* (1953) "Women shall be eligible for election to all publicly elected bodies, established by national law, on equal terms with men, without any discrimination" (Article 2), "Women shall be entitled to hold public office and to exercise all public functions, established by national law, on equal terms with men, without any discrimination" (Article 3).

The Convention on the Elimination of All Forms of Discrimination against Women adopted in 1979 by the United Nations sets an obligation before all states to ensure equal representation of women on equal terms with men in preparation and implementation of state policies and to provide equality of wage opportunity for women. The Platform for Action of the Fourth World Conference of Women (Beijing, 1995) this is envisaged that equal participation of women and men in decision-making is needed to strengthen democracy and promote its proper functioning.

In ancient Greece, the national government idea and practice that emerged in the Athens Polis did not require the participation of women who were not considered citizens previously. Religion and all evolving social processes - the great cultural renaissance, revolutions, and the law about the rights were more the focus of men's interests.

Only at the end of the XIX century, did the process of empowering the women with the right to vote together with men got started. However, women's leadership and the problem of the women-men partnership remain unresolved in the policy of the majority of countries, despite how long the women have gained the right to vote. Unlike men, there are real but invisible obstacles that drive out the women leaders who are trying to reach the peak of success.

To change the situation, many organizations in the United States and Western Europe implement a policy called the "Equal Opportunities Policy" under the pressure of social opinion. However, it is understood that this policy is met with resistance by male staff in the workplace.

Obstacles to the socialization of sexes play a crucial role in the direction of women's leading positions: the majority of people do not see

the existence of social injustice in the fact that women have a lower political status. Even though women leaders are not distinguished from their male colleagues for their leading features, there are constant perceptions about their inability to act as leaders.

The socialization of women in different countries of the world occurs in a such manner that this hampers the development of their special ambitions enhancing their career and political commitments. Non-governmental organizations became leadership schools for women. There is no such confrontation among opponents in NGO membership because NGOs are not engaged in political activities.

The superiority of men in the decision-making process results in the fact that the interests of women are not taken into consideration. This makes even weaker their already inequalities of positions and prevents the change of existing gender roles. Promoting women at all levels of the decision-making process requires the working out of strategies requiring efforts of both the women and the government.

Considering all this, this should be mentioned that social thought differences lead to forced implementation of gender hierarchy and division of power by gender. For human rights protection, this is not sufficient for the state and its institutions to write laws and formulate their effective enforcement mechanisms in this area, this is also essential that people are interested in this and they have abilities in this direction. If women do not know their rights, they can neither protect, obtain, nor use them. Additionally, to this, legal ignorance of women results in the arbitrariness of state bodies and the inactivity of legal structures. If citizens do not play a strong role in managing the democracy, civil society, the development of a legal state, local self-governance, and society then there can be no talks about any perspectives.

A low level of justice in the thoughts of people, of legal literacy of the citizen, is a very serious and hardly eliminated obstacle in the path to building a legal state and civil society. The experience of some countries shows that in the process of implementation of laws discriminating against women is observed in many cases. The main reasons for this are:

- The names of women are not listed in the list of possible candidates during the elections, their financial and organizational and information resources are insufficient;

- The female candidates are forced to go to the polls not with a party list but as independent candidates, which leads to restrictions on their resources.

But what are the bases for the involvement of women participating

in a public-political life and decision-making process?

- Quantitative and qualitative influence of transition to democracy and market economy on the participation of women in public-political life and representation;

- Fundamental and personal kind obstacles at a local level to the representation of women in public and political life;

- What innovations do women bring to the social and political life in comparison with men and what are the peculiarities of women and men at the social-political level;

- with this purpose, social structures, political parties, and trade unions should determine what advice they need to increase the women's role in issues of local importance.

There are 5 main arguments put forward in the western literature basing the active participation of women in social-political life: sexual equality; bases of the legitimacy of the political structure; difference of interests; a new perspective on social policy; more effective use of human resources.

Sexual equality requires legal equality realization of universal human rights. *De facto* and *de jure* equality of sexes should be a fundamental human right. This right is reflected both in the national and the international legislation. Women constitute half of the population and they should be proportionately represented in a social-political life.

The *bases of the legitimacy of the political structure* are to observe the principles of representative democracy. In a democratic environment, this envisages the control and investigation of whom people are represented and what decisions are issued on their behalf. Both statistics and the results of our research prove that there is a men's monopoly in municipal policy. Although women's representation is sufficient, the existing municipality bodies have not yet succeeded to meet the interests of a whole society.

The difference in interests. As a special group, the women have different interests for the following reasons:

a) Historically, women did not have any (political) rights for a long time;

b) Women in the labor field are subjected to the discrimination in horizontal and vertical directions;

c) women's empowerment in the labor force and the responsibility of raising children laid the foundation for gender division in the family. Moreover, the gender researches show that women can define and justify their objective interests better than men.

A new perspective on social policy. When the participation of women in political structures reaches a “critical” point, the notion of politics varies, and declining from traditional concepts kicks off, the culture of decision-making is subjected to changes. Thus, over 30 years, the number of areas that can be considered a political matter has increased in Europe. The care of children, sex, family planning, violence against women in this regard, etc can be attributed to these included topics. Men’s leadership differs with its multilevel feature, authoritarianism, centralization, and technocracy.

More effective use of human resources. Men and women own different experiences, knowledge, and intuition. Taking into consideration all the concepts can help to formulate a more precise enlightening policy. When talking about women’s role in socio-political life, this is necessary to turn to existing international norms and conventions in this field. As it was mentioned before, the provisions enshrined in the Universal Declaration of Human Rights were developed in several legal documents providing the participation of citizens in managing their own countries: the Declaration on the Political Rights of Women (1952), Declaration on the Elimination of Discrimination against Women (1967), The Convention on the Elimination of All Forms of Discrimination against Women (1979) and the Beijing Platform for Action (1995).

In general, we can conclude that women can be leaders. But for this, she must, first of all, know her rights and properly use them in her activities. There are laws protecting women’s rights in the Republic of Azerbaijan and there are also agencies that monitor and execute the implementation of these laws. Our female politicians, academics, artists, and art figures were a great potential of Azerbaijani women for centuries.

It is a universally accepted fact that progress in the state, region, village, family, living standards, etc., is not possible if women's opinions, wishes, and advice are not taken into account. International analysts have proved that if women's representation in political structures is provided no less than 20%, there are real turns in the development of education and healthcare in the state, in the status of people with a low economic level.

6.4. Expanding opportunities for women

Promoting women’s interests, covering their representation at a decision-making level, as well as a range of purposeful policies or complex measures aimed at women’s empowering and controlling the resources in all spheres of activity are successful political strategies. This strategy was put forward by the DAWN (Development Alternatives with

Women for a New Era) Women Network during the Third World Conference on Women's Status conducted in Nairobi in 1985 and it was approved at the Fourth World Conference on Women's Status held in Beijing in 1995. The strategy of empowering the women differs from the strategies for adding the projects related to them to the Programs directed at overall development goals. This demands changes in the direction of the development process based on the fundamental changes in social and economic relations, taking into consideration local and regional characteristics and it is especially emphasized in the UN political programs, statements of representatives of the government, and social organizations.

The national mechanism for the integration of women's interests – is an objective important tool whose major function is to work out the state policy and take into consideration the needs and mood of the female part of the society in the process of its implementation and to protect the interests of women social unions of states. Consideration of the interests of women is a goal in the preparation and implementation of both general and specific directions of such state policy from its first stage until the last one. If the integration of women's social interests does not occur in advance, then the difficulties in realization of their social rights come to the stage.

This is impossible to achieve actual gender equality without the mechanisms of realization of rights and freedoms. That is the reason why the role of national mechanisms to strengthen the equality between women and men is quite high. This is specifically emphasized in the international documents, such as in the documents of the Fourth World Conference on Women's Status (Beijing, 1995). The national mechanism for the integration of the interests of women is defined by the chosen concept of integration policy. This concept derives from the need to take into consideration the possible influence of accepted political courses and prepared state programs on the female and male population in the country. It would not be correct to explain the national mechanism for the integration of the interests of women with the presence of a structural department of a legislative and executive apparatus. The national mechanism has three main dimensions: legal, organizational, and content size. The national mechanism is based on gender analysis at different levels and it is, figuratively, a means to achieve gender equality in society.

6.5. Women entrepreneurship

In Azerbaijan when being within the USSR, women were represented in the relevant proportions in legislative and executive bodies following the instructions of the central political bodies. In addition, women worked in all spheres of economy, infrastructure, science, education, and service. In the agrarian sector, the majority of women were usually employed in collective farms (kolkhozes) and common farms (sovkhozes). Traditionally, the number of housewives under the influence of national moral norms and customs was high. After the collapse of the Soviet Union and as a result of known events after reestablishing its independence the economy of our republic was in a deep crisis. The employment rate of the population, especially for women, has sharply fallen. This situation was aggravated by Armenia's military aggression, occupation of Karabakh and its adjacent territories, and a vulnerable stratum of population in need of care consisting of refugees and internally displaced persons occurred in the society.

However, starting in the mid-90s, the situation in the economy was stabilized and positive changes were made in the area of employment as a result of measures of privatization of state-owned property, development of the entrepreneurial activity, and conducting land reforms. The number of women entrepreneurs is steadily rising, and women entrepreneurship is developing as a result of measures carried out in the direction of protection of women's rights in several laws adopted at that time, improvement of women's activities both in the state and private sector. However, the number of female entrepreneurs is still insufficient. The necessary conditions for the development of this sphere have been created by the state, but the existence of certain problems creates difficulties for women's entrepreneurial activity. To eliminate these difficulties and strengthen the rights of entrepreneurs and consumers, as well as increase the competitiveness of women in the labor market, development of private entrepreneurship among the women, arrangement of courses for the women for acquiring new professions were considered in the National Program for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan.

The economic rights of women are more violated in Azerbaijan. Employers prefer men because women can be more likely to evade work due to domestic concerns. As a result, women themselves become housewives even though they do not want it and they remain out of active participation in social life.

One of the most important directions ensuring active participation

of women in society is their representation at a high level of the decision-making process in the economic sphere. Unfortunately, women's unequal representation in this sphere also limits their participation in the decision-making process. The awareness-raising activities should be strengthened in the direction of elimination of discrimination, self-realization of a person in the society, and increasing the political culture from the standpoint of creating relatively equal conditions for socialization.

Relevant measures are realized in many fields for the development of women's entrepreneurship. Supporting and regulating this activity is an important means to achieve gender equality in society.

The increase in the number of businesses owned by women is observed gradually. Considering that the development of entrepreneurship and small business is an efficient tool in the field of creating new jobs, reducing unemployment, and increasing employment participation of existing and potential women entrepreneurs in the development process can be ensured. Thus, the development of women's entrepreneurship assists in poverty reduction, increasing the economic and social prestige of women, and in many cases - the elimination of gender inequality in society. Analysis of needs, problems, and characteristics of women entrepreneurship assists in its development, in general, development of small and medium-sized businesses. The government, donors, and local NGOs as well as international NGOs carry out a lot of measures in the field of women's employment opportunities, they are giving them the right source and skills to start and develop businesses. Nevertheless, some obstacles limit women's access to productive resources, especially credit resources, market opportunities, etc. Besides this, existing stereotypes that dominate society generally avoid women from being engaged in business. Determining the proper programs and strategies for the provision the women's entrepreneurship development eliminates women's entrepreneurship issues.

6.6. Role of women in decision-making processes and their social activity in the Republic of Azerbaijan

The history of traditions of women's activity in Azerbaijan is quite remarkable. XX century has been observed by the increasing role of women in the society all over the world. The Azerbaijani women have very efficiently benefited from the opportunities in the name of interests of a state, society, and people during the Democratic Republic, in the Soviet period, and the years of independence.

The Azerbaijani women have always been at the forefront of the

struggle for independence, since 1988 they have participated together with men in the complicated processes going on in the republic. There were women among the victims of the bloody tragedy committed in Baku and the other cities and districts of the country by the former Soviet Union troops on January 19-20, 1990. As a result of the occupation of 1/5 of the Azerbaijani territories by the Armenian invaders, the number of women is in majority among one million people expelled from their native homes. The vast majority of the problems following the Karabakh war, including the burden of refugee and internally displacement life, were largely laid on the shoulders of women - mothers, sisters, wives, and girls. The Azerbaijani women, who have always been the heralds of peace and stability, were constantly acting from the national statehood positions in the course of complex social-political processes going on in the republic.

The Azerbaijani women in the XX century went through a short period through a development path equally to centuries and radical changes took place in the positions of women in politics and society, social life, and the family. The administrative activity in Azerbaijan was concentrated in the hands of men for many years. Although it became possible to shatter the stereotypes in this regard in recent years, the problem has not been resolved fully yet. In-state institutions, departments, and facilities men are dominant, at the same time women are relatively few in leadership positions in comparison with men, so due to this reason they do not have enough effect in decision-making, but the role of women in society, their impact at the development remains an undeniable fact.

The Constitution of Azerbaijan has confirmed the equal rights of women with men and created a legal basis for their active participation in the process of building a democratic state.

After gaining independence, Azerbaijan has joined numerous international documents protecting women's rights. Most of them are related to the protection of women's rights only. The national legislation of Azerbaijan on women's rights is brought to compliance with these international documents. These documents assume high importance in ensuring women's rights in the country. On March 6, 2000, the President of the Republic of Azerbaijan issued a Decree "On the Implementation of the State Women Policy" to ensure the active participation of women in state bodies. The Decree set tasks related to the representation of women in the leading positions equally with men in all government agencies, taking into account the type of activity, also before the State Statistical Committee - on preparation and dissemination of comprehensive

information about women in, the Cabinet of Ministers – on making suggestions for changes and additions to laws with the aim creating opportunities for women equally with men and strengthening the protection of women's rights being based on demands of the gender policy in the measures undertaken within the framework of economic reforms conducted in the country.

Following this decree, the ministries, committees, and the heads of the executive authorities were instructed to promote women to leading positions. President Ilham Aliyev has signed a Decree on the establishment of the State Committee for Family, Women and Children Affairs based on the State Committee for Women's Issues. Thus, the foundation of a new stage in raising the role of women in the society in Azerbaijan was laid.

The state programs adopted to ensure more efficient implementation of national and international legal acts in Azerbaijan are giving positive results every year. The decrees issued by the head of state and the laws adopted by the Milli Mejlis (Parliament) that is the supreme legislative body, in the direction of protection of women's rights in Azerbaijan, and their activeness in society contribute to the decent position of the representatives of the weaker sex in the society. As a result, the representation of women in all socio-political life of the country has increased. There are no restrictions on women's choice of profession and work in various positions.

The Azerbaijani woman is represented in such high positions as a Deputy Chairman of Milli Mejlis, the Commissioner for Human Rights, the Chairman of the State Committee for Family, Women and Children Affairs, as well as the Deputy Chairman of the Constitutional Court. The number of women deputy heads of the regional executive bodies in the 85 provinces has increased to 78. The number of women elected members of municipalities has increased from 4 % to 35%, as compared to previous elections, 21 out of the 125 elected Members of Parliament during the parliamentary elections held in 2015, were women. Thousands of Azerbaijani women work in leading positions in various government and non-governmental organizations.

However, despite some work has been undertaken in this direction, women are still represented in the authorities and leading positions relatively less than men. They are more likely to be active in non-governmental organizations.

Experts emphasize the creation of favorable conditions and equal opportunities for women to occupy high positions. Women's participation

in elected bodies leads to a legally equal society. Special attention is paid to this area in the country and appropriate measures to eliminate existing obstacles are regularly taken.

Thus, this issue is uniquely developed in Azerbaijan. Development of legislation based on the gender equality principle, rapid economic development of our country, an increase of role in the world economy, and improvement of democracy creates a special basis for increasing the activity of women in the country from year to year.

The important work is being carried out in our country targeted at ensuring the development of women, increasing their intellectual level, raising social participation and ensuring women's participation in the decision-making process, protection of rights of family, women, and children, and their implementation.

Talking about the state women policy carried out in our country, with no doubt, the example of multidirectional and efficient activities of Mrs. Mehriban Aliyeva, who is a model for women of Azerbaijan, the First Vice-president of the Republic of Azerbaijan, the President of the Heydar Aliyev Foundation can be shown.

The Heydar Aliyev Foundation treats these issues as priority issues in its activity - to assist in increasing the country's creative and scientific potential, develop the infrastructure of children's institutions, support important research in the field of ecology, promote healthy lifestyles, organize charity events, conferences and seminars on actual issues in our country and abroad, as well as to organize exhibitions of children, creative youth, art figures, as well as to establishing religious tolerance, civil society building, to support the preservation of national and spiritual values in globalizing integration processes in the world. Shortly, the activities of the Heydar Aliyev Foundation embrace all areas of social life in the country. The international campaign "Justice for Khojaly" initiated by Leyla Aliyeva, the Vice-President of the Foundation, is one of the most important steps taken to inform the world about the Khojaly tragedy. It is not accidental that after the launching of this campaign, parliaments of several countries made decisions on the recognition of the Khojaly genocide, and Khojaly genocide monuments were installed in certain states.

The prestigious "Eurovision" Song Contest was held in 2012, "Baku-2015" the First European Games, and many other prestigious international conferences were held at the highest level in Baku thanks to Mrs. Mehriban Aliyeva's high organizational skills. This became a special contribution to the promotion of our country in the world and

increased its reputation.

In one word, the role of the multidirectional and efficient activity of Mrs. Mehriban Aliyeva whose name is associated today with kindness, helping people, and nobility in our society is great in increasing the interest of the Azerbaijani women in active participation in the socio-political life of the country, strengthening the traditions of women's activity in our society.

Questions for students' knowledge assessment:

1. The role of the government in women's decision-making and public activism.
2. What is emancipation?
3. The paternalistic type of state policy towards women.
4. Liberal-type state policy towards women.
5. Equalitarian state policy towards women.
6. What is the leadership of women and what forms does it have?
7. What are the bases for the necessity of women's participation in decision-making?
8. Development of women entrepreneurship.
9. The role of women in decision-making in the Republic of Azerbaijan.

LECTURE 7.

TECHNOLOGY OF GENDER CONFLICTS RESOLUTION

- 7.1 *Typology and classification of conflicts*
- 7.2 *Types and reasons for gender conflicts*
- 7.3 *Conflict resolution, solutions, models, and techniques*
- 7.4 *Rights of women living in armed conflicts*
- 7.5 *The Role of Women in the Conflict Resolution and Peace*

Building Process

7.1. Typology and classification of conflicts

Debates, conflicts, and wars took place during the whole history of civilization. They created religious, cultural, ideological, ethnic, and other contradictions. Each conflict is unique for its reasons and occurrence, the mutual influence of two or more parties, the beginning, and the outcome. There is a direct cause of conflict in the standard development scheme of each of them leading to a clash. In most cases, this is impossible for the conflicting parties to perceive the mutual understanding, the differences in the assessment, and the contradictions in the views of the parties.

Many researchers took attempted to work out a classification of conflicts. Analysis and evaluation of conflict consider their grouping, systemization, and splitting according to specific features, kinds, and types. The classification of conflicts is important for the reason that it enables one to find specific forms of expression and choose the possible solution options. When analyzing the views of the researchers, we can conclude that this was refused to formulate a unique typology that unambiguously and fully reflected the conflict, and the idea of the possibility of several classifications was accepted.

Each conflict develops on its laws after it grows and shapes into an open collision. Dynamics of the conflicts and their development tendencies are determined by several factors: the level of complexity of the reason and condition that create them, the emotional impression of the participants; real opportunities to meet the demands for achieving their own goals; material, financial, organizational means of the parties; their will to go to mutual concessions; the influence of external factors and the others.

Sociologists pay more attention to macro or micro-levels, socio-economic, also national-ethnic, and political forms of conflicts. In their turn, lawyers distinguish systemic and extra-systemic conflicts and their expression areas. Conflictology of the management of economic, financial, property, and ownership conflicts taking place in family-household, cultural, social-labor, market economy environment also has its approach. This is necessary to more clearly understand the main elements of the conflicts, the diversity of their expression, development, and management.

Many scientists use a systematic approach to the classification of conflicts. According to this approach, certain means are used in the system to achieve the goal, which means the elements of that system try to achieve systematic goals through performing certain functions. While learning the structures and mechanisms that ensure the stability of the social system, the representatives of the theory of structural-functional analysis (T. Parsons, K. R. Merton, K. Davis, and the others) have created the typology of structures and functions in the systems that are linked with little or more levels of conflicts.

T. Parsons puts forward four requirements in the system: adaptation to external factors, setting goals, maintaining a non-conflict environment between the elements of the system (integration), institutional (observation of social institutions norms), and fulfilling the normative instructions.

Unlike T. Parsons, R. Merton has focused his attention on cases of malfunction cases and he saw the cause of the disruption in the contradictions and tensions in social structures. In his "Social Structure and Anomaly" work he mentions five types of individuals' adaptation to society: conformism (full adaptation, losing its form); innovation (seeking innovation); ritualism (adhering to tradition, and customs); retreatism (ignoring rules, avoiding reality) and the rebellion. Each of the abovementioned means sliding apart of its type – confirmation of unavailability of a conflict with a group called the government or the representative (i.e., representing one).

The division of intra-systemic and extra-system conflicts assumes both cognitive and practical significance. Particularly, conflicts over intra-systemic social contradictions are important. L. Kozer considered that society could be divided into rigid (closed) and pluralistic (open) species. According to rigidity, in the societies, large groups achieve their interests through rebellion and violence, however in pluralistic societies - they achieve them through various social institutions. The position of

E. Ghiddin is of particular interest in this standpoint. According to him, the forms of domination and exploitation of each particular type of society are characterized by pluralism (diversity); there is no unique empirical principle here, also alongside the class abuse there are other types of abusive relations as well: states, ethnic groups, exploitation because of sexual belonging between women and men and the others. Thus, intra-systemic contradictions can be based on the typology of conflicts.

According to the general theory of conflicts in K. E. Boulding, social conflicts are divided into three main groups according to levels of organization of parties. Classifications are also given for these levels: conflicts between individuals; frontier conflicts between groups located in a given area; ecological conflicts between groups clashing in an area; conflicts between individuals and organizations, between individuals and groups, etc.

A. Rapoport's theory of general conflicts there are three major types and at the same time three levels of conflict: a war, a game, and a dispute. The war is an uncompromising struggle that continues until the end, to the victory enabling the use of whatever, as well as violent means. The game is a complex of measures built on advanced setup rules to resolve the conflict; as a result, the winner wins the advantages that are important, but not vital. Only peaceful means are used in the dispute; the aim is to gain the consent of the other party.

Famous American political scientist Robert A. Dahl (1915-2014) has drawn an interesting typology of conflicts. In his opinion there are:

- Double-polar and multi-polar conflicts (according to the number of conflict participants);
- Cumulative (strengthening) and cross-border (whether or not there are similar or different features in the conflict participants) conflicts;
- Conflicts lead to polarization and division in terms of the severity of contradictions between participants.

The polarization implies a deep division of society into two opposing groups; at this time, the settlement of the conflict through peaceful means is no longer possible.

The division (segmentation) option - the division of society into groups for different benefits and values is observed, thereby the stability in such a society is ensured through mutual concessions, negotiations, and consultations system. The development of conflicts not shaking the social and political foundations of the society can take place within the framework of institutions of the existing political system. Such conflicts

can be turned into a compromise based on certain consent of the parties – of mutual agreement.

In general, conflicts can be differentiated on various grounds, such as the reason, the composition of parties, the dynamics of development, their forms of activity, social goals, results, etc. Conflicts are evaluated more on the following criteria: the parties to the conflict, the restriction of the demands leading to the conflict; direction, the tendency of conflict; time limits of the conflict.

Depending on the parties, conflicts are divided into intrapersonal, interpersonal, intra-group (between identity and group), inter-group, international, etc.

The intrapersonal conflict is one of the most complicated psychological conflicts in the inner world of a human. Intrapersonal conflict means the clash of motives (demands, interests, values, goals, and ideals) that are in contradiction with the inner world of personality. The intrapersonal conflict comes out when there are many different, often contradictory requirements from a man and these requirements are not in compliance with his personal needs or values. The reasons for the intrapersonal conflict are of two types: internal (contradictions inside a person); foreign (positions of a person in a social group and society). In S. Freud's psychoanalysis theory, the intrapersonal confrontation derives from a confrontation existing between "ego" and "super-ego" (means instinctive directions, moral feelings, and requirements). Within the psychoanalysis theory, the theory of the intrapersonal conflict was developed by K. Jung, A. Adler, K. Horny, and others.

Inter-personal conflicts can be shown among the most widespread psychological conflicts. Such conflicts cover all areas of activity in society.

Scientists justly mention the fact that interpersonal conflict is one of the most ancient features of humans. Interpersonal conflicts are the open conflict between the actors involved. Interpersonal subjects are participants who defended their interests and who are trying to achieve their goals. The object of the conflict comes out when its participants tend to have something. This is the very goal that every participant in the conflict tries to achieve. In this case, the topic of conflict is the contradictions expressing the interests of the subjects.

Group conflicts occur in the case when at least one of the conflicting parties is a small group. Such confrontation comes out based on group motives opposing each other. Two main types of group conflicts can be shown: intra-group ("person-group" conflict); inter-group

(“group-group” conflict). The “person-group” kind of intra-group conflict does not differ significantly from the inter-personal conflict, and the difference is its multidimensionality.

The group includes many relations, and formal or informal leader also exists here. The reasons determined by the group organization are added to the intrapersonal and inter-personal reasons for the conflict. Conflicts between persons and groups follow from the development of existing relations within the frames of the group, specific peculiarities also exist here. The first specific peculiarity is the structure of the conflict; activity in connection with the conflict is carried out on personal and group motives clash. The second peculiarity reflects the essence of the reasons for the considered conflict. The reasons are directly related to the individual’s position in the group; this position is described by such notions as “situation”, “status”, “internal position”, “role”, and “group norms”. The reasons for conflicts between person and group are connected with their direct role expectations; Conflicts take place when the internal position does not match the status of the identity (“expectance”), and the role expectations are violated. The third peculiarity is reflected in forms of expression of any conflict; for example, sanctions (punishment measures) are applied by the group; the group members suspend informal communication with the conflict; the conflict-maker is sharply criticized; sometimes he is in euphoria (good mood) and the others. Inter-group conflict emerged as a result of the clash of the opposing group’s motives, interests, values, and goals. The typical feature of such conflicts is the mentioned peculiarity. This type of conflict can be between groups of different dimensions (small, medium, large). Any conflicts arising out of any limited demand can be divided into types, such as material, status, linked to roles, and spiritual.

Grounding on vectoring, the conflicts are divided into horizontal (between partners, colleagues) and vertical (between subordinates and administrators) ones.

On the ground of time limits the conflicts are short-term, enduring and long-term (ex. state, national, religious). As a result, on grounds of evaluated criteria the conflicts are measured by two types:

1. Elaborated, normal, positive results; here the groups maintain their integrity, inter-group relations are characterized by partnership and cooperation;
2. Destructive, pathological (like a disease), negative results; here the relationships between people are non-civil (abnormal, inhuman), resulting in confrontation and struggle.

As social ties are getting complicated, cooperation in the inter-relations of individuals, the diversity of psychological confrontation, ways of interest, and the achievement of the goals also begin to come to a stage. The sharpening of such contradictions and their intensification ultimately lead to active confrontation and conflict.

Conflicts are widespread but temporary affairs. It should be considered that the constant features of society are relations of consent, cooperation, partnership, friendship, and love.

7.2. Types and reasons for gender conflicts

The gender-based conflict emerges on the bases of contradiction between notions of the behavior of women and men in compliance with accepted norms in the society and lack of the desire to comply with these notions by particular individuals or groups or their inability to do so.

At the macro-level, the gender conflict should be viewed as a social conflict. Social groups struggling to achieve their goals are based on social conflict.

This means that it is possible to show and evaluate the female social group's struggle, who want to achieve a higher status (position) in the society, as a conflict of interests in the gender conflict on a macro-social level. It is known that throughout history the status of women in societies has been relatively low in comparison to men. In his work "Sociology", A. Giddens notes that "there has never been a society in which the powers of women would be overwhelmingly superior to men's".

No balance was created between the social sphere dominated by men and the special areas where dominants are women. As in the past, the maternity function of women is the main reason for putting responsibility for the organization of household and family issues. As a result, the main areas where men work - international diplomacy, armaments, operations stocks, and goods' market, distribution of the state budget - often remain inaccessible to women. Thus, the state administration affairs are directly on the men's shoulders, they constitute the vast majority of staff in governments and parliaments of all countries. In its turn, this leads to the superiority of the system of values that meet their interests.

The multidirectional structure of gender is characterized by four groups of quality: biological sex, gender stereotypes, gender norms, and gender identity (similarity). Gender identity is one aspect (feature) of consciousness. Here a person realizes himself as a representative of a particular sex. This feature is the key determinant of identity; it emerges as a result of psychological interiorization (appropriation) of men's or

women's features and occurs during the process of socialization. One of the aspects of socialization of a person is his/her perception of sexuality and the formation of gender identity.

The process of gender socialization is defined and directed by various social and cultural tools. There are certain gender roles for this in each society. In a broad sense of the word, the role determines the behavior of people in the interpersonal system; the behavioral manners, in its turn, correspond to the set of norms, rules, and expectations adopted in the existing society and also depend on the position that people hold in society. Gender roles are considered as a compliance of a person to the social standards and stereotypes system relating to men's or women's status. A stereotype is an opinion about the qualities of people in a group; this opinion may be inaccurate and excessively generalized. Stereotypes (including gender) create often extreme conditional and preconceived ideas about people and determine and form expectations and positions about other people. Even a person's ideas about himself can also be closely linked to stereotypes. Women able to realize their skills often clash with perceptions of place and role of women in the society and involves in conflicts; maybe here as a personality, she is confronting herself as well. Women are subjected to excessive exigency and violation of their rights during the allocation of positions in the employment process. All this deprives women of the opportunity to express themselves and leads to various conflicts.

Gender stereotypes negatively affect men as well. Many of them do not meet the norms accepted as symbols of success (status, physical, mental stability, "anti-womanish"), and, as a result, the stressful situation emerges, the wish to substitute come forward: they try not to be subjected to emotions, express phobia to the same-sex ones, cannot derive the tendency to competitiveness, success out of their minds.

Social-psychological analysis of gender roles enables thinking about psychological problems such as interpersonal, and intrapersonal roles-related conflicts. If the behavior of an individual performing any social role meets the expected sample, he will be considered successful. Some factors should be considered to properly perform individual tasks (roles): knowing his role; the importance of the performed role; the ability to cope with the bearing role and to think over and analyze their true behavior. The shortcomings while implementing the role can cause conflict. Representatives of a particular sex are guaranteed to have gender conflicts as well, in the case there are gender stereotypes in their social roles (first of all at the intra-personal level). A human face a certain

situation inside him, facing various imaginations, motives, and behavioral models that are in collision with each other. The most vivid expression of the confrontation of traditional normative requirements for women's role-playing behavior and a real situation in their life is a phenomenon called in social-psychology literature "role conflict among working woman". This conflict is connected to the fact that a woman performs many social roles; neither her time nor strength is enough to perform these roles perfectly. The role conflict among working women - is a complex of subjective negative impressions deriving from a negative influence on their ability to cope with roles in their professional and family spheres. A most expressive indicator of the role conflict having a destructive effect is a sense of guilt in women that arises from the way of perceiving their roles. Sinfulness can be very stable, durable, and expressive - this feeling is reflected in the relation of a woman towards children, husband, work, and attitude to herself. The possibility of intra-personal gender conflicts is growing when a human adheres to certain socio-cultural instructions, in contrary to his wishes and desires ("men do not behave like this", "woman does not do that").

As men plan to reach the sole and most important criterion in their lives – a goal in the professional activity, when they lose their jobs or retire, they are facing a situation of existential conflict (from old Latin - *existentia* - human existence). Women, while performing purely women's duty, that is to say, to be a mother, to keep the house, enter crisis even when their grown-up children are psychologically leaving the family. Existential conflict induces a human to re-evaluate his life by breaking the usual flow of life. He needs to overcome such a conflict and as a result, some new qualities, and new conditions come to the stage of life.

Types of gender conflicts and areas of their expression, socio-economic and political changes in the contemporary world and harsh tempests of social life require women and men to mobilize several personal qualities. The task of the conflict subjects is to overcome the excessive collisions, to find the optimal exits from the confrontation that arises in the environment of serious differences in interests, evaluation, and goals.

For centuries, a "golden rule" has been found: each person has to express his loyalty (respect for another's position), tolerance, goodwill, and justice concerning other people; in general, people have to build their relationships based on integrity in mutual trust, words and work. The people should build relations in both business and the individual planes only on the tendencies of parts to mutual concessions and patience,

partnership, conflict, and collisions resolution. However, sometimes while people interact with others in such a manner conflicts and tensions, inconsistency and hostility occur.

Any collision occurring in gender conflict is evaluated as an appearance of the struggle between men and women; as a result, someone should win (in most cases this is a man). A participant in the conflict uses all available means to achieve their will, to obtain the desired maximum, and to have priority over the partner. The majority of men are more likely to gain superiority, while women are more remain given subordinates. Contemporary psychologists connect the future of humans with the establishment of partnerships in mutual activity. Society can be annihilated as a result of the struggle for dominance, power, posts, and position. The gender approach allows progressive psychologists to think that they create universal human psychology grounding on the principle of equal, mutually beneficial cooperation activity.

7.3. Conflict resolution, solutions, models, and techniques

Psychology literature describes effective and ineffective behaviors in conflict situations. The efficient methods include collaboration, compromise (mutual concessions), and mutual understanding, while inefficient methods - such as competition, hostility, adaptation, and avoiding.

Contemporary philosophers, sociologists, and psychologists comment differently on the notion of “mutual understanding”. Mutual understanding – is the adoption of roles in the approach to each other; mutual understanding – is the mutual recognition of capabilities and self-esteem; mutual understanding – is the coincidence, the similarity or compliance of the voices of the different people to the world and the same values, etc.

A relative communication method among people is a characteristic technique collection distinguishing the image of the activity, or, more precisely, the path to resolve the conflict situation and the problems leading to the conflict.

As with all relations between people, conflicts are also regulated by the rules of social behavior. There are different types of norms for this: ethical, religious, legal, and political. The use of the norm to regulate the conflict has its peculiarities, thus, they perform under specific conditions, in the process of struggle of the parties. Moral norms of human behavior assume great importance in the resolution of conflicts. From their standpoint, the conflict itself and its participants get moral values. But

these prices are unambiguous and even sometimes completely different, even contradictory. Conflict situations can also be regulated by religious norms. Besides the religious relations, these religious rules are more peculiar to religions spreading in areas of civil life that include marriage, family, education, etc. The changes in social relations require transition to new relationships among individuals, also different social groups and stratum, between men and women.

As we have mentioned earlier, conflicts in society are inevitable. In the process of joint social and personal life, the relations between people are forming being characterized by the opposing demands, interests, goals, ideas, and opinions. This is accepted as natural and normal in all societies. A special position in the approach to conflict is displayed by the famous French sociologist Alan Turing (1925). In his book written in 1984, "The return of an acting person" ("Le Retour de l'acteur") the author states that in the environment of transition to post-industrial society the activity of the subject performs as an actor, the society's ability to self-organize through conflicts and social movement are necessary.

The sociologist notes: "The conflict assumes the importance up to the degree to which the actor tries to control the sphere of his/her interaction and is self-evident as a real social conflict." Later he adds: "A conflict is neither the contradiction nor the revolt, but the form of self-expression of society, conflict is not related to any sphere of social reality, and it must be accepted everywhere and in all areas of public life" But in the process of social development the conflict has always been linked with cooperation, co-partnership and mutual agreement.

The partnership focuses on the realization of interests by conflict stakeholders and it is a joint search for a solution that will meet the goals of all parties. Cooperation is used when the conflict is perceived as a normal phenomenon of social life, also when there is a need to resolve any particular problem without damaging any party. Cooperation in conflict situations, including gender-related ones, is possible in the following cases:

- The problem of disagreement is crucial for the parties of the conflict, and none of them intends to avoid its joint solution;
- The parties have relatively the same position or they don't pay attention to the differences between their positions;
- In the end, to achieve full agreement on the most important decision on all the problems, the parties want to discuss disputable topics based on voluntariness and legal equality;

▪The parties act as partners, rely on each other, and count on the opponents' demands and arguments.

The advantage of the cooperation is undoubted: each party takes the maximum benefit with minimal losses. The overall award of joint efforts is a constructive, universally satisfying result, the found optimal way out of the conflict, and the strengthening of mutual partnership.

Settlement based on mutual concessions of the contradictions among the conflict participants is defined as the compromise to achieve a partial meeting of their interests. The method of compromise is preferred usually from the standpoint to prevent the conflict, of allowing partially meet the claims of each party involved in the conflict. Conflict participants turn to compromise in the following cases:

▪ The conflict subjects are well informed about the causes and development of the conflict;

▪ They understand the necessity to reconcile and give pause to pressings created for the parties of the same level;

▪ Different parties at the level are tending to acquire an agreement to save time and maintain their strength;

▪ Evaluating the situation, the parties make corrections to their goals taking into account the changes that took place in the course of the conflict;

▪ All other behavior methods are not efficient for this conflict;

In general, the scientists in charge of the conflict-resolution issue say that ability to come to a compromise is a sign of reality and high culture of communication. Bu this is not interrupting detailed discussion of complex problems that can lead to consensus, means to mutual emotions and ideas and mutual understanding through applying to consensus without the need, hurry to make compromise decisions. Consensus is the agreement of a large number of people of any society expressed in activities related to more important aspects of the social order. The consensus is a universal principle of democracy, allows you to resolve and prevent contradictions and conflicts, and eliminates tensions in society, in the collective, in a social group, and the stratum. The efficiency of consensus depends on the level of culture and consciousness of people, regardless of their participation, gender, social status, or religion in the just and equitable division of the government, the resources, and the benefits, of the award.

There are objective and subjective factors on the grounds of conflicts. The objective factors should be related to the lack of resources and wealth that the various groups of society are enthusiastic about. The

reason for the establishment of such an institute as a state should be searched here. The state was forced to regulate the “initial” conflicts coming out in this sphere. As a result, the unequal status of different groups appeared in the society has not been eliminated yet. The subjective terms of the conflict include the perception by social actors of the incompatibility of their goals. The root of the conflict was then cut off when the society achieved at least partial justice and social equality in the distribution of social benefits. An important factor that can lead to conflict is its condition. The participants of the conflict constitute its microenvironment. However, the role of the macro-environment in the appearance and development of the conflict is also great. The question is about the concrete historical socio-psychological conditions of its formation. This is the social environment that feeds the conflict and leads to its creation and development. This includes the environment of not only the closest but also the far participants of the conflict covering a more expanded circle which means the social groups and communities they belong to.

7.4. Rights of women living in armed conflicts

International protection of women is a legal institution consisting of the complex international legal norms regulating the cooperation of the states and relevant international organizations with the purpose to ensure the respect for and observing the rights of women, and increasing the level and mechanisms of their provision.

All over the world women face certain problems. But there are also places where there are additional situations that further deepen the problems of women. These are the places where armed conflicts and wars take place.

Generally, respect and protection of women during armed conflicts should be realized. For the solution to this problem, the protection of physical and psychological immunity of women in international and national legislation, also the determination of justice in gender issues and the necessity for women to participate in peace-keeping should be clearly and precisely stated.

This should be mentioned that women belong to the category of the population the most facing torment suffering and deprivations at war. From this standpoint, the issue of their international protection in the modern world being at the center of attention of the international community assumes special urgency. During the armed conflicts, four Geneva Conventions of 12 August 1949 and two additional Protocols are

in force. According to Article 27 of the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, women shall be especially protected against any attack on their honor, in particular against rape, enforced prostitution, or any form of indecent assault. Referring to Article 32 of this Convention the High Contracting Parties specifically agree that each of them is prohibited from taking any measure of such a character as to cause the physical suffering or extermination of protected persons in their hands. This prohibition applies not only to murder, torture, corporal punishment, mutilation, and medical or scientific experiments not necessitated by the medical treatment of a protected person but also to any other measures of brutality whether applied by civilian or military agents.

The Declaration on the Protection of Women and Children in Emergency and Armed Conflict Proclaimed by General Assembly resolution 3318 of 14 December 1974 assume great importance. Here it was stated that Attacks on the civilian population, inflicting incalculable suffering, especially on women and children, who are the most vulnerable members of the population, shall be prohibited. For this, Article 5 of the Declaration uniquely states that all forms of repression and cruel and inhuman treatment of women and children, including imprisonment, torture, shooting, mass arrests, collective punishment, destruction of dwellings, and forcible eviction, committed by belligerents in the course of military operations or occupied territories shall be considered criminal.

Historically, women's involvement in armed conflicts in this or that manner is undeniable. There are numerous practical examples of their voluntary and forced becoming the participants in the war. Society often does not support women's involvement in armed conflicts and the entire armed forces. According to B. Mitchell, female servicemen are unable to solve serious problems on a real battlefield, and this can reduce the level of combat readiness.

In the period of armed conflict, rendering strengthened protection to women is often referred to as their "weakness, sensitivity and fragility". Women's fragility is largely conditioned to their specific physical needs, weak physical development, as well as ideas about women's dignity and morality shaped for long years. However, women who learn to kill can go beyond the limits of traditional women stereotypes and take part in military operations in a required manner.

In general, all international humanitarian law provisions relating to the general protection of war victims are also applicable to women: A special Convention "On the Treatment of Prisoners of War" (1929),

Geneva Convention of 1949 on the Protection of Victims of War; additional protocols to it of 1977 and others. These documents show that everyone should treat women with respect for their sex.

In any armed conflict, women belong to a group of people who are subjected to more suffering and deprivations. The documents adopted in June 1993, at the International Conference on Human Rights held in Vienna stated that violation of women's rights in the armed conflicts is a violation of the fundamental principles of international law in the field of human rights and humanitarian law. This document also highlights the importance of preventing violence against women.

The Geneva Conventions regulate the legal status of women concerning the increase in the number of women involved in armed conflicts and giving the female prisoners the status of prisoners when they are captured. The international humanitarian law norms provide additional guarantees for women, in particular, in search, transfer from one place to another, identifying their identity, food and clothing supply, intellectual development, and education, considers more favorable conditions for them. The protection applies to a wide range of women, these are the women who are both participants in the conflict and who are the citizens of a neutral state not participating in the conflict.

Women prisoners of war and captives can be arrested, subjected to search, and accusations against them, but in any case, this is forbidden to search by a representative of the opposite sex, to keep women together with men, to deprive women of hygiene and sanitation. They should be directly supervised by women observers.

Pregnant women and minors should be freed from captivity. According to the Third Geneva Convention "On the Treatment of Prisoners of War" wounded and sick women should be returned to their homeland or neutral country based on an agreement.

The Geneva Conventions and Additional Protocols provide specific concessions to the detention, arrest, and keeping under control of pregnant women or women with newborn babies and minors for safeguarding their health status. Their cases are reviewed first of all. They are provided with supplemental nutrition and treatment according to their physical needs. They cannot be subjected to replacement if this damages their health.

The international humanitarian norms do not consider this purposeful subjection to and execution of the death penalty towards pregnant women or women with minors. It also prohibited international humanitarian law norms from intimidating to sexual inviolability of

women, their dignity, and subjection to violence in the armed conflicts.

As it is known, 20 percent of the Azerbaijani lands are occupied by the aggressive army of Armenia, more than one million refugees and internally displaced persons have been expelled from their lands. When Armenia occupied the Azerbaijani lands, the Azerbaijani women were captured and taken hostage by Armenians and were subjected to violence and torture during detention there. According to the data provided by the State Commission on Prisoners of War, Hostages and Missing Persons, up to December 2020, out of 3890 registered as missing 719 were civilians and of them, 71 were children, 267 women, and 326 – elderly persons; among 872 persons recognized as captured/taken hostage 267 were civilians, 29 of them were children, 98 women and 112 were elderly persons.

There are numerous facts confirming the gross violation by the Armenian side of international conventions and declarations on the rights of prisoners and hostages, including on the protection of rights of women and children.

Despite the agreement signed between the two states on declaring a cease-fire regime, the Resolutions #822 (1993), #853 (1993), #874 (1993), and #884 (1993), adopted by the UN Security Council and the General Assembly on the liberation of Nagorno-Karabakh and adjacent territories, as well as the Resolution 1416 of the Parliamentary Assembly of the Council of Europe and Recommendation 1690, the Armenian Armed Forces regularly violate the ceasefire regime and kill or injure the Azerbaijani servicemen, civilians. On March 8, 2011, on the International Day of Women nine-year-old Fariz Badalov was killed by a sniper from the territory of Orta Garvand village of Aghdam district, while was playing in the yard of his house. In July of the same year, two women and one girl became victims of Armenia's armed forces. 13 years old Aygun Shahmaliyeva was killed as a result of the blast of a hidden explosive device installed in a toy that had been dropped by Armenians into the Tovuz river and her mother Elnara Shahmaliyeva was severely injured. On July 27, 2011, 24 years old *Rahiba Poladova, the habitant of Baghanis-Ayrim village of Gazakh district*, was badly wounded by *sniper* fire from the *Armenian* side of the front line and was urgently hospitalized.

As well as, since 2 April 2016, the Armenian armed forces abruptly started intensive shootings from the occupied Azerbaijani territories as well as from the territory of the Republic of Armenia on the territories of the Republic of Azerbaijan, numerous dwellings, schools,

and other social objects along the frontline, also the positions of the Azerbaijan Armed Forces on the line of contact by heavy artillery and big caliber weapons. As a result, civilians, including women and children were killed and severely injured.

Guliyeva Sahiba Idris gizi, born in 1967, and Guliyeva Zahra Elnur gizi, born in 2015, were killed as a result of the firing of 82 and 120 mm mortars and machine grenades by Alkhanli village of Fuzuli district on July 4, 2017, by the Armenian armed forces.

7-year-old Aysu Isgandarova was killed on October 27, 2020, in Barda district, during its subjection to heavy attacks with the usage of internationally banned cluster bombs by the Armenian armed forces.

Despite the existence of international documents innocent people from the civil population, including women and children, become the victims of armed conflicts in the world and Azerbaijan as well.

On April 12, 2016, the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan addressed the Statement regarding the killing of civilians by the Armenian armed forces to the Secretary-General of the United Nations, United Nations Security Council, United Nations High Commissioner for Human Rights, European Commission, Council of Europe, Council of Europe, OSCE, International Ombudsman Institute, European Ombudsman Institute and Asian Ombudsman Association, International Peace Bureau, ombudspersons of foreign countries, embassies of the Republic of Azerbaijan abroad, as well as the foreign embassies in Azerbaijan, and organizations of the Azerbaijani Diaspora. In the Statement, it was noted that international legal documents, including provisions of the Geneva Conventions, were grossly violated by the armed forces of Armenia as a result of committing such war crimes. On 5 April 2016, despite the declaration to stop the operations on the front line by the bilateral agreement of the armed forces of Azerbaijan and Armenia, during the next days the frontline objects of Azerbaijan and civilian settlements have been shot with heavy weapons, including the artillery and all these cases were witnessed by international journalists visiting our country. The Ombudsman called on international organizations to adopt relevant decisions on the withdrawal of Armenian forces from occupied Azerbaijani territories.

During the Second Karabakh war, the Commissioner has repeatedly urged the international community, and relevant international organizations concerning the war crimes committed by the Armenian armed troops and forces, targeting the civilian population, and

infrastructure contrary to all rules of conducting the war and called the world community to make decisive steps to condemn Armenia and to bring the perpetrators to responsibility.

7.5. The Role of Women in the Conflict Resolution and Peace Building Process

As a value the concept of peace is comprehensive. In the new millennium, the problem of eliminating all forms of violence – in the family, community, between different ethnic groups and states, stays before the civilization. So, peace is a global strategy. The international community calls on the states to carry out relevant measures to protect women during armed conflicts and to ensure women's participation in conflict prevention, resolution, and peace-building processes.

Displaying tolerance, progressive women of the world unite around a common idea, considering the national interests and diversity of cultures - the idea of establishing peace in every family and every country. International cooperation for Peace, Equality, and Development is necessary. The relevant methodological literature, periodicals (newspapers, magazines, sites), and historical documents should be used for perceiving the culture of peace with people.

This should be noted that not destruction, but creation is laid like a woman. Perhaps the reason for lingering the solution of many international conflicts is also the removal of women from political decision-making processes. Considering this, UN Security Council Resolution 1325 dated October 31, 2000, calls the parties involved in peace negotiations to pay attention to the importance of equal participation of women in efforts directed at peace and security-keeping from the gender equality standpoint and considering activating their role in the peaceful resolution of conflicts and for this reason – their participation in decision-making processes. Women are also involved in armed conflicts: they serve in military service, participate in the preparation of military clothing, and others. Their activity is related to the establishment of social order during the war. The adoption of Resolution 1325 is an important step forward taken in the field of the recognition of the role played by women in conflict prevention and resolution, as well as in the field of peace-building.

The provisions of this resolution are successfully applied in Azerbaijan. Within the frameworks of the United Nations Development Fund for Women (UNIFEM) based on the principles of Resolution 1325, “Coalition 1325” women's group was established to promote women's

active participation in the peace process. From the very first days, this national coalition has realized several initiatives aimed at increasing the knowledge of the Azerbaijani society on the content of the resolution and emphasizing the importance of women's participation in peacemaking processes. In a short period, the coalition, which was initially not a big group, has become an organization recognized at a national level and putting efforts to ensure gender equality. The Azerbaijani women were united in a unique coalition and their goal is to create peace. Historically, the Azerbaijani women played an active role not only in the scientific, cultural, and socio-political life of the society but also participated in the solution of a range of problems. And even today, every Azerbaijani woman does not grudge her efforts for the peaceful settlement of the Armenian-Azerbaijan conflict, which is the most painful problem in our nation.

Constantly living in a conflict area or state reflects the consciousness, thinking of people, and their upbringing that shapes their future behavioral system. Nevertheless, the problems of the use of violence in gender, inter-sex intercourse, and the tendency to solve the conflict by non-peaceful means are increasingly growing.

The Platform for Action was adopted at the Fourth International Conference on the Status of Women held in Beijing in 1995. The influence of armed conflicts on women is shown as one of 12 priority areas, governments and the international community are required to take appropriate measures in this sphere and the importance of equal participation of women in conflict solutions at the decision-making level is emphasized.

Women play an important role in establishing and maintaining peace during war. Nevertheless, they are almost out of participation in the peace negotiations and the political decision-making process regarding the armed conflict. Usually, women do not serve in the armed forces. In recent years, measures have been taken in some countries to increase the number of female servicemen. This follows from the recognition of the right of women to serve in the armed forces of their countries. As an integral part of human rights, women's rights are not fully realized in most states of the world. This is related to the traditional approach to women's role in society.

In many international instruments, social organizations are given a special place in conflict prevention and peace establishment. The task of social organizations is not only to promote the ideas of peace but also to carry out concrete activities with joint efforts. Gradually, non-

governmental organizations, especially women's organizations and groups in our country have become a force in society able to achieve changes.

The women involved in conflict resolution are paying more attention to the issues essential for peace establishment, but sometimes they are ignorant of important formal negotiations on human rights, justice, national reconciliation, and the recovery of the economy. They tend to form a coalition without taking into account ethnic and territorial boundaries and to protect the rights of other marginalized groups. Providing compromises, the women act as mediators in the peace restoration process.

The importance of the involvement of women in peace and security restoration has been demonstrated in many parts of the world.

Women, who are half of the world's population, should act as equal partners in the implementation of international commitments on conflict prevention and peacebuilding in countries under threat of war, violence, and instability and this is of crucial importance for global security.

The only way to inter-civilization relations is not a conflict, but a dialogue. To not intensify the relations people should be more tolerant, more sensitive, and careful in their activities. Multiculturalism is one of the major peculiarities of a tolerant society that recognizes the parallel coexistence of diversity of cultures. While the mass deportation of the Azerbaijanis from Armenia leads the latter to be a mono-ethnic state, the Republic of Azerbaijan is known as a powerful state that combines different cultures and religions.

Talking about multiculturalism, this is important to pay special attention to women's issues. Thus, the problem of cultural identity shows itself more in the political and sociological aspects within the course of changes in women's social status at different development stages of history. This reality requires the study of ways how to preserve their traditional customs in societies where there are a lot of ethnic minorities where the male voice is superior, and where the national mentality is safeguarded.

One of the most important steps in promoting multiculturalism was the announcing of the 2016 year as the Year of Multiculturalism in our country. Within the frames of this year through the development and implementation of a comprehensive action plan, Azerbaijan gives a valuable contribution to world multiculturalism. Conduction of the 7th *Global Forum of the United Nations Alliance of Civilizations* in Baku

became a real expression of the attitude of the world countries to the multicultural environment in Azerbaijan.

Questions for students' knowledge assessment:

1. Conflict analysis and typology.
2. Intrapersonal and interpersonal conflicts.
3. The importance and ways of conflict management.
4. Causes of Conflict.
5. How do gender stereotypes affect people?
6. In what ways conflicts can be regulated?
7. How are women's rights protected during armed conflicts?
8. The Role of Women in Conflict Resolution.

LECTURE 8.

CULTURAL DIVERSITY, MULTICULTURALISM, RELIGIOUS BELIEFS, TOLERANCE. GENDER AND CULTURE

8.1 Cultural diversity, multiculturalism. Accession to the Convention "On the Protection and Promotion of the Diversity of Cultural Expressions.

8.2 Gender and culture

8.3 The concept and purpose of peace culture

8.4 The role of women in peace culture

8.5 Equal values for men and women in Islam

8.6 Religious beliefs and tolerance in Azerbaijan

8.1. Cultural diversity, multiculturalism, accession to the Convention "On the Protection and Promotion of the Diversity of Cultural Expressions.

It is known that cultural diversity forms the common heritage of civilization. Nowadays, in the world, there are many stable cultural systems based on different national, ethnic, religious features, and historical experiences. In such circumstances, willingly-unwillingly there is a problem of mutual understanding between cultures as differences between them often lead not just to cooperation but conflicts as well. In the environment of globalization, the protection of cultural rights, cultural diversity and cultural identity, and the development of intercultural dialogue are becoming more crucial. These issues further enhance the role and responsibility of international organizations.

Since the competencies concerning the global cultural processes management have been actually and legally entrusted by the UN to the UNESCO - its profile structure, the political role of this organization is undeniable in addressing the problems arising in the path of development of world cultures. The World Day for Cultural Diversity for Dialogue and Development was first celebrated on May 21, 2003. The United Nations General Assembly decided to celebrate May 21 as the World Day for Cultural Diversity for Dialogue and Development by the Resolution #57/249 issued on December 20, 2002 and proposed to all member states, government bodies, UN system organizations, and non-governmental organizations to convey the positive role of cultural diversity, its value

and importance to the world community through raising awareness and using the media.

At present many different factors threatens world culture. Sometimes the excessive protection of national identity poses a threat to the cultures of different minorities, in other cases, suppresses religious culture; in the third case practically in many world countries languages and traditions are lost under the influence of globalization, and weak cultures remain outside and sometimes disappear completely.

Considering all these facts and understanding their importance made it necessary to adopt the UNESCO Universal Declaration on Cultural Diversity. An Action Plan consisting of 20 main lines has been adopted for the implementation of this Declaration. A new understanding of the relationship between diversity, dialogue, and development is proposed in the Declaration. Except for several subjective and objective factors, UNESCO activities today are targeted at approaching and dialogue of cultures all over the world, strengthening the international cultural rights system. Recent positive trends expressed in international cultural processes in this direction, the transformation of culture into a factor of the fateful significance of humanity to every human being and the civilization as a whole are the result of purposeful efforts of the UNESCO as well. Despite the existence of differences between social-political systems, administration models, and outlooks, today there are real opportunities for emerging mutual understanding and dialogue among different cultures. "Cultural Diversity" notion considers different forms of self-expression of the cultures of particular groups and societies. These self-expression forms are realized between and in the groups and societies.

Cultural Diversity emerges not only through the application of various cultural means of expression, reproduction, and transmission of the cultural heritage of civilization, but also through different types of artistic creativity, production, distribution, sharing, and acquisition of cultural products regardless of which funds and technologies are exploited.

"Cultural self-expression" means the use of self-expression of particular individuals, groups, or societies that is the result of creativity and bears cultural content.

The Convention "On the Protection and Promotion of the Diversity of Cultural Expressions" adopted on October 20, 2005, in Paris, was approved by the Republic of Azerbaijan on November 26, 2009, through related statements.

Our country joined this convention with a special statement. It says that “the Republic of Azerbaijan declares that it is unable to guarantee the implementation of the provisions of the Convention in its territories occupied by the Republic of Armenia (the Nagorno-Karabakh region of the Republic of Azerbaijan and its seven districts surrounding that region). For this reason, Azerbaijan bore no responsibility for the situation in that region on preserving the national and cultural diversity.

The objectives of this Convention are:

- 1) to protect and promote the diversity of cultural expressions;
- 2) to create the conditions for cultures to flourish and to freely interact in a mutually beneficial manner;
- 3) to encourage dialogue among cultures to ensure wider and balanced cultural exchanges in the world in favor of intercultural respect and a culture of peace;
- 4) to foster interculturality to develop cultural interaction in the spirit of building bridges among peoples;
- 5) to promote respect for the diversity of cultural expressions and raise awareness of its value at the local, national and international levels;
- 6) to reaffirm the importance of the link between culture and development for all countries, particularly for developing countries, and to support actions undertaken nationally and internationally to secure recognition of the true value of this link;
- 7) to give recognition to the distinctive nature of cultural activities, goods, and services as vehicles of identity, values, and meaning;
- 8) to reaffirm the sovereign rights of States to maintain, adopt and implement policies and measures that they deem appropriate for the protection and promotion of the diversity of cultural expressions on their territory;
- 9) to strengthen international cooperation and solidarity in a spirit of partnership with a view, in particular, to enhance the capacities of developing countries to protect and promote the diversity of cultural expressions.

The following basic principles have been reflected in the aforementioned convention:

1. Principle of respect for human rights and fundamental freedoms

Cultural diversity can be protected and promoted only if human rights and fundamental freedoms, such as freedom of expression,

information, and communication, as well as the ability of individuals to choose cultural expressions, are guaranteed. No one may invoke the provisions of this Convention to infringe human rights and fundamental freedoms as enshrined in the Universal Declaration of Human Rights or guaranteed by international law or to limit the scope thereof.

2. Principle of sovereignty

States have, following the Charter of the United Nations and the principles of international law, the sovereign right to adopt measures and policies to protect and promote the diversity of cultural expressions within their territory.

3. Principle of the equal dignity of and respect for all cultures

The protection and promotion of the diversity of cultural expressions presuppose the recognition of equal dignity of and respect for all cultures, including the cultures of persons belonging to minorities and indigenous peoples.

4. Principle of international solidarity and cooperation

International cooperation and solidarity should be aimed at enabling countries, especially developing countries, to create and strengthen their means of cultural expression, including their cultural industries, whether nascent or established, at the local, national, and international levels.

5. Principle of the complementarity of economic and cultural aspects of development

Since culture is one of the mainsprings of development, the cultural aspects of development are as important as its economic aspects, which individuals and peoples have the fundamental right to participate in and enjoy.

6. Principle of sustainable development

Cultural diversity is a rich asset for individuals and societies. The protection, promotion, and maintenance of cultural diversity are essential requirements for sustainable development for the benefit of present and future generations.

7. Principle of equitable access

Equitable access to a rich and diversified range of cultural expressions from all over the world and access to cultures to the means of expressions and dissemination constitute important elements for enhancing cultural diversity and encouraging mutual understanding.

8. Principle of openness and balance

When States adopt measures to support the diversity of cultural expressions, they should seek to promote, in an appropriate manner,

openness to other cultures of the world and ensure that these measures are geared to the objectives pursued under the present Convention.

Within the framework of the World Day for Cultural Diversity for Dialogue and Development held traditionally in 2013, UNESCO and the UN Alliance of Civilizations launched a campaign to support diversity and participation under the slogan “Do One Thing for *Diversity* and Inclusion”.

This campaign encouraging people and organizations all over the world to take concrete actions to support diversity is also aimed at building a world community of people trying to promote global awareness about the importance of intercultural dialogue, diversity, and integration and at supporting diversity in real and everyday life.

By contributing to the development of cultural diversity, the world community should bear in mind the importance of the protection of cultural heritage, and the establishment of relations among representatives of different cultures.

For centuries Azerbaijan has been a homeland for representatives of all nations and all religions living here. Our country is a multi-national and multi-confessional country today. The representatives of all religions, and all nations live in a peaceful, kind, mutual understanding, and cooperative environment here. This is our great wealth and great advantage and this factor also played its role in the successful development of Azerbaijan. At all times, disregarding the socio-political structure, Azerbaijan was a place of tolerance and endurance. During the independence years we have not only managed to preserve these positive tendencies but also further strengthened them. The initiatives put forward by Azerbaijan have an echo all over the world. Our initiatives in political, economic, and other spheres create good conditions for regional cooperation, and inter-nation and inter-ethnic dialogue strengthens further these positive tendencies. Establishing inter-ethnic relations on solid grounds gives additional stimulus to the development of political and economic factors.

National-cultural diversity means cultural richness. Azerbaijan is interested in and supports the preservation and development of national and cultural diversity existing in the country. As President of the Republic of Azerbaijan Ilham Aliyev noted: “The representatives of all cultures, religions and ethnic groups lived for centuries in Azerbaijan as a family in an environment of peace and dignity. We are proud to say that these positive tendencies have intensified during the independence years. It is enough to glance at our historical monuments that the cultural diversity of

Azerbaijan is seen. We are proud of our historical and cultural heritage.”

Azerbaijan is located between Europe and Asia and this played a role in the cultural diversity of Azerbaijan. Ethnic minorities and representatives of different religions always lived in Azerbaijan at tolerant. Our historical heritage reveals the approach to cultural diversity. One of the oldest mosques is located in Shamakhi, an Albanian church - in Sheki, Temple of fire worshipers - in Absheron.

Today, representatives of different ethnic groups live in Azerbaijan and contribute to our country's development. Strengthening the tendencies of cultural diversity in the modern globalization environment further increases the role of multiculturalism. In philosophical dictionaries multiculturalism (“multi” means “many”, “plenty”, “diversity”, and “cultural” – “culture) notion is understood as the diversity and multicolor of cultures in intercultural relations. Researchers claim that multiculturalism originally emerged in North America - first in Canada and then in the United States. “Global culture” is originally an American culture. One of the reasons for emerging Americanism as a global culture is that the US recognizes its culture as a multicultural one and perceives the importance of multiculturalism in development.

The elements of multiculturalism in Europe emerged later. Developed countries achieved significant progress thanks to multiculturalism policies and succeeded in all areas of society, in further strengthening national and civic solidarity. It is true that in countries with the domination of diversity of cultures, tolerance, cultural integration, and intercultural dialogue, democracy reaches its highest level of development.

Western scientist S. Huntington gave such determination to multiculturalism notion: “The most important differences existing between people in the world are neither political nor economic nor ideological ones. They are cultural differences and diversity. People want an answer to the simplest question. They respond to the question “Who are we?” by religion, language, history, values, customs, and traditions, which means cultural notions. Only after identifying this “who”, does each nation begin to define a living policy. In the process of organization of independent state and civil society based on democratic principles, rule of law, mutual influence among cultural-national identity, cultural identity and multiculturalism are enhanced in culture”.

There are the Western, European, post-Soviet, and Azerbaijani models of multiculturalism in the world. The Azerbaijani model of

multiculturalism is considered to be one of the attractive ones not only in the South Caucasus, post-soviet area but also in the West.

At the end of the XX century, conflicts and nationalism in the interethnic relations in the South Caucasus began to bump. Following its traditions of tolerance, Azerbaijan eliminated intercultural and international tensions and has become a democratic, legal state with multicultural values. At a time when xenophobia and Islamophobia were the topics in the West due to the transition from multiculturalism, and democratic traditions to nationalism there, the Azerbaijani model of multiculturalism is considered an example to the world. In our country, multiculturalism is a combination of national and universal values, cultural equality, justice and mercy, tolerance, cultural diversity, pluralism, and coexistence.

The various expressions of multiculturalism in different countries depend on the democratic state, tradition, and national mentality of those countries. Non-multicultural regions are not kind of “insured” from conflicts, contradictions, confrontations, and political tensions. The “Azerbaijani model” of multiculturalism also proves that representatives of different nationalities and religions are capable to develop through the preservation of their identity and respectfully approaching others. And simply, this should be accepted not as an ideology that tries to assimilate differences, but as a centuries-long lasting everyday lifestyle.

8.2. Gender and culture

The central place in the theoretical meaning of gender belongs to its interpretation as a social-cultural category.

Such an approach to gender, appropriately, the phenomenon of social organization, and cultural arrangement need clarification in the differences of its definition. At that level, a difference reveals between two interrelated aspects of gender - social and cultural components, material-practical, social concrete, and cultural-moral differences. Cultural organization of gender requires consideration of factors such as socialization of gender in the process of its analysis, gender stereotypes, roles, and gender identity, also the formation of thinking processes, organization and improvement of gender in the diverse cultural context flow, gender inequality and impact on gender systems.

This should be mentioned that the dual nature of gender as a socio-cultural phenomenon envisages a joint, interrelated ongoing process of its social and cultural organization.

Nowadays, one of the most priority areas in our world is the

necessity of forming a gender culture in a society. Its main reason is frequent violations of rights emerging in social life, the limitation of the possibilities, and the weakening of the role of one sex by another. The main reason for the occurrence of the majority of cataclysms, confrontations, and other negative events in society follows from this. And this problem is a direct cause of the low level of gender culture in society. Despite the organization and globalization of women's issues in recent years, fundamental changes in the situation of women still lack to happen at the expected level. The combat for women's rights throughout history obtain new shades in a modern period. Globalization of women's issues, her real equality in all spheres of social and cultural life as a goal, choosing requirement for bearing all guidance and supervisory functions equal with the men in a society, participation of men in the women's issues, alongside with women, as the representative of the leading forces and structures, the protection of women's rights by international organizations together with domestic authorities, replacing women-men confrontation with a growing number of gender concepts and programs bringing them together in harmonious activities and others are the qualitative indicators characterizing new aspects of women issue and new direction of women's movement in the modern period.

The differences, in the role, and place of sex in society are examples reflecting the tradition and conservatism lying on the grounds of cultural-religious structures. That is the reason why cultural and religious problems should be considered from a gender standpoint today. Especially because the national, cultural, and religious consciousness of the masses is not limited to regions in the modern period, but, vice versa, prevails in the big cities and regulates the behavior of people. By summarizing the methods and forms of interrelations between men and women, this is possible to find several social and cultural differences.

Cultural stereotypes in the roles of sexes are actively adopted within the process of children's socialization. Defined requirements are set out in our society shaping the habits and behavioral attitudes of boys and girls in compliance with their upbringing system, behavioral stereotypes, and their specific roles. Even in the most developed civilized society, women are often isolated from social activities and remain within the scope of household affairs.

There are different cultural models of gender differences:

➤ according to the degree of dissemination: urban-rural, Islamic-Christian;

➤ according to the origin: in the East (panturkist, pan Islamic), in the West (nationalism, preferring the roots and traditions of only its people);

➤ according to the degree of universality: particular - non-military (feminism models, traditionalist-conservative, conservative-traditionalist men's culture).

All these models are universal in their sexual characteristics. The majority of these models are not capable to overcome the institutionalized domination of one sex concerning another sex.

In the former Soviet space, like in the past, a family was a foundation of patriarchy. On a large scale, this was also applicable to rural women suffering from countless restrictions, whose each step was defined by the local community. Usually, restriction of women's rights is not perceived as it is in fact. For example, in the Central Asian republics obediently listening to and fulfilling what is said is a form of hidden discrimination in patriarchal families, however, this is accepted as a tradition. Despite the propaganda in the Soviet period about the honor of every kind of labor, there was a hierarchy of vocations and activities deeply rooted in the community at a cultural level and these standards have penetrated entirely to culture as a whole, including language. As in the language and as in a culture as a whole, the factor of women's valorization by men is dominating. Hereby, gender imbalances are shaped by linguistic sexes.

Each country, benefiting from the world's experience, has to create a program of development that meets social, political, economic, spiritual, legal development, and mentality, and within it, gender and women's problems are related to concrete and unique models. This should be noted that with her perseverance, will, mind, thinking, courage, spiritual purity, and perfection the Azerbaijani woman played an important role in our society's life and information about the national-moral values system of our people.

In our opinion, a different culture is being formed in Azerbaijan which is a part of the world; as a result of this certain work on the solution of the mentioned problem can lead to the triumph of gender culture in this society.

The need in being a subject for special research and discussion on gender culture topics in Azerbaijan is undeniable. Analysis and summarizing the knowledge about gender culture, the use of achieved scientific results in social practice, and settling of the principles of gender culture in education through social enlightenment and social

consciousness are nationwide tasks. This responsible work must be realized promptly and consistently. The idea of gender culture, its deep philosophical-categorical meaning, content, and essence should be brought to the attention of the broad public; people must be cared for and should live with this issue. Discussion of the problem by scientists, experts, intelligence, public and political figures, NGO leaders, and others, holding scientific conferences, seminars on gender culture topics, writing and publishing works, textbooks, and manuals that meet the relevant requirements of prior purposefulness.

The development of gender culture in Azerbaijan is adequate to the cultural level of the members of the society, legal knowledge, and the importance of reforms undertaken in the country and the whole population must actively participate in building a normal, stable, and civil society.

8.3. The concept and purpose of peace culture

Peace is happiness that is very difficult to obtain and easy to lose. It is necessary to always protect and strengthen it. Humanity has always been in search of eternal peace and was fighting for peace, calmness, and tranquility. Thus, legal culture and a culture of peace were formed in the process of building a legal state, and democratic society. Peace culture has been the ideal of humanity and remains the ideal. A culture of peace has been and remains the ideal of civilization and is reflected in the Charter of international organizations - the UN and UNESCO. The UN Charter states: "We the peoples of the United Nations determined to save succeeding generations from the scourge of war, to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, and for these ends to practice tolerance and live together in peace with one another as good neighbors".

As we can see from the ethical character of peace culture and the necessary changes in values and concepts for its achievement, the purpose of teaching such a field is conceptual. The aim is to direct to gender the use of conceptual tools for peace culture, human rights, and democracy. The principle of peace culture - nonviolence and nonapplication of violence has found its place in world religions - Christianity, Buddhism, and Islam, as well as works of Western European philosophers and politicians in XVIII-XIX centuries.

All religions, as a rule, consider achieving peace between peoples, peace between God and humanity, harmony between humans and creatures based on the divine law, and achieving social peace - justice

based on peace within a society an important step in the development of civilization.

Peace culture is rich in content. It includes philosophical and ethical norms relating to the concept of “peace culture”.

Generally, a peace culture as a phenomenon has deep historical roots. Thus, a well-known Italian historian, V. Manchelli, said at one of the international conferences: “Fortunately, along with quarreler politicians in the world there are also politicians thinking about peace and forming a pacifist philosophy”. They gave the concept of peace and have worked to realize it.

The UN undertakes great efforts to ensure peace and prosperity throughout the world, eliminate disputes, and prevent wars. But in the international arena, the great powers ignore the UN for “resolution” the conflicts and they use military power as they wish. When they want military intervention in any country, they are not interested in the world community’s attitudes a wee bit.

Among the persons who put forward a peace culture, peace philosophy against war, and war philosophy the names of L. Tolstoy, M. Gandhi, F.M. Dostoevsky, and H.D. Thoreau should be specially mentioned. M. Gandhi led the national-liberation movement in India in a nonviolent way and achieved to create peace between Indians and Muslims. In the XX century Martin Luther King, A. Saharov, A. Schweitzer, and V. Gabel also contributed to the development of peace culture. The concept of “powerless power” by V.Gabel, the prominent public figure of the Czechs, is of particular importance in this field.

The Azerbaijani researcher A. Abbasov writes about the role of a peace culture in the development of civil society: “The emergence of antimilitarist consciousness at the environment of democracy plurality is the first sign of corrosion of “patriarchal philosophy” not in a whole political system in the direction of peace culture shaping, nevertheless, only in a civil society”. So, the development of a peace culture mentality in a civil society is the way to change the shaped universal world outlook and this is especially important for countries transiting from totalitarianism to democracy. The stepped XXI century should turn humanity into an era of perception of virtualization ways of power methods in conflict resolution and this, in its turn, requires the development in a short time of a culture of peace and a “new consciousness philosophy”. The ideas of peace culture in the modern world are still uncertain. There is a sharp polarization of ideas in assessing their importance and actuality. In this regard, the main issue is

to display to the parties in the conflict a positive and pragmatic role of the peace culture, to show visually its advantages, and gradually dispel stereotypes and myths around it.

A peaceful culture is not a defeat, ignoring national interests. This culture is a combination of national interests, tolerance, and compromise.

The corresponding member of the National Academy of Sciences of Azerbaijan S. Khalilov comprehensively described the essence, and structure of peace culture in his famous work “Leader. State. Society”: “What is the culture of peace? Those who understand a peace as passive position, abandoning the struggle for national interests, also as the mood of surrender are wrong. More precisely, those are far from the “culture of peace”. Peace culture is a perception of the complex internal structure, dynamics, and dramatics of peace and the sophistication of the methods of bloodless struggle in fine ways. Geographical-political policy, geographical trans-politics, also free trade, and economic space are parts of the “peace culture”.

Peace education is a broad concept embracing many different topics and concepts within that area, to say simpler, is the concepts that cover a whole range of education and many components. The concept of a peace culture is also a clarified concept for a fuller understanding of the social goals of Peace Education. By combining this explanatory concept with the gender concept, we can also understand the real problems of peace education from the standpoint of real human life. When the UN General Assembly declared the *International Decade for a Culture of Peace and Non-Violence for the Children of the World*, The Declaration of the Decade (2000-2010 years) announced in the UN Declaration and United Nations Action Plan, has been recognized by millions of people all over the world as the World Peace Culture. The announcement of the UN’s activity on gender strengthening in various parts of the world and its development in various cultural contexts is the foundation and core of the peace education process.

When the UNESCO has set itself the task of developing the concept and purpose of the Peace culture, by this, it once again reaffirmed that war and violence are obstacles for the human society that is in a desire to live at peace. The *Decade for a Culture of Peace and Non-Violence for the Children of the World* announced by the UN emerged existing global politics and numerous movements of organizations aimed at banning the “war whips”, the campaigns and world conferences were conducted. These movements resulted in numerous treaties on arms control, the collection of amended international norms and standards on

gender equality and human rights, and numerous projects on development and poverty.

But still, wars remain within the nations and between nations. Human societies are subjected to different forms of political, economic, social, cultural, environmental, and gender violence.

One of the main issues in forefront of the Peace culture is to prevent many international and domestic conflicts.

Relevant methodological literature, as well as periodicals (newspapers, journals) and historical documents, should be used for perception by people of the Peace culture. Peace culture is a unity of power, the values based on respect for fundamental human rights and freedoms, moral norms, and rules of approach to them. These rights have been reflected in the Universal Declaration of Human Rights. In a peaceful culture, power is emerged not from weapons, but from the principles of mutual relations, dialogue, and cooperation. The skills and abilities of women in the field of exchange, cooperation and solidarity, the upbringing of future generations, and family management are essential for peace culture development.

Peace culture can not be accepted forcibly. This is a process that develops on the grounds of the conviction and influence of representatives of a certain nation. An old village habitant in Mozambique said to a UNESCO representative: "You can bring a war culture onboard or a humanitarian aid in a lorry, but you can not bring peace culture to us, because it is a tree roots of which go to the very depths of our lands". At the end of 1998, at UNESCO's initiative, the UN officially declared 2000 year the year of Peace Culture. In connection with this, in 2000, a peace manifesto was worked out at the initiative of Nobel laureates and UNESCO estimated this initiative. The Republic of Azerbaijan became one of the first states that signed this "Peace Manifesto".

In addition, taking into consideration that the UN officially declared 2000 year as the Year of Peace Culture at the UNESCO initiative, and to ensure our country's closer participation in the international events, the country President signed Decree on December 28, 1999, On the Extensive celebration of the 2000 year as the "Year of Peace Culture" in the Republic of Azerbaijan and the establishment of the State Commission in this regard, as well as several measures have been realized following the Action Plan.

A Peace Culture is a collection of general goals, moments, views, and behaviors based on nonviolence, respect for fundamental rights and

freedoms, mutual understanding, tolerance and solidarity, and active involvement of women and entrusting them with the ruling functions, receiving and exchanging free flow of information.

The purpose of a peaceful culture is to build a world where all kinds of cultures coexist in an environment of mutual understanding and solidarity.

8.4. The role of women in peace culture

The role of women in peace culture causes to further expansion of their rights, and hereby, the establishment of equality, development, and peace.

Peace is indivisibly connected to men's and women's equality and development. Military and foreign governments, as well as terrorism, remain a serious obstacle to bettering the situation of women. During the armed conflicts, raids on civilians, including women and children, forced them to move, national and international law is violated, officially or unofficially, but children are called up for military service and such issues negatively affect gender equality and women's rights. No successes were achieved in the allocation of sufficient resources from the international organizations and the proper distribution of these resources to meet the needs of refugees around the world, most of which are women and children since international aid does not keep in line with the growing number of refugees. An increasing number of internally displaced persons during the wars in the world and meeting their needs, especially of women and children, remain a double burden to suffering countries and their financial resources.

Matters of global security, global military costs, financial investments into arms trafficking, and arms production prevent the available resources from the goals of social-economic development, in particular in improving the situation of women. In many countries, applied economic sanctions lead to negative social and humanitarian problems for civilians, especially for women and children.

Military conflicts lead to issues in some countries that fail to comply with international law and United Nations Charter and this hinders intergovernmental trade relations, does not allow the realization of socio-economic development, and negatively affects the lives and households of the population of the suffered countries and this effect is sharp expresses itself in women's lives.

The war strengthens a negative impact on gender stereotypes, intensifies, and even creates violence against women. Changing this

situation, creating a peace system, and strengthening a culture of peace require the cooperation of men and women. Peace is strongly connected with the equality of women and men in rights or development factors. Aggression, foreign occupation, and emerging conflicts on ethnic or other grounds are real-life factors affecting women and men in the majority parts of the world.

Educating and instilling a culture of peace that will establish justice for nations and peoples is crucial to achieving peace. The main purpose of UNESCO's "Women and Peace Culture Program" is to direct the gender perspective to the "Peace of Culture" project and to implement the requirements of the Beijing Platform for Action. Beijing Platform affirms that the full participation of women in governmental structures and the involvement of all efforts in the prevention of conflicts are essential for the protection and development of peace.

That program specifically emphasizes the following:

- Gender equality is the unconditional term of a culture of peace;
- It is imperative to use the experience, talent, vision, and potential of women at all levels of society.

War is one of the main factors causing disturbances in gender differences and the violation of social values of each sex. Men plan and realize war. Women are those who most suffer from wars and armed conflicts. The initiatives at national and international levels are put forward for solving the problems regarding abusing women, including putting an end to the impunity of crimes committed against them during the armed conflicts. The work of the International Criminal Tribunals for former Yugoslavia and Rwanda for the resolution of the problem of violence against women during the armed conflicts is crucial.

Women's rights are continuously violated during armed conflicts. This means the violation of fundamental principles of international human rights law and international law. In military conflict situations, there is an increase in cases of all forms of violence against women, including sexual slavery, rape, sexual abuse, and forced pregnancy. Displacement, poverty, divorce, family breakdowns, and other consequences of the military conflict have a sharply negative impact on people who lost their homes and property, especially women and children. During military conflicts, sometimes even girls who are involved in military operations, in contradiction to international law, are either kidnapped being subjected to sexual exploitation or being used as household servants.

The international community calls on the states to take appropriate

measures to protect women during armed conflicts and to ensure their involvement in conflict prevention, resolution, and peace-building processes.

Azerbaijan, moving forward on the path of legal-democratic state and civil society building, is a place where a culture of peace is established. Heydar Aliyev had an invaluable contribution to the formation and development of peace culture in our country and as the great Ataturk he was also a great personality being loyal to the principle of “peace in the world, peace in the country”. But at the end of the twentieth century, the war left bloody marks in Azerbaijan as in other countries. But the war that took place at the end of XX century left bloody marks in the history of Azerbaijan as in other countries. As a result of Armenian aggression, our country and our people have suffered from uncountable material and moral damages, 20% of our lands remained under occupation for almost 30 years, and more than one million of our compatriots became refugees and internally displaced persons. Our compatriots were exiled from their homelands and more than a hundred thousand children born intent were massively deprived of all human rights. It is known that women and children suffer more from the horrors of war.

Heydar Aliyev, who declared that war that Azerbaijan is forcedly involved in is connected to groundless territorial claims of Armenia to our ancient lands, used to say: “We do not want war, we do not pretend at the lands of Armenia. We protect our lands, our territory, and our homeland”.

A unilateral approach to the culture of peace is wrong. In this meaning, the concept of the Great Leader to resolve the conflict and achieve peace is a genius-minded peace philosophy: “If our land is not liberated peacefully, we will liberate our lands no matter the cost of it. The world should know, everyone should know, and the Armenian party should know as well that we will never give a single meter of our territory or even an inch of our lands. The world will not remain this way... Our people can never agree with it, the President of Azerbaijan can never agree with it”. Years later, this statement of the National Leader became a reality in the Azerbaijani nation.

Achievement of a cease-fire with Heydar Aliyev’s return to governance gave a push forward to the Azerbaijani women who are one of the main carriers of peace values, in establishing peace and increasing their role in the culture of peace. In addition to defending women’s peace initiatives, he created an environment for their participation in democratic processes. Organization of round tables, seminars, and meetings in the

direction of peace-building measures - conflict prevention and conflict resolution became an integral part of civil society activity forming in the country.

If to glance at the activities of our women in the peace-building process, we can see that an international campaign "Peace Caravan" was organized even during ongoing military operations in 1992. The aim of such actions held in Yerevan and Baku was to explain the geopolitical interests as causes of the conflict. In 1994, a meeting was held between women and youth at the "Gazakh-Ijevan" border, to say "No to War!". During the meeting, the women organized actions against military service in the territory of other lands. In 1996, "The Dialogue of Women in Transcaucasia" was created. Within this dialogue, the meetings were held in Georgia and the United States. The Decree of the President of the Republic of Azerbaijan Heydar Aliyev was issued on December 29, 1999, announcing 2000 year as a "Year of Peace of Culture" our country The State Committee for Women's Affairs held a joint conference with the UN.

Women are often struggling all over the world for the sake of justice and social reforms, but they rarely participate in peace negotiations or forums devoted to conflict resolution. However, they always tried to find out various ways of conflict resolution. The participation of women in various non-governmental organizations within the peace processes has expanded over the past century: they addressed various peace initiatives, measures, and programs. These initiatives show that women have more initiatives concerning peace, security, and other global challenges than men.

At the conference titled "The 10th Anniversary of UN Security Council Resolution #1325: Achievements, Perspectives" the Commissioner emphasized the importance of the consolidation of women's efforts in the development of society, the establishment of stability and harmony, in the preservation of peace and security. At the Ombudsman's initiative, traditionally the "Peace Month-long campaign" is held every year in our country, and a range of events, round tables, seminars, and exhibitions on peace and human rights topics are being organized. The proposals of the Commissioner concerning the establishment of the peace dialogue, peace culture, intercultural, inter-religious dialogue, the conversion of religions into a peace bridge, development of civil society, establishment of specialized NGOs in this direction, carrying out preparation for the return process, repatriation refugees and internally displaced persons through their education,

combining the efforts of government agencies, NGOs and international organizations in this process assume high importance.

Nations who know the horrors of war are better understanding the value of peace. Women who live witnessed the war have always been supporters of peace. Usually, women are described as peace-lovers and their affiliations with peace are linked to the motherhood senses and care. As an Australian woman Helen Caldicott, who opposed the nuclear weapon, writes: "...As a mother, we must be sure that the world is calm and peaceful for our children. I particularly appeal to women, because we understand the origin of life much better."

Surely, women who give life to people in the world, express their hatred for war whatever they are, regardless of their religion, their language. They want their children to grow up under a peaceful sky, hating the war women choose peace. On the other hand, different cultures stress a special role played by women in peace matters. Women joined the great movements guided by the "motherhood symbol".

Women understand very well that peace is not just an absence of war. Peace embraces more achievements. The Beijing conference call states: "We, the signing parties, urge all the women and men belonging to various cultures, religious views, ethnic and social groups to be in solidarity with us. We can fight against barriers, despair, and slander only based on equality, cooperation, and mutual respect. Understand the essence of problems can take together concrete steps to the culture of peace from the culture of peace."

8.5. Equal values for men and women in Islam

Religions have passed through different stages and have come to this day. Elementary tribal religions, national religions, and universal religions are the systems of values that modern man believes in. Islam is the latest and the youngest in the system of these values. Before Islam, women did not have any rights that considered being important throughout the world and had no status or value. The birth of the girl was the greatest shameful news for a father. There were no differences between the woman and other things belonging to men. However, the revelation of the Koran has radically changed all these issues. The Islamic religion removed the gap between the sexes, removing the unjust situation from society by giving 1,400 years ago the rights to women that a modern world empowering newly. Unlike some other confessions, Islam has declared that neither a boy nor a girl is born guilty to the world but completely innocent. The mention of men and women in the Koran in the

same number - 23 times is also the most obvious evidence of the equality of women and men in Islam.

From the moment of emerging of the Islam religion, it began to eliminate the difficulties women suffered from. "O mankind, surely, we have created you from a male and a female, and made you tribes and families that you may know each other. Surely the noblest of you with Allah is the most dutiful of you. Surely Allah is Knowing, Aware" (*Al – Hujurat (Rooms) Surah, 13*); "O my Companions and my Ummat, behave the same with your children. If I had preferred one of the children, I would have preferred woman and chose them" (*Surah Muhammad (The Praised One) Surah*). Islam has come to the aid of a woman who is materially and morally insulted. Allah states in the Koran that whether or not they are men or women, they have their share of what they have earned: "And do not wish for that by which Allah has made some of you exceed others. For men is a share of what they have earned, and for women is a share of what they have earned. And ask Allah of his bounty. Indeed, Allah is ever, of all things, Knowing." (*An-Nisa (Women) Surah, 32*). As it is evident from all these ayahs that Allah has declared, superposing to be a woman or a man is not physically and financially powerful; the sole superiority lies in the commitment to God to fulfill what God has commanded. "Indeed, the men who practice charity and the women who practice charity and [they who] have loaned Allah a goodly loan – it will be multiplied for them, and they will have a noble reward." (*Al-Hadid (The Iron) Surah, 18*) is written in the Koran saying that men and women are informed that the true superiority will be achieved by living by Allah's moral standards. According to Islamic morality, being a human a woman, or a man is not essential. The important thing is to believe in Allah and act in compliance with this.

The characteristics of women and men who believe in the Koran are as follows: "The believing men and believing women are allies of one another. They enjoin what is right and forbid what is wrong and establish prayer and give zakat and obey Allah and His Messenger. Those – Allah will have mercy upon them. Indeed, Allah is Exalted in Might and Wise." (*At Taubah (Penitence) Surah, 71*). Equality between men and women in Islam is understood by giving women and men equal rights in the life of the world and during the "examination period": "Never will I allow to be lost the work of [any] worker among you, whether male or female; you are of one another. So those who emigrated or were evicted from their homes or were harmed in My cause or fought or were killed – I will surely remove from them their misdeeds, and I will surely admit them to

gardens beneath which rivers flow as reward from Allah, and Allah has with Him the best reward.” (*Ali-Imran Surah, 195*); “Whoever does righteousness, whether male or female, while he is a believer – We will surely cause him to live a good life, and We will surely give them their reward [in the Hereafter] according to the best of what they used to do.” (*An Nahl Surah, 97*).

Some people pray for Allah and want sons when asking to have children. However, Islam recommends wanting a good and righteous child when praying for his child. Sometimes religion has been and remains a tool for people to use for their interests. Sometimes, distorting the religious values, on the grounds of the idea of propagating is to preserve the social hierarchy of sexes and to protect against hidden discrimination against women in society. But when glancing at the ayahs of the Koran in a general way, we can see the same calling of Allah of woman and man. In Islam, the place of women and men in society is exactly equal.

8.6. Religious beliefs and tolerance in Azerbaijan

Throughout history, different national minorities, various religious holders, and confessions representatives lived in Azerbaijan in an equal environment, performing freely their rituals. At different development stages, the history of spiritual memory of different nations living in Azerbaijan has inherited many aspects of culture and morality enriching by the noblest, universal values of all major religions of the world starting from Zoroastrianism. Azerbaijan has historically been a multiethnic country of various religions. Iranian, Caucasian ethnos (Georgian, Armenian, Ossetian, etc.), as well as the Jews, Russians, Ukrainians, Tatars, Belarus, and others, lived in our country, the majority of the population of which are the Azerbaijanis.

The collapse of the Soviet Union has become a real examination of religious tolerance in the region. As a result of these processes, the peoples of the former Soviet republics, along with independence, also obtained true religious freedom. The biggest threat to the grounds of existing tolerance in Azerbaijan was emerged from the Armenian aggression, causing the death of thousands of civilians and exiling of more than a million of our compatriots from their homelands.

Within the framework of the contemporary Azerbaijani model of state-religion relations, all religious confessions are equal before the law and own the same status. Together with Muslims who constitute the vast majority of the country’s citizens, the rights of representatives of other

religions are also guaranteed. Thus, the building of Holy Myrrhbearers Cathedral was built in 1909 at the expense of personal money and donations by the Azerbaijani millionaire and philanthropist Haji Zeynalabdin Taghiyev, and closed in 1920, was given to the Russian Orthodox Church in 1991. On May 27, 2001, Patriarch Alexei II of Moscow and All Russia, during a visit to Azerbaijan, declared this temple sacred, and ahead cathedral church status was given to it. President Heydar Aliyev, government members, representatives of embassies, and heads of religious communities attended the opening ceremony.

This should be noted that the restoration of the House of God was carried out by Aydin Gurbanov- the Azerbaijani businessman living in Moscow, who was Muslim by his religious belonging. At the expense of his funds, the Head Cathedral Church was restored in a short period and was given to the exploitation of believers. Besides, during 1999-2001 years, another Orthodox church, Holy Mary's Christmas Church, was restored in the capital. As a result of the efforts of the Polish priest Jerzy Pilyus, the Catholic community of the republic does not remain out of the care of the authorities. The first sessions were being held in believers' homes and in 2000 the building was bought for these purposes and became a small church. Two priests appointed by the Vatican serve the Catholic community; the worship was carried out on Sundays and religious holidays. At present, a Catholic church was built in the capital of the republic upon the project agreed upon in the Vatican. According to its exterior, it resembles the previous Catholic Church in Baku.

When touching on the topic of the respect shown to the Jews in Azerbaijan, it is worth mentioning the "Red District" in Guba. It is one of the sole places in the former Soviet Union area where the Jews live compactly (more than 3500 people). Before the establishment of the Soviet power in Azerbaijan there were 11 synagogues in the settlement. Only one of them was functioning during the Soviet period. Since 1996, two more synagogues have been restored by the state. In October 2001, a solemn ceremony dedicated to the restoration of the two-storied, six-liter synagogue was conducted with the participation of representatives of the Azerbaijani government and guests from many countries of the world. There has never been anti-Semitism in Azerbaijan and there is no at present as well.

At present, many mosques, and temples belonging to the Azerbaijanis have been destroyed and ruined by the Armenian military forces in Western Azerbaijan, Garabagh, and occupied surrounding territories. On the other hand, the Holy George Church in Baku (Baku

Armenian Church) is protected by the state. After the Second Karabakh war, we once again became the witnesses to the mass destruction of cultural, and religious objects alongside the civil infrastructure in those areas during the period of their occupation for almost 30 years. Not only mosques and churches were destroyed but also cemeteries of Azerbaijanis were subjected to unimaginable acts of vandalism. All these facts were collected and undeniable proof of such acts of vandalism by Armenian was reflected in various reports and statements of the Ombudsman as a result of her fact-finding missions carried out in those territories during the post-war.

The rare experience of Azerbaijan in the field of inter-religious dialogue and cooperation is highly appreciated and recognized abroad.

This should be noted that the leadership of the country regularly meets with leaders of religious communities, and shows interest in their needs and problems. President Ilham Aliyev regularly congratulates Christian and Jewish communities regarding their main religious holidays. There it is stated that tolerance and endurance, which have historically formed in our republic, became a beautiful tradition characterizing the Azerbaijani society.

In a time when after the collapse of the USSR, all Muslim religious organizations in the Soviet Union were exposed to crisis and destructed, the *Spiritual Administration* of the Muslims of the Caucasus was expanding its circle of activities. In 1998, the 10th Congress of Caucasian Muslims was launched in Baku. The representatives of the Caucasian Muslims Office (CMO) were opened in Georgia and Dagestan. The CMO has consistently ensured its relationship with international Islamic organizations and keeps close relations with the neighboring Muslim countries. Today, the CMO is heading the Islamic religious communities in Azerbaijan within the frames of its competencies; the organization oversees the proper fulfillment of Sharia rules. The Baku Islamic University established in 1991, is carrying out a great job in the training of confessor cadres. Since 1992, theologians and Islamic scholars have been trained at the Faculty of Theology of the Baku State University.

Representatives of different nations, living in our country as one native family, who are the transmitters of historical reality, genetic-ethnic memory, and mutual relations - Talish, Lezgi, Avar, Kurds, Tatars, Udin, Taste, and others call themselves the Azerbaijanis. The country's population combining the citizens of the country within the context of the policy of multiculturalism has been identified as "the people of

Azerbaijan” in the constitution of independent Azerbaijan. Azerbaijan is a tolerant country with civic unity and citizens’ solidarity. Restoration works of monuments belonging to all religions are carried out in Azerbaijan; hundreds of new mosques have been built as well. Temples of other religions are built, repaired, and also will be built in the future. This indicates that there is no discrimination in this field in Azerbaijan. A person who loves his nation and respects his religion should also love people from the other nations and respect the other religions. From April 7-9, 2011, the World Forum on Intercultural Dialogue was held in the Republic of Azerbaijan with the participation of representatives from 102 states and more than 10 international organizations. The main purpose of the Forum was to explore intercultural dialogue in contemporary societies characterized by diversity and pluralism, as well as to encourage the strengthening of local, regional, and global levels.

At the First International Baku Forum titled “State and Religion: Strengthening Tolerance in a Changing World” held in December 2012, inter-religious relations, and tolerance in Azerbaijan was emphasized, it was noted that this is a long-rooted tradition of centuries.

The following events assume high importance among those conducted in Azerbaijan: the meeting of the Council of Europe Religious Dimension on Inter-religious Dialogue on the topic “Inter-cultural dialogue: culture and religion (September 1-2, 2014); the International conference dedicated to the model of religious tolerance in Azerbaijan on the topic “Inter-religious understanding: a model of cohesion” (UNESCO, November 14, 2014); the International Conference on the topic “Strengthening Religious Tolerance: the Azerbaijani model, Challenges within and beyond OSCE Region)” (November 17-18, 2014); International Conference on “Religious coexistence in the traditional Islamic states. Presence of different religions in Muslim country: the Azerbaijani experience” (December 11, 2014).

Within the framework of the 69th session of the UN General Assembly On September 26, 2014, at the UN Ministerial Meeting of the Friends Group of the Alliance of Civilizations, it was decided to hold the 7th 2019 Forum of Global Alliance of Civilizations in the 2016 in the capital of the Republic of Azerbaijan. At this event, held in Baku from April 25-27, 2016, it was once again emphasized that all possible conditions were created for the existence of different ethnic groups in Azerbaijan. The 6th and 7th Global Baku Forum were launched in Baku in 2018 and 2019, the 6th Baku International Humanitarian Forum on October 25-26, 2018, the 5th World *Forum* on Intercultural Dialogue was

held from 2 to 3 May 2019 and other influential international events were conducted in Azerbaijan that repeatedly proves to be an obvious example of multiculturalism model.

This should be mentioned that cultural diversity in our country is understood not simply as the concentration of ethnic minorities, Azerbaijan is a favorable environment for the development of national solidarity and inter-religious cooperation. In other words, every citizen residing in the territory of the country is the wealth of Azerbaijan disregard of ethnicity, religion, or other belonging.

Questions for students' knowledge assessment:

1. What are cultural diversity and multiculturalism?
2. What are the purposes of the Convention "On the Protection and Promotion of the Diversity of Cultural Expressions.?"
3. The Basic Principles of the Convention "On the Protection and Promotion of the Diversity of Cultural Expressions.
4. The "Azerbaijani model" of multiculturalism.
5. What is the basis of the social-cultural categorial meaning of gender?
6. What does the concept of peace culture consist of?
7. Religious beliefs and tolerance in Azerbaijan
8. The role of women in the culture of peace in Azerbaijan.
9. Are the values given to men and women equal in Islam?

LECTURE 9.

WOMEN'S RIGHTS IN INTERNATIONAL DOCUMENTS: BEIJING DECLARATION AND ACTION PLATFORM

9.1 The impact of the foreign policy of the Republic of Azerbaijan on women's rights.

9.2 International treaties in the field of women's rights protection

9.3 Membership of the Republic of Azerbaijan in international organizations regulating women's rights

9.4 World Conference on Women's Status

9.5 Beijing Declaration and Platform for Action

9.1. The impact of the foreign policy of the Republic of Azerbaijan on women's rights

It is a fact that the attitude toward women's rights has always been on the agenda in all periods of history and in every part of the world.

During the early years of state independence characterized as a period full of contradictions, the Republic of Azerbaijan faced serious problems in the process of integration into the international community and until 1993 no step towards gender equality was taken in fact.

The formation of foreign policy in the field of women's rights and the determination of priorities are connected with the name of President Heydar Aliyev. Exactly during his period of governance, the necessary measures were taken for Azerbaijan to take part in the international relations system and it is gaining a unique position.

Heydar Aliyev, returned to power in 1993 at the people's demand, renewed Azerbaijan's foreign policy from its very first days, and rebuilt it on grounds of the country's strategic interests. First of all, Heydar Aliyev began to work to overcome the severe mistakes in foreign policy omitted by the former government and eliminate the tense international political situation around Azerbaijan as a result of it, he also pursued a policy aimed at reconciliation of the country's strategic interests with the regional states' interests and the particular states having a special influence in the Caucasus.

Being elected as Chairman of the Milli Mejlis, Heydar Aliyev defined the main tasks and directions of foreign policy: "One of the

attributes of Azerbaijan's independence is foreign policy; Azerbaijan must have a solid foreign policy, a well-planned foreign policy, a prescient foreign policy, Azerbaijan has to have such a foreign policy that links it to the world community, ensures the relations of Azerbaijan with all states and Azerbaijan's interests and that should be able to introduce Azerbaijan to the world as a de-facto independent state. Azerbaijan has never had such a thoughtful foreign policy".

One of the most important results of this was that the world community, international organizations, and business circles are increasingly interested in Azerbaijan, which has already stepped on an independence path.

This situation both caused the flow of billions of US dollars into Azerbaijan and strengthened its position all over the world, as well as to it transformed into a stronger independent subject of international law.

The provision of civil society, in particular human rights and freedoms, especially of women's rights and gender equality was given an important place in a consistent policy of Azerbaijan towards building a democratic, legal state within a properly determined course. Without all these, it was impossible to realize continuous integration into the international community, first and foremost into the Euro-Atlantic space on both legal and any other grounds.

Useful economic cooperation, in its turn, assumes great importance for the deepening of political relations and strengthening of mutual trust. From this standpoint, the "Contract of Century", signed on September 20, 1994, on the exploitation of oil fields in the Azerbaijani sector of the Caspian Sea, gave a powerful push to the expansion of relations of Azerbaijan with the world countries and strengthening its international position. The "Contract of the Century" and numerous petrol contracts signed during the next period strengthen Azerbaijan's integration into the world community and demonstrate the existence of a wide network of common contact points for the development of mutually beneficial cooperation.

All these alongside playing an important role in changing the world community's views on the Armenian-Azerbaijani conflict led to the international community's increasing support for the territorial integrity and just position of our country. The world saw that, unlike Armenia, Azerbaijan is committed to the inviolability of borders, territorial integrity of states, peace, and international law. In this period focusing all its strength on the recognition of our independent state in the world, its international prestige, and integration into the world community in all

spheres of socio-political, economic, and moral life, the Azerbaijani diplomacy has faced the necessity of providing affordable international support for the settlement of the Armenia-Azerbaijan conflict and ensuring the territorial integrity of our republic. A special concept was developed with this aim for the transferring of the problem to the world level and its solutions and a consistent political course envisaging the implementation of some specific tasks was realized.

The liberation of the occupied lands once again displayed the true face of vandalism resulting in the mass destruction of those lands. Nowadays, huge restoration works started, but these post-conflict measures aimed at bringing life and those people who left their homes long years ago back is prevented by mines problem. And while comprehensive and intensive mine cleaning works are carried out, civilians and military servants still become a victim of mine explosions in the liberated territories.

In a short period, Azerbaijan became a member of the UN, the Organization for Security and Cooperation in Europe, the Organization of Islamic Conference, the Union of Turkic States, the Commonwealth of Independent States, the International Monetary Fund, the Black Sea Economic Cooperation Organization, the World Bank for Reconstruction and Development and the Islamic Development Bank and established mutually beneficial relations with the Inter-Parliamentary Union, the European Union, the Council of Europe, the European Parliament, NATO, and other international and regional organizations. Thus, the Azerbaijani state identified its gender policy through studying the world experience in protecting women's rights.

In the modern period, gender equality is one of the main priorities for the development of a democratic society and human rights protection.

The Partnership and Cooperation Agreement that was signed between the European Union and Azerbaijan in 1996, was targeted at accelerating the process of reforms in Azerbaijan and the realization of various projects.

Ilham Aliyev, who has been successfully guiding the Republic since October 2003, continued this foreign policy course in compliance with the demands of the new period, achieved a further increase in Azerbaijan's influence in the international arena, the highest level of preserving the national interests by the realization of an independent policy.

In his congratulation address to the participants of the VII Conference dedicated to the gender equality held for the Council of

Europe member-states in Baku, the President of the Republic of Azerbaijan Ilham Aliyev noted that today establishing mutually beneficial relations in various fields, the Republic of Azerbaijan implements efficient cooperation with the Coe.

The widening of relations with the member-states emerges favorable conditions for our countries to get closer to each other and to address the challenges that may arise.

9.2. International treaties in the field of women's rights protection

The existence of common problems in a globalizing world and the development of economic relations push states to closer interrelations.

In a short period, Azerbaijan became a full-fledged member of the world community. On March 2, 1992, Azerbaijan joined the UN and on January 25, 2001, became a Council of Europe member and also a party to more than 230 international treaties and about half of them are directly or indirectly related to human rights and freedoms. As Azerbaijan is a Coe and UN member-state, all the documents adopted by these organizations are taken into account by our state.

Azerbaijan joined several important international conventions on the protection of women's rights, including several UN conventions. As an example, the following can be shown, the Convention on the Political Rights of Women of December 20, 1952 (was ratified on August 4, 1992); the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (was ratified on May 31, 1996); the Convention on the Elimination of All Forms of Discrimination against Women dated December 18, 1979, (on June 30, 1995), as well as The ILO Convention No. 45 Convention concerning the Employment of Women on Underground Work in Mines of all Kinds, adopted by the International Labor Organization (ILO) in the area of labor and employment of women; the ILO Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; the ILO Maternity Protection Convention No. 103; the ILO Convention concerning Discrimination in Respect of Employment and Occupation; International Convention on the Nationality of Married Women dated January 29, 1957.

The UN Committee on these Conventions has been established. These Committees oversee the implementation of those Conventions by the Member States acceding to the Convention. Each State shall, within four years, submit to the same Committees a report on the implementation

of the Convention in the country. These Committees may submit recommendations to the States in connection with the implementation of the Conventions.

Without a doubt, the Convention on the Elimination of All Forms of Discrimination against Women assumes particular importance for Azerbaijani women and all women all over the world. This Convention is the main international document concerning the protection of women's rights. Its preamble says that the elimination of discrimination against women, and ensuring equality between women and men are one of the UN's main principles. The Convention relates the problem of bettering the status of women to the most global challenges of the modern period.

In 1975, the conduction of the International Women's Year and then, from 1975-to 1985 years, the Women's Decade, provoked the UN to adopt a special international legal act on the regulation of women's rights, and on December 18, 1979, the UN General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women. The purpose of the convention is to ensure that women are truly free from all forms of discrimination and to create an equal opportunity environment for women to develop and realize themselves. Part 1 of this Convention relates to the fundamental rights of women, the constitutional dimensions for their fulfillment, and the obligations of the government, Part 2 is about the active involvement of women in public life, and Part 3 - the social and economic aspects of equality, including education, employment, and health, as well as civil liberties. About 190 states joined this Convention. This fact confirms the fact that the world community gives high importance to increasing the role of women in the modern period. The Convention is a reliable tool for analyzing women's status in any country in compliance with internationally recognized standards. The Convention emerges at such a level of women's legal status that it would comply with international human rights standards.

The Republic of Azerbaijan joined the Convention on June 30, 1995, undertaken commitments to implement the Convention, and hereby, confirmed its support for the ideas of equality and democracy. In addition, participant-states undertook not only the obligation to implement the Convention at the national level but they should also submit reports on the measures taken and on the challenges that may arise during their implementation. These reports are submitted to the United Nations Secretary-General. The SG, in his turn, submits reports to the relevant Committee on the Convention "On the Elimination of All Forms of Discrimination against Women". The first report of the Republic of

Azerbaijan under the Convention was submitted to the Committee in 1996. On January 20, 1998, the report on the implementation of the Convention in Azerbaijan was delivered to the Committee.

In June 2000, the Republic of Azerbaijan also signed the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. The essence of this Protocol is the possibility of applying each person individually to the Committee on the Elimination of All Forms of Discrimination against Women. Azerbaijan has undertaken several legal reforms to improve its national legislation in compliance with the ratified country's international agreements.

In 2001, Azerbaijan joined the UN Women's Development Fund's "Non-violent Life" Regional Information Campaign. From 2001-to 2002 years, Azerbaijan joined the campaign "16-day action against Gender Violence in the Caucasus". This campaign is held from November 25 to December 10.

From 2001 to 2002 years, the OSCE Institute for Democratic Institutions conducted pieces of training on combating domestic violence for law enforcement officials and judges.

Trafficking in human beings as a type of violence is new and, therefore, not sufficiently studied the issue for Azerbaijan. Until recently, trafficking in human beings was not included in the national agenda and this problem was not discussed widely. The efforts of international organizations and the International Organization for Migration led to the understanding of the problem of trafficking in human beings in Azerbaijan. This should be mentioned that the favorable geographical location of Azerbaijan is exploited as a transit country for trafficking in human beings and as a country of origin according to recent studies. Until 2005, there were no special articles in the legislation of our Republic defining trafficking in human beings as a crime. Taking into account the importance of increasing the efficiency of international cooperation in combating these types of crime the cooperation was built with the relevant bodies of the United States, Austria, Bulgaria, Latvia, Romania, China and Egypt, and the other countries, as well as with the UN, OSCE, International Organization for Migration and Interpol. Bilateral agreements on legal assistance in the fight against organized crime have been signed with the United Arab Emirates, Pakistan, Iran, and Turkey. Azerbaijan has joined several international conventions on this problem. Thus, on December 12, 2000, the UN Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children were signed. In

2003 that protocol entered into force concerning Azerbaijan.

By the Decree of May 6, 2004, the country's President approved the "National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan". In 2005, the Law of the Republic of Azerbaijan "On combating trafficking in human beings" (THB), and several important normative-legal acts were adopted in this field. On September 30, 2005, amendments were made to the Criminal Code to recognize THB as a crime. By the Decrees of the President of the Republic of Azerbaijan dated February 6, 2009, and July 24, 2014, the next National Action Plan on Combating Trafficking in Human Rights (for 2009-2013 years and 2014-2018 years) has been approved. The Council of Europe Convention on Action against Trafficking in Human Beings was signed by our country on February 25, 2010, and ratified on May 11, 2010.

International organizations play an important role in investigating the current situation in our country and carrying out the propaganda among state bodies, non-governmental organizations, and vulnerable groups in Azerbaijan.

In international documents, in the majority of cases, the analyses of women's rights are embracing the human rights issues. In each country, human rights are protected based on the national norms and the most efficient remedies for the restoration of the violated rights are intrastate mechanisms. National norms own a more flexible mechanism in the regulation of women's rights. The importance of international norms is in setting by them minimum standards regarding women's rights and freedoms.

A party-state supporting the international norms may envisage the rights and freedoms that are superior to the rights and freedoms set out in these national norms. The main list of international agreements to which the Republic of Azerbaijan is a party regarding the protection of women's rights can be summarized as the following:

1. The Universal Declaration of Human Rights

(Adopted by the UN General Assembly Resolution of 10 December 1948)

2. International Covenant on Economic, Social and Cultural Rights (Adopted by the UN General Assembly Resolution of 16 December 1966. The Republic of Azerbaijan ratified this Pact following the Decision #226 of the Milli Mejlis of 21 July 1992,);

3. International Covenant on Civil and Political Rights

(Adopted by the UN General Assembly Resolution of 16 December 1966. The Republic of Azerbaijan ratified this Pact following the Decision # 227 of the Milli Mejlis of the Republic of Azerbaijan dated July 21, 1992);

4. The Convention on the Rights of the Child

(Adopted by the UN General Assembly resolution of 20 November 1989. The Republic of Azerbaijan has ratified this Convention following the Resolution #236 of the Milli Mejlis of 21 July 1992);

5. The Convention on the Political Rights of Women

(Adopted by the UN General Assembly Resolution of 20 December 1952. The Republic of Azerbaijan has ratified this Convention following Decision #255 of the Milli Mejlis of the Republic of Azerbaijan dated August 4, 1992.);

6. The Convention on the Status of Refugees

(Adopted by the Resolution of the UN General Assembly of 28 July 1951. The Republic of Azerbaijan has ratified this Convention following the Decree #402 of the Milli Mejlis of 8 December 1992);

7. Geneva Conventions on the Protection of Victims of War

(Adopted on August 12, 1949. The Republic of Azerbaijan ratified these conventions following Decision #573 of the Milli Mejlis on April 21, 1993.);

8. The Convention on the Elimination of All Forms of Discrimination against Women

(Adopted by the UN General Assembly Resolution of 18 December 1979. The Republic of Azerbaijan ratified this Convention following the Decree #1074 of the Milli Mejlis of 30 June 1995);

9. The Convention on the Elimination of All Forms of Racial Discrimination

(Adopted by the UN General Assembly Resolution of 21 December 1965. The Republic of Azerbaijan ratified this Convention under the Law # 95-IQ of 31 May 1996);

10. The Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity

(Adopted by the UN General Assembly Resolution of 26 November 1968. The Republic of Azerbaijan has ratified this Convention following the Law # 98-IQ of 31 May 1996);

11. The Convention to Suppress the Slave Trade and Slavery

(Adopted on September 25, 1926. The Republic of Azerbaijan ratified this Convention following the Law # 99-IQ of 31 May 1996);

12. The Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others

(Adopted on December 2, 1949. The Republic of Azerbaijan ratified this Convention following the Law #102-IQ of May 31, 1996);

13. The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

(Adopted by the UN General Assembly Resolution of 10 December 1984. Our country has ratified this Convention following the Law #103-IQ of 31 May 1996);

14. The Convention on the Nationality of Married Women

(Adopted by the UN General Assembly Resolution of January 29, 1957. The Republic of Azerbaijan ratified the present Convention following Law #104-IQ of May 31, 1996).

15. The Convention on the Reduction of Statelessness

(Adopted by the UN General Assembly Resolution of August 30, 1961. Our country has ratified this Convention following the Law #105-IQ of May 31, 1996)

16. The Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages

(Adopted by the UN General Assembly Resolution of November 7, 1962. The Republic of Azerbaijan has ratified this Convention following the Law #107-IQ of May 31, 1996)

17. The Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families

(Adopted by the UN General Assembly Resolution of December 18, 1990. Our country has ratified this Convention following the Law #581-IQ of December 11, 1998)

18. The European Convention on the Legal Status of Children Born out of Wedlock

(Adopted on October 15, 1975. The Republic of Azerbaijan has ratified this Convention following the Law #832-IQ of March 8, 2000)

19. European Convention on the Compensation of Victims of Violent Crimes

(Adopted on November 24, 1983. The Republic of Azerbaijan has ratified this Convention following the Law #836-IQ of March 2000,)

20. The Convention concerning the Abolition of Forced Labour

(Adopted on June 25, 1957. The Republic of Azerbaijan has ratified this Convention following the Law #847-IQ of March 24, 2000)

21. The European Convention for the Protection of Human Rights and Fundamental Freedoms

(Adopted on November 4, 1950. The Republic of Azerbaijan ratified the present Convention following Law #236-IIQ of December 23, 2001.)

22. *The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment*

(Adopted on November 26, 1987. The Republic of Azerbaijan ratified this Convention following Law #237-IIQ of December 25, 2001.)

23. *The European Social Charter*

(Adopted on May 3, 1996. The Republic of Azerbaijan ratified this Convention following the Law #575-IIQ of January 6, 2004)

24. *The Convention Against the Discrimination in Education*

(Adopted on December 14, 1960. The Republic of Azerbaijan ratified the present Convention following Law #146-IIIQ of October 2, 2006).

9.3. *Membership of the Republic of Azerbaijan in international organizations regulating women's rights*

The Republic of Azerbaijan actively and effectively cooperates with many specialized UN structures and bodies. The United Nations Development Program (UNDP), the UN High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the UN Educational, Scientific and Cultural Organization (UNESCO), the Industrial Development Organization (UNIDO), the World Health Organization (WHO), the UN Development Fund for Women (UNIFEM, UNW), the International Atomic Energy Agency (IAEA), the Comprehensive Nuclear-Test-Ban Treaty (CTBT) can be noted among them. Taking into account the importance of education, science, and culture, the Republic of Azerbaijan closely collaborates with the UNESCO and for this purpose, the National Commission of the Republic of Azerbaijan for UNESCO under the Ministry of Foreign Affairs was established following the Decree of the President of the Republic of Azerbaijan in 1994. From 2000 to 2002 years, Azerbaijan was a member of the Commission on the Status of Women. Azerbaijan is also the main sponsor of the Commission's Annual Resolution on the release of women and children taken hostage as a result of military conflicts. Azerbaijan takes active participation in the elections to these bodies by promoting its candidacies to the relevant UN bodies and bodies. The Republic of Azerbaijan was a member of the UNICEF Executive Board from 1995-1997 years and 1998-2000 years and of the United Nations Sustainable Development Commission for the period 2002-2004 years. Azerbaijan

was also elected as a member of the UN Economic and Social Council (ECOSOC) from 2003 to 2005 years.

In October 2013, 3 open discussions were organized regarding the situation in the Middle East on the topic “Women, Peace and Security and the methods of action of the Security Council”, a meeting with the Chairman of the International Court of Justice was held.

Azerbaijan became a member of the CSCE (from January 1, 1995 – OSCE) on January 30, 1992. This should be mentioned that the CSCE was the first European organization Azerbaijan became a member of. Gender equality is a fundamental human right and value that occupies an important space in the OSCE’s comprehensive security mandate.

One of the main priorities of the foreign policy in Azerbaijan remains cooperation with the European Union (EU). The strategic position of Azerbaijan located on the border between Europe and Asia increases the interest of EU member states to develop political and economic relations with Azerbaijan. The legal basis of relations between the Republic of Azerbaijan and the EU is the Partnership and Cooperation Agreement (PCA). This document was signed on April 22, 1996, in Luxembourg, and entered into force on July 1, 1999, after its ratification by all signatory states.

The EU sent its Special Ambassador to Azerbaijan in 1998 and our country opened its Permanent Representation in the EU in 2000.

EU supports economic reforms carried out in Azerbaijan through appropriate technical and expert assistance within the TACIS (Technical Assistance to CIS countries) program. The TACIS program was launched in 1991 to provide technical assistance to 12 former Soviet Union countries and Mongolia. In the Azerbaijan part of TACIS, three main areas of cooperation are preferred: infrastructure, private sector, and human resources development.

In 2003, the European Union opened a new phase in the relations with Azerbaijan built upon the European Neighborhood Policy. A further step in this direction was taken in May 2009 with the participation of our country in the Eastern Partnership.

Azerbaijan, being an integral part of the Islamic world with its historical past, and religious, cultural, and moral values, became a member of the Organization of the Islamic Conference (OIC) in December 1991. This should be noted that most of the humanitarian and technical and other assistance provided by Muslim countries to our republic is based on the documents adopted by OIC conferences. The 5th International Conference on the Role of Women in the Development of

the member states of the Organization of the Islamic Cooperation (OIC) was held in Baku in October 2014. Muhammad Naeem Khan, Assistant Secretary-General of the Organization of Islamic Cooperation (OIC) said that the organization of such events pushed much-expanded involvement of women in the development process.

The 7th Global Forum of the UN Alliance of Civilizations was held in Baku from April 25-27, 2016. The delegations from more than 140 countries, representatives of numerous international organizations, religious confessions, and NGOs participated in the Forum conducted under the slogan “Living Together in Inclusive Societies: A Challenge and A Goal”. From the event, the world was given messages of peace, cooperation, peace, and dialogue. H.E. Mr. Nassir Abdulaziz Al-Nasser—the High Representative for the United Nations Alliance of Civilizations noted that everyone can agree that this Forum has been greatly successful: “We are very pleased with our cooperation with the government of Azerbaijan.” Al-Nasser emphasized that the societies cannot develop properly without peace and there are still many things to do to establish peace in the world. An inclusive society guarantees peace and ensures employment, eliminating inequality, and isolation.

The UN Alliance of Civilizations was established in 2005 with the political support of former UN Secretary-General Kofi Annan, by the joint initiative of Turkey and Spain. The first Forum was held in Madrid in 2008, the second - in Istanbul, in 2009, the third - in Rio de Janeiro in 2010, the fourth in Doha in 2011, the fifth - in Vienna in 2013, and the sixth in 2014 in Bali.

The UNESCO, the UN specialized agency, is the largest intergovernmental forum in the world in the field of cooperation in education, science, and culture. Its Charter was signed on November 16, 1945, in London, and on November 4, 1946, an organization consisting of 20 member-states began its official activity. The mission of UNESCO is to strengthen the peace protection idea in the people’s minds through education, science, culture, and communication.

An international forum on the topic “Expanding the Role of Women in Intercultural Dialogue” was held in Baku from June 10-11, 2008. More than 300 delegates from different countries of the world, including the first ladies of several countries, ISESCO Director-General, and UNESCO Goodwill Ambassadors attended this Forum held at the initiative of the First Vice-president of the Republic of Azerbaijan, the President of the Heydar Aliyev Foundation Mrs. Mehriban Aliyeva, the support by the UNESCO and ISESCO. At the

end of the forum, the Baku Declaration and the First Ladies' Declaration were adopted.

On November 17, 2009 - within the framework of "Day of Azerbaijan in UNESCO" several events were hosted at the UNESCO headquarters by the Permanent Representation of the Republic of Azerbaijan to UNESCO and other government agencies of our country. The conference titled "The Azerbaijani woman: yesterday, today and tomorrow" can be shown among these events.

The First Vice-president of the Republic of Azerbaijan, President of the Heydar Aliyev Foundation Mrs. Mehriban Aliyeva played an indispensable role in the development and revival of Azerbaijan-UNESCO relations.

One of the sub-regional integration organizations established with the participation of the CIS countries is GUAM (Organization for Democracy and Economic Development), created in 1997 by Azerbaijan, Georgia, Ukraine, and Moldova, adhering to Uzbekistan in 1998, (on May 26, 2005, Uzbekistan left the organization). This international organization has started its activity as the union of these four states after the signification of a Joint Communiqué by the Presidents of Azerbaijan, Georgia, Moldova, and Ukraine on October 10, 1997, in Strasbourg. In this Joint Communiqué, the presidents stressed the importance of improving four-way cooperation to strengthen stability and security in Europe based on the principles of sovereignty, territorial integrity, inviolability of borders, democracy, rule of law, and respect for human rights. At the GUAM summit in Kyiv on May 2, 2006, this organization was named the Movement for Democracy and Economic Development. GUAM is an alliance of states of the Western policy, seeking to achieve political, economic, social, and cultural integration in the Western European sample and, most importantly, in the will to create equal, mutually beneficial relations in all these processes.

In January 2001, Azerbaijan became a full member of the Council of Europe and hereby, the Azerbaijani diplomacy gained a great victory in the struggle for integration processes in Europe.

9.4. World Conference on Women's Status

Despite the equal rights of both sexes, human personality and self-esteem took a special place in the UN Charter, which was established in 1945, only in 30 of 51 countries, which were the first members of the organization, did women have the right to elect together with men. The

UN's activities in the direction to solve women's problems were primarily focused on identifying their rights and civic rights and collecting information on the status of all women. Therefore, four World Conferences on Women were held by the United Nations, which ensured the problem of gender equality in the world became the center of attention from 1975-to 1995 years. The first World Conference on Women was organized in Mexico (Mexico, 1975), the Second Conference - in Copenhagen (Denmark, 1980), the third one was held in Nairobi (Kenya, 1985), and the Fourth Conference - in Beijing (China, 1995).

In each of these significant meetings, human rights, especially women's rights, took a great space, and several positions and plans were prepared to better the situation of women, and Beijing Action Plan was adopted as the final document. Later Beijing +5 and Beijing +10 Conferences were also held.

These global forums united people to achieve a common goal and at these meetings, an effective action plan was worked out in all countries to improve the personal and social status of women in each area.

The First World Conference on Women's Status. It was devoted to the announcement of the International Year of Women and was aimed to convey to the international community that the discriminative approach toward women remained unresolved in many countries in many countries of the world.

The Mexico Conference had to draw the international community's attention to the necessity for working out the action goals, effective strategies, and plans for improving the situation of women. To this goal, the General Assembly participants identified later the key issues that were the UN's main direction in solution of the problems of women: full gender equality and elimination of discrimination on sexual features; involvement of women in the development process and their full participation in dynamic processes; increasing women's contribution to the strengthening of peace in a whole world.

The participants of the Conference prepared a Global Action Plan - a document that envisages the main spheres of action for the world community and governments to address issues listed in the forthcoming decade. The minimum program was set up in the Action Plan till 1980. The main objective of this program was to create equal opportunities for women to access areas such as education, employment, political activity and health, provision of housing, nutrition, and family planning. The participants of the conference called on governments to prepare national strategies, and identify goals and priorities to ensure equal participation of

women in the development processes. During the conference, the existing Department for the improvement of the situation of women was given a recommendation on the establishment within the UN System of the International Foundation for Educational and Scientific Research Institutions for Empowerment of Women and the United Nations Development Fund for Women (UNIFEM, currently UNW).

A Parallel Forum of women's non-governmental organizations was organized here as well. A sharp divergence emerged between the women who joined the forum, reflecting the political and economic reality of that time. Thus, while women representing socialist countries were more interested in peace issues, women from the Western countries were especially emphasizing equality matters, while women from developing countries were giving preference to the problem of development. This forum gave a push to the evolutionary process that helps NGOs in collaboration with the United Nations and ensures women's participation in the United Nations policy-making process.

The Second World Conference on Women's Status. Here the representatives of the UN Member-States came to a common agreement on achieving principal progress in the field of analysis and evaluation of the implementation of the World Action Plan of 1975. Alongside this, the adoption of the Convention on the Elimination of All Forms of Discrimination against Women by the General Assembly in December 1979 was a crucial turning point and one of the most important tools for fighting for women's equality. This Convention, called the Women's Rights Bill, united the UN member-states. However, despite the achieved progress, the fact of the incompliance between the rights provided and the ability of women to exercise these rights was confessed at the conference. The participants of the meeting allocated three areas for the solution to this problem: equal access to education; opportunity to work; medical care necessary for special purposeful activities.

The Third World Conference on Women's Status. It was held under the slogan "Equality, Development and Peace" to assess women's achievements over the decade. *At the* Forum of NGOs organized at the same time here, the conference was evaluated as the "World Feminism's Birth" act. It was especially emphasized at the Mexico Conference that the women's movement partly fragmented previously by political and economic realities has already become an international force uniting under the slogan of equality, development, and peace. The submitted reports have shown that the status of women has increased, but efforts to reduce discrimination were decreasing. In developing countries, in the

best cases, there are only a few improvements in the situation of women. This means that the second goal of the Decade has not been achieved yet. Therefore, the Nairobi Conference representatives started to look for new paths to achieve goals. Perspective strategies until 2000 prepared and unanimously adopted by the 157 UN participating- States were an improved project for the improvement of women's status by the end of the century and a new stage in the struggle for gender equality.

The participation of women in decision-making processes and management capacities in all spheres of human activity was not only their legal right but also of public-political necessity. The perspective strategies adopted in Nairobi covered a wide range of areas: employment, health, education and social service, industry, science, communication, and the environment. In addition to this, there were proposed the key directions of national actions to be undertaken for strengthening women's peace and also to help them in difficult situations.

In compliance with the abovementioned, governments of all countries were recommended to empower state institutions and state programs to solve women's problems. Immediately after the conference, General Assembly delegations appealed to the United Nations with a suggestion to integrate main questions on women's issues into all areas of activity. Within the frames of a wider approach to the problem of bettering the status of women, it was recognized during the conference that women's equality is not only a separate problem, but is entirely related to all aspects of human activity. Therefore, for achieving the Decade Goals, the United Nations confirmed the necessity of women's active involvement in improving their status and in the solution of the problems emerging not only in their personal life but also in society.

The Fourth World Conference on Women's Status. As mentioned before, it was held in Beijing, in 1995. Despite that the Mexico Conference of 1975, the attempts initiatives helped to improve the situation of women and expand their capabilities, the structural basis of inequality in the relations between men and women was not touched. The major change that emerged in Beijing was to direct women's focus to the gender concept, to perceive the need to re-evaluate relationships between women and men in society. Here it was stressed that only through the radical transformation and reconstruction of society and relevant institutions women can get the opportunity to keep their place belonging to them by law in all areas of life equally with men. This change re-demonstrated the fact that women's rights are human rights and that if gender equality is achieved everyone will gain equality. It was especially

emphasized that it was time for women to empower themselves with rights and opportunities to expand their priorities and values, equally with men during the decision-making process. The confirmation of the necessity of women's involvement in the decision-making process was mentioned in several global conferences on various aspects of the development held by the UN at the beginning of the 1990s. The importance of women's involvement in the decision-making process was highlighted at the conference and the problem of women was included in the discussion program and adopted documents. The Beijing Declaration and Platform for Action, presenting the agenda of empowerment of opportunities and rights of women, were unanimously adopted. The governments that adopted the Beijing Platform for Action obtained the obligation to efficiently include the gender aspect into all institutions, strategies, planning, and decision-making processes. Before agreeing or implementing their plans, they also agreed on the necessity to analyze their results for both women and men.

The UN General Assembly supporting this Platform for Action called on all states, UN agencies, and other international organizations, as well as NGOs and the private sector to undertake actions to implement the recommendations of this Platform. This conference was the largest meeting attended by governmental and NGO representatives. More than 47,000 participants were gathered at the Forum of NGOs held at the same time as the conferences.

In Beijing, the NGOs had a direct impact on the content of the Platform for Action and later this played a crucial role in requesting their governments to report on the implementation of the latter's commitment to implement the Platform.

A new function – the function of a central coordinating body on the application of the gender component to all institutions and programs, was added to previously established state mechanisms to strengthen women's status. The main role in monitoring the implementation of the Platform for Action was entrusted to the UN. The Beijing Conference has gained great success both in scale and in the representation of many countries, as well as in its efficiency standpoint.

In many countries of the world a lot of women, especially lonely mothers, women with relatively isolated status due to their marital, and socioeconomic status, including living conditions in rural areas, refugee, IDP, immigrant, and working migrant women suffer from natural disasters, infectious diseases and various types of violence against them. Each state is responsible for assuring and protecting all human rights and

fundamental freedoms taking into account national and regional characteristics, and different historical, cultural, and religious factors, regardless of their political, economic, and cultural systems. Carrying out such activity following all human rights and fundamental freedoms and within the national law framework, determining the strategies, policies, programs, and development priorities is a sovereign duty of every state. Expanding women's powers is the main term for the full provision of their rights and fundamental freedoms. For these purposes, many international organizations, in particular, the UN and its specialized agencies, have adopted international documents ensuring the rights and freedoms of women.

9.5. Beijing Declaration and Platform for Action

On September 15, 1994, the Head of the State signed a Decree on the establishment of the National Committee of the Azerbaijani Women concerning the preparation for the Fourth World Women's Conference, and the composition of the committee was then made up of women leaders in state bodies and leaders of women's non-governmental organizations. On the eve of the World Conference in Beijing, the Committee conducted extensive preparatory works (conferences, seminars, exhibitions, discussions). The Azerbaijani delegation very actively participated in the work of the Beijing Conference. The Azerbaijani women were represented at the conference with the government delegation (25 people) and women's non-governmental organizations (70 people). The Fourth World Conference on Women, held in 1995, was the largest global forum on women's rights. During the conference attended by more than 17,000 delegates from 189 countries, the Beijing Declaration and Platform for Action were adopted.

This is reflected in the Beijing Platform for Action that is in full compliance with the UN Charter and the purposes and principles of international law that women's problems are of common character and solution of these problems is possible only by working with men in alliance with men to achieve gender equality across the globe.

In these documents devoted to the protection of women's human rights at the international level gender equality, development, and peace-building goals were put forward, and 12 priority directions were defined, requiring taking effective measures to expand their powers and realize these goals. Although these directions are different, they aimed at one goal: the empowerment of all women. As the Beijing Declaration and Platform for Action assume high importance in valuing all rights and

freedoms of women, implementing these documents within national law frames, identifying gender equality strategies, women's policies, programs, and priorities for each of the UN member-states, up to nowadays after more than 20 years, it maintains its importance, study and applied in compliance to new priorities. These principles are applied to women's strategies in Azerbaijan as well, and as long as this happens the growth of social-political activity of our women is being achieved and their participation in management at the decision-making level is gradually increasing. It is enough to show an obvious example of this: if the representation of women in municipal bodies was 4% during the first municipal elections, in the second elections this number was 26% and 35% - in the third one.

In general, on March 6, 2000, the Cabinet of Ministers of the Republic of Azerbaijan approved the National Action Plan on Women's Issues for 2000-2005 years to ensure the efficient implementation in our country of the Beijing Conference recommendations. This Plan was developed based on the Beijing Platform for Action, taking into consideration the current situation and priorities in the country. The National Action Plan is a state document prepared with the participation of ministries, committees, and non-governmental organizations and directed at gender equality in all problematic spheres.

The implementation and evaluation of the main international documents where gender equality is essentially revealed – the Beijing Declaration and Platform for Action took place in a rapidly changing international environment. Since 1995, many issues have been resolved and directed at new destinations, gender equality, development and peace principles of governments, intergovernmental and international organizations, the private sector, and NGOs gave a push to full and rapid implementation of the Platform. The political responsibility for gender equality at all levels was increased to implement the Beijing Platform. The whole world has once again announced in the Beijing Declaration, its decision to achieve full equality between men and women. The protection of women and the speeding up of the development of the civilization were mentioned as the main tasks of the Platform. The rights of women and girls are an integral part of human rights and the violation of these rights means that all people are subjected to discrimination. The platform is aimed at further strengthening this position. The platform reflects the notion of gender equality, emphasizing it in particular. Undertaking measures to create peace, justice, and humanism in the world are also envisaged in this document. According to the Beijing Platform, the

political administration in any state must be based on the principle of equality of rights of all persons irrespective of the exercise of human rights and freedoms and, regardless of their age, sex, or belonging to a stratum of society.

The Beijing Platform for Action unites the achievements and results of the world community in various fields from child rights to environmental protection and is distinguished by its comprehensive nature from the global, political, socio-economic, and social development perspectives.

The platform does not make any difference between sexes and people of different ages, but determines strategic tendencies for the following priority issues requiring from the world community an active intervention:

I. Critical Area of Concern

“Women and poverty” the related strategic goals are as follows:

- 1) Review, adopt and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty;
- 2) Revise laws and administrative practices to ensure women’s equal rights and access to economic resources;
- 3) Provide women with access to savings and credit mechanisms and institutions;
- 4) Develop gender-based methodologies and conduct research to address the feminization of poverty

II Critical Area of Concern

“Education and Training of Women” the related strategic goals are as follows:

- 1) Ensure equal access to education;
- 2) Eradicate illiteracy among women;
- 3) Improve women’s access to vocational training, science and technology, and continuing education;
- 4) Develop non-discriminatory education and training;
- 5) Allocate sufficient resources for and monitor the implementation of educational reforms;
- 6) Promote life-long education and training for girls and women

III Critical Area of Concern

“Women and health” the related strategic goals are as follows:

- 1) Increase women’s access throughout the life cycle to

appropriate, affordable, and quality health care, information, and related services;

- 2) Strengthen preventive programs that promote women's health;
- 3) Undertake gender-sensitive initiatives that address sexually transmitted diseases, HIV/AIDS, and sexual and reproductive health issues;
- 4) Promote research and disseminate information on women's health;
- 5) Increase resources and monitor follow-up for women's health.

IV Critical Area of Concern

“Violence against women” the related strategic goals are as follows:

- 1) Take integrated measures to prevent and eliminate violence against women;
- 2) Study the causes and consequences of violence against women and the effectiveness of preventive measures;
- 3) Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking.

V Critical Area of Concern

“Women and Armed Conflict” the related strategic goals:

- 1) Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation;
- 2) Reduce excessive military expenditures and control the availability of armaments;
- 3) Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations;
- 4) Promote women's contribution to fostering a culture of peace;
- 5) Provide protection, assistance, and training to refugee women, other displaced women in need of international protection, and internally displaced women;
- 6) Assist the women of the colonies and non-self-governing territories.

VI Critical Area of Concern

“Women and the Economy” the related strategic goals:

- 1) Promote women's economic rights and independence, including access to employment, appropriate working conditions, and control over

economic resources;

2) Facilitate women's equal access to resources, employment, markets, and trade;

3) Provide business services, training, and access to markets, information, and technology, particularly to low-income women;

4) Strengthen women's economic capacity and commercial networks;

5) Eliminate occupational segregation and all forms of employment discrimination;

6) Promote harmonization of work and family responsibilities for women and men.

VII Critical Area of Concern

"Women in power and decision-making" the related strategic goals are as follows:

1) Take measures to ensure women's equal access to and full participation in power structures and decision-making;

2) Increase women's capacity to participate in decision-making and leadership

VIII Critical Area of Concern

"Insufficient mechanisms for the advancement of women" the related strategic goals:

1) Create or strengthen national machinery and other governmental bodies;

2) Integrate gender perspectives in legislation, public policies, programs, and projects;

3) Generate and disseminate gender-disaggregated data and information for planning and evaluation.

IX Critical Area of Concern

"Human rights of women" the related strategic goals:

1) Promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination against Women;

2) Ensure equality and non-discrimination under the law and in practice;

3) Achieve legal literacy.

X Critical Area of Concern

“Women and the media” the related strategic goals are as follows:

- 1) Increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication;
- 2) Promote a balanced and non-stereotyped portrayal of women in the media.

XI Critical Area of Concern

“Women and the environment” the related strategic goals:

- 1) Involve women actively in environmental decision-making at all levels;
- 2) Integrate gender concerns and perspectives in policies and programs for sustainable development;
- 3) Strengthen or establish mechanisms at the national, regional, and international levels to assess the impact of development and environmental policies on women.

XII Critical Area of Concern

“The girl-child” the related strategic goals are as follows:

- 1) Eliminate all forms of discrimination against the girl child;
- 2) Eliminate negative cultural attitudes and practices against girls;
- 3) Promote and protect the rights of the girl child and increase awareness of her needs and potential;
- 4) Eliminate discrimination against girls in education, skills development, and training;
- 5) Eliminate discrimination against girls in health and nutrition;
- 6) Eliminate the economic exploitation of child labor and protect young girls at work;
- 7) Eradicate violence against the girl child;
- 8) Promote the girl child’s awareness of and participation in social, economic, and political life;
- 9) Strengthen the role of the family in improving the status of the girl child.

Hereby, 12 areas of concern have been identified and strategic goals were put forward in the Beijing Platform for Action, targeted at peace, development, and equality with the context of achieving improvement of women’s well-fare and expanding their capabilities. 285 measures aimed at their successful implementation were recommended to governments, states, non-governmental organizations, and international organizations.

Political will and responsibility at all levels are required for applying the gender aspect in the adoption and implementation of comprehensive and operational political principles in all areas. Equitable use by women of economic and financial resources, training, services, and organizations and the fulfillment of the political obligations in working out a necessary framework for ensuring equal control over them, as well as their participation in decision-making processes and management are the main condition. The policymaking process requires the creation of alliances between men and women at all levels. Besides this, men and boys should be more actively involved in implementing the goals mentioned in the Action Plan.

The participants in the Beijing conference confirmed that they are determined to the following guidelines:

1) The equal rights and inherent human dignity of women and men and other purposes and principles enshrined in the Charter of the United Nations, to the Universal Declaration of Human Rights and other international human rights instruments, in particular, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, as well as the Declaration on the Elimination of Violence against Women and the Declaration on the Right to Development;

2) Ensure the full implementation of the human rights of women and the girl child as an inalienable, integral, and indivisible part of all human rights and fundamental freedoms;

3) Build on consensus and progress made at previous United Nations conferences and summits - on women in Nairobi in 1985, on children in New York in 1990, on environment and development in Rio de Janeiro in 1992, on human rights in Vienna in 1993, on population and development in Cairo in 1994 and on social development in Copenhagen in 1995 to achieve equality, development, and peace;

4) Achieve the full and effective implementation of the Nairobi Forward-looking Strategies for the Advancement of Women;

5) The empowerment and advancement of women, including the right to freedom of thought, conscience, religion, and belief, thus contributing to the moral, ethical, spiritual, and intellectual needs of women and men, individually or in community with others and thereby guaranteeing them the possibility of realizing their full potential in society and shaping their lives following their aspirations.

In every state at their national level, plans and programs should be worked out to accelerate the progress in women's participation in all areas

and all spheres of social life, particularly in decision-making and government policies' set out, in all ministries and major political institutions, as well as in local organizations and bodies, basing on gender balance, means, on an equal basis with men, and if necessary, quotas should be identified and conditions should be created for their implementation.

By 2015, as this was offered during many global conferences, all girls and boys should be provided with free, compulsory, and general primary education, and political principles deepening the gender gap should be eliminated.

The Optional Protocol III on the Complaints Mechanism to the Convention on the Rights of the Child related to all these can be evaluated as an achievement obtained in this sphere.

Substantial measures have been carried out in our country based on 12 priority directions defined in the 1995 Beijing Platform on improving the status of women. However, it is still necessary to realize active work in several areas, to develop these directions through collaboration. President Ilham Aliyev and the Government of Azerbaijan pay particular attention to these issues. It is confident to say that gender policy is successfully implemented in the country. The practice shows that in every contemporary society choosing a democratic development path, the dynamics of time require new habits and new skills. And this results in more active participation of women in the life of society.

Questions for students' knowledge assessment:

1. The activity and role of the national leader Heydar Aliyev in the field of women's rights.
2. Impact of the foreign policy of the Republic of Azerbaijan on women's rights.
3. International Documents on women's rights.
4. What international organizations regulating women's rights the Republic of Azerbaijan is a party to?
5. What were the conferences devoted to women's issues?
6. Achievements and successes of IV World Conference on Women.
7. Which areas does the Beijing Platform for Action cover?
8. Participation of Azerbaijan at the Beijing conference.

LECTURE 10.

VIOLENCE AGAINST WOMEN IN INTERNATIONAL INSTRUMENTS AND DOMESTIC LEGISLATION

10.1 Violence against women and its types

10.2 Legal acts concerning violence against women

10.3 A historical review of the concept of the “violence against women”

10.4 The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

10.5 The role of the media in combating gender-based violence

10.1. Violence against women and its types

Violence against women is quite a widespread situation all over the world. Such violence seriously affects both its victim and the whole society. The statistics and surveys show that in many countries' violence and especially gender-based violence continues. This is widely accepted in the world that the violence against women in the social and private life is a human rights problem. The Beijing Platform for Action says that if a state or governmental institutions ignore the application of violence against women, this means a violation of human rights. At the same time, states must prevent violence committed by their institutions or individuals, should investigate them and punish the perpetrators and ensure the protection of victims. To prevent violence the governments, and intergovernmental committees should apply political reforms and mechanisms such as relevant rules and protocols, and national multidirectional and coordinated programs. To protect women and girls from all forms of violence and to bring the perpetrators to responsibility, some governments adopted relevant laws or carried out reforms to existing ones.

Social-cultural relationships, stereotypes, and economic inequality resulting in discrimination aggravate the woman's dependent status in society. This leads to all forms of violence, including physical, sexual, and psychological violence in the family, including harassment, beating, the rape of underage girls, violence by husbands, and other cases that are harmful to women, wedlock violence. In many countries, a comprehensive and coordinated approach to combating violence in the healthcare system, the media means, the judicial system, and the workplace remains unsatisfactory.

There are different types of violence and psychological violence is its widespread form.

As a form of behavior, psychological violence is to force or pressure others when power is balanced to influence them. Psychological violence can emerge in any environment - at school, in the family, workplace, at home, etc., where people interact with each other. Psychological violence also exists between social groups and social classes. Psychological violence behaviors can cover giving nick-names and verbal or written pressings. Besides this, the victim of psychological violence may face a threat of social isolation or isolation.

Psychological violence is considered one of the most severe forms of violence, and this type of violence often causes severe consequences such as suicide or suicidal attempts. Psychological violence in the workplace is repeating, damaging to health ill-behavior, verbal teasing or threatening treatment, eye-catching, intrusive provocation, or a combination of these. Despite psychological violence being relatively more than sexual harassment, verbal teasing is the most common form of psychological violence.

Unlike psychological violence in school, psychological violence at the workplace is carried out within the framework of rules and policies adopted by the organization and society and the damage of violence to the person working there and his work behavior is clear.

According to investigations, representatives of the opposite sex subject women to more psychological violence. This means men prefer more psychological violence than a physical one. This should be mentioned that throughout history the violence against women occurs as a result of injustice following the unequal distribution between men and women and in all, including the contemporary periods, men often abused their positions, as well as the power and authority given to them regarding women. The fact that the injustice against women who are considered to be a fine gender mostly emerged inside the family is one of the main actual issues on the agenda of the world community today. Usually, when saying violence, only the psychological violence is considered, this is exactly the psychological violence that hits a person severely, morally traumatizes him/her, and has a long-lasting effect. Psychological violence, unlike the other forms, has a constant and long-lasting effect. Psychological violence remains at the root of the emerged traumas. People inclined to violence often apply violence they faced in their past.

Another type of violence is physical violence. While saying physical violence, the application of physical force is also considered.

Physical violence is the application of one's power against the other party and giving physical harm to the opposite party. This type of violence may result in various injuries to the body. Even if the body is not injured, it is still considered to be physical violence if the attempt was taken. Physical violence may include such actions as strangling, wiping, slapping, hair fleecing, dragging, biting, pinching, and others. However, the latter may be interpreted according to the legislation of the Azerbaijan Republic as beating.

Economic violence causes one family member's control over the other one. That person restricts the other's access to economic resources, does not allow the other to provide himself/herself economically, and makes the latter dependent on him. This should be noted that psychological violence sometimes leads to economic violence. For example, if a woman is not allowed to work, then both psychological and economic violence is applied to her. So, if a woman does not work then she uses her husband's earnings and she becomes in a dependent status on her husband. And, in its turn, this leads to economic violence. Besides this, including the unauthorized use by the person his/her personal property, the pension card, and other valuable resources, and the application of force to make him/her recognize the first one as an heir is also related to economic violence.

Not giving a person the opportunity to study is to create a condition for lack of work opportunities in the future and to keep him/her in a dependent condition on oneself. As the above noted, one of the main causes of domestic violence is economic dependence. Various forms of violence against women impact seriously their health in a negative way. The role of healthcare facilities is important to solve this problem. To render necessary services to women and children subjected to violence, including legal, shelter, medical, and advisory services trust phones and a specially trained police service were created. In the majority of countries, the education level of personnel of law-enforcement bodies, members of the judicial bodies, health care, and community service facilities personnel are being improved. Here, public awareness campaigns for women, training materials, and the materials of studies on causes of violence are prepared. Successful cooperation between governmental bodies and NGOs is maintained for the elimination of violence against women. civil society plays a significant role in conducting campaigns to increase the awareness of, especially women's organizations and non-governmental organizations, and in assisting women suffering from violence.

But women all over the world continue to become victims of various forms of violence.

On November 25, 1960, three sisters - Patria, Minerva, and Maria Teresa Mirabal were killed by Dominican Republic's ruler Rafael Trujillo. Mirabal sisters were fighting against the Trujillo dictatorship. Since 1981, women's rights activists have commemorated the day of the killing of the Mirabal sisters as a Day of Elimination of Violence Against Women.

On December 17, 1999, at the work of the UN General Assembly issued a decision to the designation of 25 November as the International Day for the Elimination of Violence Against Women. Every year starting from November 25 – the International Day on Elimination of Violence Against Women Starting up to December 10 – the International Day of Human Rights 16-days campaign against gender violence took a start across the world and within it, the campaign of support for women is conducted. This action is aimed at reducing the violence against women in the family and workplace and attracting social attention to this issue.

The campaign of the Parliamentary Assembly of the Council of Europe titled "End the Violence Against Women!" is held in all Council of Europe member-states. The reason for the commemoration of the day of elimination of violence against women is to draw the attention of authorities, international and non-governmental organizations, and the society to violence against women. The PACE recommends this campaign to be conducted in five directions: population enlightenment, prevention of violence, improvement of legislation on protection and restoration of victims of violence, and adoption of new laws. Hearings are carried out in the Parliament in Azerbaijan within the framework of this campaign, the Ombudsman, as well as the State Committee for Family, Women and Children Affairs, organize awareness-raising events and training in Baku and the regions of the country.

Violence against women comes to the stage as a cause of inequality and discrimination between men and women in society and it destroys the lives of millions of women and girls all over the world. Such situations threaten life and personal inviolability and create obstacles for women and girls to enjoy their rights to health and education, as well as their economic independence in each country and participate in the processes emerging in the society.

Comprehensive research carried out by the UN, other large-scale international organizations, academic institutions, and specialists show that the violence against women exists in many societies. There is much evidence reflecting the adoption of "legalization" of this issue in many

cultures. According to the UN Secretary-General's *in-depth study on all forms of violence against women* at least one of every three women in the world is beaten, forced into sexual intercourse, or otherwise harassed during their lifetime and these cases are often committed by their relatives. One of the most widespread forms of violence against women is violence by a sexual partner and this is such a type of violence that is often considered to be unimportant and assessed as a personal matter of the family.

Despite all these, women act as subjects of politics in their public speeches. As a social group, they influence society's life and protect the specific interests of women, thereby, achieve increasing their social status. At the same time, as a traditional object of politics, women feel the results of all changes in society. Various forms of violence against women are being studied and learned within such important fields of sciences as sociology, social work, psychology, public health, and criminal justice.

Violence against women is a worldwide calamity. It recognizes neither geographical boundaries nor age limits and no ethnic or religious group is insured from this problem. Especially during the armed conflicts, women became the victims of massive acts of cruel violence. The Azerbaijani people have faced bitter consequences in their experience. Thousands of the Azerbaijanis were killed, wounded, captured, were subjected to incurable torture and insult as a result of the Armenian armed aggression against our country. Even today Armenia refuses to provide information about the fate of our 3890 missing compatriots which goes in contrary to relevant norms of international humanitarian law.

Respect for women was one of the core values in Azerbaijan society and is based on deep layers of morality and the mentality of our people. Any act of violence against women, including domestic violence, has always been negatively met by society. Despite the negative attitude and intolerance of the society to this problem, despite efficient measures undertaken by the Azerbaijani state in this area recently, there is still violence against women here, as in many countries around the world.

10.2. Legal acts concerning violence against women

First of all, these acts provide the protection of victims of violence, their support, and assistance, as well as appropriate sanctions for perpetrators of such acts. Prevention of domestic violence is of crucial importance in securing people's safety. Domestic violence against women and children, especially criminal content sides of those offenses, should not be a problem only for women. Society must admit that domestic

violence has a serious impact on the civil society foundations. Creating peace in family, society, and between states are interlinked processes.

Family is a unique institution of human interaction. Without a doubt, the family plays the role of the transmitter of universal values, cultural heritage, moral norms, and rules that are increasingly important for a person individually or whole society in the contemporary period. Scientists note the influence of family on society, the formation of a personality, ideals of moral values, on their attitude to cultural heritage. In this regard, they mention the family functions carried out by all family members and are considered the most important position. These include the following:

The *reproductive function* puts the responsibility for observing the rules regulating the childbirth in the family, and the rules for the elderly regarding the proper growth of the child, the marriage, and family structure. This ensures that the child and the family, in general, are protected.

The *educational function* is of particular importance, here the process of transferring culture from one generation to another is a process ensuring the behavior of a child member of a particular society.

Family work is considered an economic function. Many sociologists believe that in the industrial society, the economic function is linked to more consumption than production, which means families are not directly involved in the production of goods but the purchase of goods and their use.

Many sources note that family's kind of lost their previous functions and consequently lost their sense of social institution. However, several sociologists, especially T.Parsons note that family functions are becoming more specific and especially important for society. Violence in domestic relations should concern everyone. In general, the future of society depends on it.

A child educated freely in a family and not subjected to violence easily integrates into society and bears positive functions in compliance with the relationships of the family a child lives with.

The international community already perceived the importance of this problem. Numerous international documents were adopted against domestic violence and special defense mechanisms were created based on international acts. But their ensure depends on the wish and will of each country to combat this problem.

Practically all family conflicts are gender conflicts, as, first of all, the family is built on personal relationships between men and women

(between husband and wife). Violence against women and children in domestic conditions, primarily threatens, first of all, human rights.

In general, while saying violence in the family usually physical pressure from the husband (wife) or partner is considered, at the same time, it can also be related to physical pressing on children by adults. There are different forms of domestic violence: physical, sexual, psychological, and economic violence.

Often domestic violence is considered inside family matters. As a result, such cases are not reported and therefore their exact scale is difficult to determine. Domestic violence affects each member of the family, but children are especially sensitive in this regard. When they are witnesses violence between family members, or when they are subjected to violence, it is claimed that when they grow up, men will omit, apply violence against their spouses and children and that the girls will live in a violent family, which means, they will marry their spouse applying violence.

At present, the legislation of 89 countries has concrete norms regarding domestic violence. Azerbaijan has also achieved significant successes in improving the legislation on the elimination of all forms of domestic violence.

Interference in family relationships should be based on the principle of “the inadmissibility of interference with everyone’s personal and family life, except for the cases and limits as prescribed by law”. From this point, this is not sufficient to adopt a law aimed at preventing violence in the family. A comprehensive approach to the solution of the domestic violence problem requires the realization of purposeful measures. Complex actions should cover the adoption of the necessary legal framework, including legislative acts aimed at administrative penalties and criminal prosecution, the establishment of special mechanisms, prevention of violence, victim protection, and rehabilitation. Until recent years, combating domestic violence was only limited to carrying out criminal prosecution. When violence with criminal grounds was committed in a household (family), criminal prosecution was carried out with the application of relevant provisions of criminal law. But domestic violence and violence against women are not just cases with criminal content. Therefore, combating domestic violence cannot be carried out only by criminal legislation.

International law goes towards improving the solution of the violence against women. Thus, if only two paragraphs of the resolution adopted by the World Conference held in Nairobi (1985) were devoted to

the problem of violence against women and they were presented as a health problem, the Beijing platform (1995) gave more space to this problem, and in addition to its final document, has drawn attention to the importance of investigation and reporting on each act of violence, punishment of persons committed violence against women, preparation by the governments of relevant attitude to deal with this problem and to bring the persons committed violence against women before the courts and approached to the solution of this problem from the position of human rights problem.

The Beijing Platform for Action says that state or state institutions pay no attention to the use of violence against women, this means a violation of human rights. Awareness and responsibility of women and girls regarding prevention, limiting, or undermining of the ability to enjoy their rights and fundamental freedoms, including the prevention of violence within the family and the fight against such situations have been improved and increased in the legislation, policy, and programs level. Governments should use political reforms and mechanisms such as inter-organizational committees, rules, and protocols, and national multilateral and coordinated programs to prevent violence cases. Some governments have issued relevant laws or made amendments to existing ones, carried out improvement measures to protect women and girls from all forms of violence, and brought defendants to responsibility.

This document considered working out-of-state programs, also the adoption of precise and immediate measures on women's problems.

The Report on domestic violence cases in the justice system of Azerbaijan drafted by the Department of the Rule of Law and Human Rights of the OSCE Office in Baku in 2013, notes that the passage of the Law on the Prevention of Domestic Violence in 2010 marked a significant step forward by the government of Azerbaijan in tackling the global phenomenon of domestic violence. The normative framework established in the present Law and operationalized by amendments to the Civil Procedural Code, the Administrative Offence Code, and other relevant legislation mark the clear beginning of a journey toward the eradication of domestic violence in Azerbaijan.

This Law defines and regulates actions aimed at prevention of violence committed through abuse of close relative relations, or current or past cohabitation and its negative legal, medical and social outcomes; provision of legal assistance and social protection of persons aggrieved from domestic violence; as well as eradication of conditions giving rise to domestic violence.

The Law of the Republic of Azerbaijan on Prevention of Domestic Violence dated July 22, 2010, (hereinafter referred to as “Law on Domestic violence”) enshrines such issues as prevention of domestic violence and its “negative legal, medical and social outcomes”, provision of victims of domestic violence with legal assistance and social protection and elimination of the circumstances leading to domestic violence. According to the Law on Domestic violence “domestic violence” means a deliberate infliction of physical and moral damage by persons to others, covered under this Law, caused by abuse of close relative relations, current or past cohabitation. Article 1 of this Law defines and distinguishes “Domestic physical violence”, “Domestic psychological violence” and “Domestic sexual violence”. The article gives determination to the other main categories. According to the Law Complaints related to domestic violence are reviewed by relevant executive authorities in a criminal, administrative or civic manner or depending on the emergence of criminal cases or contain *corpus delicti*. If the complaint is about the committed criminal offense or a planned crime or if there are such cases mentioned in the complaint, then the case must be considered criminally. Otherwise, the complaint should be investigated by the “relevant executive authority”.

Both domestic violence and court execution regarding domestic violence are related to the rights envisaged by international and local normative documents. Especially, the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) provide extensive forms of protection with regard the rights.

Although the contents of these norms do not reflect “domestic violence”, the European Court of Human Rights (ECHR) has established a large-content precedent law on these matters. The ECHR jurisprudence includes specific cases considering the investigation by a state of domestic violence cases in the name of protecting the rights largely determined by the UDHR.

The Court, recognizing that domestic violence has a disproportionate impact on women, acknowledges the position of the CEDAW Committee, as envisaged in Article 1 of the CEDAW, on the fact that violence against women is a form of discrimination. In the case “Opuz v. Turkey” set itself as a precedent, the Court referring to the United Nations Commission on Human Rights, stated: “All forms of violence against women occur in the context of legal and actual

discrimination against women and in the context of considering women as low-status persons and women often face obstacles when applying to the state for legal remedies that further reinforce this violence”. In the end, the Court acknowledged the violation of the right of the applicant not to be subjected to discrimination as provided for in Article 14 of the ECHR in conjunction with Articles 2 and 3 and declared that the State’s failure to protect women from domestic violence “even violates the right of women to equal protection of the law, even when this failure in protecting does not occur purposefully.”

The ECHR jurisprudence also imposes a positive obligation on a State, such as the obligation to protect individuals against acts of violence and insult. This positive obligation is applied concerning the rights provided in both Article 2 and 3 of the ECHR, Article 8, or in Article 8 together with Article 3. This demands from the States “establish an adequate legislative basis for the prevention of acts of violence of individuals and to apply those laws.” This should be noted that numerous other international “soft law” documents determined the States’ obligations with regard the domestic violence, gender inequality, and human rights.

One of the most recent documents adopted in this direction is the Council of Europe Convention on preventing and combating violence against women and domestic violence known as the Istanbul Convention. The Istanbul Convention is the first comprehensive legal document protecting women from all forms of violence, also investigating in court and eliminating violence against women and domestic violence and emerging the compulsory obligation. The Convention also envisages a mechanism for international monitoring of the implementation at the domestic level. The convention will enter into force after being ratified by ten countries including eight party-states. Up to now, 22 countries have ratified the document, and 22 have signed it but have not yet ratified it. Azerbaijan has neither ratified nor ratified the Convention. Although the Istanbul Convention is a legal instrument in Azerbaijan with no legal force, Azerbaijan joined the above-mentioned documents and that is why these documents are implemented in our country. According to the Main Law of our country – the Constitution “International agreements wherein the Republic of Azerbaijan is one of the parties constitute an integral part of legislative system of the Republic of Azerbaijan.” The rights provided in these treaties expand the scope of and complement the rights enshrined in the domestic legislation law. Rights and liberties listed in the Constitution are implemented following international treaties wherein the

Republic of Azerbaijan is one of the parties. Even in some cases, international norms may have superior legal force over domestic legislation.

The Constitution of the Republic of Azerbaijan dated November 12, 1995 provides for several legal norms in line with the context of domestic violence. Especially in Part I of Article 17 (“Family and state”) the provision is stated that family as a basic element of society is under the special protection of the state. This Article also imposes an obligation on parents “to take care of their children and their education” and on the state to “control implementation of this responsibility”. The Constitution also envisages all other rights that may apply to domestic violence cases and domestic violence cases. These rights include *inter alia* the right to equality, the right to life, the right to freedom of movement, the property right, the right to live safely, the right to inviolability and confidentiality concerning private and family life, the right to marriage, right to social security, housing law, honor and dignity, the right to a fair trial of rights and freedoms, the right to legal assistance, the right to appeal a judicial conviction and the right not to have to testify against a family member.

On October 1, 2010, the President of the Republic of Azerbaijan signed a Decree envisaging the implementation of the Law on Domestic Violence. By this Decree, the Cabinet of Ministers was instructed to take large-scale measures to implement the Law within four months, as well as to prepare the necessary proposals on the relevant normative acts to fully implement the Law on domestic violence. This Decree was adopted as an initial step of this law as well, and the Cabinet of Ministers was instructed to take the necessary measures leading to the implementation of the law. These tasks include determination of the rules for investigation of complaints without criminal content, registration of the perpetrator of the violence, preparation of database, of rules of activity of the NGO assistance centers, also about repeatedly, but not clearly defined “relevant executive authorities” and solution within their authorities of the other issues following from domestic violence Law.

On November 24, 2011, the President of the Republic of Azerbaijan signed the second Decree on the application of the Law on Domestic Violence. And in 2020 the first *National Action Plan to combat domestic violence for 2020-2023* was approved by the Decree of the President of the Republic of Azerbaijan. Also, regarding the topic, the “relevant executive authority” enshrined but not clarified in the Law on Prevention of Domestic Violence, was defined as the “local executive power body”. In response to the Presidential Decree, the Cabinet of

Ministers adopted several decisions. They include “The rules of prophylactic registration of persons committed domestic violence and carrying out educational and preventive work with those persons” (December 19, 2011), “Rule for organization and functioning of a Database regarding the domestic violence” (December 19, 2011), “Rules of investigation of the of complaints on domestic violence without criminal content” (February 24, 2012), “The Rule of functioning of assistance centers for victims of domestic violence” and “The Decision of the Cabinet of Ministers of the Republic of Azerbaijan on the affirmation of the “Rule of accreditation of non-public assistance centers established for rendering help to domestic violence victims” (April 25, 2012). This final decision consists of two parts: “The Rule of functioning of assistance centers for Domestic Violence Victims” and “Rule of accreditation of non-public assistance centers established for rendering help to domestic violence victims”. Although there are still many gaps to be discussed later, these decisions demonstrate continuing efforts for improvement of that mechanism and the goodwill in this direction and precise particular parts of the protection mechanism embraced by the domestic violence law. The domestic violence issue is also included in the National Action Plan for the Protection of Human Rights in the Republic of Azerbaijan. The National Action Plan identified a list of activities to be regularly monitored: “strengthening the struggle against violence including domestic violence, ensuring legal protection sources, necessary compensation, rehabilitation, medical and psychological aid”, as well as “awareness in this field”. These measures should be implemented by the State Committee on Family, Women and Children Affairs and the Ministry of Health.

On June 24, 2011, the “Law of the Republic of Azerbaijan on Making Amendments to the Civil Procedural Code of the Republic of Azerbaijan” was adopted. This law conditions in matters of special implementation the need in appointing a long-term protection order in domestic violence cases for other victims of domestic violence. By this law new Chapter 40-1 “On the execution in the cases of issuance of a long-term protection order to a person suffering from domestic violence” was added to the Civil Procedural Code. After this change in Article 355.1.1 of the Code, it is mentioned that: if the person who has committed actions associated with domestic violence does not comply with the instructions given and the short-term protection order the suffered person or the relevant executive power body shall have the right to apply to the court for a long-term enforcement order. Besides, this article also

stipulates that the complaint should be examined at a closed court hearing within three days after the complaint's reception in the court. The Code of Administrative Offenses establishes two basic norms that punish acts of "domestic violence". This includes administrative penalties for beating as prescribed in Article 157 and breach of the legislation with regard the domestic violence as prescribed in Article 158. This includes actions aimed at the application of illegal economic restrictions on household grounds, this means - the deprivation one the person by another one from the property, income in his ownership, disposal or use, the creation of economic dependence, maintenance of such dependence or its abuse" as well as "actions aimed at psychic violence on domestic grounds, means intentional mental pressure by one person on the other or at creating intolerable mental conditions".

In the Criminal Code of the Republic of Azerbaijan domestic violence is not considered a separate criminal act as an aggravated condition in the other criminal activity. To be more precise, the law envisages the punishment of individuals who committed domestic violence in compliance with the crimes under the Criminal Code. Surely, depending on the context, the action can be related to different types of criminal actions. Considering that the Law on domestic violence defines "domestic violence" partially as "intentional physical and moral damage", then, most crimes related to domestic violence fall under Section VIII of the Criminal Code (The crimes against an individual). During the drafting of the Domestic Violence Law, OSCE/ODIHR highlighted, in its comments to the working group, the potential benefits of including in the definition of domestic violence a list of the acts that define crimes involving domestic violence. "Such an enumeration of the range of criminal conduct employed by many perpetrators of domestic violence would underscore the breadth of violent crimes and fear-inducing or harmful conduct often committed but most importantly, it would be clear to those tasked with implementing the law that those crimes ordinarily ascribed to third parties can and do occur in the home and/or amongst persons who remain in a family, or similar relationship." Additionally, the OSCE recalls a recommendation by the Council of Europe's Committee of Ministers to "classify all forms of violence within the family as a criminal offense".

Investigation of the crimes that constitute domestic violence should be carried out according to the Criminal Procedural Code of the Republic of Azerbaijan (hereinafter Criminal Procedural Code). However, the Criminal Procedural Code does not envisage any special proceeding

for domestic violence-related crimes. Therefore “domestic violence” is not considered an independent criterion for special procedural treatment.

Some of the other substantive laws of the Republic of Azerbaijan may apply to certain situations involving domestic violence.

- Law on State Protection of Persons Taking Part in Criminal Procedure: Victims of domestic violence may be classified as “protected persons” according to the definition outlined in Article 3.2 of this law. As such, they would be entitled to a host of security measures, as enumerated in Article 7 of the law.

- The Family Code: Article 64.0.5 states that parents can be deprived of parental rights if acts related to domestic violence are committed against their children.

- Law on Gender Equality: This law defines and prohibits, *inter alia*, gender discrimination, and sexual harassment. It also imposes a responsibility on the State for ensuring gender equality. Certain other laws, such as the Law on Execution, the Law on Social Services, and the Law on Access to Information have imposed duties on various State and public authorities, rather than on the court. Furthermore, Article 17.1 of the Law on Health Care requires that victims of domestic violence are provided with free professional medical care.

In addition to the abovementioned legislative measures, international and national partnerships, various events, including extensive awareness-raising activities are carried out, pieces of training are organized, the real steps toward gender equality ensuring are undertaken, and monitoring and evaluation of achieved progress are conducted. Non-governmental organizations also make significant contributions to the realization of these activities. Violence against women, including domestic violence, contributes to the establishment of a more just society that respects the fundamental rights of women and men.

10.3. A historical review of the concept of the “violence against women”

This should be noted that combating violence against women has gone through a certain period. This process began to be active in the middle of XIX century. Under the pressure of the first female union in the UK, the Act on the Elimination and Punishment of Violence against Women and Children was adopted. This mentioned normative act enshrined sanctions of a deprivation of liberty for a short period concerning a person who committed physical violence in the family. The *Divorce and Matrimonial Causes Act*, adopted in 1857, allowed women to

leave their husbands on very limited grounds. For the first time in the world, in 1872, violence against women was regarded as a crime in the American Massachusetts and Alabama states. Until the end of the XIX century, even in European countries, according to the marital legislation married women did not have the right to possess personal property. In Russia, they were even deprived of the right to live by an individual name, thus, the wife's name was included in the name of her husband.

According to some researchers, this would be right to link special attention to this problem with the development in the socio-historical situation at the end of the XX and early XXI centuries. Thus, alongside including the history as a century of the greatest discoveries XX century also remained in minds with its ugliness. Just in this century, human crimes, wars, and their massive victims, terrorism, totalitarian regimes, suicides, neglect, and indifference to humans became more intensive. Gaining strong power over the weak by force, as well as the victory of evil over good became a phenomenal feature of this century transmitted as residue to the XXI century. Generally, the term "violence" is understood as the application of various forms of enforcement towards others. According to the opinion of the experts involved in the investigation of this issue, "domestic violence" as an international term, means domestic violence or violence against women. That is the desire to keep one family member under the control of another family member. This is more vigorously observed in the regions where old patriarchal traditions remain.

In many cases, women are deprived of human rights belonging to them for the reason of being women. Throughout history, there was no place and period when women were at the same level as men and enjoyed fully equal rights and freedoms.

Women's being weaker than men has always passed her to the second plan, her crush and facing injustice. Women all over the world were subjected to discrimination and violence, and despite the noticeable progress in the modern world, this process is going on.

From the moment of birth and even before it, from the day her sex is known in the mother's womb, as well as in all areas of her life woman continuously face discrimination and different approaches. Discrimination against women is an obvious violation of global human rights and this was already accepted by the international community. "Violence against women" emerged as a problem of women's rights and before becoming a key human rights issue of XXI century it underwent a complex transformation process. Recognition of violence against women

universally as human rights violations has been possible due to successful civic mobilization and intellectual efforts.

In 1946 the Commission on the Status of Women was established and this Commission prepared texts of several conventions and Declarations, including the Declaration on the Elimination of Discrimination against Women of 1967. On June 26, 1945, signing the Charter of the United Nations Organization the UN member-states committed themselves to promote their fundamental rights and freedoms, without discrimination based on race, gender, language, or religious belonging. The Universal Declaration of Human Rights adopted in 1948, by the UN General Assembly, sets out the basic human rights principles, including the right to life, the right to liberty, the right to personal safety, and the right to legal remedies for everyone. The mentioned two Pacts - the International Covenant on Civil and Political Rights, together with the International Covenant on Economic, Social, and Cultural Rights formed the International Bill of Human Rights. This is a collection of key documents setting the standards for UN member-states from the standpoint of human rights achievements and constitutes the basis for the development of international law on human rights issues.

Shortly after the adoption of the Universal Declaration of Human Rights, as mentioned before, to investigate the situation with women's rights the UN established the Commission on the Status of Women consisting of its member states (1946), several international agreements aimed at eliminating of gender inequality following the national legislation of member states were concluded (for example, the Convention on the Political Rights of Women adopted by the General Assembly in 1952 and the others.)

The UN Women's Decade (1975-1985 years) ensured important mechanisms for the participation of women activists in public forums, exchange of opinions, and creation of transnational networks. Gradually increasing information on women's status has shown that this is not possible for them to increase their efforts for human rights provision without applying to the sphere where the women's rights to life, liberty, and physical security, means to the private sector, are seriously violated. Starting from the 1990s, health care workers in the United States and Europe have expressed their concern about the impact of violence on women's death and illness. Public health research allowed psychological violence, deprivation, and neglect issues to the notion of violence against women and aware the public of the negative impact of violence on women, families, and societies. The academic investigations carried out

from the standpoint of criminal justice and public health, related to violence against women, gained extensive knowledge about the main causes, character, and outcomes of this violence.

The global conferences on women organized by the UN during the women's decade helped to join the efforts of NGOs and women's groups trying to include the problems of violence against women into the agenda of increasing discussions on human rights issues. As a result of this activity the World Conference on Human Rights held in Vienna in 1993, made a significant contribution to the identification of violence against women within the base of the human right. The representatives of the government attending the conference agreed to include the issue of violence against women into the key issues of the agenda and incorporate the gender problems into UN human rights mechanisms. As a result of this measure, in 1994, the UN Human Rights Commission appointed a Special Rapporteur on violence against women. Another important stage in this combat was identified in 1993, by the United Nations General Assembly. On December 20, 1993, the General Assembly adopted the Declaration on the Elimination of Violence against Women. Not only physical but also sexual and psychological violence were included in the notion of violence against women in the Declaration. This term also included several harmful practices related to customs. This pointed out that violence within the family was a concrete violation of human rights and thus, eliminated the impunity of violence against women on personal grounds.

10.4. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

The Convention was adopted on December 18, 1979, and entered into force on September 20 (3), 1981. the preparation of the Convention is based on the Universal Declaration of Human Rights, the Convention on the Political Rights of Women, the International Covenants on Civil and Political Rights, and the Economic, Social, and Cultural Rights

The Republic of Azerbaijan ratified the Convention on 30 June 1995. Being a human rights convention, the CEDAW is a source of international law creating commitment to its party countries.

This document creates a compulsory commitment at the national and domestic levels, also to all the branches of government - the executive power, parliament, and courts.

Although the matter of inadmissibility of discrimination and equality was raised in the previous international conventions, these

documents in no way touched on the issues of “real equality” or “equality of outcome”, or the issues of fundamental social powers enabling the continuity of inequality between men and women. States that became parties to the Convention condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay, a policy of eliminating discrimination against women and, to this end, undertake:

- to embody the principle of the equality of men and women in their national constitutions or other appropriate legislation, to annul the laws of discriminative character, to adopt appropriate legislative, prohibiting all discrimination against women;

- To establish a national mechanism guaranteeing efficient protection of women from discrimination;

- To take all appropriate measures to eliminate discrimination against women by any person, organization, or enterprise.

The states signing and acceding the Convention, should apply its provisions, as in all international treaties, such as conventions, they are obliged to ensure the equality women and men can achieve on average from de-jure equality, means, de-facto ensuring of equality of outcomes.

Article 1 of the Convention, consisting of 30 Articles, states that the term “discrimination against women” means any distinction, exclusion, or restriction made based on sex that has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. Articles from 6 to 16 of the Convention are devoted to the elimination of discrimination against women in certain areas. These articles ensure the equal rights of women in political and social life, equal opportunities in education, work, healthcare, and the elimination of discrimination in the field of financial, economic, and social rights. The Convention does not suffice by just enshrining the fact that men and women own equal rights regardless of their marital status, political, economic, social, cultural statuses, or attitudes. The states accepting the Convention take a commitment to eliminate discrimination cases against women through carrying out legal, political, and programmatic measures. These commitments cover all spheres of life, including marriages, family relationships, and appropriate measures aimed at eliminating any discrimination against women by any person, organization, or institution.

The Convention also recognizes indirect discrimination. This means that discrimination can be not only targeted, direct but also indirect. While saying indirect discrimination, in practice a particular group can not use it as it does not meet the requirements and this is considered discrimination. This is not demanded to occur targeted to any distinction, exclusion, or limitation to be considered as discrimination. Untargeted steps are considered discriminatory if this hamper women to recognize and enjoying their rights in any field. In international documents adopted before the Convention, the notion of discrimination covers discrimination committed only by state authorities. Since rights in the field of women's rights are violated in more private and non-governmental spheres, according to the Convention, discrimination by these subjects should also be eliminated.

According to Article 17 of the Convention, the Committee on the Elimination of Discrimination against Women was established. In compliance with Article 18 of the Convention States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative, or other measures which they have adopted to give effect to the provisions of the present Convention.

If there is a contradiction between domestic law, ie national law, and its international commitments, including the CEDAW Convention, this is settled in compliance with Article 151 of the Constitution of the Republic of Azerbaijan. According to this Article, whenever there is a disagreement between normative-legal acts in the legislative system of the Republic of Azerbaijan (except the Constitution of the Republic of Azerbaijan and acts accepted through referendum) and international agreements wherein the Republic of Azerbaijan is one of the parties, provisions of international agreements shall dominate. The State shall submit to the CEDAW Committee its initial report within a year after the ratification of the Convention and, in later periods – a periodic report every 4 years. Alongside the initial and periodic reports submitted by the governments to the relevant UN Committees, the parallel or alternative (shadow) report can also be submitted. Such reports are submitted by national non-governmental organizations (NGOs), human rights defenders and promoters, groups of individuals or institutions, international NGOs, national human rights institutions, as well as the Ombudsman.

The Republic of Azerbaijan has already submitted five reports to the UN Committee on the Elimination of All Forms of Discrimination against Women. The last report submitted to the UN by the Government

in 2013 states that the majority of concluding observations and recommendations on the 4th periodic report of the government of Azerbaijan, adopted at the 44th session of the Committee in 2009, were implemented.

The report touched on such topics as stereotypes and measures to eliminate patriarchal attitudes enabling early marriages, efforts to combat trafficking of women and girls, measures to reduce abortions used as a method of controlling the sex of the born child, and elimination of gender-based differences in salaries and the others.

Although the Law on “Guarantees of *Gender (Men and Women) Equality*” was enacted in October 2006 and the law “On Prevention of *Domestic Violence*” was adopted in 2010, this is not easy to fully implement them, especially in societies with patriarchal societies and societies with numerous stereotypes. However, a lot of measures were carried out in Azerbaijan in this field; women are appointed to leading positions in the regions, and the number of women elected to the Milli Mejlis and the municipalities, has increased.

NGOs play a great role in the activity of the Committee. Information from the NGOs, especially civil society institutions and national institutions specialized in the protection of women’s rights, is a valuable source of information for the Committee.

If the Committee received reliable information confirming that a member-state seriously and systematically violated the rights enshrined in the Convention, the Committee recommends the State the cooperate to investigate this information and, in this regard, present its views on the mentioned information. According to Article 21 of the Convention, the Committee may make suggestions and general recommendations. According to this article, the Committee shall make recommendations based on the examination of reports and information received from the States Parties. However, in many cases, the recommendations are general, and states are indifferent to the recommendations. The Committee recommends the broad society of the country, in particular the judges, teachers, social workers, staff of law enforcement bodies and penitentiaries, medical workers, and other professionals who have to apply the provisions of the Convention to get familiarized with the provisions of the Convention. The Committee recommends the organization of training courses on human rights issues, including the Convention, in schools and universities. For this reason, teaching “Introduction to Gender” in law and other faculties of Baku State University serves to promote gender notions, shape new approaches to

gender theory, the improvement and prospective development of gender relations, as well as increase gender literacy of specialists in various fields. The knowledge acquired in this course builds a system of necessary concepts and forms the personal position needed for the democratic development of society and the protection of human rights.

10.5. The role of the media in combating gender-based violence

Media is one of the most important tools to deliver clear messages to targeted audiences in raising public awareness about any specific issue, including the protection and promotion of women's rights, gender-based violence, and other similarly sensitive issues. This is impossible to imagine the elimination of negative stereotypes about women and misconceptions of gender-based violence without the active participation of the media. If the person subjected to domestic violence won't stand for the protection of his/her rights and does not apply to law-enforcement bodies, then the implementation of the Law on Prevention of Domestic Violence can not have a proper effect.

The media has a great role in forming ideas about women and their role in society. The importance of conducting seminars for journalists on gender is undeniable. When writing about this important issue the journalists need to show special sensitivity.

Often, the gender problems and domestic violence are not properly highlighted in the media, and violence and crime inside the families are broadcasted emotionally on TV. Presenting the problem to society in this manner creates psychological problems in people. According to monitoring results over this problem in 7 television channels and 18 newspapers in 2011, 110 TV programs and interviews were broadcasted on this topic throughout the year. 142 information and research articles were published in newspapers. The published materials were too few and their quality was also low. During the monitoring, it was revealed that the media raised issues related more to conflicts between women and children, also to conflicts suffering women.

During the preparation of articles related to domestic violence, a thorough investigation must be carried out and the causes of the problem should be clarified. This topic should not be exploited as a sensation in the press. During the preparation of TV programs related to domestic violence and gender problems, presenters should be properly selected. Intellectuals with life experience and competence should be announcers of these broadcasts.

This is also important to change the outlook of people, and the

view on the problem in proper organizing the combating domestic violence. The lack of specialization in journalism disables a comprehensive investigation of the problem.

The main goal of the media component – a part of the “Combating Gender-Based Violence” Project in Azerbaijan is a call for local media representatives to cover this issue more objectively and comprehensively. The project representatives also participated in various workshops and pieces of training conducted to increase the awareness of journalists about gender issues and increase their capacities to enlighten the subject.

In 2015, 450 articles related to gender problems and domestic violence were published in the media. 30% of publications in the media were devoted to gender equality, 25% - to neglected attitudes toward official marriages, 15% - to child rights violations, and 10% - to family values. The media means to bear a great task in maintaining national-moral values, and family traditions and transferring them to future generations.

To eliminate the obstacles to raising awareness of gender-based violence in Azerbaijan and to strengthen the combat against family violence, a media component was an integral part of the “Combating Gender-Based Violence in Azerbaijan” Project and “21st Century Anti-Violence Framework” project realized by the UNFPA and the main purpose of these projects is to call local media representatives to cover this issue more objective and comprehensive, to conduct various workshops and training for raising awareness amongst journalists on gender issues and for enhancement their ability to highlight this topic. During these seminars and in various training the comprehensive information is given concerning the CEDAW - the main international document on women’s rights, the history of its emergence, the main provisions of the convention, the status of the ratification, and commitments of the Government of Azerbaijan on this document, gender concepts, gender notions, gender stereotypes, gender discrimination, main forms of gender-based violence, its causes and consequences, gender-based violence financing and highlighting the gender-based violence in media.

Educating journalists writing on gender issues and domestic violence is necessary for highlighting gender-based violence due to the lack of relevant legislation and ethical conduct rules in this regard for media representatives. When working out the related materials, media representatives need to conduct a detailed investigation, to learn the experts’ opinions.

Questions for students' knowledge assessment:

1. What types of violence against women are there?
2. What is the difference between psychological violence and other types of violence?
3. The commentary of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).
4. What are the legal acts regarding violence against women?
5. Why does domestic violence threaten human rights provisions?
6. Analysis of the Law of the Republic of Azerbaijan "On domestic violence".
7. Violence against women and its theoretical foundations. The importance of *the Council of Europe Convention* on preventing and combating *violence against women* and domestic violence

LECTURE 11.

WOMEN'S RIGHTS IN THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

11.1 The concept of civil and political rights

11.2 The Place of International Covenant on Civil and Political Rights in International Law

11.3 The establishment and competencies of the Human Rights Committee

11.4 The analysis of women's rights enshrined in the International Covenant on Civil and Political Rights

11.5 Accession of the Republic of Azerbaijan to international treaties

11.1. The concept of civil and political rights

Civil and political rights are reflected in various international documents, including the European Convention on Human Rights, the Universal Declaration of Human Rights, and the UN International Covenant on Civil and Political Rights (ICCPR).

Civil and political rights are natural rights, and their naming is a tradition derived from Anglo-Saxon law. According to John Locke, a prominent representative of the theory of natural rights, natural rights are inalienable because they are born with human beings, and no one can ever infringe these rights anywhere. Locke has also divided human rights into three categories - life, liberty, and estate. The main provisions of natural human rights were enshrined in the US Declaration of Independence of 1776 - one of the progressive sources of human rights, in the "Declaration on the Rights of Man and the Citizen" that became a great outcome of the Bourgeois Revolution in France. But some scholars, for example, regard Rousseau, do not consider the right to the estate as a natural one.

The most widespread classification of human rights is their division into civil (individual), political, economic, social (narrow sense of the word), cultural and environmental rights. Civil (personal) rights being more related to negative rights are natural, fundamental, and inalienable human rights that. Above all, civil rights are the right to life, freedom and personal inviolability, the protection of pure name and pride, the right to choose to live, and the right to move.

Political rights define the citizens' capabilities to take active participation in state governance and social life. This includes citizenship rights, electoral rights, rights to alliance and association, freedom of expression and assembly, freedom of speech, freedom of expression, and freedom of the press and conscience.

Civil and political rights are often called liberal rights or first-generation rights. All of them are mostly of a negative right nature limiting the freedoms of individuals and the other individuals in need of state protection.

Civil rights are studied in detail within the "civil law" subject. In short, this should be noted that civil law regulates commodity-money and other property relations, as well as personal non-property relationships. One of the important elements of civil law relations is the objects of these relations.

When saying the "objects of civil law" relations, it is necessary to understand what these relations are directed against. Material and moral values provoking civil rights actors to engage in legal interrelationships are called objects of civil law relations. The scope of these boons (objects) is rather wide and diverse. In compliance with Article 4 of the Civil Code, material or non-material benefits of a property or non-property value and not excluded from civilian circulation may be objects of civil law relations. Objects of civil law relations include 1) things; 2) the results of creative activity; 3) works and services; 4) intangible benefits.

In legal literature items are classified concerning their designation, economic character, and features: 1) means of production and consumption; 2) movable and immovable things; 3) items not withdrawn from turnover, restricted circulation, and withdrawn from circulation; 4) consumable and non-consumable items; 5) items for individual and sexual characteristics; 6) divisible and indivisible things; 7) basic and auxiliary items; 8) double and single items; 9) yield, income, and product.

The special items of items are cash and securities. The main characteristic of money - the civil law relations object is its total substitute and, due to its nature, differs considerably from other things.

A huge part of the civil law relationships emerges in connection with the creation and use of creative activity - the creation of science, literature, art creation, discovery, and use of industrial samples. A special group of civil law relationships constitutes intangible benefits. Intangible benefits mean boons and freedoms envisioned and protected

by applicable law in force, which are inalienable from individuals and has no economic content. They include life and health, honor and dignity, personal inviolability, business reputation, personal and family secrets, names, copyright, and intangible benefits.

Political Rights and freedoms are an important category of citizens' rights and freedoms. These rights and freedoms (both individually and collectively) are understood as an opportunity for a person to participate in the social and political life and administration of the state. Thus, the isolation of the state from a citizen is eliminated. Political rights of citizens are a necessary condition for the exercise of all other rights because they are the organic basis of a democratic system and they act as values that the government must limit itself. The political rights and freedoms as a factor defining the nature of the state, the means of controlling the government, and the evaluator of democratic regimes are the absolute elements of a cultural society. Their distribution in the legal literature is as follows:

1. The rights to participate in various forms as through representative and direct democracy in the organization and functioning of the State and its bodies (electoral rights, petition law);

2. The rights to take active participation in social life (freedom of speech and press, freedom of assembly, right to association). Differing from personal rights, the aim of political rights and freedoms is not to ensure human self-determination but his manifest as an active participant in the political process. The value of this category's rights is in their serving to create conditions for strengthening state-citizen relations.

11.2. The Place of International Covenant on Civil and Political Rights in International Law

Two universal treaties were signed in 1966 to determine the basic human rights and freedoms within the legal framework – the International Covenant on Economic, Social and Cultural Rights (adopted by the UN General Assembly Resolution of December 16, 1966, and entered into force on January 3, 1976, the Republic of Azerbaijan has ratified this Pact by the Decision #226 of the Milli Mejlis of July 21, 1992) and International Covenant on Civil and Political Rights (adopted by the UN General Assembly Resolution of December 16, 1966, entered into force on March 23, 1976, the Republic of Azerbaijan ratified this Pact by the Decision #227 of the Milli Mejlis of the Republic of Azerbaijan dated July 21, 1992).

Two protocols were added to the Pact: The Optional Protocol,

entitled to receive and consider communications from individuals to the Human Rights Committee (adopted by the UN General Assembly Resolution of March 23, 1976, the Republic of Azerbaijan has ratified this Optional Protocol by the Law No. 162-IIQ of the Republic of Azerbaijan dated June 29, 2001) and The Second Optional Protocol aiming at the abolition of the death penalty (adopted by the UN General Assembly Resolution of December 15, 1989, the Republic of Azerbaijan has ratified this Optional Protocol by the Law No. 582-IQ dated December 11, 1998).

As seen from the titles, the first Pact reflects economic, social, and cultural rights, and the second Pact - civil and political rights.

From a formal-legal standpoint, the Covenant on Civil and Political Rights is more perfect and it provides much clearer and more accurate commitments to the participating States. The word “Covenant” is translated into different meanings - consent, agreement, treaty, contract, pact, and the various names of this document can be seen in different translations. “Pact” being the Latin word (*Pactum*) means the “agreement”.

The UN Covenant on Civil and Political Rights (referred to as Pact as well), as understood from its title, regulates the civil and political rights considered to be the “first generation” or “classic” rights. This document contains 53 articles systematized under four sections.

This should be noted to the point that when Azerbaijan joined this Pact on July 21, 1992, its title was the International Covenant on Civil and Political Rights. The document recognizes everyone’s right to life, freedom of thought, belief, and religion. The pact states that no one should be subjected to torture or other cruel, inhuman, or degrading treatment or punishment. No one shall be held in slavery or required to forced labor.

The main obligation considered in the Pact is that Each State Party undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant (Part 1 of Article 2). Each State Party to take the necessary legislative, administrative, or the other steps to fulfill the obligations deriving from the Covenant (Part 2 of the Article 2) and to ensure that any person is provided with effective remedies for protection and restoration of the violated rights (Part 3 of the Article 2).

The fulfillment of the obligations under the Covenant on Civil and Political Rights may not be delayed by the State upon wish, by referring to financial difficulties or the absence of political or economic

stability in the country. These are to be fulfilled immediately commitments.

As prescribed in Para.1 of Article 2 Each State Party undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind. Para.2 of this Article states that each State Party undertakes to take the necessary steps, following its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures.

In part 3 of the Pact, the précised list of civil and political rights to be ensured in each state is provided: the right to life (Article 6); prohibition of torture, slavery, and forced labor (Articles 7-8); right to liberty and security of person (Article 9); the right to be equal before the law and entitlement without any discrimination to the equal protection of the law (Article 26); the right to freedom of thought, conscience, and religion (Article 18), etc.

Article 25 of the Pact declares the rights related to political rights of each citizen: to take part in the conduct of public affairs, directly or through freely chosen representatives; to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; to have access, on general terms of equality, to public service in his country, also and opportunities.

Some articles of the Covenant also concern issues regulated by the International Covenant on Economic, Social, and Cultural Rights. Thus, according to Article 22, everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

Articles 23 and 24 of the Covenant concern the matters relating to family, child, and marriage. Thus, Article 23 declares that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State. These articles state the equality of rights and obligations of husband and wife, the right of every child to the family, and the right to protection by society and the State in their minor age.

While working out the Covenant on Civil and Political Rights, the issue of the procedure for reviewing the complaints of particular individuals, which was a complicated and controversial matter, has been discussed for a long time. As a result, it was decided not to include provisions for the review of individual complaints in the Covenant on

Civil and Political Rights and to settle this issue in a special treaty - a non-compulsory protocol on the Covenant. The non-mandatory Protocol to the International Covenant on Civil and Political Rights was adopted by the UN General Assembly on December 16, 1966, together with that Covenant. Article 1 of the Protocol recognizes A State Party to the Covenant that becomes a Party to the Covenant and the present Protocol recognizes the competence of the Human Rights Committee to receive and consider communications from individuals subject to its jurisdiction who claim to be victims of a violation by that State Party of any of the rights outlined in the Covenant. No communication shall be received by the Committee if it concerns a State Party to the Covenant which is not a Party to the present Protocol. According to Article 3, the Committee shall consider inadmissible any anonymous communication. The rules of consideration of received communications are determined in Articles 4 and 5.

The Non-compulsory protocol procedure relating to the International Covenant on Civil and Political Rights, in general, assumes great importance in the restoration of violated rights, as well as in revealing the incompatibility of national laws with international norms. Although the Universal Declaration of Human Rights and both international Covenants declared the right to live, they did not prohibit the death penalty. The Covenant on Civil and Political Rights prohibited only arbitrarily deprivation of one's life. In this regard, Article 6 of the Covenant states: "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life".

This penalty can only be carried out under a final judgment rendered by a competent court. As a result of the development of inter-state relations, the Second Optional Protocol to the International Covenant on Civil and Political Rights directed the issue of the death penalty, which was one of the prior issues of the domestic authorities, to the international legal regulation. This document was adopted by General Assembly resolution 44/128 of December 15, 1989.

The Preamble of the Second Optional Protocol states that while adopting the present protocol the States Parties to it, recalled Article 3 of the Universal Declaration of Human Rights and Article 6 of the International Covenant on Civil and Political Rights. The participating states are convinced that all measures of abolition of the death penalty should be considered as progress in the enjoyment of the right to life. All these conditioned the adoption of this document with general consent.

Thus, Article 1 of the Protocol was adopted with a general consent that no one within the jurisdiction of a State Party to the present Protocol shall be executed and each State Party shall take all necessary measures to abolish the death penalty within its jurisdiction.

The Second Optional Protocol considers no reservation admissible to the present Protocol, except for a reservation made at the time of ratification or accession that provides for the application of the death penalty in time of war. No reservation is admissible to the present Protocol, except for a reservation made at the time of ratification or accession that provides for the application of the death penalty in time of war according to a conviction for a most serious crime. According to the provisions of the Protocol, oversight of the observance of its provisions by States Parties is given to the Human Rights Committee established under Article 28 of the International Covenant on Civil and Political Rights (Articles 3-5). According to Article 3, the States Parties shall include in the reports they submit to the Committee, following article 40 of the Covenant, information on the measures they adopted to give effect to the present Protocol. At present, the majority of the UN member-states are participants of the International Covenant on Civil and Political Rights. Each year, through the Economic and Social Council the Committee, submits a report on the work carried out to the UN General Assembly.

Different from domestic law, international law serves to regulate the relations among several states. In other words, international law is a special system of legal laws that put in order and regulates the political, economic, cultural, and other relations between states. While studying the international aspects of the problem of human rights and freedoms, it was revealed that the international documents existing in this field are grouped in the scientific literature in several directions in compliance with their nature. Thus, from this point of view, the main group consists of international documents of universal character. These are international documents expressing the principle of universal respect for and observance of human rights, defending rights and freedoms from the arbitrariness of states and officials by giving preference to them. The UN Charter and the International Bill of Human Rights relating to this group have already been analyzed by us. Besides this, the researchers relate to this group the relevant decisions of international conferences, documents that define the rights of people and protect women's and children's rights, aimed at preventing all kinds of discrimination.

11.3. The establishment and competencies of the Human Rights Committee

Part 4 of the International Covenant on Civil and Political Rights enshrines the establishment of a Human Rights Committee consisting of 18 members and determines the rules of the election and functions of its members. In compliance with this, the Human Rights Committee consisting of 18 experts elected for 4 years period and composed of nationals of the States Parties - the persons of high moral character and recognized competence in the field of human rights was established in 1976. The main functions of this committee - the subsidiary body of the General Assembly include a review of reports on the measures taken by the participating States to implement the rights recognized in the Covenant and on progress achieved in ensuring these rights, making remarks on them, then return them to representing State together with those general remarks.

Besides this, the Committee reviews complaints from participants about non-compliance with obligations by this or that country (Article 41). However, only the states accepted this procedure in a special form, which means by submitting a statement can benefit from it. Only 50 of 168 participants of the Covenant have issued such a statement so far. According to the Covenant, the Committee receiving such a complaint tries for medication, if a matter is not resolved to the satisfaction, it may, with the prior consent of the Parties concerned, submit the matter to an ad hoc Conciliation Commission. The final stage decision of the Committee is not compulsory. This should be noted that due to political considerations, intergovernmental complaint procedures have not been used even once. Any State Party to the present Covenant may, in its turn, submit its opinion to the committee on the latter's remarks.

Another power of the Human Rights Committee is defined by the Optional Protocol. Thus, according to Article 1 of the Protocol, the Committee has the competence to receive and consider communications from individuals subject to its jurisdiction who claim to be victims of a violation by the relevant State of any of the rights outlined in the Covenant. The Milli Mejlis of the Republic of Azerbaijan ratified the first Optional Protocol to the International Covenant on Civil and Political Rights in 2001 and through this has also recognized the complaint mechanisms set out within the frames of the present Covenant and the United Nations Committee on Human Rights, established by that Optional Protocol, to receive individual communications.

As seen from the title of the protocol, the individual communication procedure is not compulsory and it has been extended only to Parties that ratified the Protocol, which means more than 90 states so far. Without a doubt, according to the first two powers of the Human Rights Committee, the individual communication procedure is more important and more efficient. The ability of a person to act against the state violating his right and to reach the international level is an important means of oversight to the state. The Committee shall not consider any communication from an individual unless it has ascertained that:

a) The individual who exhausted all available effective domestic remedies (for example, all court instances) and failed to achieve a positive result may submit a communication; otherwise, his/her communication shall be rejected from admission;

b) No more than six months shall pass after the final decision of the domestic authority;

c) The communication should not be anonymous;

d) The communication should not be abstract: the individual must directly indicate that he has suffered a loss as a result of a breach of the concrete article of the Covenant and others.

If a violation of human rights by a State is determined, the Committee may impose the following requirements on it: to terminate the illegal act; to guarantee that such violations will not be repeated in the future; to restore the previous status (*status quo*, lat. *status quo ante*) (for example, to release of an unlawfully detained person, return of property to the plaintiff, etc.); to cover the damage to the individual; and others.

The Committee shall bring any communications submitted to it to the attention of the relevant State Party. While consideration of the matter the related state parties can be represented there or shall submit written explanations or statements clarifying the matter. The Committee shall submit a report within twelve months after the date of receipt of the notice. If an amicable solution to the matter is reached, the Commission shall confine its report to a brief statement of the facts and of the solution reached. If a solution is not reached, the Committee shall confine its report to a brief statement of the facts; the written submissions and record of the oral submissions made by the States Parties concerned shall be attached to the report. In every matter, the report shall be communicated to the States Parties concerned.

But the decisions issued by the Human Rights Committee are not legally mandatory. The state may not fulfill this decision, and,

unfortunately, in practice, such cases are no less; in this case, the Committee does not have the capacity to act effectively against that State. However, most of the decisions are implemented by the state, and necessary legislative, administrative, organizational, and other measures are taken to avoid such violations in the future.

As shown in the literature, the Human Rights Committee has considered hundreds of information during its activity and issued relevant recommendations the majority of which were received by the states for implementation. Thus, the protection of human rights should, first and foremost, be secured by national authorities, including the courts. However, the individual can apply directly to the Human Rights Committee, whereas an effective remedy is not provided by the state authorities.

11.4. The analysis of women's rights enshrined in the International Covenant on Civil and Political Rights

The analysis of the main Civil and Political Rights reflected in this Covenant shows that the term “everyone” is used concerning both sexes.

1. The right to life. No one shall be arbitrarily deprived of his life. This should be noted that the mentioned article is also reflected in the Constitution of the Republic of Azerbaijan. Thus, Article 27 of the Constitution states that everyone has the right to life. Except for the extermination of enemy soldiers in a case of military aggression, when executing the sentence and in other cases envisaged by law, the right of every person for life is inviolable.

2. In countries that have not abolished the death penalty, the sentence of death may be imposed only for the most serious crimes.

3. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. This is the only right to ask for and the provision is not compulsory.

4. A sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women.

5. No one shall be subjected to torture or cruel, inhuman, or degrading treatment or punishment. According to Article 46 of the Constitution of the Republic of Azerbaijan, everyone has the right to defend his/her honor and dignity. Nothing must lead to the humiliation of the dignity of human beings. Nobody must be subject to torture and

torment, treatment or punishment humiliating the dignity of human beings.

6. Nobody must be subject to torture and torment, treatment or punishment humiliating the dignity of human beings.

7. No one shall be held in servitude.

8. The right to be treated with humanity and with respect for the inherent dignity of the human person while deprivation of liberty.

9. The right not to be subjected without his free consent to medical or scientific experimentation. This should be mentioned that the conduction of dangerous experiments is prohibited. According to Article 46 of the Constitution of the Republic of Azerbaijan medical, scientific, and other experiments must not be carried out on any person without his/her consent.

10. The right to liberty and security of person According to the Constitution of the Republic of Azerbaijan (the Article 28) everyone has the right to freedom, right for freedom might be restricted only as specified by law, by way of detention, arrest, or imprisonment. According to Article 32, everyone has the right to personal immunity. Everyone has the right to confidentiality concerning personal and family life. Except for cases envisaged by legislation interference in private life is prohibited. Everyone has a right to protection against unlawful interference with his/her private or family life.

11. No one shall be subjected to arbitrary arrest or detention.

12. No one shall be deprived of his liberty except on such grounds and following such procedures as are established by law.

13. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest.

14. The right of anyone who is deprived of his liberty by arrest or detention to take proceedings before a court.

15. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation. According to Article 58.1 of the Code of Criminal Procedure of the Republic of Azerbaijan material prejudice as a result of error or abuse by the prosecuting authority shall be substantiated, then calculated, and compensated for in full. Physical and non-material damages shall be paid based on the fair assessment by the court if no other statutory arrangement is laid down

16. The right of accused juvenile persons to be separated from adults.

17. No one shall be imprisoned merely on the ground of inability to fulfill a contractual obligation. This should be taken into account that criminal liability may be imposed for deliberate failure to execute a court decision in force.

18. The right to liberty of movement and freedom to choose his residence, to leave any country, including returning to his own. Relevant provisions are reflected in Article 28 of the Constitution of the Republic of Azerbaijan.

19. All persons shall be equal before the courts and tribunals.

20. The right to a fair and public hearing by a competent, independent, and impartial tribunal.

21. Everyone charged with a criminal offense shall have the right to be presumed innocent until proved guilty according to law. The other name is “presumption of innocence”. This norm is widely reflected in Article 63 of the Constitution of the Republic of Azerbaijan. Everyone is entitled to the presumption of innocence. Everyone who is accused of a crime shall be considered innocent until his/her guilt is proved legally and if no verdict of law court has been brought into force. A person under suspicion of a crime must not be considered guilty. Nobody may be found guilty of committing a crime without the verdict of a law court.

22. The right to be informed promptly and in detail in a language which individual understands of the nature and grounds of the charge against him.

23. The right to have adequate time and facilities for the preparation of his defense and to communicate with counsel of his choosing.

24. The right to be tried without undue delay.

25. The right to be tried in his presence, and to defend himself in person or through legal assistance of his choosing.

26. The right to have legal assistance assigned to him without payment by him in any such case if he does not have sufficient means to pay for it.

27. The right to examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him. According to Article 19 of the Code of Criminal Procedure of the Republic of Azerbaijan during the criminal prosecution, the authority carrying out the criminal process shall take measures to guarantee the right to interrogate any witness against the suspect and the accused.

28. The right to have the free assistance of an interpreter if he cannot understand or speak the language used in court.

29. The right not to be compelled to testify against own self or to confess guilt.

30. Everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law.

31. No one shall be liable to be tried or punished again for an offense for which he has already been finally convicted or acquitted.

32. No one shall be held guilty of any criminal offense on account of any act or omission which did not constitute a criminal offense.

33. Nor shall a heavier penalty be imposed than the one that was applicable at the time when the criminal offense was committed.

34. If after the commission of the offense, a provision is made by law for the imposition of the lighter penalty, the offender shall benefit thereby.

35. Everyone shall have the right to recognition everywhere as a person before the law. Here the attention must be paid to the concept of “everyone”. So, “human” can be understood as a citizen and non-citizen.

36. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home, or correspondence nor to unlawful attacks on his honor and reputation.

37. Everyone shall have the right to hold opinions without interference.

38. Everyone shall have the right to freedom of expression.

39. Any advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence shall be prohibited by law.

40. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others.

41. Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

42. No one shall be required to perform forced or compulsory labor. The term “forced or compulsory labor” shall not include:

1) Any work or service normally required of a person who is under detention in consequence of a lawful order of a court;

2) Any service of a military character or alternative military service;

3) Any service exacted in cases of emergency;

4) Any work or service which forms part of normal civil obligations.

43. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State. The same rights are enshrined in Article 34 of the Constitution of the Republic of Azerbaijan. Everyone has the right to marry upon reaching the age specified by legislation. Marriages shall be concluded voluntarily. Nobody should be forced into marriage.

44. The right of men and women of marriageable age to marry and to found a family shall be recognized.

45. No marriage shall be entered into without the free and full consent of the intending spouses.

46. Every child shall have, without any discrimination as to race, color, sex, language, religion, national or social origin, property, or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.

47. Every child shall be registered immediately after birth and shall have a name. Every child has the right to acquire a nationality.

48. Every citizen shall have the right and the opportunity, without any of the distinctions mentioned and without unreasonable restrictions:

- To take part in the conduct of public affairs, directly or through freely chosen representatives;

- To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

- To have access, on general terms of equality, to public service in his country.

49. All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any grounds such as race, color, sex, language, religion, political or another opinion, national or social origin, property, birth or another status.

11.5. Accession of the Republic of Azerbaijan to international treaties

The decree of the country's President "On some measures in the field of regulation of the accession of the Republic of Azerbaijan to the international treaties" dated August 16, 1994, played an important role in the process of the implementation of the international legal acts. This process is regulated by the Law of the Republic of Azerbaijan "About procedure for the conclusion, execution, and denouncement of international treaties of the Azerbaijan Republic" of June 13, 1995.

In addition, on June 6, 2000, the Law of the Republic of Azerbaijan "On International Private Law" was adopted. Articles 10, 69, 70, 151, and other articles of the Constitution of the Republic of Azerbaijan are referred to international law. According to the Part II of the Article 148 of the Constitution of the Republic of Azerbaijan international agreements wherein the Republic of Azerbaijan is one of the parties constitute an integral part of the legislative system of the Republic of Azerbaijan, not customary international law. But this does not refer that our Constitution is completely indifferent to international customary law. Thus, according to the Article 10, the principles of international relations are considered universal principles recognized by international legal standards.

The universally recognized principles are the common principles of international law that constitute the basis of international customary law. Although Article 151 of the Constitution of the Republic of Azerbaijan accepts domination of international legal norms, the main goal is to eliminate the possible collisions between the international agreement and domestic normative acts.

Human rights and freedoms are considered in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention for the Protection of Human Rights and Fundamental Freedoms, and in the other international human rights treaties were fully and comprehensively enshrined in the first national Constitution of the independent Republic of Azerbaijan, adopted on November 12, 1995. Thus, Chapter III of Part III of the Constitution of the Republic of Azerbaijan covers the entire provisions on human rights and freedoms. In Chapter III of the Constitution titled "Basic Rights and Liberties of a Person and Citizen", civil, political, economic, social, cultural, and other rights have been identified. The human and civil rights and freedoms enshrined in the Constitution are applied in

compliance with the international treaties to which the Republic of Azerbaijan is a party. According to the Constitution, international agreements wherein the Republic of Azerbaijan is one of the parties constitute an integral part of the legislative system of the Republic of Azerbaijan.

On February 22, 1998, a very important Decree was signed to ensure human rights and freedoms. The decree set out an action plan aimed at achieving such goals as drafting the State Program on Protection of Human Rights, to ensure full compliance with the international human rights standards of normative legal acts with regard preparation of proposals on establishing a commissioner's institution for Human Rights, preparation of proposals for more effective provision of economic, social rights of refugees and internally displaced persons, persons with disabilities, war participants, families with low-income, also working out the proposals for the establishment of a human rights research institute, conduction of legal reforms.

Considering the goals and objectives of this Decree, to increase the effectiveness of measures taken in the field of human rights protection under the development stage of Azerbaijan, the First State Program on Human Rights Approved by the Decree 832 of the President of the Republic of Azerbaijan dated June 18, 1998, should be specially mentioned. The State Program considered the following: Establishment of an Authorized Commissioner for Human Rights of the Republic of Azerbaijan, joining of the Republic of Azerbaijan to international human rights treaties, creation of a scientific research institute in this field, ensuring full compliance with normative legal acts with international standards on human rights, improvement of legal mechanisms, further development of cooperation with international organizations on human rights, training of specialists on research and education programs in the international institutions and centers operating in this field, observing obligations on human rights and the other important issues.

On February 10, 1998, the Milli Mejlis of the Republic of Azerbaijan adopted the Law "On making amendments and supplements to the Criminal, Criminal Procedure and Penal Execution Codes of the Republic of Azerbaijan" on the abolition of the death penalty in our country. With this law, the death penalty was abolished and removed from the penal system; lifetime imprisonment was included as an independent punishment in the penal system, as was defined in Article 21 of the former Criminal Code. According to that Law, as well as according to the Law of the Republic of Azerbaijan "On joining the

Second Optional Protocol to the Law On the abolition of the death penalty” to the International Covenant on Civil and Political Rights, the possibility of applying a death sentence was maintained for grave crimes during the war or war threat. According to Article 6 of the Covenant, the Article 57 of the Criminal Code of the Republic of Azerbaijan states that the life imprisonment is not appointed to women, persons, who at the moment of commitment of a crime did not reach the age of eighteen, and also to the men who have reached to the moment of removal by a court of a decision age of sixteen.

Article 3 of the Covenant defining the status of women in the modern world assumes great importance. This Article expresses the important indicator of social progress guarantees that The States Parties undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights outlined in the present Covenant.

In compliance with this article, the principle of equality of men and women stated in Article 25 of the Constitution of the Republic of Azerbaijan is applied in all areas of the country’s legislation (labor, family, criminal, civil, social, etc.), the National Action Plan on Women’s Issues (for 2000-2005 years) was approved by the Cabinet of Ministers and implemented. On June 6, 2000, the Republic of Azerbaijan signed the Optional Protocol to the Convention, which entered into force on February 16, 2001.

On March 6, 2000, the *President* of the Republic of Azerbaijan signed the *Decree* “On Implementation of the National Gender *Policy* in the Republic of Azerbaijan” to ensure the equality of rights of women and men, in particular, to provide them with representation in the necessary level of government management.

On October 10, 2006, the Law of the Republic of Azerbaijan “On Guarantees of *Gender (Men and Women) Equality*” was enacted. The goal of the law is to ensure gender equality through the elimination of all forms of discrimination on sexual belonging grounds, and the creation of equal opportunities for men and women in the political, economic, social, cultural, and other spheres of public life. The following notions are used in this law: gender, gender equality, equal opportunities, gender-based discrimination, and sexual harassment. The main directions of the state policy on gender equality are as follows: formation, improvement, and development of the legal framework for gender equality; carrying out gender expertise of normative legal acts; preparation and implementation of state programs to ensure gender equality; promotion of gender equality culture.

On November 29, 2006, the President of the Republic of Azerbaijan signed the Decree on the implementation of the Law “On Guarantees of *Gender (Men and Women) Equality*”. The Government of the Republic of Azerbaijan undertakes measures to eliminate all forms of discrimination based on sex and to create equal opportunities for men and women. According to the Law:

- All forms of discrimination based on sex, including sexual harassment, are prohibited;
- Inadmissibility of any pressure against workers exposed to sexual harassment;
- The employer has the following duties: elimination of discrimination based on sex, ensuring the equality of men and women in the labor activity of the employer;
- Employment announcements are not allowed to nominate different requirements to men and women candidates, to give preference to representatives of any sex, to inquire about the employer’s marital status or personal life;
- The rights to equal opportunities for men and women to exercise their right to education, to demand gender equality in economic and social relations, political parties, non-governmental organizations, and trade unions, as well as compensation for damages, are ensured.

Article 16 (Unacceptability of Discrimination in Labour Relations) this is stated that during the employment relations no discrimination among employees shall be permitted based on citizenship, sex, race, nationality, language, place of residence, economic standing, social origin, age, family circumstances, religion, political views, affiliation with trade unions or other public associations, professional standing, beliefs, or other factors unrelated to the professional qualifications, job performance, or professional skills of the employees, nor shall it be permitted to establish privileges and benefits or directly or indirectly limit rights based on these factors. This article envisages that concessions, privileges, and additional protection for women, the handicapped, minors, and others in need of social protection shall not be considered discrimination.

Employers that permit the discrimination shall bear the appropriate responsibility in the manner established by the legislation.

In compliance with Article 240 of the Labor Code refusing to sign a labor contract with a woman who is pregnant or has a child under the age of three is prohibited by law.

This procedure shall not apply to the cases of refusal from hiring

when employers do not have an appropriate work (position) or possess workplaces that do not permit hiring women and involve them in work. If an employer refuses to sign a Labour contract with a woman who is pregnant or has a child under the age of three has to explain to the said woman in writing the reason behind his decision. For reasons of refusal from signing a Labour contract woman can seek justice from a court of law to protect her rights.

For the organization of an optimal information campaign on the inadmissibility of violence against women the following amendments regulating the obligations of the parties were made to the part of Article 31 of the Labor Code of the Republic of Azerbaijan by the relevant Law of the Republic of Azerbaijan dated September 1, 2004:

- to undertake all necessary measures for carrying out the explanatory work and assisting in the information provided with regard the coercion, indiscriminate acts of hostility, and offensive actions against a particular worker or workplace and prevention of such actions, protecting of workers from such behavior;

- to undertake all necessary measures for assisting in the provision of explanatory work and information on sexual harassment concerning workplace or work and the prevention of such provocations, to protect employees from such behavior.

According to Article 149 of the Criminal Code of the Republic of Azerbaijan, punishment is considered for the crime of rape. The sequence of the crimes of this category of crimes is attributed to the competence of prosecuting bodies by the Criminal Procedure Code of the Republic of Azerbaijan and a certain work has been done by the prosecution authorities to combat rape. Twice a year the practice summarization to combat law violations is carried out, and the measures are taken to eliminate the causes and conditions enabling the environment for committing the rape.

The State Committee for Women's Issues, established by the Decree of the President of the Republic of Azerbaijan dated January 14, 1998, together with the Women's "Coalition 1325", hosted 2005 14 local forums on gender priorities in different regions of Azerbaijan. The intensive debate on selected priorities (women and economics, women and education, etc.) within these forums was discussed. Local habitants' opinions were sounded on existing problems and proposals of forum participants were taken into account.

The State Program on Poverty Reduction and Sustainable Development in the Republic of Azerbaijan for 2008-2015 years was

adopted in 2008. The “Gender policy” section of this program is dedicated to gender equality.

The State Program on Socio-Economic Development of Regions of the Republic of Azerbaijan has been successfully implemented during the past period. This program focuses on the provision of good conditions for men and women in the balanced economic development of Azerbaijan, including in key areas of development. Within the framework of this program, women’s employment issues were also the focus of attention and assume importance.

By the Decree of the President of the Republic of Azerbaijan dated February 6, 2006, the State Committee for Family, Women and Children Affairs has been established, which is the central executive body that carries out state policy and regulation in the field of work-family, women and children’s problems. This body replaced the State Committee for Women’s Issues established in 1998. The Committee periodically carries out monitors and analyses in the field of gender equality and pays special attention to educating the population.

One of the steps taken in this direction is toughening laws through amendments to the Criminal Code. Chapter 20 of the Criminal Code covers the norms related to crimes against sexual inviolability and sexual freedom of the individual (Articles 149-153), and Chapter 22 of the Criminal Code covers the crimes against minors and family relations (Articles 170-176-1).

According to the Article 141 (Illegal of abortion) of the Criminal Code of the Republic of Azerbaijan, abortion by a doctor who is out of a medical institution is punished by a fine of up to two hundred nominal financial units (manats) or by corrective work for the term of up to six months. Abortion by a person who does not have special medical education is punished by a fine of up to three hundred nominal financial units (manats), or public works from three hundred and sixty hours to four hundred hours, or by corrective work of one year. If the action on imprudence resulted in causing serious harm to the health of the victim is punished by a fine of three hundred up to five hundred of the nominal financial unit, or by corrective work for the term of up to two years, or imprisonment for the term of up to one year with deprivation of the right to hold the certain position or to engage in certain activities for the term of up to one year or without it. If the action on imprudence resulted in the death of the victim is punished by imprisonment for the term of up to five years with deprivation of the right to hold the certain positions or to engage in certain activities for the term of up to three years.

The Government of the Republic of Azerbaijan, together with UNW, has drafted the next National Action Plan on Family and Women (for 2005-2010 years). 25 state institutions, about 40 NGOs, and international organizations participated in the preparation of this plan.

Considering the importance of the UN Convention on the Elimination of All Forms of Discrimination against Women, that document was translated into the Azerbaijani language and placed on the Ministry of Justice (www.justice.gov.az) website created to ensure transparency in print and other law areas.

To increase the efficiency of legal awareness legal editions, legal dictionaries, thematic leaflets, various collections, brochures, booklets, and leaflets are prepared, printed, and distributed among the population by the Office of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan. 180 legal publications have been prepared; approximately 25 human rights and good governance related foreign literature has been translated into our language, as well as 51 manuals in Azerbaijani were translated into English, and 39 - were translated into the Russian language and published, disseminated among a wide audience and distributed to libraries. In 2014, the Beijing Declaration and Platform for Action were also translated into the Azerbaijani language and published.

The International Covenant on Civil and Political Rights prohibits the interpretation impairing the law. The Covenant had a major impact on the third world countries that have newly acquired their independence. Alongside the prohibition of the “interpreting as impairing” the Covenants say: “Nothing in the present Covenant shall be interpreted as impairing the inherent right of all peoples to enjoy and utilize fully and freely their natural wealth and resources...”. The provisions of the present Covenant shall extend to all parts of federal States without any limitations or exceptions.

Deep reforms were carried out in many fields of social life in the Republic of Azerbaijan. In line with the reforms carried out in the field of the country’s democratization the steps to bring the legal system of Azerbaijan in compliance with international standards as enshrined in the International Covenant on Civil and Political Rights occupy special space.

Questions for students' knowledge assessment:

1. What are civic and political rights?
2. The place of the International Covenant on Civil and Political Rights in International Law.
3. Importance of the First and Second Optional Protocols to the International Covenant on Civil and Political Rights.
4. Establishment and powers of the Human Rights Committee.
5. Women's Rights in the International Covenant on Civil and Political Rights.
6. How is the implementation of international legal acts carried out by the Republic of Azerbaijan?
7. Accession of the Republic of Azerbaijan to the International Covenant on Civil and Political Rights and Additional Protocols.

LECTURE 12.

WOMEN'S RIGHTS ENSHRINED IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS

12.1 The notion and role of economic, social, and cultural rights

12.2 The mechanism of protection of economic, social, and cultural rights in international law

12.3 The analysis of women's rights enshrined in the International Covenant on Economic, Social, and Cultural Rights

12.4 Ensuring economic, social, and cultural rights in the Republic of Azerbaijan

12.5 Some decisions of the Constitutional Court of the Republic of Azerbaijan on equal opportunities for economic, social, and cultural rights

12.1. The notion and role of economic, social, and cultural rights

Different types of classification are met while studying human rights and freedoms and in particular literature, this is noted that they are divided into the economic, social, and cultural rights, which are of the first generation, on the one hand, civil and political which are the second generation, on the other hand. The word "second" means that they are following after the first-generation rights, forwarded and demanded later chronologically.

Indeed, liberal philosophy, first of all, is focused on the rights of the first generation. Second-generation rights have been put forward for the first time by socialists. Economic, social, and cultural rights are also referred to as positive ones. The second-generation rights can be characterized as follows:

- They are positive, so a state should do something for their realization;
- They require a resource, which means concrete finances are required from the state budget for their implementation;
- They require time because both financial means and realization of activity are required;

- They are uncertain, this means that this is difficult to evaluate whether they are provided or not; there is no consensus on what kind of rights will be included in this category;

- Legal (judicial) assurances are weak, this means legal mechanisms for their restoration are weak if they are violated.

As the first-generation rights are related to freedom, the second-generation rights are also related to equality. However, while the right to equality is included in the first generation of rights from the standpoint of political life, “economic equality” relates to second-generation rights from the standpoint of human property and economic status.

The rights of second-generation are targeted at provision of the same conditions and treatment to the different members of society. They were recognized by states after World War II. These rights include:

- Housing rights (not to be mixed with housing inviolability);
- Labor law;
- Health law (the right to state-funded treatment with concessions);
- Social insurance (retirement age, retirement);
- Unemployment insurance;
- Right to education.

Economic, social, and cultural rights have not been included in the human rights field for a long time. The reason was that the abovementioned legal provisions are more of a programmatic character and this emphasized that their observance in practice is not as easy. At the same time, the inclusion of these rights into the fundamental human rights may reduce the force of impact of the other human rights. But, apart from the natural rights, some such factors and circumstances make it rather difficult to realize the first-generation rights without their provision. For example, the freedom of movement (journey) for a person who has no money and is very poor assumes no great significance and importance. On the other hand, for those who cannot get an education, freedom of speech and expression do not assume great importance. As well as the issue of respect for personal and family life is an imaginary goal for a person whose labor rights are failed to be ensured. This is also impossible to evaluate the whole system of political-social, economic-legal, and international relations without the right to culture. The right to culture is considered one of the universal values as one of the general norms of life in the XX century.

The right to culture is also a broad notion. This is a right that plays the main role in meeting the individual's cultural and spiritual needs. That notion is so general that even the behavior of other rights and freedoms can be linked with the right of culture. Cultural is divided into two parts material culture and spiritual culture. Understanding cultural life is also a complicated notion as culture itself. This includes adopting and using cultural values.

There is a minimum of social and economic rights and a person exposed to life under this limit is avoided from enjoying the first-generation rights.

Here we again have to pay attention to one moment. The theory of human rights is a product of Western culture. The Western countries prefer more first-generation rights. In the United States, the court provision called due process of law is until now applicable only to disputes over life, liberty, and property rights. In the European continent, attention is paid more to social rights but fails to ensure the first-generation rights are still there. For example, while in the USSR the right to free treatment, education, and rest were ensured, fundamental rights such as freedom of speech were not recognized at all. In the US, on the contrary, economic and social rights are not considered to be the rights necessary to be secured necessarily.

From the historical perspective, the norms and principles, institutions, and fields of international economic law have emerged and formed in compliance with the stages of international economic relations.

The following stage of the international legal regulation of international trade relations coincides with the creation of the Christian and Islamic values. The close connection of people different from an ethnic point of view with common values was serving to the development of international trade.

An important feature of the rights of the second generation is that they are recognized by a state and are social rights from the essence that means deriving from humans living in a society. Taking into consideration this criterion they should not be mixed with political rights. No matter how the political rights are directed in the society, their purpose and cause are to ensure the right to liberty.

Economic, social, and cultural rights are aimed at helping a person to self-improvement in a decent manner. For this reason, the rights of the second generation can be regarded as kind of an indirect provider of the rights of the first generation.

12.2. The mechanism of protection of economic, social, and cultural rights in international law

In a democratic state, socio-economic and cultural rights consider the protection of human rights in the field of labor, housing, employment, welfare, and social protection. The essence of social and economic law is that it provides the legal status of personality. The task of a legal state in the field of protection of social and economic rights is that it implements progressive socio-economic reforms, ensures the participation of its people in favorable economic development, and create the opportunity for its resources to be used by all equally with the socio-economic rights. “The Charter of Economic Rights and Duties of the State” issued on December 12, 1974, states that every State has the primary responsibility to promote the economic, social, and cultural development of its people.

There are many international legal norms regulating legal socio-economic rights and freedoms. Some universal norms are reflected in the UN Charter and the Universal Declaration of Human Rights, while fundamental norms are in the documents of the International Labor Organization and the “International Covenant on Economic, Social and Cultural Rights”. The International Labor Organization adopted 170 conventions in this field. Besides this, the rules for the regulation of socio-economic rights are included in some regional agreements – the European Convention on Human Rights and Fundamental Freedoms. Socio-economic rights are also reflected in the national legislation of states.

Economic rights include labor rights, property rights, and entrepreneurship rights. Moreover, employers engaged in labor own the right to conclude collective agreements, and to join the national and international organizations for the protection of their interests.

On one hand, social and economic rights ensure the proper activity of the population, on the other hand - protect them from possible risks. As an integral part of human rights and freedoms in civil society, legal state, economic freedom, and equality are closely linked with social justice, integration, and mutual responsibility of the state and citizen. The provision of socio-economic rights is an important ground for the stable existence of democratic and social forms of the legal state.

Cultural rights provide a person’s moral development and contribute to the useful participation of everyone in moral, social, cultural, and political progress. The cultural rights include the right to education, the right to free participation in the cultural development of the

society, the right to creativity, the right to use the outcomes of scientific progress, and the right to apply them to practice. The documents of international organizations enshrine compulsory, free elementary, secondary, and higher education rights for all, exercising the right of parents to free choice of schools for ensuring the religious and spiritual development of their children, and the prohibition of discrimination in education.

If to touch on the sphere principles of the international legal protection of economic, social, and cultural rights, the development principle that emerged concerning the developmental characteristics of the recent period should be specially pointed out. This principle has found normative recognition in several international documents. Thus, according to para.1 of Article 29 of the UDHR, everyone has duties to the community in which alone the free and full development of his personality is possible. One of the most important directions of the principle of development is the Declaration on the Right to Development, adopted by the UN General Assembly in 1986. Thus, the Preamble of the Declaration states that development is a comprehensive economic, social, cultural, and political process, which aims at the constant improvement of the well-being of the entire population and all individuals based on their active, free and meaningful participation in development and the fair distribution of benefits resulting therefrom.

After World War II, the crimes committed by fascism against humanity, a document expressing the principle of respect for fundamental human rights and freedoms – the UN Charter, was adopted by modern states on June 26, 1945. Article 1 of the Charter noted the achievement of international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion as one of the UN goals (Para.3 of the Article 1).

In 1946, the UN Economic and Social Council established the Human Rights Commission as its subsidiary body and by resolution 5 (1) of February 16, 1946, instructed him to submit his observations on the International Bill of Human Rights.

In general, economic, social, and cultural rights are also given explanations and clarifications in international documents. Thus, articles 22-28 of the Universal Declaration of Human Rights refer to the mentioned rights. For example, the Article 22 says that everyone, as a member of society, has the right to social security and is entitled to

realization, through national effort and international cooperation and following the organization and resources of each State, of the economic, social, and cultural rights indispensable for his dignity and the free development of his personality. And Article 27 states that everyone has the right freely to participate in the cultural life of the community, to enjoy the arts, and to share in scientific advancement and its benefits. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Everyone is entitled to a social and international order in which the rights and freedoms outlined in this Declaration can be fully realized. Also, everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing, medical care, and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Another international document is the European Social Charter and this is a legally compulsory regional international treaty adopted within the Council of Europe, which protects social and economic rights as a natural continuation and return of the civil and political rights as a counterpart to the European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950. The European Social Charter Committee - the main body of the European Social Charter Control System has defined that "The Charter's goal and mission as a tool for human rights protection are to protect the subjective rights not only theoretically but also actually."

The Additional Protocol dated 1988, which is recognized as an integral part of the 1961 Charter, as well as the Article 1 of the addition to the Revised Social Charter clearly states that the provisions of the Charter apply to the citizens of the State Party and to the citizens of the other State Parties of the Charter who live and work permanently in its territory.

According to the Charter, all workers and their dependents have the right to social security. Anyone without adequate resources has the right to social and medical assistance. Migrant workers and their families have the right to protection and assistance. Besides this, everyone has the right to benefit from social welfare services, persons with disabilities have the right to independence, social integration, and participation in the life of the community, and the family as a fundamental unit of society has the right to appropriate social, legal and economic protection to ensure its full development. States that ratified the

Charter have undertaken certain commitments, including:

- to provide either by paid leave, by adequate social security benefits, or by benefits from public funds for employed women to take leave before and after childbirth up to a total of at least fourteen weeks;
- to consider it unlawful for an employer to give a woman notice of dismissal during the period from the time she notifies her employer that she is pregnant until the end of her maternity leave, or to give her notice of dismissal at such a time that the notice would expire during such a period;
- to provide that mothers who are nursing their infants shall be entitled to sufficient time off for this purpose;
- to regulate the employment in night work of pregnant women, women who have recently given birth, and women nursing their infants;
- to prohibit the employment of pregnant women, women who have recently given birth or who are nursing their infants in underground mining, and all other work that is unsuitable because of its dangerous, unhealthy, or arduous nature and to take appropriate measures to protect the employment rights of these women.

The provisions relating to the protection of women, in particular, the provisions relating to the protection of pregnancy, childbirth, and maternity, shall not be viewed as discrimination in the sense of the present Article.

This document was signed on behalf of the Government of Azerbaijan on October 18, 2001, at the ceremony on the occasion of the 40th anniversary of the European Social Charter. After the presentation of the Ratification Decree regarding the accession of Azerbaijan to the Revised European Social Charter in September 2004, from November 1 of the same year, the mentioned international document became an integral part of the legislative system of the Republic of Azerbaijan.

There are different mechanisms in the field of international human rights protection - treaty and non-treaty mechanisms. Treaty mechanisms include the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee for Prevention of Torture, the Committee on the Rights of the Child, the Committee on the Elimination of All Forms of Discrimination against Women, the Group of Three controlling the implementation International Convention on the Suppression and Punishment of the Crime of Apartheid of 1973, the Committee on Economic, Social and Cultural Rights controlling the implementation of the Covenant on Economic, Social and Cultural Rights established in 1985 following the ECOSOC's resolution, not based on the

Covenant, as well as human rights protection mechanisms within the ILO and UNESCO framework.

Only three of the abovementioned bodies have the authority to examine both individual and inter-state complaints. The Committee on the elimination of all forms of discrimination against women has the right to consider individual complaints only.

ECOSOC is functioning under the auspices of the UN General Assembly. The body coordinates the UN's economic and social policies, as well as the activities of relevant agencies (such as the Economic, Social, and Cultural Rights Committee) and consists of 54 members. ECOSOC is a forum for discussions of international social and economic issues. It controls the fulfillment of the ICESCR. The body also provides general considerations regarding the approval of the participation of States. This body does not have the power to accept complaints but only reads the reports of states. It observes the Committee on Economic, Social, and Cultural Rights. This Committee was established by the ECOSOC and gathers twice a year in Geneva. Like all other treaty bodies, this Committee also reviews reports on the implementation of the obligations undertaken by States Parties to the International Covenant on Economic, Social, and Cultural Rights and the International Covenant on Civil and Political Rights. The participating States submit their initial reports two years after joining the Covenant and once in five years subsequently. The Committee on Economic, Social, and Cultural Rights publishes final reports after reviewing the submitted ones.

The Committee on Economic, Social, and Cultural Rights consists of 18 experts selected by the ECOSOC by participating States of the Covenant on Economic, Social, and Cultural Rights. The Committee gets periodic reports from States on the implementation of the Covenant, as well as General Comments, which assume high importance to particular provisions of the Covenant.

12.3. The analysis of women's rights enshrined in the International Covenant on Economic, Social, and Cultural Rights

Thereby, the UN Covenant on Economic, Social, and Cultural Rights was adopted by a General Assembly Resolution on December 16, 1966. A qualitatively new stage in the international legal regulation of these rights took the start with the adoption of the mentioned Covenant.

The International Covenant on Economic, Social, and Cultural Rights consists of the Preamble, 5 Chapters, and 31 articles. In the Preamble of the Covenant, such a provision was accepted with a general

consent: the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social, and cultural rights, as well as his civil and political rights.

Human rights in the Covenant begin with the declaration of everyone's right to work. Thus, Article 6 states that the States Parties to this Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right. Here, the concept of the right to work includes the right of everyone to be freely chosen by them or to gain the opportunity to ensure his life with work on voluntary consent. Article 7 declares recognition of the right of everyone to the enjoyment of just and favorable conditions of work. Article 9 states the recognition of the right of everyone to social security, including social insurance, Article 11 - the right of everyone to an adequate standard of living for himself and his family, and Article 13 - the State Parties recognize the right of everyone to education and the other rights. According to Article 15 the right of everyone to take part in cultural life, to enjoy the benefits of scientific progress and its applications, and the other rights are recognized, The States Parties undertake to respect the freedom indispensable for scientific research and creative activity. As a manifestation of the care of the world community for the future of human civilization, Article 12 declares recognition of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

The States Parties are recommended to take steps to achieve the full realization of this right - the provision for the reduction of the stillbirth rate and of infant mortality, the improvement of all aspects of environmental and industrial hygiene, and the creation of conditions that would assure all medical service.

The International Covenant on Economic, Social, and Cultural Rights states that everyone may enjoy his economic, social, and cultural rights, as well as his civil and political rights. In this regard, the UN General Assembly, in its resolution of December 4, 1986, stated that civil, political, economic, social, and cultural rights are indivisible and interdependent.

The importance of socio-economic law is in its providing the legal status of personality. Certain ideas have been sounded about economic, social, and cultural rights in several scientific pieces of literature and during conducted events. This is particularly obvious in issues related to

the analysis of the International Covenant on Economic, Social, and Cultural Rights. It is mentioned in the literature that the Covenant only defines standards for achieving the goal states should try.

David M. Trubek believes that this is purposeful to realize the implementation of the programs of economic and social rights through their adoption for a long period. At the meeting at the University of Limburg in the Netherlands in 1986, leading experts representing different countries came to the following outcomes by discussing several provisions on the nature and extent of legal obligations undertaken by the participating States of the relevant Covenant: all human rights and freedoms, including economic and social rights, are indivisible and interdependent, as well as they are an integral part of international law; each State Party to the present Covenant are obliged to take steps with no delay to achieve progressively the full realization of the rights recognized in the international treaty by all appropriate means, including particularly the legislative and administrative measures; regardless the economic development level, the participating States to the Covenant should provide at least a minimal level of provision of the economic, social and cultural rights.

It should be noted that the UN General Assembly, in its resolutions (Resolution 32/130 of December 16, 1977, and Resolution 4/114 of December 4, 1986), repeatedly reaffirmed the world community's thought that all human rights and fundamental freedoms are indivisible and interdependent, that the protection and promotion of rights of some categories do not exempt the states from the obligation to protect and encourage the other rights. According to the UN General Assembly Resolution #2675 of December 9, 1970, fundamental human rights as accepted in the international law and laid down in international instruments continue to apply fully in the situation of armed conflict.

This should be mentioned as well that the International Covenant on Economic, Social, and Cultural Rights is a small international document in volume; however, was composed of rather principal provisions.

According to the Covenant, all peoples have the right to self-determination. Under that right they freely determine their political status and freely pursue their economic, social and cultural development, all peoples may, for their ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law.

According to this Covenant, the State may subject such rights only to such limitations as are determined by law only in so far as this may be compatible with the nature of these rights and solely to promote the general welfare in a democratic society. (II Part, Article 4).

Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, to achieve progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

The Covenant declares that the widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children. Marriage must be entered into with the free consent of the intending spouses. Special protection should be accorded to mothers during a reasonable period before and after childbirth. During such a period working mothers should be accorded paid leave or leave with adequate social security benefits. Special measures of protection and assistance should be taken on behalf of all children and young persons without any discrimination for reasons of parentage or other conditions. Children and young persons should be protected from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. Besides this, the states should also set age limits below which the paid employment of child labor should be prohibited and punishable by law.

This should be noted that there are instructions on the elimination of discrimination in Part 2 of Article 2. Thus, “the States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, color, sex, language, religion, political or another opinion, national or social origin, property, birth or another status”.

The States Parties shall take, individually and through international co-operation, the measures, including specific programs, which are needed to improve methods of production, conservation, and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources and

taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies concerning need.

There are certain exceptions to the Covenant and for example, developing countries, with due regard to human rights and their national economy, may determine to what extent they would guarantee the economic rights recognized in the present Covenant to non-nationals.

The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social, and cultural rights outlined in the present Covenant.

According to the mentioned document, the following rights of women are recognized:

- Recognition of the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right. These include technical and vocational guidance and training programs, policies, and techniques to achieve steady economic, social and cultural development and full and productive employment under conditions safeguarding fundamental political and economic freedoms to the individual.

- Fair wages and equal remuneration for work of equal value without distinction of any kind. Here, the women shall be guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;

- A decent living for themselves and their families following the provisions of the present Covenant;

- Safe and healthy working conditions;

- Equal opportunity for everyone to be promoted in his employment to an appropriate higher level;

- Rest, leisure, and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays;

- The right of everyone to social security, including social insurance.

- The right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing, and housing, and to the continuous improvement of living conditions.

- The right to education. With this view:

- Primary education shall be compulsory and available free to all;

- Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available

and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;

- Higher education shall be made equally accessible to all, based on capacity, by every appropriate means, and in particular by the progressive introduction of free education;

- Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;

- The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

- The right to take part in cultural life;

- To enjoy the benefits of scientific progress and its applications;

- To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author;

- Freedom is indispensable for scientific research and creative activity.

In addition to the abovementioned, the State Parties to the present Covenant have also taken the following commitments:

- The right of everyone to form trade unions and join the trade union of his choice, subject only to the rules of the organization concerned, for the promotion and protection of his economic and social interests. No restrictions may be placed on the exercise of this right other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;

- The right of trade unions to establish national federations or confederations and the right of the latter to form or join international trade-union organizations;

- The right of trade unions to function freely subject to no limitations other than those prescribed by law and which are necessary in a democratic society in the interests of national security or public order or for the protection of the rights and freedoms of others;

- The right to strike provided that it is exercised in conformity with the laws of the particular country.

- The improvement of all aspects of environmental and industrial hygiene;

➤ The prevention, treatment, and control of epidemic, endemic, occupational and other diseases;

➤ The right to respect the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their convictions.

➤ The creation of conditions that would assure all medical services and medical attention in the event of sickness;

➤ This includes steps taken for the encouragement and development of international contacts and co-operation in the scientific and cultural fields.

As an exception, this does not relate to the prevention of the imposition of lawful restrictions on the exercise of these rights by members of the armed forces or of the police, or the administration of the State.

The States Parties to the present Covenant undertake to report on the measures taken under this part and on the progress made in the implementation of the provisions of the Covenant.

12.4. Ensuring economic, social, and cultural rights in the Republic of Azerbaijan

The appraisal of economic, social, and cultural rights by both the international organizations and the government assumes special importance. An important activity in the field of provision of human rights and freedoms, especially, the economic, social, and cultural rights, is carried out in the Republic of Azerbaijan in three main directions: to join international agreements in this area; to adopt intrastate normative-legal acts in the relevant field; to upgrade the adopted normative-legal acts in compliance with the requirements of international law.

The path of independent state-building of every nation is conditioned by several significant internal and external factors. Using convenient historic conditions and their political, economic, cultural, and intellectual potential, the Azerbaijani nation realized its desire for independence at the end of XX century.

Until 1970, according to most indicators of economic, social, and cultural development, Azerbaijan was occupying one of the last places among the allied republics of the former USSR. In the USSR during the 1960s and 1970s the income generation production increased by 99%,

while in the republic this indicator was 66%. The per capita income of the income generation also was decreasing year after year. Lack of care and attention by the center paid to the problems of Azerbaijan, the existence of serious shortcomings in the management of the country resulted in social, economic, and moral crises. After Heydar Aliyev's first coming to administration in 1969, as a result of implemented complex measures, the industrial, agricultural and production infrastructure of the country has been highly developing. The network of processing and production fields of the industry has been expanded. From 1969-to 1982 years more than 250 plants, factories, and other production facilities were put into exploitation in the republic. 20 mln. m² of housing, hundreds of schools, clubs, hospitals, and rest homes have been built. New micro-districts such as Badamdar, Ahmedli, Guneshli, Hovsan, and others were established around Baku city. Construction and putting into the exploitation of industrial facilities such as the Baku-Groznyy oil pipeline in 1983, Baku Deepwater Jackets Factory in 1985, "Ulduz" Electrical Instrumentation Plant in Baku, and Household Compressors Plant in Sumqayit city, Shamkir Hydroelectric Station in 1981-1984 years and the other industrial objects have had a serious impact on the well-being of the population in Azerbaijan, which is developing rapidly.

The labor productivity in industry increased by 2.1 times, and 581 new types of machines, equipment, and devices have been created. Mass production of 1056 important industrial products was given a start, 310 automated lines, 1300 complex mechanized lines, and automated stations, as well as production area, were put into exploitation. Thus, Azerbaijan became an agrarian-industrial country from just an agrarian country.

The 70-the 80s of XX century are a separate stage in the history of our nation not only as the period of development of all spheres of the economy but also are the years of unprecedented progress in science, education, and culture. At that time, the foundation of our future independence was laid, and economic, social, and cultural potential was shaped. The prominent statesman Heydar Aliyev paid particular care to the development of education putting forward as an important task the significance of skilled and highly qualified personnel for the economic and cultural development of Azerbaijan, the management of industry, agriculture, culture, science, education, and other priority fields. From 1969 to 1978 years, the number of secondary schools increased by 77%. And in 1979, 3315 Azerbaijanis were getting an education in 152 higher education facilities in 43 cities of the USSR. Particular attention was paid to the training of military personnel. There were two higher military

schools in Azerbaijan - *Baku High Infantry Commanders School and Baku Marine College*. However, only a few Azerbaijani were educated in these schools. A military lyceum named after J. Nakhchivansky was established in 1971. More than 800 young people were sent to higher military schools of the USSR during the 1976-1977 years. In 1982, the number of students sent to military schools was more than 1000.

Building civil society, strengthening the democratic processes, and forming of legal state are the key condition for the comprehensive development of Azerbaijan. The main task of a democratic state as an institution is the creation of equal opportunities for raising the material welfare of the society as a whole and each citizen separately, their social protection and ensuring decent living standards, as well as the free development of personality.

The new macroeconomic environment forming in our republic, the growth of the gross domestic product, substantial strengthening of the entrepreneurial class positions in the economy, successful transformation into an international economic relations system, and implementation of global energy, communication, and innovation projects resulted in the enabling rapid development of democratization and civil society institutions and the perception of progressive innovations at the public consciousness level.

One of the main factors contributing to democratic development at the contemporary level is increasing economic freedom, effective initiatives of people, and new form and content of property relations. This is also inevitable to grow up in a political point of view of citizens with ensured economic freedom, their gradually becoming active participants in the democratization path of the society.

Emphasizing two main characteristics of the social policy realized by Heydar Aliyev would be to the point. One of them is the sustainability of social policy which is based on the economic foundations of the country and the second is it's based on a perfect normative-legal framework successfully-tested in world practice.

The characterization of democracy in transitional societies by gradualism is conditioned by the fact of complementing the economic development and democratization of each other. More precisely, this is impossible to talk about the rapid development of democratic values in the poorer countries in a state of economic problems. The wealthier the state higher the chances to achieve a stable democracy.

With a glance at the social policy history, we see significant steps undertaken in the social sphere. Different laws were adopted on social

protection of persons of various categories – “About perpetuation of martyrs’ names and privileges to martyrs’ families”, “On the status and social protection of participants of liquidation of the Chernobyl accident and the victims of this accident”, “On Veterans” and the others, as well as numerous decrees and orders, were signed in the field of improving the welfare of martyrs’ families, refugees, internally displaced persons, war veterans and veterans of January 20.

According to the Presidential Decrees on the fulfillment of the obligations undertaken by the Republic of Azerbaijan under the International Covenant on Economic, Social and Cultural Rights periodic reports are prepared by a special working group consisting of key executives from relevant ministries and committees and are submitted to the United Nations Committee on Economic, Social and Cultural Rights.

Social, economic, and cultural rights are also reflected in the Constitution of the Republic of Azerbaijan. The document includes the right to a decent life, right to labor, fair labor conditions and wages, social protection, social and housing rights, social security, the right to culture, creativity, and the right to education and health. The right to work (Article 35), the right to rest (Article 37), the right to social protection (Article 38), the right to culture (Article 40), the right to protection of health (Article 41), the right for education (Article 42), Freedom of creative activity (Article 51), Right for business activity (Article 59) have been enshrined in the main law of the Republic. The main place in economic law is the right to work. The right to work is enshrined in the Article 35 of the Constitution of the Republic of Azerbaijan as follows:

Labor is the basis of personal and public prosperity.

^ Everyone has the right to choose independently, based on his/her abilities, kind of activity, profession, occupation, and place of work.

^ Nobody might be forced to work.

^ Labor agreements are concluded voluntarily. Nobody may be forced to conclude a labor agreement.

^ Based on decisions of the law court there might be cases of forced labor, terms and conditions being specified by legislation; forced labor is permissible due to orders of authorized persons during the term of army service, state of emergency, or martial law.

^ Everyone has the right to work in safe and healthy conditions, to get remuneration for his/her work without any discrimination, not less than the minimum wage rate established by the state.

▲ Unemployed persons have the right to receive social allowances from the state.

The state will do its best to liquidate unemployment.

Every Azerbaijani citizen has the right to choose free and independent labor, and forced labor is prohibited in our country.

Everyone in Azerbaijan has the right to free entrepreneurship. The right to free entrepreneurship is enshrined in Article 59 of the Constitution of the Republic of Azerbaijan: “Everyone may using his/her possibilities, abilities and property, individually or together with other citizens, carry out a business activity or other kinds of economic activity not prohibited by the law.”

The right to strike is also reflected in the Constitution of the Republic of Azerbaijan: “Everyone has the right to be on strike, both individually and together with others. Right for a strike for those working based on labor agreements might be restricted only in cases envisaged by the law. Soldiers and civilians employed in the Army of the Republic of Azerbaijan have no right to go on strike.”

Individual and collective labor disputes are settled in line with legislation: “Everyone has the right to rest. For those working based on labor, agreements 8-hour working days, national holidays and at least one paid vacation with the duration of at least 21 calendar days are guaranteed.”

The Azerbaijani citizens have the right to carry out free economic activity. Social rights provide people with decent living conditions and social protection. This includes social security, social insurance, pension provision, and medical care. The essence of the right to social security as prescribed by law for the elderly, the sick, the disabled, and the upbringing of children is that the state allocates enough funds in the case of losing the ability to work for citizens or lose the ability to earn a living. These rights are reflected in the articles of the Universal Declaration of Human Rights, as well as the Articles 9 to 12 of the Covenant on Economic, Social, and Cultural Rights. Article 38 of the Constitution of the Republic of Azerbaijan enshrines:

- Everyone has the right to social protection.
- Most vulnerable persons must get support, in the first place, from members of their families.
- Everyone has the right to social protection on reaching specific age according to legislation, in case of illness, disability, loss of breadwinner in the family, due to unemployment, and in other cases envisaged by legislation.

- The minimum sum of pensions and social allowances is specified by law.

- The state creates possibilities for the development of a charitable activity, voluntary social insurance, and other forms of social protection.

The right to protection of health is reflected in Article 41 of the Constitution of the Republic of Azerbaijan:

- Everyone has the right to protection of his/her health and medical care.

- The state takes all necessary measures for the development of all forms of health services based on various forms of property, guarantees sanitary-epidemiological safety, and creates the possibilities for various forms of medical insurance.

- Officials concealing facts and cases dangerous to the life and health of people will bear legal responsibility.

The basic principles of the right of citizens of the Republic of Azerbaijan to the protection of health are defined by the legislation:

1. Observance of human and civil rights in the health protection sphere;

2. Carrying out the prophylactic measures;

3. Social protection of the citizens who lost their health;

4. Possibility of medical and social assistance for all;

5. Responsibility for the protection of citizens' health, regardless of the form of ownership, of management, enterprise, organization, public authorities, and officials.

Article 42 of the Constitution of the Republic of Azerbaijan stipulates the following concerning the right to education:

- Every citizen has the right to education;

- The state guarantees free obligatory secondary education;

- The system of education is under the state control;

- The state guarantees the continuation of education for most gifted persons irrespective of their financial position;

- The state establishes minimum educational standards;

- One of the main features of the legal status of the personality is the right of everyone to participate freely in cultural life related to free scientific, artistic, literary, and other kinds of creativity.

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

A wide space is given to cultural rights as well in the International

Covenant on Economic, Social, and Cultural Rights. According to Part 1 of Article 40 of the Constitution of the Republic of Azerbaijan, everyone has the right to take part in cultural life, and to use organizations and values of culture. The right to use cultural resources may be limited only in the cases and manner as prescribed by the legislation of the Azerbaijan Republic.

Foreigners and stateless persons in the territory of our country enjoy cultural rights equally with the citizens of the Republic of Azerbaijan. The Law of the Republic of Azerbaijan “On Culture” adopted on February 6, 1998, ensures the protection of rights and freedoms of subjects engaged in cultural and creative activities.

Relevant state organs should prevent the actions directed at the violation of rights and freedoms of subjects engaged in cultural and creative activities. Cultural activities include museums, literature, applied and creative arts, theater and music, and others. A state must provide equal opportunities for all citizens to enjoy cultural values.

12.5. Some decisions of the Constitutional Court of the Republic of Azerbaijan on equal opportunities for economic, social, and cultural rights

According to Part IX of Article 130 of the Constitution of the Republic of Azerbaijan, the Constitutional Court of the Republic of Azerbaijan takes decisions as regards the questions of its competence. Decisions of the Constitutional Court of the Republic of Azerbaijan are obligatory all over the territory of the Republic of Azerbaijan.

During the period of its functioning, the Constitutional Court of the Republic of Azerbaijan has also issued several decisions concerning economic, social, and cultural rights, and these decisions directly or indirectly enshrined women’s owning equal rights with men. As an example, the following decisions can be made:

1) Decision of the Plenum of the Constitutional Court of the Republic of Azerbaijan On Interpretation of Article 307.2.4 of the Civil Procedure Code of the Republic of Azerbaijan (02 November 2010)

The Yasamal District Court of Baku city, applying to the Constitutional Court of the Republic of Azerbaijan (hereinafter referred to as Constitutional Court) in connection with the application of the civil procedure norm of law on the case, being on proceeding, asked to give interpretation to Article 307.2.4 of the Civil Procedure Code of the Republic of Azerbaijan.

It was specified in the application that according to Article 307.2.4 of the Civil Procedure Code the court are examine the cases in connection with the ascertainment of fact of actual marital relationships in cases established by law, in case of impossibility of registration of marriage in the relevant body of executive authority due to death of one of the spouses the court considers cases in connection with an establishment of the fact of a condition in actual marriage relations, in cases if provided for by law if marriage registration in corresponding enforcement authority cannot be made owing to the death of one of the spouses. However, the position provided by Article 307.2.4 of the Civil Procedure Code “in cases if provided for by law”, creates uncertainty in practice.

In this regard the Plenum of the Constitutional Court of Azerbaijan Republic decided:

1. To advise the Milli Mejlis of the Republic of Azerbaijan to bring Article 307.2.4 of the Civil Procedure Code to conformity with requirements of parts I and II of Article 34 of the Constitution of the Republic of Azerbaijan and family legislation.

2. Before Milli Mejlis of Azerbaijan adopts a relevant decision concerning Article 307.2.4 of the Civil Procedure Code of the Republic of Azerbaijan, courts shall take into account that since legal consequences following the factual marital relations are not recognized by legislation, they cannot determine the fact of factual marital relations which commenced after 8 July 1944.

2) Decision of the Plenum of the Constitutional Court of the Republic of Azerbaijan On Conformity of Article 8.1 and 8.3 of the Law of the Republic of Azerbaijan “On Labour Pensions” to the Constitution of the Republic of Azerbaijan (December 1, 2010)

According to a conclusion of the applicant body – the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan, these articles become the reason for leaving aside women of some categories from the privileges established by the law in the sphere of the right of social protection, providing of privileges for tutors and men who adopted five and more children and not providing of these privileges concerning women is a reason of sexual discrimination.

In connection with other questions specified in inquiry, the Plenum of the Constitutional Court notices that the providing in Article 8.3 of the Law “On Labour Pensions” of rights to pension on preferential terms to trustees to the men who are independently bringing up five and more children till eight-year age, instead of the providing in the relation

of women of such privileges should be regarded as an infringement of a guarantee of equality between men and women.

The Republic of Azerbaijan, having signed in 1995 the Convention of the United Nations of 1979 “On Elimination of All Forms of Discrimination Against Women” has undertaken obligations to the provision of gender equality with the elimination of all forms of discrimination against women, at the creation of equal conditions to men and women in political, economic, social, cultural and in other spheres of public life. In this sense, both in the Constitution of the Republic of Azerbaijan and in the Law of the Republic of Azerbaijan “On gender equality” of October 10, 2006, discrimination on a sexual character between the rights of social security of men and women is unequivocally prohibited.

Based on the abovementioned the Plenum of the Constitutional Court of Azerbaijan Republic decided to recommend to Milli Mejlis of the Republic of Azerbaijan, taking into consideration the legal positions reflected in this Decision, to bring to conformity pension on the age of mothers adopted and grown-up five and more children to the age of eight years, of stepmothers, brought up five and more children to the age of eight years with Article 8.1 of the Law “On Labour Pensions”, pension on the age of trustees women grown up five and more children to the age of eight years with Article 8.3 of the Law “On Labour Pensions”.

3) Decision of the Plenum of the Constitutional Court of the Republic of Azerbaijan On verification of conformity of Article 1193 of the Civil Code of the Republic of Azerbaijan to parts I and II of Article 13 and parts I, II, III of Article 29 of the Constitution of the Republic of Azerbaijan (October 20, 2011)

In Article 1193 of the Civil Code of the Republic of Azerbaijan, it is noted that irrespective of the testament’s content testator (testatrix)’s children, parents, and spouse have an obligatory share of the inheritance. According to the law, this share makes up half of the share due to them (obligatory share) during intestate succession.

According to the applicant - the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan, the right “obligatory share in inheritance” contradicts Articles 13, and 29 of the Constitution and unreasonably limits the property right established by Article 152.1 of the Civil Code. By the mentioned Decision of the Plenum of the Constitutional Court it was recognized that from the point of view of the principle of social justice which is a component of the legal system, the

Article 1193 of the Civil Code are corresponding to parts I and II of Article 13 as well as parts I, II, III, and V of Article 29 of the Constitution. At the same time, from the point of view of time requirements, a circle of people, having the right of receiving an obligatory share in inheritance and the question of change of volume of an obligatory share of successors can be defined by the Milli Mejlis of the Republic of Azerbaijan within its powers.

4) Decision of the Plenum of the Constitutional Court of the Republic of Azerbaijan on the interpretation of Articles 1, 5, and 12 of the Law of the Republic of Azerbaijan “On Privatization of Housing Stock in the Republic of Azerbaijan” (December 21, 2012)

The legal position of the Plenum of the Constitutional Court in the aforementioned Decision was as follows:

1. Purchase of (general) property by the spouses as defined in Article 225.1 of the Civil Code and Article 32.1 of the Family Code unlike the legal basis of its purchase under Articles 1 and 5 Law “On Privatization of a Housing Stock in the Republic of Azerbaijan” the privatized apartments cannot be considered as a joint (common) property because of their free purchase and voluntary consent of one of the spouses for the privatization (transfer of ownership) of the apartment in the name of husband or wife.

2. Consent by a family member who lives in the privatized apartment on the transfer of ownership of the apartment to one of them can not be regarded as a denial of their right to live in the same apartment.

3. To recommend to the Milli Mejlis of the Republic of Azerbaijan to improve mutual rights and obligations between the owner and his family members, including the legal status of the owner and family members who live with him at the time of conclusion of transactions on the privatized apartment following the decision of the legal authorities when privatizing the Housing Stock.

5) Decision of the Plenum of the Constitutional Court of the Republic of Azerbaijan on verification of conformity of some provisions of Articles 17.2.3 and 182 of the Family Code of the Republic of Azerbaijan with Article 60.1 of the Constitution of the Republic of Azerbaijan (July 9, 2013).

The Commissioner for the Human Rights (Ombudsman) of the Republic of Azerbaijan applied to the Constitutional Court of the Republic of Azerbaijan and asked to verify the conformity of some

provisions of Articles 17.2.3 and 182 of the Family Code of the Republic of Azerbaijan with Article 36.4 of the Civil Procedure Code of the Republic of Azerbaijan, Articles 25, 60, 71, parts I and III of Article 149 of the Constitution of the Republic of Azerbaijan.

According to the opinion of the applicant the provision “in case of the condemnation of one of the spouses for the commitment of crime to imprisonment for the term of over 3 (three) years” violates the rights of the person affirmed in Articles 25, 60, 71 and parts I and II of Article 149 of the Constitution and also does not correspond to the principles of equality, to the equal treatment to equal interests, to criteria of the right and justice demanded from the normative legal act.

Considering the specified the Plenum of the Constitutional Court comes to the following conclusion:

- Article 17.2.3 of the Family Code should be considered invalid because of its discrepancy with Article 60.1 of the Constitution of the Republic of Azerbaijan which guarantees the legal protection of rights and freedoms of everyone.

- the provision of Article 182.1 of the Family Code establishing an order of registration of dissolution of marriage “or the extract from a sentence concerning the condemnation of the spouse for the commitment of crime to imprisonment for the term of over three years”, a provision of Article 182.2 of this Code “to one of the spouses serving a sentence in the form of deprivation of liberty or” and a provision of Article 5.11.2 of the Resolution of Cabinet of Ministers of the Republic of Azerbaijan No. 145 of October 31, 2003 “one of the spouses serving a sentence in the form of deprivation of liberty” should be considered as invalid.

For this reason, the Plenum of the Constitutional Court Decided that Article 17.2.3 of the Family Code of the Republic of Azerbaijan should be considered null and void given its discrepancy with Article 60.1 of the Constitution of the Republic of Azerbaijan which guarantees legal protection of rights and freedoms of everyone.

6) Decision of the Plenum of the Constitutional Court of the Republic of Azerbaijan on verification of conformity of Article 37.3.4 of the Law “On Labor Pensions” with the Constitution of the Republic of Azerbaijan (November 14, 2014)

According to the applicant - the Supreme Court of the Republic of Azerbaijan, in Articles 20.1 and 37.3.4 of the Law “On Labour Pensions” the various rules connected with the payment of allowances to work pensions of the working pensioners are established, and such legal

regulation does not correspond to relevant provisions of the Constitution (Articles 12.1, 16.1, parts I, III, IV, and V of the Articles 25, 29.4, 35, 38 and 71). Considering the above-noted, the Plenum of the Constitutional Court comes to the following conclusion:

- based on Article 37.3.4 of the Law “On Labour Pensions” unlike the persons specified in Articles 20.1.5, 20.1.14, 20.1.18, 20.1.20 of this Law (only having at least 25 years of a service length), to other working pensioners listed in Articles 20.1.1-20.1.10 and 20.1.14-20.1.21 of this Law during the work at this position payment of allowances to a workplace pension for a service length stops, that does not constitute discrepancy with Article 25.1, Article 29.4 and Article 71.2 of the Constitution;

At the same time, the Constitutional Court decided that the enhancement of an order and conditions of calculation of allowances to work pension for a service length to the persons provided by Articles 20.1.1-20.1.10 and 20.1.14-20.1.21 of the Law “On Labour Pensions” for strengthening of stability of activities of state bodies can be implemented gradually in a legislative order.

7) Decision of the Plenum of the Constitutional Court of the Republic of Azerbaijan on the interpretation of Article 15 of the Family Code of the Republic of Azerbaijan dated 16 October 2015 (October 16, 2015)

The Yasamal District Court of Baku applying to the Constitutional Court asked to interpret the provision “one year after the child's birth” of Article 15 of the Family Code.

In this regard time, the Constitutional Court decided that the provision of Article 15 of the Family Code of the Republic of Azerbaijan states “within one year after the birth of the child, the husband cannot claim the termination of marriage without the consent of the spouse” also contains cases where the child was stillborn or died during one year after birth.

This should be noted the decisions of the Constitutional Court based on the majority of inquiries of the Commissioner for Human Rights of the Republic of Azerbaijan assume both theoretical and practical importance and they serve to serve a more detailed, more correct understanding and description of laws and normative-legal acts, as well as the more comprehensive ensuring human and civil rights and freedoms.

Questions for students' knowledge assessment:

1. The notion of economic, social, and cultural rights.
2. The role of Economic, Social, and Cultural Rights in International Law.
3. The analysis of women's rights enshrined in the International Covenant on Economic, Social, and Cultural Rights.
4. Mechanisms of protection of economic, social, and cultural rights.
5. Importance of the European Social Charter in the protection of social and economic rights.
6. The constitutional provision of economic, social, and cultural rights in the Republic of Azerbaijan.
7. Accession and Obligations of the Republic of Azerbaijan to the International Covenant on Economic, Social, and Cultural Rights.

LECTURE 13.

WOMEN'S RIGHT TO EDUCATION

13.1 The history of women's education

13.2 The State Education policy in the Republic of Azerbaijan

13.3 Women's right to education in international documents

13.4 Women and gender studies

13.5 Women's Right to Education in the Republic of Azerbaijan

13.1. The history of women's education

While the only concern of the world's first population - the people, who lived in the primitive community, was to get food for the sake of living, the need to protect themselves from natural disasters, and wildlife, and to meet their own daily needs has like-or-not provoked them to learn the mysteries of living and inanimate nature, the secrets of natural occurrences. The very process of learning gave them a great push to the formation of social consciousness, cognition, and communication. Likely it has been many years to go on, and the learning process and application skills emerging, as a result, have shaped the first fetuses in people's early learning activities. As time passed by, the tendency to learn and interest has significantly grown over the rise in living demand, which, in its turn, necessity comes to a stage in a more systematic study of environmental knowledge. Thereby, civilization starting from the making of primitive handicrafts, the acquisition of wood to the discovery of mechanical laws, of electricity, and finally to the conquest of the cosmos has gone on a path of magnificent history. As generations replace each other, as in the example of predecessors and successors, the transformation of events that seem to be miraculous into reality by those who replace them became possible only through the power of human intelligence, which was created through education only.

In general, the organization, formation, and development of human civilization are directly related to education.

From ancient times until the end of the XVIII century, education was the privilege of the ruling elite, more precisely, of very few percent of the population. However, some women were then educated in music, poetry, literature, philosophy, and politics. For example, in Sparta, women used to go to gymnasiums equally with men. In the Middle Ages,

a monopoly in education belonged to the church. The girls from noble families were often sent to the women's monastery. Here they were given an educated and religious upbringing. Sometimes girls were brought up by priests visiting their homes.

In the Middle Ages, the first educational facilities for women were established. In the XIV century, in Florence, there were special schools to train artists and teach art. In the artistic sphere of the city, the women get education equally to men because the wives and daughters of artists worked together with them in studios.

The true flower of women's education dates back to Renaissance - the late XVII century. At this time, in Europe hostels were opened mainly for girls from aristocratic families. In these hostels, future wives were prepared for the ruling elite's male representatives. At the beginning of the XIX century, schools for the poor, including girls, were organized in the UK and later in Germany and France. Here, the girls were trained in vocational skills in looms, machines, and knitting; the calculating courses were opened as well. Women's movement in Europe and America in the middle of the XIX century put forward a demand for the issue of women's access to education on a large scale. In the 1960s a large number of secondary and primary schools were organized for girls. Starting from the end 70s of the XIX century, European and American women gained the opportunity to obtain higher education: first of all, in Switzerland (University of Zurich) and France (Sorbonne University). Unlike them, the Oxford and Cambridge Universities of England have only been allowed women to enter them only in the 60s of the XX century. Nevertheless, education in the UK was at a quite high level. At the beginning of the XX century, girls and boys in the United States began to study together.

Women's education in Russia started with the opening of the Smolny Institute in 1764. Since 1800, women's gymnasiums have been established, covering all social strata. At the beginning of XX century, women's receiving higher and specialized education (medical, technical, etc.) were expanded. Higher education courses for women in such cities as Petersburg, Moscow, Kyiv, Kazan, Odesa, and Kharkiv started to function. In the 1920s, the first decrees of the Soviet government were about women's full right to education.

The enlightenment, science, and education-oriented character of our people, who own monuments written ten centuries ago, has been proved by real facts long ago. Cities with special architectural styles, cultural monuments, and communications built-in Azerbaijan ever since

the early centuries of our era are still admired by all as rare examples of engineering-technical thinking. All this tells us about the fundamental education, intellectual level, and intellectual maturity of the people who created them.

Historical sources show that the creation of the first primary education schools in Azerbaijan coincides with the beginning of a new era. In VII century, the education system was almost formed. Later, the development had reached such a level that in X-XIII centuries many cities of Azerbaijan, including Tebriz, Maragha, Ganja, Nakhchivan, Shamakhi, and Ardabil, were known as the centers of science, education, art, and culture in the East. This is enough to point out that in the middle of the XVII century there were 600 primaries, 47 secondary schools in Tebriz, and 40 primary and 7 secondary schools in Shamakhi. Despite that, at those periods the education was not massive and the free majority of persons educated within this system were actively involved in socio-political, economic, and socio-cultural life, forming themselves as well-known creative personalities and making a great contribution to overall development. Otherwise, the Maragha Observatory considered a symbol of a renaissance as a center of science and research, could not have emerged in XIII century.

In our opinion, the secrets of this development should be looked for in the creative nature of our people, its humanist character and benevolent and luminous spiritual world, and most of all, in its talent to learn life experiences and to turn it into a scientific worldview. This is true that “A man who cannot learn a life lesson should teach no one, for his work will in vain” (Keykavus ibn Iskender, XI century). Turning over the pages of our historical past regarding education we can witness significant improvements in this area in the subsequent periods, especially in XIX and XX centuries. At that time, the works carried out by and the torments of leading figures of the national enlightenment movement – Abbasgulu Aga Bakikhanov, Mirza Fatali Akhundov, Hasan bey Zardabi, Seyid Azim Shirvani, Mirza Shafi Vazeh, Mirza Alakbar Sabir, Abbas Sahhat, Mammad Taghi Sidqi, Firudin bey Kocharli, Habib bey Mahmudbeyov, Sultan Majid Ganizadeh, Uzeyir Hajibeyli, Najaf bey Vazirov, Abdurrahim bey Hagverdiyev, Yusif Vazir Chamanzaminli, Jalal Rafibeyli, Alexander Osipovich Chernyayevsky, Nariman Narimanov and the other prominent personalities in the field of education of Azerbaijani children was an example of true devotion and patriotism. At that time the schools founded by great enlightened philanthropist Haji Zeynalabdin Taghiyev and other oil industry workers, charity unions such

as “Nijat”, “Nashr-maarif”, “Saadat” in the direction of the maintaining and developing national traditions of enlightenment were important from a historical standpoint in the formation of the general education system in Azerbaijan.

There were many educated women of their period in the history of Azerbaijan. While women were educated previously in religious madras, the millionaires enriched in the oil industry in the late XIX century began to pay special attention to the education of women.

In the second half of XIX century and the beginning of the XX century, one of the main demands of the women’s movement was for women’s ensuring with the right to education equally with men. At that time, women have not admitted to universities and the schools for girls were also very few, or shortened educational programs were used for them. Nevertheless, this would be incorrect to claim that women were completely illiterate and uneducated.

Large-scale events in the field of formation of national education during the XIX-XX centuries and their obvious real results puff out an unfair opinion that occurred after the joining of the northern part of Azerbaijan to Russia, means the idea that there is no national education system in Azerbaijan.

Alongside this, the Soviet period compose a certain stage in the history of Azerbaijan and despite being full of contradictions, the progress should be assessed objectively in several fields, including the field of education.

The declaration of compulsory primary education, carrying out seven years of compulsory education in the 1935-1958 years, eight years - in 1959-1966, and subsequently, secondary education surely should be considered a great success. Studies show that in comparison to 1920, the number of secondary schools increased by 57%, from 965 to 1687 in 1929. There were 3575 schools in the country during the 1940-1941 academic years. Near the end of the 70s of the last century, 4,195 schools have been registered in Azerbaijan. As for the number of pupils, the increase was from 79,402 in the year 1920 and reached 1,035,846 in the 1970s. This figure was 1,353,309 in the 2015-2016 academic years.

13.2. The State Education policy in the Republic of Azerbaijan

The education legislation of the Azerbaijan Republic consists of the Constitution of the Azerbaijan Republic, the Law on Education, other normative legal acts relating to the field of education, and international treaties to which the Republic of Azerbaijan is a party.

Serious attention was always paid in Azerbaijan to the training of highly qualified, honest, and professional cadres and the improvement of the public administration system. Still, during the Soviet period, more than 10 000 boys and girls were sent to study in higher educational facilities in the former USSR. Considering that there were no higher education institutions in Azerbaijan training specialists in new specializations – such as information technology, international law, international relations, oil industry, aviation, and the others, thousands of the Azerbaijani youth were sent to prestigious universities in Moscow, Kyiv, Minsk, and other cities.

At all times social progress was directly dependent on the development of education and proper assessment of its significance. Demand for society speeded the development of education, and scientific and technological achievements have put more complex tasks before the education system with high importance on their solution. The role of education is growing up at the present stage of globalization when competition in the socio-economic field of information is strengthened. The United Nations declared XXI century as the “Educational Century”. The role of higher education assumes high importance in a high-intellect human capital formation, the foundations of a strong economy that creates a basis for sustainable development.

Development of countries in a modern period is determined not with not only by economic indicators, national resources, and the life level of the population but also by forms of relations in the society, the level of democracy, and the freedom of people in the society. While the economic revival and scientific-technical progress are conditioned more with rational thinking and intellectual potential, the social and moral raising of a human is linked more to political culture and legal consciousness. The development of all of them is dependent, first of all, on how proper is the education system organized.

The right of a citizen to education was declared as one of the important rights in Article 42 of the Constitution of the Republic of Azerbaijan, adopted by nationwide voting in 1995, and the Law on Education. The state provides citizens with the right to free compulsory, general, and secondary education.

The reforms in the whole education system, including higher education, were purposefully being undertaken after the approval of the “Education Reform Program of the Republic of Azerbaijan” in 1999. According to that program, structural changes were carried out in higher education alongside the other levels, the network of facilities was

optimized and new specialties were added to the specialist training structure.

According to the Decree of the President of the Republic of Azerbaijan “On Improvement of the Education System in the Republic of Azerbaijan” of June 13, 2000, after the transfer of the control over the quality of education to the Ministry of Education irrespective of the form of ownership and subordination, and after approval by the Cabinet of Ministers of the “Regulation on attestation and accreditation of institutions of higher and secondary vocational education” a mechanism to control the quality of education has been established in a short period.

Important works have been carried out in the direction of joining the education system of Azerbaijan to the European educational space in the independent state-building environment.

This is undoubted that, the success of each progressive reform is directly dependent on its adaptation or not to social consciousness, its adoption or not by the society. Heydar Aliyev demonstrated great sensitivity to this issue stating: “The education system is such a system where there can be no revolutionary change. Generally, the changes in all spheres of our lives are characterized by evolutionary character, by gradual changes. The Law on Education is such a law, educational reforms are such that, in contrast to economics, finances and other fields, all society needs to be involved in it.”

The experience of developed countries shows that investments in the training of skilled cadres are considered to be investments in human formation. In other words, this is also called human capital investment and such investments create human capital. In contemporary times, these sorts of investments are considered to be crucial factors of competitive advantage. Investing in human capital is an investment directed at the training of people as experts. In world experience, human capital investment is considered to be the most profitable investment. The Order of President Ilham Aliyev on the “State Program for the education of the Azerbaijani youth abroad” signed on October 19, 2006, assumes high importance from the standpoint of human capital development. The state program considers education abroad of the Azerbaijani youth at state expense in certain scientific fields. Upon this Order, the “State Program on the education of the Azerbaijani youth abroad for the years of 2007-2015 years” was prepared and approved by the Decree of the President of the Republic of Azerbaijan dated April 16, 2007. The main purpose of providing Azerbaijani students with education abroad is, undoubtedly, the training of highly qualified personnel for our fast-

growing republic in all spheres. Several Orders and State Programs were signed to promote the development of science and complex solutions to the problems existing in this field. The Decree on the approval of the “National Strategy for the development of science in Azerbaijan in 2009-2015” and the State Program on the implementation of this Strategy was signed on May 4, 2009, and the State program on reforms in the higher education system of the Republic of Azerbaijan for the 2009-2013 years period approved by the Decree of May 22, 2009, should be especially emphasized. On January 31, 2008, President Ilham Aliyev signed a Decree On measures to integrate Azerbaijani higher educational institutions into the European higher education space, to accelerate the process of integration of education into the world education system in our country.

In compliance with the Order #247s of the Cabinet of Ministers of the Republic of Azerbaijan dated September 17, 2009, to ensure the implementation of the Law of the Republic of Azerbaijan on Education, the Action Plan was approved by the order #1084 of the Ministry of Education of September 25, 2009. According to that plan, a great deal of work was undertaken on bringing the educational normative and legal framework in compliance with the requirements of the Law on Education.

Since 1993, the application of two-staged higher education (bachelor’s and master’s degrees) in the country is one of the important events in the history of education in Azerbaijan. During the previous years, radical changes and upgrades have taken place in the content of bachelor’s degrees. Thus, existing rules were improved, standards were created to meet the requirements of the world educational system and the application of the credit system in education has started.

In connection with joining to Bologna process in Azerbaijan in 2005, this became necessary to apply a credit system in higher education. The experience of many foreign countries was studied in the direction of establishing a legal-normative base for the application of this system, “Exemplary Statute on the Organization of Credit Systems in Higher Education Institutions” was approved, and the decision was made to apply a credit system as experiments at the initial stage at several higher education facilities. The experiment, launched in 10 higher education facilities in the 2006-2007 academic years, covered all the specialties of 27 state universities from the 2009-2010 academic years.

“Rules for the organization of credit system education at higher education institutions at the bachelor’s and master’s degrees” was approved by the Decision #348 of the Cabinet of Ministers of the

Republic of Azerbaijan dated December 24, 2013, and already all higher educational facilities of the republic joined this process.

Additionally, appropriate measures have been taken to acknowledge the diplomas of foreign students in Azerbaijan. Thus, according to the Executive Order of the Cabinet of Ministers, “Regulations on recognition and determination of equivalence of higher education specialties of foreign countries” were approved.

Secondary specialized education has a particular place in a solution of the issues related to the country’s socio-economic development, as well as meeting the needs of the personality and society in the market relations environment. This level of education plays an important role in ensuring the different spheres of the economy with skilled staff. Secondary vocational education, being an integral part of the continuing education system, solves two interrelated issues - the acquisition of different occupations by young people and their general compulsory education.

As a result of reforms undertaken by the state during the recent years, the legal, and economic basis for the independent activity and development of secondary education institutions has been created, the system of secondary vocational education was significantly improved and certain measures are realized in the path to create educational complexes in the country. Thus, by the Decree of the President of the Republic of Azerbaijan of June 13, 2000 “On Improvement of the Education System in the Republic of Azerbaijan” the Arts College under the National Academy of Fine Arts and Music College at the National Conservatory were created. The Construction College under the Azerbaijan University of Architecture and Construction was established by Decree #195 of the Cabinet of Ministers of the Republic of Azerbaijan issued on December 23, 2004.

In the “Azerbaijan 2020: The Outlook into the Future” Concept of Development the following priorities for the parts related to direct and immediate education are put forward: strengthening of scientific potential, support of innovation activity, development of information and communication technologies, transition to information society, human capital development and formation of the modern education system and the specific fields of activity were identified. Following the streamlining regarding education in the “Azerbaijan 2020: The Outlook into the Future” Concept of Development, the State Strategy for Education Development in the Republic of Azerbaijan was adopted in October 2013 by the Presidential Decree. The strategy considers the creation of an

advanced education system in our republic, which has a leading position among world countries for quality outcomes and coverage, based on the infrastructure of trained teachers and education managers, with advanced technologies.

- The first strategic direction is focused on the creation of personality-targeted education content and covers an important goal of curriculum development for all levels, including pre-school, general and primary vocational, secondary and higher education.

- The second strategic direction considers human resources modernization in the field of education. This direction promotes the formation of a competent educator applying innovative teaching methods and ensuring that the content of education is effectively perceived and includes the creation of new systems for improving the professionalism of educators, assessing the achievements of the students, identifying and developing the talents of trainees and creation of an inclusive training methodology for those in need of special care.

- The third strategic direction is targeted at the creation of responsible results in education, and transparent and effective management mechanisms. This direction covers targets in the education system such as the modernization of regulations and management based on advanced international experience, the creation in educational institutions of new information and reporting systems on the provision of a result-oriented and transparent management model, and the quality and management of education.

- The fourth strategic direction is to create an educational infrastructure meeting contemporary demands and providing lifelong learning. This direction includes such measures as the creation of infrastructure in compliance with information and communication technology-based training methodology at educational facilities, rationalization of the network of 156 educational facilities, Establishment of regional universal centers of education, modern vocational training centers, and complexes providing distance learning, consultative services on education and development for talented children and children in need of special care, on issues of education for elderly, vocational-specialization and educational, the establishment of campuses.

- The fifth strategic direction is to build a model of financing the education system in the Republic of Azerbaijan, which is economically sustainable and meets the same level of standards as the world's leading education systems. This direction considers improving the educational financing mechanism by using various sources, transitioning to education

financing per person, support for paid education services, and establishing the Educational Development Fund.

The Republic of Azerbaijan has joined the UN Convention on the Recognition of Studies, Diplomas, and Degrees concerning Higher Education in the States belonging to the Europe Region (21 December 1979, The Paris Convention) and the Regional Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in Asia and the Pacific (Bangkok Convention, 16 December 1983), as well as the Lisbon Convention on the Recognition of Qualifications concerning Higher Education in the European Region, dated 11 April 1997.

Representatives of the Azerbaijani education system actively participate in the work of institutions of influential international organizations dealing with educational problems such as the United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations International Children's Emergency Fund (UNICEF), Islamic Educational, Scientific and Cultural Organization (ISESCO), European Education Foundation, Council of Europe and the European Union and use their experience and assistance to the fullest possible extent.

The Law on Science, determined for the first time in our country the basic principles of state policy in the field of organization, management, and development of the scientific activity, goals of science and scientific-innovation activity, rights and duties of scientific activity subjects, mechanisms of science financing, stimulation of scientific achievements and organizational and legal bases of their use, was adopted on June 14, 2016. This Law defines the leading role and the tasks of science in ensuring the country's political, economic, social, and cultural development, as well as in meeting the natural and spiritual needs of the citizens of the Republic of Azerbaijan, such as improving the welfare and scientific level of a citizen of the Republic of Azerbaijan, acquiring new knowledge and perception of the world.

On September 30, 2021, the Order of the President of the Republic of Azerbaijan On expanding educational opportunities for Azerbaijani youth in prestigious foreign universities, envisaged the development of the Draft State Program for the education of young people in prestigious universities abroad. And later - on February 28, 2022, the State Program for 2022-2026 for young people to study in prestigious foreign universities was confirmed by the relevant Decree of the President of the Republic of Azerbaijan.

On November 29, 2021, the Decree of the President of the Republic of Azerbaijan on the application of the Law of the Republic of Azerbaijan #398-VIQD dated November 5, 2021 “On Amendments to the Law of the Republic of Azerbaijan “On Education” and on Amendments to the Decree of the President of the Republic of Azerbaijan dated September 5, 2009 No. 156 “On Application of the Law of the Republic of Azerbaijan “On Education” was signed.

These important legislative acts further contributed to the improvement of the relevant sphere in Azerbaijan and enabled wider opportunities for youth, including girls and women to increase their knowledge and benefit as much as possible from the created opportunities in the field of education.

13.3. Women’s right to education in international documents

The right to an education is one of the fundamental citizen’s rights enshrined in the UN Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the European Convention for the Protection of Human Rights, and Fundamental Freedoms, and other acts. Education was always known as a fundamental right for the development of human beings and the moving forwards of society, and that is why the international organizations have always given an important space to the right to education in their documents.

At present, the following tendencies are observed in the field of education in the world:

- Acceleration of society’s development, widening of political and social choices;
- Importance of the transition to information society, communication and tolerance factors, expansion of the scale of intercultural relations;
- Increasing the number of global problems requiring the formation of modern thinking in the new generation and to be solved solely within international cooperation frames;
- Dynamic development of the economy, strengthening of competition, the limitation of the simple labor sphere, a serious structural changes requiring regular professional development and retraining;
- Increasing the role of human capital formed as a result of increasing the education of young people and the elderly;
- Education’s playing the role of a key factor in ensuring that the country is part of the leading states;
- Supporting citizens’ education abroad.

As the basic skills are acquired in the early years of childhood, this is important that children's minds be developed from an early age. Therefore, the development of preschool education has an important place in state policy.

In many progressive countries, measures are being taken to gradually increase the duration of education. The total duration of study in Canada, France, the Netherlands, and the Czech Republic is 14 years, in Germany, Great Britain, Sweden, Australia, and New Zealand it lasts for 13 years, in the US, Finland, South Korea, Poland, and in some other countries - 12 years. In a small number of countries, the general education period consists of 11 years. According to the Organization for Economic Cooperation and Development, increasing a year of education length at any educational level in any country leads to 3-6% GDP growth in this country.

The role of the private sector in higher education is gradually increasing and state funding is being replaced by private sector funding. While government funding is 90% in Germany, Austria, and Italy, it is only 50-70% in the United States, Australia, Japan, and Canada.

All of these factors require the identification of reforms in compliance with the tendencies in the educational sector, reflecting higher national interests.

As in the relevant international documents, the International Covenant on Economic, Social, and Cultural Rights calls on the participating States to recognize the right of everyone to education:

1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance, and friendship among all nations and all racial, ethnic, or religious groups, and further the activities of the United Nations for the maintenance of peace.

2. The States Parties to the present Covenant recognize that, intending to achieve the full realization of this right:

- (a) Primary education shall be compulsory and available free to all;

- (b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the

progressive introduction of free education;

(c) Higher education shall be made equally accessible to all, based on capacity, by every appropriate means, and in particular by the progressive introduction of free education;

(d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;

(e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

3. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children's schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their convictions.

4. No part of this article shall be construed to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles outlined in paragraph I of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 14 states that each State Party to the present Covenant which, at the time of becoming a Party, has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all.

The World Declaration on Higher Education for the Twenty-First Century: Vision and Action. Adopted at the World Conference on Higher Education held in Paris, in 1998, is convinced that education is a fundamental pillar of human rights, democracy, sustainable development, and peace. The Declaration once again confirmed that everyone has the right to education, and higher education shall be equally accessible to all based on merit and individual capacity.

The Beijing Platform for Action stated that education is an important factor for women's advancement. In this Platform, women's education is one of the top priority areas among its 12 Critical Areas of

Concern and is shown as an absolute factor in their capacity building. The Platform for Action calls for the elimination of gender-based discrimination at all levels, the elimination of illiteracy among women, and the acquisition of occupations, science, and technology.

Article 10 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), to which our country is a party, demands to take all appropriate measures to eliminate discrimination against women to ensure them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women. The most important document in this area is the Convention Against Discrimination in Education of 14 December 1960.

On October 2, 2006, the Republic of Azerbaijan joined the Protocol Instituting a Conciliation and Good Office Commission to be Responsible for Seeking the settlement of any Disputes which may Arise between States Parties to the Convention against Discrimination in Education dated December 10, 1962. This Commission was instructed to be for seeking the amicable settlement of any disputes which may arise between States Parties to the Convention, concerning its application or interpretation.

The General Conference of the United Nations Educational, Scientific and Cultural Organization was held in Paris from November 14 to December 15, 1960, recalling that the Universal Declaration of Human Rights asserts the principle of non-discrimination and proclaims that every person has the right to education, considering that discrimination in education is a violation of rights enunciated in that Declaration, considering that, under the terms of its Constitution, the United Nations Educational, Scientific and Cultural Organization has the purpose of instituting collaboration among the nations to further for all universal respect for human rights and equality of educational opportunity, adopts this Convention.

To eliminate and prevent discrimination within the meaning of this Convention, the States Parties thereto undertake to abrogate any statutory provisions and any administrative instructions and to discontinue any administrative practices which involve discrimination in education; to ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions and not to allow any differences of treatment by the public authorities between nationals, except based on merit or need, in the matter of school fees and the grant of scholarships or other forms of assistance to pupils and necessary permits and facilities for the pursuit of studies in foreign

countries.

Besides this, the States Parties undertake furthermore to formulate, develop and apply a national policy which, by methods appropriate to the circumstances and national usage, will tend to promote equality of opportunity and treatment in the matter of education.

In the Convention, the term “education” refers to all types and levels of education and includes access to education, the standard, and quality of education, and the conditions under which it is given, the term “discrimination” includes any distinction, exclusion, limitation or preference which, being based on race, color, sex, language, religion, political or other opinions, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education.

At the same time the Convention clarifies the following situations not to be deemed to constitute discrimination:

a) The establishment or maintenance of separate educational systems or institutions for pupils of the two sexes, if these systems or institutions offer equivalent access to education, provide teaching staff with qualifications of the same standard as well as school premises and equipment of the same quality, and allow taking the same or equivalent courses of study;

b) The establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions offering an education that is in keeping with the wishes of the pupil’s parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the competent authorities, in particular for the education of the same level;

c) The establishment or maintenance of private educational institutions if the object of the institutions is not to secure the exclusion of any group but to provide educational facilities in addition to those provided by the public authorities if the institutions are conducted following that object.

By the Law on October 2, 2006, the Republic of Azerbaijan joined the Protocol Instituting a Conciliation and Good offices Commission to be Responsible for Seeking the settlement of any Disputes which may Arise between States Parties to the Convention against Discrimination in Education. This Commission was instructed to be for seeking the amicable settlement of any disputes which may arise between States Parties to the Convention, concerning its application or interpretation. The

Convention on the Rights of the Child, in particular, Article 28 of the present Convention, states that every child has the right to education.

The key provisions of the UNESCO-initiated Education for All Strategy were put forward at the World Conference on Education for All, held in Jomtien, Thailand, in 1990. The World Declaration on Education For All, adopted in the Conference, emphasized: “that education is a fundamental right for all people, women, and men, of all ages, throughout our world;... that education can help ensure a safer, healthier, more prosperous and environmentally sound world, while simultaneously contributing to social, economic, and cultural progress, tolerance, and international cooperation;... that education is an indispensable key to, though not a sufficient condition for, personal and social improvement.” The “Education for All” Conference and the Jomtien Declaration highlighted the crucial role of education in promoting the development of states and the active and productive life of young people in XXI century societies.

13.4. Women and gender studies

In the sources of gender research, there were mostly women and, for this reason, some by mistake and some deliberately bring the gender issues in parallel to women’s problems. Women’s Studies are the first stage of gender research. These studies were mainly carried out by women-scientists standing in the positions of feminism. The expressions such as “women’s research” and “research about women” are synonymous or considered equal, and there is some confusion in their use. However, according to Renata Khoff’s fair confession, the difference between “women research” and “research on women” is that the first includes the woman’s life experience, as a result, both ways of proving are changed as well scientific interests are formed. It can be said, the purpose of “women’s research” is to raise the level of studying gender problems and to present them as an integral part of the educational process of humanitarian departments of institutions and higher education facilities.

Theoretical sources of modern gender studies are the achievements gained by European philosophy. First of all, this is necessary to note the opinions in the works of Plato, Aristotle, I. Kant, G.Hegel, Z.Freid, and other researchers on the essence and role of sex differences. Enlightenment concepts and the theory of human rights (C. Locke, J. J. Rousseau) of the liberal philosophy stay on the grounds of the theory of gender equality. The social terms of gender theories emerging

are undoubtedly the involvement of women in social production, the activation of the women's movement, and the rise of women's feminism thought.

The first courses of women's research in higher educational facilities were organized in the 1960s and 1970s under the influence of feminist movements of women for civil and economic rights in the United States and Western Europe. Theoretical analysis was considered to be an essential condition for the social change study. The study of women's thralldom was associated with the possibility of ways to eliminate inequality in patriarchal and capitalist societies.

The history of the development of women and gender studies can be divided into four periods. *The first phase* of the development of research on women in the United States (end of the 1960s and early 1970s) was characterized by the creation of new academic fields. Women initially started to obtain knowledge in academic subjects in terms of literature, history, philosophy, sociology, and psychology. The indifference to works of female writers was regarded as a great injustice against them. Then their works began to be published and even they began to be used in the education process. Scientists were linking the topics of their research with women and gender issues. Soon, this became apparent that women are not satisfied with simply "adding" approach (including research, as well as manually entering information about women). None of the traditional subjects at that time were able to give a perfect understanding of the lives of women. Thus, in some universities, the idea of purposeful development of women's special research came to the stage.

The second phase of research on women coincides with the early 1980s. During this period, the integration of women's research into higher education in the United States took a start. New knowledge about women was added to traditional subjects via the development of gender-balanced education plans. In this way, subjects like female psychology, women's history, and women's literature came to the stage.

The third phase of women's research dates to the mid-1980s. Lessons included already such topics as social minorities and vulnerable groups etc. Meanwhile, black women demanded to include in the "woman" concept the race and class differences. At this stage new journals are founded, projects and networking programs are funded in the higher educational facilities for women not belonging to the white race, and conferences and summer schools were organized.

The fourth phase of women's research began in the 1990s and was

linked with global infrastructure development and increased attention to international problems of women. Expansion of research projects and educational programs on women and gender issues led to the exchange of intensive information, experience, and resources between teachers and scholars in Western Europe, Africa, the Middle East, Asia, and Latin American countries. Regular international summer institutions, conferences, and congresses were established with the support of women's organizations. Concerning increasing educational programs, especially publications, the research in developing countries became global. Politics, socio-economic development, problems of militarism, work, family, and reproductive rights of women were specifically mentioned in these programs

In the 1980s and 1990s, research programs on women and gender complied in Europe. At the very that time the independent faculties and programs related to gender were opened, the research associations, which have a gender word in their names, were founded. The International Network for Gender Studies is functioning in the London School of Economics Gender Institute which was organized in 1996.

In recent years, women and gender research have also expanded in the CIS countries. The UN Gender Program gave a push to the work in this field in Azerbaijan. At present, gender studies are being conducted in the directions actual for the country.

For many years, no opportunities were created to emerge and develop any scientific meetings on the problem of women in the former USSR. The West, however, thought that as there is no serious research conducted on this subject in the former USSR space, there were no specialized research centers that can guide this work. This should be noted to the point that there were only investigations on "women's issues" topics. This was not coincidental. For long years, the Soviet Union's propaganda machine has been trying to prove to the whole world that, "in our country" women's issue has been resolved at once and for all, and equal rights of men and women have been fully achieved. The Soviet government signed the Convention on the Elimination of Discrimination against Women in 1981. For the first time, the international conference organized by UNESCO was held in Moscow in 1990 with the participation of leading scientists of the world on the topic "The Gender Studies: Situation and Perspectives".

The application of the results of gender studies in the education system of our republic assumes high importance. Azerbaijan has always been under pressure from stronger states for its favorable geopolitical

location, and rich natural resources. For this reason, gender research in Azerbaijan is widely summarized at the national, racial, and cultural levels. Researchers in gender issues in Azerbaijan, take into account the experience of western researchers in this area, guided by the idea that gender is not only a struggle for women's rights but a struggle for a harmonious, whole society embodied in the universal values.

The great role of the UN Gender Development department should be emphasized in the development of gender-oriented research in Azerbaijan. The first national conference titled "Gender: a new stage of women's issues" was held in 1998. The conference was attended by the representatives of broad society, numerous women's organizations, and women's deputies. Numerous articles and monographs on gender have been published in recent years. All of this confirms the fact that a specific direction of gender research in Azerbaijan is being shaped and the developmental features of the country are taken into account.

The UN Gender mainstreaming program has already been concluded in Azerbaijan. Based on this program, there were established gender departments functioning within the executive bodies in 16 regions of the country, then the State Committee for Women's Affairs of the Republic of Azerbaijan was established and gender units have been opened in several ministries and departments. The Gender Studies Center at the Western University operated for a certain period in our republic. The center was supported by young researchers, teachers, and volunteers from the students.

13.5. Women's Right to Education in the Republic of Azerbaijan

Girls' school opened in 1901 at the initiative and support of outstanding philanthropist Haji Zeynalabdin Taghiyev played a great role in the history of Azerbaijan's enlightenment, the development of secular education, and the education of Azerbaijani women. This school was the first secular girls' school in the Muslim East and combining Muslim traditions with European modernism laid the foundations of secular women's education in Azerbaijan. Dozens of the Azerbaijani girls who graduated from this school closely participated in the progress of Azerbaijan and became activists of the Republic: Rakhila Hajibababeyova, Shakhrabanu Shabanova, Shafiga Afandizade, Sakina Akhundzade, Maryam Ghembitskaya, Nazli Tahirova who opened a girls' school in Nakhchivan, Liza Mukhtarova, the founder of "Women's Charity Society" in Baku, Züleykha Valiyeva, Seltenet Valiyeva, and other women.

The government of the Azerbaijan Democratic Republic continued this important work of Haji Zeynalabdin Taghiyev. The parliament of the Republic adopted the decision of June 27, 1918, as one of the first measures giving an important push to the development of people's education. According to the decision, the Azerbaijani-Turkish language was declared a state language. The government of the Republic attached great importance to the training of national cadres and completing the re-establishment of education in this field.

As a result of the measures undertaken by the Government of Azerbaijan already in early 1919, there were 637 primary and 23 secondary specialized schools in the country functioning at the state's expense. There were 6 male and 4 female gymnasiums, 5 "realny" schools, 3 teacher's seminaries, 3 educational institutions for girls "Saints Nina", a polytechnic school, and a commercial school. In early 1919, the Baku Women's Teachers Seminary became a Men's Teachers seminary. Parents were already sending their daughters to school without hesitation. The government also carried out important measures to open museums and other educational and artistic centers that play a significant role in educating the people about national traditions, and patriotic spirit.

At present, education is considered one of the most important factors of social progress. Education should be developed more productively and purposefully to meet society's demands. That's why one of the present actual problems is the full use of opportunities given by women's education. Education is the grounds for ensuring equality of rights of men and women. There is a traditionally high education level in Azerbaijan. According to the results of the State Statistics Committee's census held in 1999, in the country, the literacy rate among women of age 15 and over was 98.2% and 99.5% - among men. According to the information at the beginning of the 2015-2016 academic years, the specific weight of women in state schools was 49.7% and of men - 50.3%. Women mostly prefer pedagogical, health, food technology, natural sciences, as well as culture, arts, and crafts specialties.

This should be mentioned that gender differences affect the educational process. Educational interests are different between girls and boys. Boys generally tend to more natural, technical, humanitarian subjects, and girls - to more humanitarian subjects and medicine. In recent years, the number of girls in technical education facilities is increasing. Continuous awareness-raising activities on gender issues should be carried out at higher and secondary education facilities.

Analysis of domestic legislation shows that both women and men

own rights to education in Azerbaijan. As it can be seen, education is one of the most significant tools for achieving gender equality and empowerment of women without any discrimination in legal-normative acts.

According to the Law on “Ensuring Gender Equality” adopted in 2006, the state ensures women with equal opportunities in all areas of social life, including education. Education provides humans with knowledge and skills essential for their development and improvement the life quality and shapes useful people for society. Educated women are giving higher importance to their children’s education and through this emerge the grounds for the high level of welfare of future generations.

One of the positive experiences in human rights education and generally legal awareness is the “Hierarchic Education on the Rights of the Child”. The provisions of the National Action Plan for the Protection of Human Rights in the Republic of Azerbaijan, the National Program for Action to Raise the Effectiveness of Protection of human rights and freedoms, as well as the programs “Awareness on Human Rights” and “Human Rights Education”, declared by the UN General Assembly, the UNESCO’s “Education for Sustainable Development” Decade program and the “Childhood Rights Graduate Education Program” carried out based on human rights education at the initiative of the Ombudsman at secondary schools in partnership with the Ministry of Education is widely realized.

This interactive education program serves to the formation of human rights culture from one side and, the realization of human rights in the school environment from the other one. At the same time, this experience was highly evaluated and Child Rights Training Centers were established at these educational facilities. Relevant teaching manuals were worked out, which shaped the Azerbaijani model for special legal education addressed to children. Teaching teachers and pupils with interactive methods are aiming to acquire skills in human rights. The education realized through interactive methods and aimed at the perception of skills in human rights is welcomed with great interest by teachers and students. The involvement of the teachers of relevant subjects in these processes contributes to their knowledge and skills in this area and contributes to the training of specialized cadres on human resources.

Comparative analysis of statistical data shows that in 1965, 414 thousand people were employed in the national economy, while in 1980

this number was 768 thousand. During 15 years the number of women employed workers and servants in the national economy has increased by 354,000 people. In the mentioned period, the number of women with higher and secondary education (full and incomplete) among the working population in Azerbaijan SSR was higher than that of men. In comparison with 1959, in 1970 the number of men with higher and secondary education increased by 5.1 times, while the number of women increased 7 times. This has created wide opportunities for women not only to work in social production but also to improve their creative and social-political activities.

The education system in Azerbaijan is one of the priorities and is under the focus of the country's leadership attention.

In some countries, there still exist such factors as the lack of resources for activities aimed at the abolition of illiteracy and at increasing the literacy of women and girls, lack of required political will, failure in the improvement of infrastructure and realization of reforms in the field of education, existing gender discrimination and negative effects, the stereotypes about the female profession, especially in teacher pieces of training, secondary and higher schools and communities, absence of child care facilities, continuous use of gender stereotypes in teaching materials, a lack of attention paid to the connection between the number of women studying at higher education facilities and the dynamics of the labor market. The location of many communities in remote areas and, in some cases, low levels of salaries and privileges complicate the attraction of experts in education in such countries. This results in a decrease in education quality.

Additionally, in some countries, the weak economic, social and infrastructural development traditionally leads to the low school attendance of girls exposed to discrimination.

Progress is being observed in some developing countries in the field of elimination of illiteracy, which leads to further aggravation of women's inequality at economic, social, and political levels.

The State Committee on Student Admission (at present the State Examination Center (SEC) has carried out admission examinations since 1992. Starting from 1996, the gender aspects have been taken into consideration in the Commission's scientific-statistical surveys. According to the SCSA, 93116 people applied for entrance exams to higher education institutions during the 2015-2016 academic years.

52.80% of people who applied for higher educational facilities (49163 people) were boys and 47.20% (43953) were girls. Even though this is the second year among applicants applying for admission exams the number of boys is higher in comparison to the number of girls, and the sex composition of participants in the admission exams corresponds to the general population. Alongside men, women are also engaged in scientific activities in the scientific-research institutions of our republic. 43 percent of science workers in Azerbaijan are women.

60478 students gained education in 61 secondary vocational education institutions operating in the country in the 2014-2015 academic years. Two-thirds of the students obtaining a college education were women. According to the report of the State Statistical Committee, at beginning of the 2015-2016 academic years, the number of students in 39 state and 14 non-state higher education institutions in Azerbaijan, training for bachelor's and master's, was 158212. 48.5% of them are women.

Such issues as increasing women's social activity and their participation in the decision-making process, and improving their leadership qualities are always under the focus of attention of the Commissioner for Human Rights of the Republic of Azerbaijan. The Ombudsman of Azerbaijan recommends taking into consideration gender relations in educational programs, including textbooks and they're ensuring teachers' and caregivers' approaches towards the children.

At the initiative of the Commissioner, the teaching of the subject "Human Rights" and "Introduction to Gender" took a start in the law faculty of Baku State University (BSU). The purpose of the "Introduction to Gender" course is to familiarize students with gender concepts and gender sciences – genderology. The course is continued to be educated in several faculties of BSU.

The education creates extensive opportunities to increase women's activeness in society, socio-economic opportunities, and equal powers with men in the decision-making process, reduce gender-based inequality in such cases, and overcome the disadvantages that women face throughout history. Education is one of the significant and more important tools for achieving gender equality and empowerment of women.

Qualified education is also one of the most important factors enabling the protection of the population from poverty. This is partly explained by the fact that educators enjoy greater competitiveness in the labor market.

Questions for students' knowledge assessment:

1. The history of women's education.
2. Development of women's education in Azerbaijan.
3. State education policy in the Republic of Azerbaijan.
4. State Programs adopted in the field of education.
5. Women's Right to Education in the Republic of Azerbaijan.
6. Main Directions of the "State Strategy for the Development of Education in the Republic of Azerbaijan".
7. Women's Right to education in international instruments.
8. Stages of women and gender research.

LECTURE 14.

GENDER ASPECTS OF REPRODUCTIVE HEALTH AND THE ENVIRONMENT

14.1 Healthcare and reproductive health

14.2 Reproductive rights

14.3 Gender aspects of reproductive health in Azerbaijan

14.4 Women's health and the environment

14.5 Ombudsman's activities on family planning and reproductive health

14.1. Healthcare and reproductive health

In a democratizing modern world, human rights protection and respect for these rights are among the top priorities. It also covers several areas, including the right to health - one of the most important aspects of human life. The right to health enables the protection of a human's health, a healthy society both physically and morally meaning through living a healthy life. This is important for many factors to be in their place for people to live and function normally in the world. The most important of these is health. When the human body is not healthy, no normal activity or development can be talked about. A healthy person is not about the health of his body only, but also his mental health is considered.

This should be mentioned that the healthcare system development is one of the priority spheres for the country. In countries with poor health systems, sooner or later, this would harm the other key areas.

Reproductive health which is one of the health indicators of women and the society as a whole is a regulator of social relations. The reproductive function of a human is related to the intimate part of life and the nature of this is determined by the congenital characteristics of the organism, as well as by the characteristics formed under the influence of national, cultural, and religious practices, as well as socio-economic factors or obtained later. These protect the population and the geophone by accelerating the effectiveness of reproductions.

Everyone has the right to reproductive and social health, irrespective of gender, race, age, religion, or any other indications. Reproductive health assumes great importance to both individuals and

families as a whole and characterizes the socio-economic development level of society and the nation.

One of the most important steps taken in this field was the “Habitat” International Conference held in Istanbul in 1997. According to demographers, the age criterion directly depends on the specificities and dynamics of the reproduction of the population. Indicators of the population’s natural movement or re-production are measured by birth rate, death, and natural increase (or decrease) of the population, which means the proportion of births and deaths. Many factors affect the reproduction of the population. The socio-economic factors such as welfare level, healthcare development, women’s social status, educational and cultural levels of the population and religions, and others play a decisive role in the natural movement of the population. Wars, ethnic conflicts, and migration also have a serious impact on the age criterion.

The contemporary demography also glances at the gender aspect of the gender composition issues of the population. Over the recent 50 years, significant changes occurred in the demographic structure of the social community. Alongside the rapid development of medical techniques and technology, the positive changes in people’s minds also became noticeable. As long as these factors are active humanity is thinking of its longevity. The researches of demographers show that our contemporaries are the longest-lived civilization in human history. Various diseases and epidemics gradually stood at backstages and people gained very different treatment tools. The scientific-medical methods allowing identifying many diseases, including gynecological diseases, became the doctors’ research object. At the same time, the woman has faced innovations in the life structure of a family. Traditional multiple children families were replaced by few children families where both the father and the mother are the guarantor of the family. A modern woman is an active founder of a stable, developed society. As a result, as the responsibility increases, the risk to a woman’s health increases. Modern women are represented in their societies with new qualities. She participates in all social processes and political activities. That is the reason why her creative adaptation to current changes leads to the update of many values.

Reproductive health is a much broader concept than only a sexual and gynecological development. It includes the harmony and balance of the somatic and psychological health of sexual, physical, psychosexual, and psychosocial development.

Reproductive health is a physical, moral, and social welfare status. But this does not come to the meaning alone that there is no illness in the reproductive system with its function and problems. Reproductive health also means the ability to increase the generation and free choice. The ground of this health is emerged in the teenage years and is maintained throughout the lifetime.

Through acquiring knowledge and skills on reproductive health adolescents learn how to follow sanitary, hygienic rules, consciously benefit from all life benefits, and avoid any harmful habits (smoking, using alcohol and drugs). They are capable to make the right decision on food choices and the relationships between food and health. Thus, young people perceive the ways to protect reproductive health and acquire the skills to take the responsibility for their own and future generations' health. They gain the skills to be protected from various parasitic, infectious, and other contagious diseases, learn about the AIDS disease in humans (Acquired Immune Deficiency Syndrome) through Human Immunodeficiency Virus (HIV) and learn ways to protect them.

The components of reproductive health are the following: *sexual health* (responsible, safe sexual life), *family planning* (reproductive freedom, access to information, methods, and services), and *safe motherhood* (safe pregnancy, childbirth, and healthy children).

The protection of reproductive health is not limited to reproductive function and counseling on sexually transmitted diseases and medical services. It also covers the sexual health protection directed at life and personal relationship improvement. The reproductive health concept has come to the international level by finding its confirmation for the first time at the two UN conferences in the mid-90s of XX century - at the Population and Development Conference held in Cairo, Egypt, in 1994 and at the Fourth World Conference on Women, organized in 1995 in Beijing, China, and has kept its actuality up to present. The main purpose here is to get effective, legal, and family-friendly information based on the choices of individuals, and families. Alongside security, pregnancy, and childbirth, reproductive health also considers the right to use appropriate healthcare services and the rights of men and women within the framework of gender equality.

In 2012, Dr. Babatunde Osotimehin, UNFPA Executive Director said: "Giving birth is typically the most joyful moment in a woman's life. Yet, this very process takes the lives of so many women worldwide. Every day, some 800 women die in pregnancy or childbirth from complications that are very often preventable. And for every woman who

dies, around 20 more suffer debilitating childbirth injuries, such as obstetric fistula. We already have an international consensus on how to address that. All we need now are resources and accelerated and sustained action.

Working for the survival and well-being of women and girls is a human right imperative. And to take advantage of women's full potential in the development of their nations, they must be able to plan their lives and families. And to take advantage of women's full potential in the development of their nations, they must be able to plan their lives and families. This is why the international community is determined to make universal access to reproductive health a priority.”

Women and child health is one of the most important aspects of human development. Nevertheless, women and children suffer from diseases that can be prevented, and sometimes they pass away. Pregnancy and childbirth are one of the best feelings in the world, and in some cases, they can cause additional stress, health problems, and death. The life level of women from their young age, during the pregnancy, childbirth and maternity directly impacts the lives of children. That’s the reason why maternal health and women’s access to reproductive health services is very important.

World countries and international organizations consider reproductive health as one of the most important aspects of human development. Reproductive health has been identified as the 5th target of the Millennium Development Goals. However, according to the information from the World Health Organization (WHO), development in this area has not yet reached the desired level. This more shows itself in African countries. In many African countries, contraceptive methods to plan children are still not used. Pregnancy is still at a high level among adolescents in the world. The birth-death rate among adolescents in South Africa is the highest in the world. According to the official statistics, in 2015, about three thousand babies (2895) were born in Azerbaijan to girls aged 15-17 who are under marriage age. In 2015, 50 out of those who had been aborted were teenagers between 15 and 17 ages, and 1485 were girls aged 18-19. This should be mentioned that in 2014 the number of girls under the marriage age who made an abortion was 88.

Several countries took a commitment to empowering the concept of reproductive health as an ethical obligation based on both international treaties and national legislation as an ethical task.

Family planning is a fundamental human right. But this does not make sense if individual individuals and couples do not have access to

anti-fertilization, information, and services. Using modern protective means can help prevent 21 million unplanned births, 79,000 maternal deaths, and 1.1 million child deaths. While in many developing countries, complications during pregnancy and childbirth are considered the main causes of death among girls at the age of 10-19, the highest incidence of sexually transmitted infections is observed among the young people of 15-24 ages. Urgent measures should be realized to meet the needs of these young people and protect human rights.

In the modern period, the world's demographic situation is explained by the complex dual character:

- the sharp drop in the number of births and population growth in Europe and North America and the ageing of the population;
- the rapid growth of population in developing countries of Asia, Africa, and Latin America, high illness and mortality rates for mothers and children.

The high fertility, the number of births, and, among other things, high rates of maternal and prenatal illness and mortality among adolescents, as well as low levels of reproductive health, affect high rates of somatic, gynecological, and sexually transmitted infections in developing countries predetermine the reproductive health of the younger generation as a priority problem.

In the developing countries in Asia, Africa, and Latin America, as well as in the CIS and Eastern Europe countries meeting the needs of young people regarding their reproductive health information is inevitable. Existing socio-economic conditions make them even more serious, which requires immediate action the decrease teenage fertility, maternal and prenatal deaths, sexually transmitted diseases, gynecological and somatic illnesses, and prevention and treatment of harmful habits.

In Western Europe, where the "sexual revolution" took the stage relatively earlier in comparison to the other regions, the modern generation of young people is characterized by their higher activism from the standpoint of reproductive health in comparison not only with peers living in developing countries but also with their parents. This is explained by working out an effective strategy for solving relevant problems at the state level in those countries, regular operating of organizations in charge of the family planning service not only in educational institutions but also in media, and ensuring high quality of education in this area.

As a result of the measures undertaken, the rate of use of birth control methods in Western European countries varies between 52-75%

and the level of teenage fertility and sexually transmitted diseases decreases year by year. Thus, sexual awareness and family planning are the most important element of the well-being of social development, human factor, and natural resources.

Reproductive health care services should re-consider the commitments to benefit especially from the voluntary family planning service. This commitment taken by world leaders at the International Conference on Population and Development, held in Cairo in 1994, is now of equal actuality.

The World Population Fund once again reaffirms its commitment to working with all its partners for enabling the opportunity to use sex and reproductive health services for everyone, in particular for voluntary family planning which is one of the main elements of the new international development plan beyond 2015, and of all the plans and tactics, including those related to development and poverty elimination.

To achieve Millennium Development Goals (MDGs), plan a new development framework for the beyond-2015 period, and define development goals, the member-states gathered at the UN Summit on Sustainable Development (Rio +20) held in Rio de Janeiro, Brazil, in June 2012, and they have decided to form Sustainable Development Goals. Azerbaijan has joined 87 countries that started the national dialogue on the beyond-2015 development. The United Nations Population Fund, the Ombudsman Institution, International Organization for Migration (IOM), and national NGOs have cooperated to provide consultation on the population dynamics and migration, ageing, reproductive health, and gender issues.

In September 2015, the world leaders adopted the new Sustainable Development Goals consisting of coordinated targets that will lead people and the planet to the sustainable development path. These 17 Goals laid the foundation for a new development agenda that will set global action direction in countries to end hunger, change human lives, and protect our planet. For these purposes, of course, good health and gender equality also took an important space.

14.2. Reproductive rights

According to the Constitution of the Republic of Azerbaijan (Article 41), everyone has the right to protection of his/her health and medical assistance. In addition, every woman has the right to protect her health due to giving birth to a child. According to this law, a system of hospitals and therapeutic centers has been established in the country to

provide free of charge medical care to every citizen, and children's and women's treatment centers are functioning.

Reproductive rights embrace some of the human rights confessed in the national legislation, international human rights documents, and documents adopted by the United Nations based on consensus (agreement). These rights reflect the free and responsible decision to be taken by husband and wife, particular individuals concerning their sexual and reproductive health having the necessary information about the number of their children, their time of birth, and the time of their birth. This also includes the right to make decisions with no discrimination, pressure, or difficulty in bringing their future children into the world. This issue was reflected in human rights instruments. When realizing this right, husbands, wives, and particular individuals must bear in mind the needs of their newborns and be born children and their responsibilities before the community. Encouragement of all people to be responsible for exercising these rights is the foundation of policies and programs for governments and communities in reproductive health, including family planning.

Serious attention should be paid to promoting equality based on gender equality within their commitment frames, this is necessary to create opportunities for especially teenagers to inform and use their services so that they approach positively and responsibly their own sexual lives. Today, for some people in the world the reproductive health is inaccessible because of the following factors: the low level of information about the sexual life of people or the poor quality of obtained information and relevant services; discriminatory social work; negative attitude towards women and girls and these often limit the opportunities for women and girls to influence their sexual and reproductive life. In many countries, adolescents suffer from a lack of access to information or services. Older women and men also face specific problems with reproductive and sexual health and these problems often remain unresolved.

The human rights of women include their sexual morality, free and responsible decision-making without forcing, discrimination, and violence in the sexual and reproductive health sphere. Here is required the responsibility of both sexes in respect of equality between men and women in issues of sexual relations and reproductive behavior, full respect for the identity, mutual respect, consent, sexual behavior, and its consequences.

Since the formation of a society with a healthy foundation

assumes great importance, this issue is approached very seriously in several countries around the world, large-scale reforms are realized in legislation and international agreements are signed. Working out of healthcare programs covering women's health gave a push to longevity in many countries. The attention is increasing in the programs of different countries to high rates of death of women and girls from malaria, tuberculosis, infectious diseases spread through the water, abdominal and gastrointestinal diseases, and less nutrition, to sexual and reproductive health and reproductive rights of women covered by Articles 94 and 95 of the Beijing Platform for Action. In some countries, the particular attention is paid to the implementation of Article 96 of the Platform, the information on the importance of family planning and the methods of use of protective (contraceptive) means, as well as the awareness of men on their role in family planning and the importance of contraceptive use are increasing; special attention is paid to sexually transmitted infections, especially to women and girls, to be infected with human immunodeficiency virus, and to methods of protection from this type of infectious diseases. At the same time, the attention is increased to breastfeeding of babies, general nutrition, the health of the child and mother, the application of gender issues in health and related education and physical training, including the prevention of drug addiction, toxicomania, trauma, narcotics, alcohol abuse to the prophylactic and rehabilitation programs in particular for women, women's mental health, workplace health conditions, environmental factors and the recognition of the special needs of older women.

Women's health has high importance in the field of human rights. Alongside the opportunity to equally use the healthcare services by women, it includes protection of reproductive health, from tuberculosis, HIV/AIDS, infectious diseases and other diseases, protection of maternal health, and similar rights.

Guided by the provisions of international treaties, the Republic of Azerbaijan pays huge attention to the equal and full provision of women's right to health.

Adoption of the Law on the Protection of the Health of the Population on June 26, 1997, became an important step taken in this direction. The protection of population health consists of a complex of political, economic, legal, medical, and sanitary-hygienic measures. According to this law, every citizen of our republic gains the right to care for his/her health regardless of sex. Also, this law contains special sections devoted to the problem of the population's reproductive health.

Many issues related to the reproductive health of the population were enshrined in the Family Code of the Republic of Azerbaijan entered into force on March 6, 2000, and ensured equality in the family, following international legal norms and the Constitution of the Republic of Azerbaijan.

The “Young Family” Program was approved by the Decree of the Cabinet of Ministers dated February 16, 1999. The main goal of the program is to work out such a system of proposals based on a comprehensive analysis of the problems of pre-marriage and post-marriage problems of each newly-established young family so that the measures to be realized can seriously contribute to both the happiness of each family and to the country’s progress.

Measures considered to be taken include increasing the state’s role in the solution of the problems faced by young people during family creation and family life, assistance in linking the social and family problems of young people in a harmony, as a result, in the stabilization of the family institution, increasing the prestige of a family and values among young people and reaching the upbringing of a healthy generation.

One of the main directions of this Program considered the issues of the protection of reproductive health of young families and problems of young people’s families, reproductive health problem, and the measures with regard the establishing anonymous trust centers so that they can get information and advice about their questions.

At the same time the preparation of brochures and leaflets, explaining the essence of reproductive health, family planning to be spread among young people, and the information provided to the population on reproductive health were realized as well.

By the Decree of the country’s President on December 9, 1999, the “Demographic Development Concept of the Republic of Azerbaijan” was approved to improve the demographic situation in the Republic of Azerbaijan and to form a country’s demographic policy.

According to this Concept, education, employment, medical care, as well as sexual and reproductive health, and family planning, have been included in the state’s key role in the demographic area.

Implementation of measures aimed at improving the reproductive health of the population, improvement of family planning services, informing the population about it, and providing the information is one of the national priorities of the state policy in the field of demography.

By the Decree of the country’s President dated November 11, 2004, the State Program on Demography and Population Development

has been adopted in the Republic of Azerbaijan and this document reflects many aspects of reproductive health.

The State Youth Program of Azerbaijan (for 2005-2009 years) was approved by the Order of the President of the Republic of Azerbaijan dated August 30, 2005. The purpose of the State Program is to create socio-economic and organizational-legal conditions for the comprehensive development of youth in the Republic of Azerbaijan and their active participation in the life of society.

This important document, there were considered the measures related to the implementation of educational programs on the basics of reproductive health at secondary general education schools, preparation of new recommendations, textbooks, and manuals, as well as improving the work of family planning and reproductive health centers and creating new ones with the purpose of education of young people in the field of reproductive health, increasing the efficiency of the relevant awareness-raising work, informing the young people on family planning and reproductive health, improving the work of facilities providing services in this area.

As well, expanding the work on healthy lifestyle and reproductive health has been enshrined in the State Program “Azerbaijani Youth in 2011-2015”, approved by the Decree of the country's President on July 7, 2011.

The purpose of the “Program on Measures for Protection of Maternal and Child Health” approved by the Decree of the President of the Republic of Azerbaijan dated September 15, 2006, is to create the necessary conditions for strengthening the maternal and child health, protection of reproductive health of the population, birth of healthy and desirable children, reduction of morbidity and mortality among mothers and children. The main goals of the program are the protection of the reproductive health of the population and ensuring safe motherhood. Conduction of training on family planning and reproductive health topics for medical staff working in the field of maternal and child health protection, preparation of proposals for bringing the legislative acts in the area of reproductive health, mother and child protection in compliance with the WHO recommendations, also the expansion of sanitary-enlightenment work among the population, the organization of special programs on reproductive health and family planning in radio and television have been considered by the program.

On October 2, 2008, the Republic of Azerbaijan joined the Convention on the Rights of Persons with Disabilities. The Convention

contains certain provisions on reproductive health. For example, making a free and responsible decision on the interval between the number of children with disabilities and their birth, as well as the recognition of the right to obtain appropriate age-relevant information and education in reproductive behavior and planning of the family and the right to provide them with tools enabling them to exercise these rights must be implemented by the states acceding to the Convention.

Conducting the conference on mother and child health and reproductive rights topic, the organization of activities aimed at expanding the knowledge on the right to reproductive immunity and awareness of minors in this field have been reflected in the Action Plan on the announcement of the 2009 year as the “Year of the Child”, approved by the Decree of the President of the Republic of Azerbaijan from February 18, 2009.

The purpose of the State Program on Maternal and Child Health Improvement for 2014-2020 years, approved by the Order of the President of the Republic of Azerbaijan dated June 13, 2014, is the improvement the quality of treatment and prophylactic care provided to women and children in the Republic of Azerbaijan, further bettering their health status. The program envisages the realization of such measures as the establishment of a unique electronic system of reproductive health services, also as awareness-raising activities on reproductive health, including the negative effects of abortion on the reproductive health of women.

Over the past few years, many improvements have been realized in the field of strengthening the family policy. Numerous events, targeted at women’s empowerment, reproductive health, also increasing their role in family and society, their education, and participation in decision-making processes have been realized. The main purpose of these events is an organization among the population of community-level services on the reproductive health, healthy motherhood, family planning topics - the birth of only desirable babies, sexually transmitted diseases and their prophylaxis, healthy youth, and other issues, through conduction of enlightenment work ensuring that people in reproductive age acquire appropriate knowledge in this area, reducing the number of abortions, also healthy birth of babies and as a result reducing the number of maternal and infant mortality, preventing infectious diseases.

During the events, the participants were informed about the issues of women’s and children’s health, reproductive health, family planning, the need for the birth of only desirable infants, infectious diseases,

especially HIV/AIDS and their complications, and methods of protection against this disease. Organization of the community-level awareness-raising activities and distribution of publications serve to protect the health of children and women, prevent early marriages, and abortions, increase the professionalism of the medical staff, and enhance their knowledge.

One of the recent years' innovations is including the family legislation a requirement of compulsory medical examination before marriage.

According to the Law #1080-IVQD of the Republic of Azerbaijan dated October 17, 2014, "On Amendments to the Family Code of the Republic of Azerbaijan", the requirement for undergoing a compulsory medical examination of persons wishing to marry, entered into force on June 1, 2015.

Article 13 of the Family Code of the Republic of Azerbaijan (the medical examination of persons wishing to join the marriage) was re-edited.

Before this change, persons wishing to marry were examined voluntarily. At present this is compulsory.

The innovation is that the persons wishing to enter into marriage must undergo a medical examination of diseases the list of which is identified by the relevant executive authority. Here, this is also considered to provide them with free consultations on medical, genetic, medical, as well as psychological, and family planning issues. This means that if any of the illnesses is revealed in a person, who wants to marry, the consequences of this illness when he/she is married are explained to him/her. The purpose here is not to hinder marriage but to ensure that children and other family members in the future are protected from risky circumstances.

A certificate confirming that a person in a will to join the marriage is admitted to the marriage application and it shall be submitted to the marriage registration authority. In the case of its absence, the marriage is not registered. The results of the medical examination are the doctor's secret. Persons in a will to marry can also mutually inform voluntarily about the medical examination results. Surely, this would be a praiseworthy case and would increase mutual trust and confidence.

In fact, according to the Family Code, when one of the spouses entering the marriage hides from the other one the disease caused by the skin-venereal disease and the human immunodeficiency virus, the other party may apply to the court with a request for invalidation of the

marriage. The infection or the threat of infection of another person with these diseases wittingly is punished according to Articles 139 and 140 of the Criminal Code of the Republic of Azerbaijan.

Azerbaijan is among the countries where thalassemia is considered to be widespread. More than two hundred children in the country are born every year with this disease. In recent years, important measures have been realized in the prophylaxis of thalassemia and the treatment of people, as well as children, suffering from this disease. Such children are also born based on the blood relatives' marriage. From this standpoint, the adoption of this Law in Azerbaijan, means, that the compulsory medical examination before marriage is the foundation of a happier family in the future.

14.3. Gender aspects of reproductive health in Azerbaijan

From a scientific perspective, sex is a factor in human biology. As a rule, People belong biologically to the male or female sex when they are born. In the Western countries, the initial feminist tendency towards the freedom of women was naturally linked to the wish to get out of the “biological” (“nature” function) and into the “social” understanding (a new, social woman reality in society). Quite often, the “biological” character was replaced by ideological symbols and the reproductive biological model was hidden behind the model of “social reproduction.”

Biological differences between men and women often lead to gender “norms” based on inequality and cultural, social, economic, and political factors in many cases. The patriarchal system existing in the cultures of several countries puts on men the responsibility of issuing decisions at the political, as well as family decisions levels.

The functional roles of men and women are different and the roles associated with men are usually regarded as higher ones, these are especially those that create inequality between men and women in all areas, including healthcare, especially in issues related to reaching health level. Gender inequality affects the different stages of health services access, as well as the issues of making personal health decisions and this is often becoming a risk for women’s health.

Reproductive health is a more sensitive point to gender inequality than anything else, thus, in many cases; the decision on reproductive health hinders closed family relationships. In the cases when a leading role in the family is owned by men and the control over women’s reproductive function is performed by men, these decisions are not always

resolved positively from the standpoint of achieving the reproductive health level.

At the World Health Organization's World Health Assembly in May 2007, the gender strategy was adopted with identifying sex as one of the health care providers. That strategy put a task before the WHO Member States to formulate national strategies for addressing gender issues in health policies, programs, research, and planning processes.

Taking into consideration all this, the Republic of Azerbaijan pays attention to the issue of health protection as a priority area. The state not only provides women with equal rights to benefit from the health services but also pays special attention to their health needs. The Ministry of Health gives a central space to a gender perspective on all policies and programs addressed to women's health. To create opportunities for health services to enjoy equal rights, the state controls the quality of health services to women rendered by both state and private sectors.

In 2006, the Ministry of Health of the Republic of Azerbaijan started the implementation of health reform projects with the participation of relevant public service agencies and international organizations (the United Nations Population Fund, World Bank, US Agency for International Development (USAID), World Health Organization, United Nations Children's Fund), which included a complex national strategy for the development of qualified health services, with particular emphasis on women's health.

The National Strategy on Reproductive Health for 2008-2015 years was adopted in the Republic of Azerbaijan based on the WHO recommendations and objective conditions. This strategy includes gender issues in its solutions circle and has a separate section on gender-based violence issues. In addition to this, the National Strategy for the Protection of the Reproductive Health of the Population determines the state policy in this field. This document highlighted the main goals and objectives for improving reproductive health, as well as the main directions to achieve the development goals determined in the UN Millennium Declaration. Implementation of all the measures set forward is being achieved as a result of the coordinated efforts of the government, professional associations, non-governmental organizations, and other institutions.

The strategy has been worked out for the period from 2008 to 2015 years and consists of 5 sections. Here the main principles of the strategy, the problems of reproductive health in the country, and the strategic basis of the activity, as well as précised perspective on the

future, common and concrete goals, tasks, and their achievement directions are reviewed and, in compliance with the strategy's red line, women's health is determined.

The National Strategy is based on international human rights documents:

- Ensuring that the right to health, including reproductive health, is a fundamental human right;
- Integration of gender approach to ensure the legal equality of men and women;
- Ensuring the principle of justice and rendering reproductive health services to people regardless of their sex, age, religion, and socio-economic status, taking into consideration the different ethnic, religious and cultural heritage of the population, and paying particular attention to primary medical sanitarian aid;
- Close cooperation and partnership of government and non-governmental sectors, as well as of international organizations and the society as a whole in a solution to the reproductive health-related issues;
- Ensuring coordination of intersectional activities and healthcare systems with the other ministries and agencies to resolve reproductive health-related issues;
- Ensuring consistency and integration among all levels of the healthcare system and other related healthcare specialties.

The Annual Report of the Commissioner for Human Rights of the Republic of Azerbaijan "On the Status and Protection of Human Rights and Freedoms in Azerbaijan" for 2014, this was proposed the preparation and adoption of a new strategy due to the expiration of the National Strategy on the Reproductive Health for 2008-2015 years period and accelerating adoption of the Law on the Protection of Reproductive Health.

This is known that, regardless of its economic and political power, one of the main priorities of each country is the protection of maternal and child health.

The Ministry of Health is based on the principle of the importance of focusing on women in planning maternity care. In recent years, special attention has been paid to the organization of health services for women in family planning, pregnancy, birth, and postnatal periods and a great deal of money has been allocated to this issue. Here, special attention is paid to the prevention of unwanted pregnancy through family planning and sexual education, and the reduction of the number of maternal mortality cases by organizing secure maternity care and prenatal care. The

policy in this field in our country has been reflected in the “State Program on improving mother and child health for 2014-2020” years and “State Program of the Republic of Azerbaijan in the field of population occupancy and demographic development.

Mother and child health are linked to reproductive health. Reproductive health is not just a medical problem, and as a sensitive area required a special approach and is the problem of not just one individual, one family, but of the entire society.

There are several laws providing the health of the population, including women, in various fields. The following laws were adopted in our country and are being implemented: the Law “On Fight Against the Disease Caused by the Human Immunodeficiency Virus (HIV)”, the Law “On Public Health care”, the Laws “About the Radiation safety of the population”, “On Medical Insurance”, “About immunoprevention of infectious diseases”, the Law of the Republic of Azerbaijan “About fight against tuberculosis in the Azerbaijan Republic”, “About iodination of salt for mass prevention of iodine-deficiency diseases”, “On the State care for the persons with diabetes”, “On Medical Products”.

Despite important steps undertaken in the field of healthcare, there still are several issues related to women’s reproductive health, as well as maternal and child mortality and morbidity, an increase in the number of abortions, and other similar problems.

It should be noted that two-thirds of the staff in medical institutions in Azerbaijan are women. Academician Zarifa Aliyeva, professors Mine Davatdarova, Umnise Musabeyova, Sayali Taghiyeva, and the others were the most prominent healthcare figures of their time. They are not only brilliant representatives of the Azerbaijani scientific elite but also created their scientific schools.

In our country, healthcare is such a field of the economy where the advantage of women is, in a sense, gender asymmetry: 74.4% of the medical staff of the republic is women. 56.2 % out of 30,000 specialized doctors are women. Among the employees of the average medical staff, this indicator is higher – 90%. The indicator of leading positions employees in this field is also high - more than 30%. For this reason, the gender analysis is conducted in two aspects: women as an object of health research, and women as a subject of health research.

14.4. Women’s health and the environment

In recent years, the nature of human living has alarmed the world. The reason for this is the formation of the ozone hole in the atmosphere,

deforestation resulting from the brutal use of humans, disposal of wastewater and harmful waste of chemical plants into the running waters and seas, emissions of gases, and soil pollution.

The attitude that damaged nature, and its wealth, has reached its kind of culmination in the XX century. As a result, the environment, the living, and lifeless nature have been subjected to sharp changes, many animal and plant species have been cut off, while some have already been included in the "Red Book" as they are on the eve of destruction.

At present, food, drinking water, protein deficiency, climate changes, demographic explosion, and other global problems took a started in all countries of the world; the ecological balance violation has made food products useless, and severe infectious diseases have emerged among people and animals.

For this reason, people just have to develop and implement global-scaled measures to preserve nature. The *United Nations Conference on the Human Environment* was held in *Stockholm*, on *June 5* in *1972*, and here the *United Nations Environment Program* (UNEP) was created. On *15 December*, the *General Assembly* designated *June 5* as *World Environment Day*. At present, as in the whole world, a remarkable day - *June 5*, is celebrated in Azerbaijan by various events.

Once gaining its independence, our country has begun to form its policy in the field of environmental protection, as in other areas.

For the first time in the Constitution of the Republic of Azerbaijan, Article 39 was enshrined containing the phrase "Everyone has the right to live in a healthy environment." For the implementation of this article, the Milli Mejlis of the Republic of Azerbaijan has adopted numerous laws with regard the environment protection, and the use of natural resources. At the same time, the relevant administrative and criminal responsibilities have been identified in connection with the violation of these laws.

The most dangerous result of environmental pollution is the negative mutations in the human body. For this reason, children with physical and mental disabilities are born, infertility cases are observed and hereditary diseases become something ordinary. Dozens of centers operate in our country in the field of protection of reproductive health and the environmental factors' effects on women's organisms are studied in these institutions. These centers were created within the framework of the program on family and reproductive health planning financed by the Ministry of Health of the Republic of Azerbaijan with the UN Population Fund.

Today there are several women's health-related problems in Azerbaijan. Fatigue is observed in the female body due to difficult living conditions, excessive and severe conditions, and other events. These result in the formation of malignant tumors, women became less capable of giving birth, and children with disabilities and diseases are born. Miscarriage, infertility, and the birth of sick children cause the woman to be charged by her husband and her relatives, which leads to psychological stress and depression. As a result, gender asymmetry becomes stronger.

Today, when speaking about the medical-ecological situation, this is necessary to mention the main factors affecting the situation in our republic. First of all, there were military-political events that emerged around Karabakh in 1988. As a result of the Armenian aggression, the flora and forests of Azerbaijan were ruthlessly destroyed. As a result of military operations in Karabakh and its surrounding areas, more than 250 thousand hectares of forest areas, including the Basitchay state reserve in the Zengilan district and Garabagh state reserve in the Lachin district, four nature preservations, and many other monuments of nature are being brutally destroyed. The fires committed by the Armenian nationalists in the spring and summer of 2006 are an attempt to lose track of the harsh strikes and damage the natural flora and fauna of Azerbaijan were subjected to. Destruction and burning of the forests do not only mean the destruction of flora and fauna, but these are also among the factors negatively affecting the region's climate.

As a result of the almost 30-year-long military aggression of Armenia, the nature, biological diversity, water reservoirs of Azerbaijan, as well as the environment of the areas under the occupation have been seriously affected, and this caused destruction and severe damage to the environment. Also, as a result of military operations and the use of internationally prohibited weapons by Armenian armed forces, not merely the natural environment has been exposed to physical and chemical pollution, but also various species of rare plants and animals, flora and fauna biodiversity have been destroyed. Chemical pollution of fresh water sources resulted in a violation of the self-regulation process in rivers and lakes, as a result of which water ponds become a more hazardous and dead zone.

Within the period of occupation, natural resources in those areas of Azerbaijan have been plundered, 163 mineral resources deposits, including gold, mercury, copper, lead, zinc, coal, and others, also forest cover, and rare trees have been subjected to illegal exploitation by Armenia.

30-year eco-terrorism was committed by Armenia in the occupied areas of Azerbaijan. In the present, after the liberation of those territories, we witnessed that a rare forest cover has been destroyed through deliberately firing the wild forests of Shusha with the use of toxic and difficult to extinguish substances.

A unique ecosystem with a total area of more than 8,000 hectares was destroyed. It was consisting of valuable and perennial dense forests of oak, juniper, beech, hornbeam, pine, ash, and walnut is the hardest blow to endemic biodiversity. This is an undeniable fact of serious violations of the international treaties concerning the protection of the environment, including the UN Convention on the Prohibition of military or any other hostile use of environmental modification techniques, to which Armenia is also a party. According to experts' opinion, forest fires caused by white phosphorus bombs cannot be extinguished and such fires last long. All these facts were reflected in the relevant Appeal of the Ombudsman of Azerbaijan to the world community concerning the fact of committed eco-terror by Armenia. Nowadays after a 30-year-long occupation, these territories were liberated and the decisive and comprehensive measures are being taken by the government with the involvement of various stakeholders to restore the destroyed areas, to return life and proper eco-system to these territories which assume vital importance in rebuilding and restoration of liberated historical lands of Azerbaijan.

The huge migration flows from the western regions, transitional period's economic difficulties, and leaving of men abroad to seek employment have turned women into the main workforce of society. Moreover, the traditional responsibility for maintaining a family and raising children aggravates the social situation of women. In the environment of the constant increase in psycho-emotional pressure and physical tensions, women's organisms are exposed to adverse environmental factors as well.

Society still does not have enough understanding of the environmental risks that threaten women and the importance of gender equality in environmental protection. The diversity of environmental problems affecting women and men, and researches, actions, targeted strategies, and community information about their results remain limited.

During the identification of medico-ecological aspects of population health status and the review of average chronological indicators, this has been discovered that the lowest general illness rate in Azerbaijan is in the share of the Absheron peninsula and the Central

Aran, as well as the Guba-Khachmaz region. Diseases of the respiratory system (in particular, in Baku and Sumgayit, which are the largest industrial centers of the republic), damage and poisoning, congenital malformations, and skin, and subcutaneous diseases are more widespread. Blood diseases such as hemophilia and thalassemia are explained by genetic factors, including the tradition of relative marriages. Additionally, to contact reactions (such as allergies, and poisoning), the environmental aggravation also affects women's immune system, aggravates their health, and causes unpredictable consequences in their reproductive activities. Harmful environmental factors (radioactive substances, biological synthesis substances, disintegrating chemicals, food additives, etc.) affect nature like carcinogenic, mutagenic, and teratogenic.

Most of the modern problems are related to microorganisms causing pathogenic and other diseases. They fall into the water through sewerage systems and increase the risk of illness in the population.

The Sumgayit zone of our republic was considered to be a special threat object as its aquarium also differed with the high indicators of heavy metals content, especially mercury. In recent years, the Sumgayit Ecological Rehabilitation Program has been effectively implemented.

Sumgayit was a center of great ecological disaster. Because as a result of the rapid development of the chemical industry and in many cases non-compliance with environmental standards, the ecological situation in Sumgayit was very difficult, and several types of diseases were widespread here. Now Sumgayit has become a modern, clean industrial center. Of particular importance are the landscaping work in Sumgayit, the construction of new parks, environmental measures, and reconstruction. Therefore, the image of Sumgayit as an industrial city has completely changed and today meets the highest standards. This, in turn, has led to a sharp decline in certain diseases caused by environmental factors.

In general, the harmful factors of the environment can have dual manifestations: on the one hand, they cause mutations (mutagen effect), and on the other hand, they can change the heritage (eco-genetic effect).

Sometimes, the immediate emergence and detection of mutation processes take a long time. Childless marriages, severe pregnancy, spontaneous abortions, and the birth of dead children or children with congenital malformations are the result of these.

For example, in 1999, in Sumqayit, the center of the chemical industry, 50% of prenatal deaths, anencephaly, jaundice, and many other

disorders were development defects. The conducted research has shown that birth defects in children over one year are greater than 3%.

The negative effects on women's organisms and the health of born children are observed in some regions of the country with iodine deficiency. Besides these, iodine deficiency causes the difficulty of women's pregnancy, the emergence of endemic cretinism (mental deficiency) in children at birth, and the birth of children with physical and mental disabilities.

There are facts about the negative effects of heavy metals (lead, zinc) on the female body. The "dirty" ponds are characteristic of regions where oil and gas production has been developed, also the formation of bubbles on their surface and sediments at their bottom can be related to the most severe environmental problems. Thus, the existence of radio-nuclides in oil and gas bubbles increases the radioactivity of the water.

Problems with ecological balance maintenance relate to the category of topical issues.

Reproductive health problems are closely linked to the human ecology notion. In developed countries, women pay particular attention to their nutrition: they are trying to prevent the health damage by eating fruits and vegetables instead of meat, grains, and dairy products instead of chocolate and eating properly.

One of the most serious factors affecting the world's population health is the problem of drinking water supply. The issue of a clean drinking water supply is one of the main grounds for the health of the population. Water is a source of social justice, environmental sustainability, and cultural diversity. The representatives from 118 countries, 47 international organizations, and 73 different social organizations attended the international conference on drinking water problems held in Bonn, in 2001. At this conference, also attended by the delegation from Azerbaijan, concrete ways to the water supply problem solution were recommended; the practical measures on sustainable use and fair distribution of water were undertaken.

Nature also has a great impact on the spiritual world of man. Nature is a source of restoration of a broken moral balance, and spiritual growth of personality. The protection of nature and greenery of settlements in Azerbaijan are being effectively implemented.

This should be noted that more work was realized in the field of preparation and adoption of legal and normative acts from the standpoint of health and environment protection in the 2000s, which means, at the end of the XX century and consistently, two laws of the Republic of

Azerbaijan entered into force. These laws are as follows: Law of the Republic of Azerbaijan “About the Environmental Protection” and the law of the Republic of Azerbaijan. “On specially protected natural territories and objects”. These Laws regulate the interaction of society with nature to improve the quality of the environment, the efficient use and reproduction of natural resources, strengthen the legal framework and the rule of law in the field of environmental protection, as well as define legal grounds for the organization and protection of specially protected natural areas in the country, also of the protection of specially preserved natural objects.

At present, the ecological indicators of our country have significantly improved as a result of the implementation of several environmental initiatives in Azerbaijan in recent years. Thus, according to the Environmental Sustainability Index (ESI) developed by Yale University and Columbia University of the USA, and issued in 2012, Azerbaijan ranks the second among 132 countries for environmental protection, environmental protection measures carried out over the past 10 years, as well as with regard the decrease of environment-related diseases, our country displayed the best result and rose to the 1st place. In their turn, these successes are a well-turned outcome of our country’s efforts in the direction of eliminating the environmental problems hurting human health.

It is known that the role of greenery in human life and activity is indispensable. With its biological effect, the greenery regulates oxygen balance in the atmosphere and prevents carbon dioxide reproduction increase.

In 2007, the Heydar Aliyev Foundation began implementing the project “Let's plant a tree!” to improve environmental protection and the ecological situation. The foundation laid the grounds for a resonance project in the country by planting 20,000 evergreen trees in the unused areas of the settlements around Baku. In a short period, citizens in all cities, towns, and villages of Azerbaijan joined this initiative and continued their greenery campaign. More than a million new trees were planted in the country within the framework of the project aimed at protecting the environment. This process is still going on.

This should be mentioned that in our country at the initiative of Vice President of the Heydar Aliyev Foundation Leyla Aliyeva, the international public awareness campaign IDEA (International Dialogue for Environmental Action) has been launched in 2001 and is continuing. Within this campaign framework, several activities were carried out both

in the field of environmental protection and in the field of youth policy. The slogan of the Campaign “Mobilizing the Youth for the Creation of Global Environment Balance” has been an important tool to turn their efforts toward young people and change their attitude toward the environment.

In the direction of environmental protection and efficient use of natural resources activities are carried out within the framework of programs such as “Transforming our world: *the* 2030 Agenda for Sustainable Development”, “State Program of socio-economic development of the regions of the Republic of Azerbaijan in 2019-2023”, “Action Plan for 2020-2022 to ensure the efficient use of water resources”, “State Program for geological study of the subsoil and efficient use of mineral resources for 2020-2024” and others.

In addition, the drafts of the relevant section of the document “Azerbaijan 2030: National Priorities for Socio-Economic Development”, “Strategy for Socio-Economic Development for 2022-2026” (goal 5.1-high quality ecological environment), of the State Program “On forest protection and sustainable development in the Republic of Azerbaijan for 2022-2030” and National Strategy for Rational Use of Water Resources have been prepared.

14.5. Ombudsman’s activities on family planning and reproductive health

An Action Plan on Mother and Child Health Protection for 2006-2010 years was approved by the Cabinet of Ministers on September 15, 2006, to strengthen maternal and child health, protect the reproductive health of the population, creating the necessary conditions for the birth of healthy and desirable children, reduction of morbidity and mortality among mothers and children, as well as the protection of the health of the population and ensuring the safe motherhood, improving the work of training and retraining of medical personnel working in gynecological and pediatric service, organization of republican and interregional prenatal centers, strengthening of material and technical basis of medical institutions, their provision with modern treatment-diagnostic equipment, improving the supply of obstetrics and gynecology with medicaments.

The Commissioner for Human Rights of the Republic of Azerbaijan (Ombudsman) always pays attention to the provision and protection of maternal and infant, and children’s rights to health, always noting that the maternal health is related to nutrition, living conditions, and early marriages and continues to work efficiently in this area.

Roundtables on the topic “Mother and Child Health Rights” were organized by the Office of the Ombudsman, and discussions were held with the participation of the representatives of state bodies, international organizations, as well as NGOs, and the media. The Commissioner thinks that this is important to increase attention to such issues as maternity protection, reproductive health, social protection of young families, including employment provision, workplaces creation, the application of a system of benefits for families and children, allocation of land plots in rural areas, granting preferential loans and improving housing conditions. There is a need in improving the work of family planning services in the regions and creating new ones, benefiting from the services with the participation of communities in this field, strengthening the material-technical basis for motherhood and child protection, protection of children’s health, organization of child health cabinets in districts and villages and their provision with doctor-pediatricians. The adoption of the draft law on Reproductive Health discussed in Milli Mejlis will assist in the solution of existing problems in this field.

During the period of her activity, the Commissioner forwarded several proposals in this field, in this regard conducted research on different regions of the country for benefiting from the support of government bodies, NGOs, families, doctors, psychologists, as well as the best example – Mother’s support to mother, including breastfeeding donation, for studying the situation in this field, also she has widely disseminated the Law on Nutrition for Infants and Early Childhoods, conducted monitoring of its implementation, has expanded her awareness activity among women on health and other rights and organized several seminars and training in this field. She has disseminated printed materials produced jointly with UNICEF and relevant government agencies throughout the country and attracted communities’ and regional attention to this issue working closely with the participation of society as a unique network.

Through ensuring continuousness and regularity of this process, the Commissioner put forward the proposals on monitor and control over the quality of baby food, improving the social protection, and social provisions of young families, increasing the benefits allocated for twins and triples, providing mothers with two, three and more children with important financial support, improvement of conditions of maternity hospitals, discuss these problems, as well as on preparing relevant proposals to the laws, submitting them to relevant government bodies, work out joint programs and others. In addition, the Commissioner for

Human Rights considers this important additional targeted social aid for single mothers, mothers with physical disabilities, sick children, and children with limited physical capacities, the introduction, and application of new proposals for the issue of proper nutrition of babies to be reflected in the Targeted Social Assistance Program.

Biological diversity and bioethics are closely linked to reproductive health problems. This should be mentioned that another important document in this field – the UN Convention on Biological Diversity, was adopted on June 5, 1992, and our country ratified that Convention in 2000.

The 7th Baku International Conference of Ombudsmen was organized by the Commissioner on June 17-19, 2009, devoted to the topic “Bioethics, Human Rights and New Technologies: Legal and Ethical Aspects of Reproductive Health and Family Planning”.

It has repeatedly emphasized the importance of reproductive health and family planning and the need to work with local communities, cooperate with volunteers, and collaboration in this field.

At the events organized by the Ombudsman Office at different times, concerning the implementation of the National Action Program wide space was given to women’s education, and health protection, including the ensuring and promotion of reproductive health rights. The Commissioner’s office together with civil society members conducted educational seminars and workshops on the reproductive health and early marriage topics for women living in remote areas, remote regions, and villages. As a result of the intensive awareness activities, hundreds of women gained knowledge about their rights and they were provided with free legal assistance upon their request.

The Commissioner proposed the development of a reproductive health strategy, the adoption of the Law on Reproductive Health, increasing the efficiency of Family Planning Centers, as well as taking measures to prevent young girls from falling out of education and preventing early marriages.

The Commissioner made a speech at the 3rd World Forum on Intercultural Dialogue held at the Heydar Aliyev Center, the topics such as “The Role of National Human Rights Institutions in Ensuring Women’s Rights”, “Bioethics, Human Rights and New Technologies: Legal and Ethical Aspects of Reproductive Health and Family Planning” and others were discussed. It was mentioned that sexual and reproductive health rights (SRHR) are closely linked to health, survival, dignity, and other human rights.

Besides this, the Office of the Commissioner for Human Rights jointly with the United Nations Population Fund conducted research on the analysis of the implementation status of the recommendations of contracting bodies on “Sexual and Reproductive Health and Rights” in the Republic of Azerbaijan. The prepared report reflects the results of the first assessment of analysis of the implementation status of the recommendations of contracting bodies on “Sexual and Reproductive Health and Rights” in the Republic of Azerbaijan.

In collaboration with the United Nations Population Fund, the conference on World Population Day was conducted in Jalilabad on July 11, 2015, with the participation of the broad public.

At that event, there have been stated that the issues such as strengthening the health of mothers and children, protecting the reproductive health of the population, women to give birth at any time, to a desirable number of healthy children, reducing morbidity and mortality among mothers and children, ensuring safe motherhood, protection of human rights, including health, accessibility of medical-social aid to citizens and the other topics were in the focus of attention. It was also brought to the attention the necessity of increasing the effectiveness of Family Planning Centers, conducting continuous awareness events on reproductive health and family planning topics in regions, in the communities of refugees and internally displaced persons and giving comprehensive information to the population masses. The importance of establishing an Alimony Fund has been repeatedly put forward in the annual reports and official appeals to the competent authorities - the Milli Mejlis, the Cabinet of Ministers, and the Ministry of Finance.

The Ombudsman also repeatedly emphasizes the proposals about the organization of seminars and training, preparation and distribution of legal publications, printed materials in the country intending to prevent early marriages, strengthening violence against domestic violence, regular work together in a network manner, improvement of social protection of young families, restoration of patronage service, creation of an intergenerational bridge, further strengthening of struggle against HIV/AIDS, drug addiction, improvement of the relevant monitoring system, free medical care and counseling services for pregnant women, mothers and babies and the other proposals.

Taking into consideration of the mentioned proposals by the relevant authorities in the future will have a positive impact on the population’s reproductive health and the protection of the gene pool in general.

Questions for students' knowledge assessment:

1. What are the components of reproductive health?
2. Role of reproductive health in human development.
3. Demographic situation and family planning in the world.
4. Reproductive rights and society.
5. Gender aspects of reproductive health in Azerbaijan
6. Women's health and environment
7. Ombudsman's activities on family planning and reproductive health.

LECTURE 15.

WOMEN AND MEDIA

15.1 The history of creation and types of media

15.2 Development of Media in Azerbaijan

15.3 Gender Issues in Media

15.4 Analysis of legislation on media

15.5 The role of women in the development of media

15.1. The history of creation and types of media

Throughout history, depending on the type of information, there were different ways of obtaining and transmitting it, and was gradually improving with the development of science and technology. Still, in ancient times the innovations taking place in the country, commands, and instructions of the head of the country were delivered to the people on the main square of the city, usually through public criers. In the case of transmitting news to cities within a range of distances, heralds were used. Sometimes, these heralds were replaced by well-fed post pigeons.

Naturally, all this would meet only a small part of the need to share the information. People were eager to have immediate contact with the happening every day, every hour of the day despite distances, and to communicate with the others in a short period. The discovery of the train, electricity, phone, Morse alphabet, etc. has dramatically increased the speed of information spreading. Great achievements have been made in this area in the past century, and even some called the 20th century “the century of information.” In the ongoing globalization process environment, the place and role of information in the life of society have increased. In the modern world, information is the most expensive product. Those who make properly their information business and politics are ahead of others and gain greater accomplishments.

Media plays a specific role in society’s development and enlightenment. The periodic press of each era is its mirror. The emergence of media in the world has gone a long historical path. There are different types of the press: newspapers, magazines, radio, television, and the internet.

Newspaper. The world’s oldest media instrument is the newspaper. When and where did the first newspaper appear? The answer to this question is interesting for many. As a result of the research, it

became known that the first newspaper in the world was published in 59 BC in the form of boards made of clay during Julius Caesar's reign in ancient Rome. When it was ready, it was hung in public places so that those who could read got acquainted with it. By the way, this press release called "Events of the Day" was published daily.

After that, the second daily handwritten newspaper in the world was published in ancient China in 911 AD. The title of this publication was mentioned as "Capital News".

After Johan Gutenberg's printing method was discovered in 1450, book and newspaper publishing had been accelerated. Gradually, the newspapers were being printed in other parts of the world. The world's first printed press product was a print article called "Zaytung" published in Germany in 1609.

Newspapers are a publication that presents and publishes news. The emergence of media has played an important role in forming public opinion and informing people about ongoing events. Newspapers are mostly daily and weekly. Daily newspapers' weekly releases are usually larger than usual newspapers. And weekly newspapers slightly differ due to the number of pages and the way they highlight the events.

Journal. The second older media instrument after newspapers are journals. The first journals were published in Europe in XVIII century. These journals were compiled from newspapers and catalogs of book merchants.

Differing from newspapers, journals do not deal with highlighting every day and frequently changing events. They deeply analyze the events that took place during a certain period, such as weeks and months. Magazines are considered for long-term use, so they have a thicker skin and are printed on paper of better quality.

Radio. The discovery of the first radio in the world is connected with the name of famous Russian engineer Alexander Stepanovich Popov. This event took place in April 1895. The first radio broadcast was made by Italian Guglielmo Marconi in 1901. The radio, which is considered to be a "paperless and without distance newspaper", has served for long years to humanity.

Television. The history of television took started in the 20s of XX century. And the discovery of this tool was possible thanks to the achievements of human science. Russian scientist Vladimir Zworykin created 1923 the first fully electronic television system. From 1931-to 1932 years, according to the proposal of the American company "RCA", under the guidance of V. Zworykin, several serious improvements were

carried out in the construction of the iconoscope and kinescope, and the first television was created. Thanks to V. Zworykin's discovery, the regular broadcasting of telecasts was started in 1936 in the UK and Germany and in 1941 in the United States. At present, television is the most-watched media tool, which transmits the image and voice directly to people's homes.

Internet. This is impossible to imagine modern life without the internet. Nowadays, this network's capabilities are used almost in every direction of everyday life. The Internet is a gradually increasing network that connects many computer systems across the globe. This network allows transferring information from anywhere in the world from one place to another. The first network of computers was created in 1969 by Defense Advanced *Research Projects Agency*. After the 70s of the last century, this network, called the Internet, has expanded on a worldwide scale.

On July 22, 1875, prominent educator Hasan bey Zardabi published the "Ekinchi" ("The Farmer") newspaper and laid the foundations of our national press. This press release whose first edition was published in the Azerbaijani language has issued in 56 editions until September 29, 1877. The newspaper has been published twice a month with 300-400 copies. This newspaper, which is the scarecrow of our national press, despite having only two years of life, has played a major role in educating the people.

The history of the radio in our country takes started on November 6, 1926. For the first time, loudspeakers installed in the streets and squares of Baku spread the words "Baku is speaking". Then this event was a great innovation in the political and cultural life of the Azerbaijani people.

On February 14, 1956, the Azerbaijani television called "blue magician" started working with black and white images. This became possible to watch the events happening in different parts of the world through television.

Since the late 1990s, the Internet has been used in Azerbaijan. Through the use of the Internet everyone, everyone is becoming an objective mirror reflecting the search and problems of society.

The essence, types, and legal basis of media were firstly reflected in the Law of the Republic of Azerbaijan "On Mass Media" (July 21, 1992).

According to this law, the term "mass media" means periodicals: periodic print publications, TV-Radio programs, programs of a newsreel,

information agencies, the Internet, and other forms of distribution; TV-Radio programs and programs (broadcast or screened) of a newsreel, collection of audio-, audiovisual messages and materials (transmissions) having a constant title and emitted in an ether not less once annually. "Product of the mass media" means circulation of one number of a print publication or its part, separate discharge of TV-Radio programs, programs of a newsreel, circulation of the audio either video record of the program or part of its circulation.

This should be mentioned that up to now three laws on mass media have been adopted - the law of July 21, 1992, already invalid, and the law of December 7, 1999, which is also invalid and the latest one – the Law on Media adopted in 2021, which is in force.

The mass media product is a circulation of several print publications, or part of it, as well as a separate release of TV and radio programs, circulation of the audio or video recordings circulation, or part of it.

Even though e-media may compress a certain amount of media, it is not possible to get the newspapers out of the ordinary. Due to the reader's ability to make choices, the possibility of getting to know it at any time without any technical means, and the other specificities, the written press will remain as one of the sources of information.

The concern of those who are skeptical concerning the future of the television, seeing the inexhaustible capabilities of the Internet, is also inconvenient. Because the number of people in a will to hear the latest news on television is not smaller than the number of Internet users. In any case, this is the reality and nobody can guarantee that more modern information technologies will not emerge in the future overcoming the internet.

It would be incorrect to judge what types of media are superior. As in the information society, media technologies are changing dramatically. But the basic principle of the unchanging press is that the media is the main tool influencing political processes, and shaping public opinion. For this reason, modern mass media not only highlight operatively the ongoing events of the world but also need to comprehensively analyze the information, filter it, and select it purposefully.

In the globalizing world, social networking is one of the innovations that took place in the media. The role of social networks in the information space is increasing.

15.2. Development of Media in Azerbaijan

At the end of XIX and the beginning of XX century, the role of the Azerbaijani press in improving the national consciousness, culture, and enlightenment was undeniable in the environment when the other forms of public opinion were not sufficiently developed.

From 1870 to 1889 there were 56 newspapers, magazines, and newsletters in the Caucasus. Of them 20 were in Russian, 15 were Georgian and only 3 were in Azerbaijani. The reason for this misbalance was the propaganda carried out by the Muslim confessors in the society that no other sources of information were needed apart from the Koran.

The stages of formation of the national press of Azerbaijan passed through a complicated evolutionary path following specificities of society and reached a modern level. Historical development of the national press during these years can be divided mainly into four stages: the first, from the period of the “Ekinchi” newspaper to the establishment of the Azerbaijan Democratic Republic; the second, the Republic period; third, the Soviet period; fourth, period of the independence.

Historical facts show that the facts about the economic and cultural life of the Azerbaijani people before the first newspaper in Baku were reflected in the Russian newspapers published in Tbilisi in the XIX century. One of these newspapers published in Tbilisi, in 1832, was the “Tbilisi Brotherhood” newspaper. However, the Azerbaijani people disagree with the existence of those newspapers under the ideological and political influence of the Tsarist regime and had to fight for long years to create their national press. As a result of this struggle, the prominent educator Hasan bey Zardabi brought publishing shrift from Istanbul and created the first publishing and printing house, the first Azerbaijani press – “Ekinchi” newspaper was published on July 22, 1875.

The newspaper faces obvious pressure and threats of tsarism, and serious obstacles were created over its publishing. As a result of these oppressions, Hasan bey Zardabi had to stop publishing the “Ekinchi” in 1877.

At the end of the XIX and early XX centuries “Kaspi”, “Ziyayi-Qafqaziyya”, “Keshkul”, “Sharghi-Rus”, “Bakinsky Listok”, “Hummat”, “Hayat”, “Irshad”, “Fuyuzat”, “Achiq Soz (Open Words)” and other newspapers as well as “Molla Nasreddin” journal published in Baku, played an important role in the formation of progressive press traditions in Azerbaijan, the development of free speech and independent thought.

With the establishment of the Azerbaijan Democratic Republic - the first democratic and secular state in the Muslim East, in May 1918,

the second important stage in the development of national media took a start. During the period of 23-months long activity of the Republic, certain steps were taken in the direction of promoting speech, expressions, and press freedoms, and the “Statute on Press” was adopted.

The third important period of the Azerbaijani press coincides with the years of Soviet power. In the Soviet period, as in all post-Soviet spaces, mass media served the totalitarian regime and communist ideology.

Only in the 70-the 80s of the last century, during the rule of Heydar Aliyev in Soviet Azerbaijan, ideological pressure on the press began to decline and the independence of newspapers and magazines was largely ensured. The republican press published very courageous and decisive articles concerning the problems in various fields in those years.

Finally, the fourth main stage in the development of our journalism goes back to the 90s of the last century - the post-period of restoration of the state independence of Azerbaijan. After the Republic gained independence, a free and democratic press was established, and objective scientific research of media began. Strengthening the process of integration of Azerbaijan into the world community enhances the role of independent media leading in modern Azerbaijani journalism. A lot has changed in our country since the creation of independent journalism; countless internet portals have been created. Blogs and podcasts are more actual now.

In modern times where the Republic of Azerbaijan gained independence and lives sovereign state-building, completely new tasks emerge before the media face. Today, the press plays an important role in building an independent state, civil, democratic civil society, implementing economic and social reforms, ensuring social justice and transparency in the society, protecting human rights, creating a climate of solidarity and tolerance, and forming the national consciousness, political culture, and overall healthy moral values. This is impossible to imagine that these processes are being implemented in our country without the participation of the media.

Today, free and pluralistic media has been formed in Azerbaijan in compliance with international standards. The state created necessary conditions for the independent and comprehensive development of media. Media is a powerful factor that has a significant impact on the dynamic development of civil society. For the quantity of media, the Republic of Azerbaijan holds one of the leading positions among CIS and East European countries.

After 1998, new private television and radio channels have been launched in Azerbaijan and the scale of cable television has been expanded in recent years.

In 2005, the Azerbaijan Television and Radio Broadcasting Closed Joint-Stock Company was established based on Azerbaijan State Television. In August of the same year, Public Television began broadcasting in the country.

Azerbaijan Television, which celebrated its 65th anniversary, and Azerbaijan Radio, which celebrated its 95th anniversary in 2021, unites people around the country's priorities, and national interests, forms people's public opinion, and artistic-esthetic taste, and promotes assists in comprehensive and harmonious development.

The Public Television and Radio Broadcasting Company was established and started operating based on the second state channel in 2005. All the necessary measures were taken to ensure that the Public Television has material and technical support and is operational. According to the decision of the Cabinet of Ministers of the Republic of Azerbaijan in 2001, digital broadcasting took a start in the country.

The National Strategy for the Development of Information Society in the Republic of Azerbaijan for 2014-2020 years was approved by the Decree of the President of the Republic of Azerbaijan dated April 4, 2014. Later the State Program for the implementation of the National Strategy for the Development of Information Society in the Republic of Azerbaijan for 2016-2020 years", was approved by the Decree of the President of the Republic of Azerbaijan on September 20, 2016. Under Article 5.1.7 of the Action Plan on the implementation of this State Program, the terrestrial analog TV programs broadcasting in all regions of the country has been fully ceased on 20 December 2016 by the decision of the National Television and Radio Broadcasting Council dated September 27, 2016.

On January 12, 2021, by the Decree 1249 of the President of the Republic of Azerbaijan on Deepening the reforms in the media sphere in the Republic of Azerbaijan, the Media Development Agency of the Republic of Azerbaijan was established. The Media Development Agency was created based on the State Support Fund for the Development of Mass Media of the Republic of Azerbaijan. Later, by the relevant Decree of the President of the Republic of Azerbaijan dated 30 December 2021, the Law on the Media was adopted.

15.3. Gender Issues in Media

The information's possibilities of influence on political processes and relations, and international and domestic social opinion are wide. Moreover, this is undeniable that the purposeful information policy of the state serves to implement the ideology set by it.

No matter how hard newspapers or magazines work, they cannot fully determine the wills and aspirations of all the strata of the society, and interest groups, and satisfy the needs in information. This is simply impossible. But what to change in the consciousness of the concrete audience, what to suppress and eliminate, to propagate what values, to answer what questions, and what information to give to enrich the outlook – all these are important points requiring attention.

Gender problem plays an important role in the global information society creating process. As gender studies expand, the issue of promoting gender equality in the media becomes one of the topical issues.

The main factor that ensures real equality is not only governments, political leaders, and non-governmental organizations, as well as non-governmental organizations as it was considered before, but information as well, because the biological and social gender of an individual has no sense in virtual space. An important point in this space is the fact that the individual is the information-holder and the extent of demand for the information he/she suggests.

These are socio-cultural and economic processes that determine the specificity of information technology in modern gender issues.

Significant progress has been made in a proper explanation of gender ideas and the adoption of professional principles and voluntary rules of conduct in media programs.

The independent Azerbaijan state is building a democratic society and market economy. But without the improvement of the situation of women, without applying gender methods in national politics this is impossible to achieve real democratic development. Today, despite that owning equal rights for people of both sexes is recognized in international documents, the attitude toward women and men is still not the same. They do not have equal opportunities for self-expression in personal and social spheres.

Gender culture depends on the society's democratization level, whether there are values or norms universally accepted or not in that society.

The virtual world is the best tool for reflecting the simultaneous, parallel existence at the same time of different gender cultures in our real

world and reflects actual gender issues in the field related to law, economic relations, healthcare, family interrelations, sociology, education, literature, culture, etc.

In the relevant websites, gender term has become synonymous with feminism, whereas in recent years, alongside the women's problems, the men's problems have also been brought to the informational space.

In some cases, misinterpreted and negative emotions about women, descriptions of them as unworthy, the scale of pornography, and stereotyped images using new communication technologies have increased and there still is a negative attitude towards women in the media.

Poverty, impoverishment, illiteracy, and language restrictions hinder some women from using information and communication tools and the Internet. The progress of Internet infrastructure mainly in developing countries and, in the first place, women's access to it remains limited.

Over the past 20 years, a lot of work has been done in the field of gender equality provision. Numerous researches on gender issues are being carried out all over the world; broad informing processes are realized in media, and the global internet. But it is also known that both in the world and in Azerbaijan, gender science, its exhaustive theory, and the scientific system are in the process of formation. This makes it necessary to properly assess the ways and tools of the statement of gender problem that is important for the whole world and its optimal solution for the world. More precisely, the correct statement of the problem, as in any area, directly conditions the recognition of its intended development. From this standpoint, the attempt to state and analyze the gender problem in a manner as if apart or isolated from the globalization processes emphasized in recent years, as the tendencies and directions of modern world development, should be considered inadmissible.

The emergence of a wave of research in journalism on women's issues dates back to the early 80s of the XX century but was focusing mainly on socio-economic issues, women's professional discrimination, their less salaries in comparison with men, and the challenges of family life. Later on, in journalism abroad, a range of serious research devoted to gender-related issues, as well as on the transformation of public consciousness concerning the role of women-journalist in creativity and information, emerged. The in-depth study of the mentioned problem was carried out in America, but the British media is the first in terms of female presenter appearances. The tendency for the appearance of new journalism and information specifically addressed to women (before the

British “male” newspaper supplements, later in special women’s magazines and newspapers) was observed even in the late XIX century.

While talking about the gender stereotypes in media of the former Soviet Union countries and Azerbaijan, first of all, this should be mentioned that gender stereotypes in journalism have been created together with this field. They reflect the gender difference of the society at that time, protecting traditional gender roles.

A new period of perception of the gender roles in journalism in 1995-1996 years and the search for new etalon took a start. There were many different processes based on this event.

This is obviously, that social changes in the public, commercialization of news, as well as the attempt to the constant expansion of the radio listeners and television audiences, led to the departure of some journalist laws observed for a long period. Thus, in the mid-50s, commercial television emerged in Britain and was addressed to housewives to be widely used in household spheres. New information-entertaining programs (later, in 1980-1985 years period), and many advertisements and the soap opera, gained popularity, were directed to their attention. Documents on the history of the establishment of the British Broadcasting Company (BBC and BBC-1) and archive materials confirm that British TV has developed a precise policy designed to “balanced participation” of women in TV programs: the group of tele-announcers was usually composed of three men (invited from radio) and a woman (professional actress). This was to remind women of the long-year struggle for being a professional woman (both in the studio and beyond). Nevertheless, first, women announcers began to appear more often on the screens, such as sounding the weather forecast and reading news and then as reporters and broadcast presenters. British television’s first female presenter, Joan Bakewell, as a regular team member, read news about the art and recent events on BBC2 in 1964.

This is not accidental that women’s presenters were much trained in this period. In the early and mid-60s of XX century, the increase of the feminist movement in Western Europe and America and the spread of the idea of the equal right of women to self-realization in any sphere was observed. In this period, women also began to appear as a participant on television screens for a variety of programs: talk shows, quizzes, contests, etc. A special department was created under the leadership of Margaret Adams (a professional in radio broadcasting) to prepare programs for women’s audiences and this shows that the policy of news delivery for women is more vulnerable to the audience than men. As P. Holland states,

gradually, towards the early 80s of XX century, the reading of the news began to be regarded as a woman's business in Britain. The woman presenter has been given a unique decorative role. To illustrate the events in the Persian Gulf and the "storm in the desert" operation of the United States, almost the image of a woman was exploited. In the 1990s, numerous polls carried out among the TV-observers it was determined that even the most frightening news sounded less tragic and sometimes even "comfortable and family" in women's language.

Female TV announcers and female presenters of analytical programs are dominated the Azerbaijani television space. The contemporary model that is important at present is characterized by how women working in media identify themselves in an attempt to adapt their femininity and professionalism to the screen. When saying professionalism, first of all, we understood the gender-neutral way of behavior and the language design of the idea. Shaping the journalistic thinking that meets the modern requirements and preparing a journalist for practical activities that meet the needs of a media system is a successful solution to the complex circumstances.

The analysis of gender differences and the creation of conditions for self-realization of women's identity in the freedom of women and girls to learn the computer, access the Internet, as well as in interact with information technology, gender asymmetry, should be determined. At the same time, the information should be obtained which enables the establishment of women's networks to ensure that women's participation in democratic, sustainable development is enhanced by the ICT, the protection of their rights, and the achievement of gender equality. This information should also help ICT specialists predict women's participation in electoral processes, electronic elections, and e-commerce. The information should be obtained on what regional issues are in the ICT and explain how the executive and municipal authorities can help women realize their rights to access virtual information.

Expanding women's social media space provides them with opportunities to engage in the social and political life of the community, thereby increasing their professional, cultural and creative potential. This tendency, the practical policy is included into the concept of a gender approach to achieving gender equality, means the integration of gender dimension as the necessity for the preparation of special strategies for the consideration of the interests of both social-sex groups in society.

The gender approach is also relevant to the policy of major international information directions – the policies targeted at the

development of people, their potential, resources, habits, and knowledge. One of the most important tools for the determination of the information policy of the early XXI century is information and communication technologies. The World Summit on Information Society documents states: “We are committed to ensuring that the Information Society enables women's empowerment and their full participation based on equality in all spheres of society and all decision-making processes. To this end, we should mainstream a gender equality perspective and use ICTs as a tool to that end.” The use of ICT has already brought some or more benefits to several countries. No doubt, a well-informed society is an important step in the progress of human civilization.

15.4. Analysis of legislation on media

There is broad consensus on the limits of freedom of the press, including restrictions imposed by the Constitution, and prohibitions on honor and dignity.

The freedom of the press is usually regulated by the country's press laws. In some countries, there are laws on information and access to information. These laws not only deny each other but also define each other's boundaries.

One of the main directions of the freedom of the press is human rights. From human rights standpoint, ensuring freedom of the press is closely linked to the provision of some important rights. Thus, Article 19 of the International Covenant on Civil and Political Rights this is stated that everyone shall have the right to hold opinions without interference. At the same time, paragraph 2 of this article states that everyone shall have the right to freedom of expression; this right shall include the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or print, in the form of art, or through any other media of his choice. Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950, states that everyone has the right to freedom of expression. This right shall include the freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television, or cinema enterprises. At the same time, paragraph 2 of this article states that the exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions, or penalties as are prescribed by law and are necessary for a

democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Article 19 of the Universal Declaration of Human Rights states that everyone has the right to freedom of opinion and expression; this right includes the freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. Recommendation No. 10 (96) Of the Committee of Ministers to the Member States on the Guarantee of the Independence of Public Service Broadcasting, adopted by the Committee of Ministers of the Council of Europe on 11 September 1996, recalled that the independence of the media, including broadcasting, is essential for the functioning of a democratic society. These provisions have also been reflected in other international documents. For example, the Recommendation No R (99) 15 of the Committee of Ministers to member states on measures concerning media coverage of election campaigns, the Recommendation Rec (2000) 23 of the Committee of Ministers to the Member States on the Independence and Functions of Regulatory Authorities for The Broadcasting Sector and others. The Recommendation from 9 September 1999 adopted by the Committee of Ministers of the Council of Europe states that the regulatory frameworks on media coverage of elections should not interfere with the editorial independence of newspapers or magazines nor with their right to express any political preference.

Some international documents adopted within the framework of the Council of Europe also assume great importance. They include the Council of Europe Committee of Ministers Declaration on the Freedom of Expression and Information, adopted on April 29, 1982, and the Council of Europe Committee of Ministers Recommendation Rec(2003)13 to member states on the provision of information through the media concerning criminal proceedings, adopted on July 10, 2003, the Council of Europe Committee of Ministers Declaration on freedom of political debate in the media dated February 12, 2004, as well as the Recommendation No. R (96) 4 of the Committee of Ministers to member states on the protection of journalists in situations of conflict and tension dated May 3, 1996, and Principles to it, the Recommendation #R (97) 21 to the Member States on the Media and the Promotion of a culture of

tolerance adopted by the Council of Europe Committee of Ministers on 30 October 1997.

President of the Republic of Azerbaijan Ilham Aliyev said at the 90th anniversary of Azertag: “Strengthening of mutual understanding between nations and peoples depends a lot on the activities of news agencies, media. The timely submission of true information plays an important role in making operative decisions, correctly interpreting processes, and establishing bilateral and multilateral relations between countries.”

Today, the Azerbaijani state carries out consistent measures to create normal conditions for media activities, influence its impact on social life, and play a role in the democratization process.

The Constitution of the Republic of Azerbaijan, the Law on Freedom of Information (1998), the Law on Media (2021), and the Law on Access to Information (2005) ensure freedom of speech and press in our country and the independence of journalists. The state has created conditions for the free development of the so-called “the fourth power” - media.

The adoption of the first Constitution of independent Azerbaijan in 1995 identified the political and economic priorities of a state. The constitutional guarantees were given in the country to the pluralism of ideas, freedom of speech, and information.

The Constitution of the Republic of Azerbaijan contains several significant provisions for comprehensive regulation of freedom of the press and its related issues. For example, Article 46 - Right to protect honor and dignity, Article 47 - Freedom of thought and speech, Article 48 - Freedom of conscience, and Article 49 -Freedom of assembly. Paragraph 1 of Article 50 titled Freedom of Information states that everyone is free to legally seek, receive, impart, produce, and disseminate any information. At the same time, paragraph 2 of this article states that the freedom of mass information is guaranteed. State censorship in media, including the press is prohibited. Freedom of the press requires respect for the rights of the opponents. Thus, in Paragraph 3 of Article 50 of the Constitution of the Republic of Azerbaijan, it is stated that everyone’s right to refuse or reply to the information published in media and violating his/her rights or damaging his/her interests shall be guaranteed.

The legislative framework for media freedom is fully upgraded and adapted to international standards.

Article 1 of the Law of the Republic of Azerbaijan of 19 June 1998 “On Freedom of Information” states that following article 50 of the

Constitution of the Republic of Azerbaijan everyone is entitled to look for, obtain, transmit, develop and distribute any information by the legal way. Article 5 of the Law determines the basic principles of realization of the freedom of information, which assume particular importance in the exercise of human rights. They are as follows: a guarantee of freedom of information; openness of information and freedom of its exchange; fairness, completeness, and authenticity of the information; legality of the search, obtaining, use, distribution, and protection of information; protection of personal and the family secret of everyone; protection of the security of a person, society and state.

The Law of the Republic of Azerbaijan “On Access to Information” was adopted on September 30, 2005, states that the purpose of the present Law is to establish the legal framework for ensuring free, unrestricted, and equal information access as prescribed by Article 50 of the Constitution of the Republic of Azerbaijan based on open society and democratic law principles, as well as to create conditions for control by citizens on the exercising of public duties.

At the same time, paragraph 1 of Article 2 “freedom of access to information” as referred to in the same article, says that the access to information in the Republic of Azerbaijan is free. Paragraph 2 of this article states that any person is entitled to apply directly or through his/her representative to the information owner and to choose the type and form to get information. The article 6 the main Principles of Information Access are stated as the following: free, unrestricted, and equal provision of information request; legality of the information access; obligation of state bodies and municipalities to disclose the information; maximal transparency of information; execution of any information request as soon as practicable and with the most appropriate method; personal, public and state security during provision with information; state protection of the right of information access, including judicially; free-of-charge information access, unless otherwise is provided for by this Law; responsibility of the information owners for violating the right of information access; not exceeding any limitation on information access over the grounds causing such limitations; non-forcing officials to disclose the information on offenses that generate the public interest.

In 2012 relevant amendments were made to the Law on Access to Information, following those amendments the Commissioner for Human Rights of the Republic of Azerbaijan was designated as an institution fulfilling the control over the implementation of this Law as per relevant provisions by the Constitutional Law on the Ombudsman.

Thus, under the Constitutional Law on Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan, the Ombudsman supervises the execution of duties by the information holding state bodies, municipalities, and state officials following the requirements of the Law of the Republic of Azerbaijan on Access to Information. The Ombudsman has a power prescribed in 13-1 Article of the Constitutional Law regarding specific aspects of consideration of complaints about the violation of the right to obtain information. The Ombudsman, Chief of Staff, and Deputy to the Chief of Staff are entitled to compile a protocol on administrative violation on behalf of the Commissioner for Human Rights of the Republic of Azerbaijan, as prescribed in Articles 371-374, 382, and 554 of the Code of the Administrative Offences, under Presidential Decree No.1361 dated 3 May 2017 on the approval of the “List of officials authorized to compile protocols on administrative offenses considered by district (city) courts”.

The Department for Protection of the Right to Information was established at the Office of the Commissioner for Human Rights (Ombudsman) at the initiative of the Ombudsman for the execution of the mandate and further improvement of the activity outlined in Article 50 of the Constitution, Article 1.3 of the Constitutional Law on the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan, as well as the Law of the Republic of Azerbaijan on Access to Information. The Department consists of two Units – the unit on Provision of the Right to Information and the Unit on Analysis and Monitoring.

The carried-out analysis shows that the principles are essential for the realization of practical and actual implementation of the provisions of important international norms in this field in the intrastate legislation.

According to the Law on Media adopted in 20221 (Article 14.1.) the information printed and (or) disseminated in media shall follow the following requirements: racial, religious, origin, sexual, ethnic, and other discrimination shall not be propagated, as well as open calls shall not be made to provoke ethnic, racial or religious hatred.; the information related to person’s family and private life shall not be disseminated.

This should be also noted that important legislative measures have been taken in the field of TV and radio broadcasting. The Law on Television and Radio Broadcasting were adopted in June 2002, and on October 5, 2002, the Decree on the approval of the Statute on the National Television and Radio Council was signed. Article 3 of the Law “On Television and Radio Broadcasting” states the main principles of

broadcasting activity: in its activity transmitter is governed by comprehensiveness, fairness, entirety correctness of the information, freedom of thought, ideological and political pluralism, impartiality, non-interference in private and family life of a person, protection of national and moral values, obeying professional conduct and moral norms, high quality of programs. According to Article 3 of the Law on Public Television and Radio Broadcasting, the principles of public broadcasting service are as follows: independence; impartiality, unbiased and truthfulness of information; pluralism and tolerance; withdrawal from open political interests; co-ordination and provision of common interests; national self-development; universality; colorfulness; distinguishing from others.

The next important step towards ensuring freedom of expression and information was the establishment of the Press Council by independent journalists on March 15, 2003, at the first congress of the Azerbaijani journalists, without the intervention of the state. The main function of the Press Council is the pre-judicial settlement of the disputes between individuals and media, as well as media with private companies. In the debates between individuals and the media, as well as between media and the private sector, the Council also carries out the monitoring of newspapers and the implementation of the provisions of the Code of Journalist Ethics adopted by it.

The main problem of independent news agencies and newspapers is usually a financial issue. In this regard, the Decree of the President of the Republic of Azerbaijan “On Additional Measures to Increase State Care on the Development of Mass Media” was a step on time, in 2002. To improve the independence of mass media, on August 31, 2008, the country's President signed an Order “On Approval of the “State Support Concept for the Development of Mass Media in the Republic of Azerbaijan”.

15.5. The role of women in the development of media

“Kaspi”, a Russian-language newspaper published in Baku from 1881 to 1919, reflected the life of society in a different period from their point of view perspective. M. Shahtakhtli was also presented with his articles on social-political topics at “Kaspi”. In his writings, the author put forward the serious problems of his period - the protection of women’s rights, conservatism, and illiteracy.

Outstanding writer Aliqulu Gemkusal began to come out with his works and essays in 1907 in the magazine “Molla Nasreddin”. His

published articles reflected social contradictions, poverty, religious fanaticism, and women's freedom, which were rooted in society. From 1913 on the pages of the magazine cartoons by artist Halil Musayev sharply criticized the ignorance and lawlessness of women and also attracted the attention.

In the "Sharghi-Rus" newspaper, such issues as the headscarf, the views of freedom of women in Islam, the dissemination of education, and improvement of teaching in schools were discussed, and ways out of the problems were sought.

The first press release on women in Azerbaijan has been published during this period. The first edition of the "Ishiq (Light)" newspaper was published on January 22, 1911. The mighty writer and publicist of Azerbaijan, Yusif Vezir Chamanzaminli, wrote in his congratulatory letter from Kyiv on the occasion of the release of the first women's collection: "When it comes to the ladies' newspaper, we recall "the problem of a wife". And "the problem of a wife" is a vital and important matter for people".

Haji Zeynalabdin Taghiyev, who saw the creation of the women's press as a necessity of its period, added once more a charity to the line of his services before the nation. He created the first female press body called "Ishiq". This journal played a certain role in the awakening of the Azerbaijani women, in their activation in social-cultural life. On its pages, the flaming voices of Azerbaijan's educated women have flared up against the period. The articles of 30 women of different conscientious were published in the journal "Ishiq". Among them, there were literature lovers, poets, and writers' women. Asia Akhundzade, Sona Akhundova, Pernis Sariyya, Zahra Hummat, Nigar Osmanpashazade have published their poems in this journal.

The journal also published advice on medicine and living for women of Azerbaijan.

The editor of the publication was one of the intellectual women of Azerbaijan, a higher educated doctor distinguished with her social activity, who initiated charitable societies - Khadija khanum Alibeyova and her publisher was her husband, Mustafa Alibeyov. M. Alibeyov was a lawyer, known as an attorney and engaged in human rights as well.

The publishing of the "Ishiq" was a source of joy to progressive persons, especially women. The intelligent women of Azerbaijan sent their greetings, poems, and heart-writing to this first female journal. Among the first women who sent a congratulatory letter to the journal were Najabat Zeynalova, Sariyya Hasanova, and Salatin Ahmadzadeh.

Salatin khanum noted with great enthusiasm: “I congratulate the “Ishiq (Light)” of the Caucasian Muslim ladies that will illuminate the horizons. The letter from the teacher of Malibeyli village girls’ school in Karabakh, Mahammad Garayev, was also very sincere. The letter said: “Lastly, the smell of science, intelligence and education, and training roses affected the Muslims. The smell of humanity and the flower awakened our Muslim sisters. Every Muslim lady deprived of her rights has come to her senses, and opened their eyes, saying “Oh, how long we have been sleeping!”

The articles in Russian have also been published in “Ishiq”. 64 editions of the journal (68 by some sources) were published from January 1911 to December 1912. In 1912, “Ishiq” became a victim of darkness and ignorance. Although it lived for only two years, it was not only the light in the eyes and minds of the Azerbaijani women in the early XX century, but also shook women who lived under the laws of the Islamic world and laid the foundations of women’s press in the history of the Azerbaijani press.

Khadija khanum Alibeyova, the editor of “Ishiq” journal of Y.V. Chamanzaminli, who has devoted many of his works to women, wrote in her letter to Kyiv: “At a time when our wives live in darkness, the newspaper that you take for them is a great and sacred duty. To accomplish this great task and achieve the goal wants a great achievement, a lot of courage”.

The letter also touched on the issues facing the journal, as well as the importance of women’s issues. It was desirable to be a true “Ishiq (Light)”, to enlighten with the awareness and culture. It was not the wishes and demands of only Yusif Vezir, but also of the intellectuals of that era.

Halima khanum Akhundova, who was sorrowful with the attacks of ignorant people dissatisfied with the activity of the “Ishiq” journal, wrote in her article “The Woman is the mother of the Nation”: “It is another time now. All nations are progressing day by day, working for science and education. But we? Do not believe the words of the fanatics!”

Munevver khanum Alikhanova wrote: “If we want to own our rights, it is necessary and important that we take on a strong commitment and take our actions and desires into the hands of our intellect and perspicacity. All of us have to turn our skills into action and go to work, to put some ointment on our wounds with conviction. We also have to know that there is no single voice, unity and solidarity played a major role in every aspect”.

Munevver Khanum noted at the end of this valuable article that “the women will bring science, culture, and education out of ignorance. This is also important for us to have freedom together with the science.”

The women’s speech in the press and saying courageous ideas was real heroism at a time of fanaticism when the position of women lawlessness was ruling. In the “Ishiq” journal, we meet dozens of women’s signatures. Teacher of the Ganja girls’ school Asiya Akhundzadeh, her daughter, teacher Khuraman Khanum Rahimbekzadeh, Maral Nabizadeh from Sheki, teacher of Shamakhi girls’ school Govhar Shovqiyya, teachers of girls’ schools in Baku Saida Sheykhzadeh, Nabat Narimanova and others spoke with their stories and poems calling the nation to literacy. Khadija khanum Alibeyova, the editor of the journal, spoke about the rights of women in the article entitled “Our Rights” and urged them to engage in science and education. She wrote that if their mothers and sisters were educated, their children would be educated in the future.

The news about the “Ishiq” journal in this short period spread throughout the country. The journal's address has flowed with letters through Tbilisi, Kyiv, Dagestan, Ganja, Sheki, Shamakhi, Aghdash, and other places, the most of which were women.

In the late XIX and early XX centuries, newspapers and magazines issued in Azerbaijan began to publish articles on women’s issues and the role that women play in society, education and culture. The journals “Molla Nasreddin” (1906-1931), “Fuyuzat” (1906-1907), “Yeni Füyuzat (New Fuyuzat)” (1911), “Dirilik” (1914-1916), “Mekteb (School)” (1911-1917), “Sharqi-Rus” (1903-1905), “Hayat (Life)” (1905-1906), “Irshad” (1905-1908), “Iqbal” (1912-1915), “Open Letter” (1915-1918), “Azerbaijan” (1918-1920) and others newspapers were more active in this direction.

The strengthening of the women’s movement during 1918-1920 and subsequent years required a more persistent women’s press. The Azerbaijani government decided to direct women’s movements and, firstly, to publish separate papers to help women in this area, followed by the “Ways of Working Women” and “The Ways of Caucasian Workers Wives”. In 1922, a journal titled “Transcaucasian Working Woman” was published in Tbilisi. The magazine called women to freedom was talking about women’s rights.

But the samples did not illuminate the expanding women’s movement. Thus, it was decided to publish a separate female magazine in the mother tongue of each republic.

Thus, in 1923, an important event in the political life of the Azerbaijani women took place. In November of the same year, the first

issue of the “Women’s Council of Azerbaijan” journal was published and it was printed with a circulation of 1000 of 40 pages.

Ayna Sultanova was the first editor of this magazine who sets big goals, the editorial staff was the first woman publicist in Azerbaijan Shafiga khanum Efendizadeh, prominent educator Madina Kiyasbeyli, women’s movement activists Mina khanum Mirzayeva and Khanimaz Azizbeyova.

The “East Woman” called for all women to stand up, fight for their rights and freedoms, appraised cultural events held in Azerbaijan, and call women to public life.

The “East Woman”, based on the strength of progressive teachers and public figures, played a prominent role in solving important problems of women’s education, and preschool education. The issues of women’s and girls’ ‘education, the organization of girls’ schools, courses in Azerbaijan, and the issues of education and upbringing are conducted here regularly. Copies of such journals were very popular in the most remote places in Azerbaijan.

The voice of freedom from the pages of the journal also brought women from Turkey, Iran, and Afghanistan into the movement. The letters were sent from Istanbul, Tehran, Tabriz, and Qazvin to the editorial. In a letter from the Iranian city of Rasht in 1926, the publication of the “East woman” journal also provoked a great resonance among the Iranian women. For the first time in the city of Rasht, Marziyya Zarabi, one intelligent woman, started to publish a collection entitled Nameyi-Nisvani-Sharq.

One of the historical roles of the “East woman” journal is that all well-educated and fighter women of Azerbaijan gathered around this freelance, good-willed press. The journal has played a role of a school for women publicists, poets, and writers. The first articles of women and girls interested in science, culture, art, and medicine have been published on pages of this journal.

The “East woman” journal began to be published in February 1938 as “The Azerbaijani Woman”. In the short period during 1937-1940, less experienced and skilled at that time Zahra Kerimova, Barat Kerimova, and Zuleykha Aliyeva were appointed as editor-in-chiefs replacing a prominent public figure, flaming publicist, editor of the magazine Gulara Koylu arrested as a result of repression and sent to exile. Many authors and reporters have been arrested, and the press has undergone a crisis.

The Great Patriotic War of 1941-1945 years also seriously

damaged the magazine's activity. During those bloody years, his activity was temporarily suspended.

In March 1951, the journal "The Azerbaijani Woman" was re-published. The magazine writes about women's achievements in science, culture, art, education, economics, and public and social spheres highlighting issues of improving their housing and living conditions.

The journal "The Azerbaijani Woman" during this period promoted renewal, and cultural breakthroughs, and also held frequent meetings and readers conferences in industrial enterprises, and regions. The wishes and suggestions expressed at these events were reflected in the pages of the journal. These writings, articles, essays, and photos are very valuable as written sources of the Azerbaijani women.

The journal was guided by Shafiga khanum Aghayeva from 1965 to 1972 years and writer Khalida khanum Hasilova from 1972-to 1996 years. As a result of their great efforts, the magazine's literary and artistic level has been dramatically improved, with a circulation of more than 30,000 and over 320,000. The prominent scholars, art workers, and writers of our republic, with their scientific, theoretical, and artistic thoughts, have tried to raise the taste and cultural level of the readers, as well as introduce their talented women to their articles and writings.

In 1974, President Heydar Aliyev participated in the state-level half-century anniversary of the journal and extensively spoke there. The journal was awarded the Order of Honor.

The journal "The Azerbaijani Woman" also lived painful, honorable, and struggling days in the 90s. On the front pages of "The Azerbaijani Woman" were regularly highlighting the hard and unbearable lives of our daughters shown their courage on the frontline, of the martyrs' mothers who lost their brave sons, the women, and the children who suffered in the tent camps.

The "The Azerbaijani Woman" journal released in new composition in 2009, contains various projects that play an important role in the social life of the country, as well as events that stimulate the development of our science, culture, as well as interesting interviews with our contemporaries.

In the modern world in countries with different models, the number of media is rapidly increasing and technical and financial capacities are expanding.

The world community accepts the provision of women's rights as a crucial criterion for building a state of law, democracy, civil society, level of improvement, and the representation of women in society and

political power.

This is a fact that the XX century has changed the status of women in society, created grounds for their attraction to the state-building process, and has led them to complement women and men in administration and governance. The development of information and communication technologies, in particular the Internet system, contributes to the sharing of knowledge of women and girls, enhancing network and e-commerce opportunities, and promoting global gender equality efforts.

Thanks to the technical capabilities of information exchange, the Internet has been increasingly used in recent years as a tool for attracting the attention of society to women's issues, and issues of actual gender equality.

Thus, this is possible to obtain additional opportunities to carry out marketing operations to find its place in the social market through mobilizing volunteers ready to support various social actions by creating websites (web pages) of this or other women's organizations or women's movement leader, answering the questions of people urging to the leaders, collecting financial aid to non-governmental organizations and women's movements.

Governments, business circles, international and non-governmental organizations, and civil societies should take account of gender issues in a solution to the problems related to information and telecommunication technologies development and should ensure maximum participation of women, including in the decision-making process.

Questions for students' knowledge assessment:

1. What types of Media are there?
2. History of creation of Media.
3. Development of Media in Azerbaijan.
4. Gender problem in the information society.
5. Women and Media.
6. Analysis of legislation on media in the Republic of Azerbaijan.
7. The emergence and role of women's press in Azerbaijan.

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