

In 2013, Azerbaijan made a moderate advancement in efforts to eliminate the worst forms of child labor. The president signed several amendments to the Criminal Code and to the Law of the Republic of Azerbaijan on the Fight against Trafficking in Persons to strengthen protections for children who may be victims of human trafficking, and raise penalties against those involved in human trafficking. The Ministry of Labor and Social Protection of Population (MLSPP), and the State Committee on Family, Women and Children's Affairs (SCFWCA) also signed a Joint Action Plan (2013-2015) on Elimination of Child Labor Exploitation. However, children in Azerbaijan continue to engage in child labor in both agriculture and street work. Research found limited evidence of government programs to address child labor in sectors where it exists.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Azerbaijan are engaged in child labor in agriculture and street work.(1-9) Table 1 provides key indicators on children's work and education in Azerbaijan.

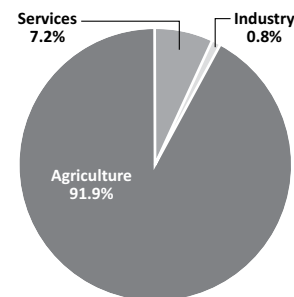
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	7-14 yrs.	4.5 (70,034)
Attending School (%)	6-14 yrs.	94.3
Combining Work and School (%)	7-14 yrs.	4.9
Primary Completion Rate (%)		92.0

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(10)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Child Labor Survey (SIMPOC) Survey, 2005.(11)

Figure 1. Working Children by Sector, Ages 7-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of cotton, tea,* and tobacco† (2, 4-6, 12-15)
Industry	Construction, activities unknown* (2, 14)
Services	Street work such as begging, washing cars, and street vending (1-5, 7, 9, 16, 17)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (3, 7, 9, 16, 18) Forced labor, including forced begging (16, 18, 19)

* Evidence of this activity is limited and/or the extent of the problem is unknown.

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children are largely found working in the agriculture sector, which includes cotton, tea, and tobacco production. Evidence suggests that the number of child laborers involved in the production of cotton, tea, and tobacco has considerably declined in the past decade, although the significance of the decline is unknown.(2, 5, 13, 16, 20) Evidence also suggests that Roma children are particularly vulnerable to forced begging.(18)







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II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Azerbaijan has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established relevant laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	Section 42 of the Labor Code of the Republic of Azerbaijan (21)
Minimum Age for Hazardous Work	Yes	18	Section 250 of the Labor Code of the Republic of Azerbaijan (21)
List of Hazardous Occupations Prohibited for Children	Yes		Sections 98 and 250-254 of the Labor Code of the Republic of Azerbaijan; Decision 58 of the Cabinet of Ministers in 2000 (21, 22)
Prohibition of Forced Labor	Yes		Article 35 of the Constitution of the Azerbaijan Republic (23)
Prohibition of Child Trafficking	Yes		Law of the Republic of Azerbaijan on the Fight against Trafficking in Persons; Article 173 of the Criminal Code of the Azerbaijan Republic (24-26)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 171, 242-244 of Criminal Code of the Azerbaijan Republic (24)
Prohibition of Using Children in Illicit Activities	Yes		The Law of the Republic of Azerbaijan on the Rights of the Child; Criminal Code of the Azerbaijan Republic (24, 27, 28)
Minimum Age for Compulsory Military Recruitment	Yes	18	Articles 2 and 3 Law on Military Obligation and Military Service (29, 30)
Minimum Age for Voluntary Military Service	No		
Compulsory Education Age	Yes	17	Education Law of Azerbaijan (16, 29, 31, 32)
Free Public Education	Yes		Education Law of Azerbaijan (32)

In 2013, the president signed amendments to the Criminal Code and to the Law of the Republic of Azerbaijan on the Fight against Trafficking in Persons to strengthen protections for children who may be victims of human trafficking and raise penalties against those involved in human trafficking.(9, 26, 33) In addition, the President also signed into force tougher penalties for criminal acts related to forced labor.(19) The Labor Code only covers workers with written employment contracts; therefore, protections exclude children working without a written employment agreement. In February of 2014, the president also signed amendments to the Administrative Offenses Code and the Criminal Code that proscribe a fine or imprisonment for employing people without an effective employment agreement.(9, 26)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
The Ministry of Labor and Social Protection of Population (MLSPP)	Enforce laws related to the worst forms of child labor.(34)
State Labor Inspectorate within the MLSPP	Enforce child labor laws, particularly provisions of the Labor Code.(2, 35)
Ministry of Internal Affairs (MIA)	Function as the central executive agency responsible for public security, prevention and exposure of criminal offences, including child trafficking and begging.(2) Enforce trafficking laws and investigate trafficking violations, and enforce criminal laws related to the use of children in illicit activities.(7) Refer children who are victims of human trafficking to social services for assistance with school enrollment, registering for recreational activities, and obtaining proper documentation.(7) Assist trafficking victims obtain proper documentation as part of a larger government effort to assist children without birth registrations, a group that is particularly vulnerable to trafficking.(7, 16, 25, 36-38)
The Commission on juvenile issues and protection of minors' rights	Coordinate efforts on enforcement of laws related to the worst forms of child labor. Located under the Cabinet of Ministers and consists of relevant state agencies.(34)

Law enforcement agencies in Azerbaijan took actions to combat child labor, including its worst forms.

Labor Law Enforcement

In 2012, the Ministry of Labor and Social Protection of Population (MLSPP) employed 230 labor inspectors.(3) However, research did not reveal information on the number of labor inspectors employed in 2013. Officials of the State Migration Service, the Ministry of Internal Affairs (MIA), and MLSPP were trained on countering human trafficking.(9) The MLSPP did not provide information on whether inspectors received training on laws and the enforcement of laws relating to child labor and/or hazardous child labor. A source suggests that NGOs believe that inspectors are not adequately trained on child labor, including hazardous child labor.(9)

In 2012, the Labor Inspectorate conducted 8,341 inspections. The Government did not make the number of inspections involving child labor for the reporting period publically available.(7) The Ministry does conduct unannounced inspections, but those inspections are not planned or tracked.(4) In addition, the Government does not have a mechanism for filing and responding expeditiously to complaints about child labor.(9)

Criminal Law Enforcement

In 2013, the State Labor Inspection Service identified two child labor violations involving the employment of children in the service and trade sectors. In both cases, the employers received a \$1,275 (1,000 AZN) fine and the victims were returned to their parents.(19) In addition, the MIA reported three cases of underage prostitution.(9, 19) The MIA did not make available additional information on investigations and convictions.(9) One source suggests that the SCFWCA and some NGOs do not view the number of prosecutions of labor and human trafficking violations involving children as sufficient given the scope of the problem.(7)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
State Committee on Family, Women and Children's Affairs (SCFWCA)	Serve as the primary central executive body responsible for implementing child-related policies.(2)
MIA and SCFWCA	Maintain an inter-agency case management database on child rights.(28)
The National Referral Mechanism for Trafficking in Persons	Coordinate over 15 government ministries and committees anti-trafficking efforts. Led by a National Coordinator at the Deputy-Minister within the MIA.(38)

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor (cont)

Coordinating Body	Role & Description
Control-Coordination Group	Work with the Ministry of Education and SCFWCA to develop a national database for local agencies to identify children who are not in school and to track absentees over time and across districts. By the end of the reporting period, one monitoring action occurred covering 23 schools, 11 internet clubs, and four restaurants across the country.(34, 39) Established out of the State Program on Poverty Reduction and Sustainable Development in 2008-2015. Comprised of representatives from the State Committee on Family, Women and Children Affairs, the Ministries of Education, and Health and Labor and Social Protection of Population.(34)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Azerbaijan has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

Policy	Description
Joint Action Plan (2013-2015) on Elimination of Child Labor Exploitation†	Joint action plan between the MLSP and the SCFWCA to coordinate activities. Framework includes: (1) preparation of social awareness raising campaigns on negatives consequences of child labor exploitation; (2) organization of seminars and round tables with the participation of various state agencies with the purpose of reinforcing the fight against child labor; (3) conducting research on the situation of child labor throughout the country; and (4) conducting trainings for labor inspectors.(34)
National Action Plan on the Protection of Human Rights	Seeks to ensure that the Criminal Code is compatible with international standards on preventing the sexual exploitation of children, and to strengthen efforts to fulfill the ILO child labor conventions, respectively. Addresses human trafficking and calls for rehabilitation centers for victims.(29, 40)
2009-2013 National Action Plan for Combatting Human Trafficking	Aims to improve the coordination of activities, the effectiveness of the prosecution of perpetrators and the protection and rehabilitation of victims of trafficking by identifying the parties responsible for each objective of the 2009 National Action Plan.(41, 42) The 2009 National Action Plan targets the underlying social problems that contribute to trafficking.(37, 42) First Deputy Minister of Internal Affairs oversees the implementation of the Plan.(19)
The UN Development Assistance Framework (UNDAF) (2011-2015)	Seeks to improve identification, referral, and legal support services for victims of trafficking, as well as to build the capacity of judiciary and law enforcement personnel.(43, 44)
The Poverty Reduction Strategy (PRS)	Seeks to improve social protection for the most vulnerable populations, including child laborers. Calls for developing a National Action Plan on abandoned and street children.(45) Includes a plan to improve efforts to make schools better and more accessible, and to decrease educational costs, for example, with free textbooks and hot meals for children.(45)

† Policy was launched during the reporting period.

In 2013, the MLSP and the SCFWCA drafted and signed an action plan for the protection of children’s rights that includes monitoring to track child labor cases, raids on private enterprises and rural households, and public awareness campaigns on child labor prevention.(46) The Council of Ministers is reviewing the plan.(9, 30) The Government also began drafting a National Action Plan (2014-2018) to follow the current 2009-2013 National Action Plan for Combatting Human Trafficking. At the conclusion of the reporting period, the draft Plan was pending approval by the Cabinet of Ministers.(19) Evidence suggests that the Government is working on capacity building of local governments to provide social services, and on developing a plan to reduce youth unemployment, particularly in rural areas. These plans are not yet complete.(9)

In 2012, the Government established a task force composed of the Ministries of Labor, Internal Affairs, Education, the SCFWCA, and NGOs to create guidelines for implementing the National Action Plan on the Protection of Human Rights. According to one NGO representative of the task force, members conducted monitoring visits to places in which child labor is known to occur, such as restaurants and bazaars, with the intention of drafting new child labor standards for both businesses and government agencies.(7) Research did not uncover the status of the draft standards.

VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Azerbaijan funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

Program	Description
The program of social rehabilitation and social reintegration of child victims of trafficking†‡	Government program implemented by the MLSPP, SCFWCA, and Ministry of Education that assists children who are victims of trafficking and their families by establishing a system of monitoring the social reintegration of child victims of trafficking, and providing for professional development of psychologists and medical professionals. Designated for 2014-2016.(30)
Center of Assistance for Victims of Human Trafficking	MLSPP supported program that provides medical, psychological and social rehabilitation, and reintegration assistance to victims of trafficking.(19, 38)
Global Action Program on Child Labor Issues Project	USDOL-funded project implemented by the ILO in approximately 40 countries, to support the priorities of the Roadmap for Achieving the Elimination of the Worst Forms of Child Labor by 2016 established by the Hague Global Child Labor Conference in 2010. Aims to build the capacity of the national Government and develop strategic policies to address the elimination of child labor and forced labor in Azerbaijan.(47)
Targeted Social Assistance (TSA) program*‡	MLSPP run program that provides cash transfers to low-income families. Introduced in 2006 and by the end of the reporting period had reached 139,573 families (612,114 individuals).(48)
MLSPP supported grants*†‡	Government awarded grants totaling over \$2.5 million (2 million AZN) to local NGOs to establish eight centers to provide social services to vulnerable children including street children and orphans.(9) NGOs reported that the centers had been effective in providing services, and may have contributed to a reduction in child labor. However, it was also noted that the centers ran out of funds by the end of the year, and are closed. It is unclear the number of children served, or whether the Government will continue to fund this program.(9)
MIA identification document program*	Provides identification documents to undocumented minors who may be street children or victims of human trafficking. In 2013, 21 children were provided with identification documents.(9)

* The impact of this program on child labor does not appear to have been studied.

† Program was launched during the reporting period.

‡ Program is funded by the Government of Azerbaijan.

Research has found limited evidence of government funding for social programs to specifically address child labor in agriculture or other sectors where child labor exists. Programs to prevent the worst forms of child labor primarily address human trafficking. Government authorities have undertaken a number of programs, sometimes in cooperation with international organizations or NGOs, under the auspices of the National Action Plan on Combating Human Trafficking. These programs aim to prevent trafficking, and to protect and assist victims through public awareness campaigns and the provision of shelter and psychological and employment assistance for trafficking victims.(18)

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Azerbaijan (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Laws	Ensure protections are afforded to children who are legally permitted to work and working without written employment contracts.	2011 – 2013
Enforcement	Implement a system to track and monitor labor inspections, including unannounced inspections.	2011 – 2013
	Report whether and how investigations are targeted at sectors with child labor.	2011 – 2013
Social Programs	Conduct research to determine the activities carried out by children working in construction to inform policies and programs.	2013
	Target programs specifically to children in the worst forms of child labor, such as agriculture, and their families.	2009 – 2013
	Assess the impact that social protection programs may have on child labor to determine whether expansion of the program may significantly impact child labor in agriculture and forced child labor in prostitution and begging.	2011 – 2013

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