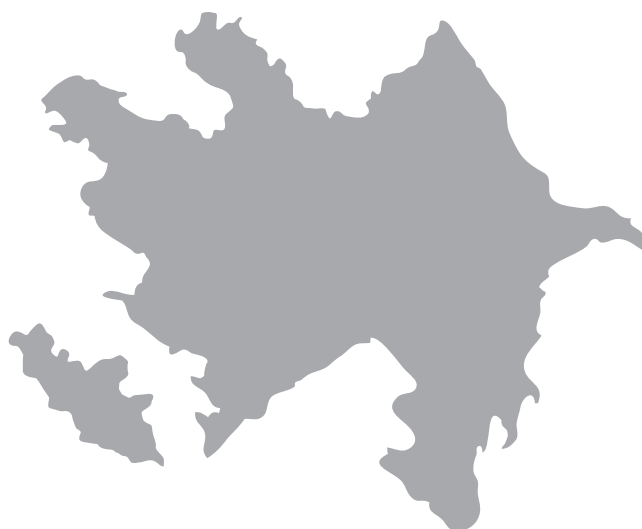


In 2014, Azerbaijan made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government passed amendments to the Administrative Offenses Code and the Criminal Code that impose a fine or imprisonment for employing people without an effective employment agreement, thereby providing children working without a contract with protection. The Government also instituted a new National Action Plan on Combating Trafficking in Human Beings, and law enforcement officials received training on best practices in investigating and prosecuting cases of human trafficking. In addition, the Government funded a program for the rehabilitation of child victims of human trafficking. However, children in Azerbaijan are engaged in child labor, including in agriculture, and in the worst forms of child labor, including in commercial sexual exploitation. There are gaps in Azerbaijan's labor inspection system and in the training of its law enforcement officials. In addition, research found limited evidence of government programs to address child labor in the sectors where it is most prevalent.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Azerbaijan are engaged in child labor, including in agriculture.(1-8) Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation.(5, 6, 9-12) Table 1 provides key indicators on children's work and education in Azerbaijan.

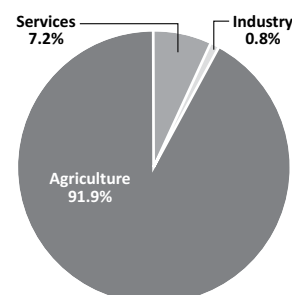
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 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, 2015.(13)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Child Labor Survey (SIMPOC) Survey, 2005.(14)

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*† (1-8)
Industry	Construction,* activities unknown (2, 4, 15)
Services	Street work, including begging, washing cars, and vending (1-6, 8-10)
	Washing cars at commercial car washes (15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of human trafficking (5, 6, 9-12)
	Forced begging (10-12)

* 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.

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The majority of child labor in Azerbaijan occurs in the agriculture sector. 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.(2-4)

Children in Azerbaijan are trafficked for the purpose of commercial sexual exploitation both domestically and transnationally. Street children, many of whom become homeless after their release from government-run orphanages and correctional facilities, are at the highest risk of becoming victims of human trafficking.(11) Children living in border towns and economically depressed rural communities have also been identified as vulnerable to becoming victims of human trafficking.(16)

II. LEGAL FRAMEWORK FOR 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 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	Article 42 of the Labor Code of the Republic of Azerbaijan (17)
Minimum Age for Hazardous Work	Yes	18	Article 250 of the Labor Code of the Republic of Azerbaijan (17)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 98 and 250–254 of the Labor Code of the Republic of Azerbaijan; Decision 58 of the Cabinet of Ministers in 2000; Article 9 of the Law of the Republic of Azerbaijan on the Rights of the Child (17-19)
Prohibition of Forced Labor	Yes		Article 35 of the Constitution of the Azerbaijan Republic; Article 144-2 of the Criminal Code of the Azerbaijan Republic (20, 21)
Prohibition of Child Trafficking	Yes		The Law of the Republic of Azerbaijan on Trafficking in Persons; Articles 106, 144-1, 144-3, and 173 of the Criminal Code of the Azerbaijan Republic (21-24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 108, 151, 152, 171, 171-1, and 242–244 of the Criminal Code of the Azerbaijan Republic (22, 25)
Prohibition of Using Children in Illicit Activities	Yes		Article 28 of the Law of the Republic of Azerbaijan on the Rights of the Child; Article 170 of the Criminal Code of the Azerbaijan Republic (19, 22)
Minimum Age for Compulsory Military Recruitment	Yes	18	Articles 2,3, and 12 of the Law on Military Obligation and Military Service (26)
Minimum Age for Voluntary Military Service	Yes	19	Article 36 of the Law on Military Obligation and Military Service (26, 27)
Compulsory Education Age	Yes	15	Articles 5 and 19 of the Education Law of Azerbaijan (28, 29)
Free Public Education	Yes		Article 5 of the Education Law of Azerbaijan; Article 22 of the Law of the Republic of Azerbaijan on the Rights of the Child (19, 28)

According to Articles 2 and 3 of the Labor Code, the Labor Code only applies to workers with written employment contracts.(17) As a result, labor protections do not apply to children working without a written employment agreement. However, in February 2014, the president signed amendments to the Administrative Offenses Code and the Criminal Code that impose a fine or imprisonment for employing people without an effective employment agreement, thereby attempting to ensure that all working children will be working under a contract.(6)

In June 2014, the Government amended the Labor Code to require all labor contracts to be registered in a central database, including the retroactive entry of all current valid contracts. Additionally, the legislation requires all businesses to register with the Government in order to grant contracts to any employees.(15, 16) Companies that do not enter their contracts into the database are subject to the same penalties as those who employ workers without a contract. This will assist with the enforcement of child labor laws by facilitating the detection of child workers who are employed without a contract.(15, 16)

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 (MLSP)	Enforce labor laws related to the worst forms of child labor.(30)
State Labor Inspection Service (SLIS) within the MLSP	Enforce the Labor Code, including provisions related to child labor.(2) Investigate child labor complaints and ensure that violations of child labor law receive attention from the proper agencies.(30)
Ministry of Internal Affairs (MIA)	Function as the central executive agency responsible for public security and prevention and exposure of criminal offences, including child trafficking and begging.(2) Through the Anti-Trafficking Division (ATD), enforce trafficking laws, investigate trafficking violations, and enforce criminal laws related to the use of children in illicit activities.(5) Refer children who are victims of human trafficking to social services for assistance with school enrollment, registering for recreational activities, and obtaining proper documentation.(5)
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.(30)
The National Referral Mechanism for Trafficking in Persons (NRM)	Refer victims of human trafficking to the relevant authorities, ensuring the protection of their rights.(31) Refer human trafficking cases to the ATD for prosecution.(12) Led by the National Coordinator and the Deputy-Minister of the MIA; counts a large number of government agencies as members, including the MLSP and the State Committee on Family, Women and Children's Affairs (SCFWCA).(12)

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

Labor Law Enforcement

In 2014, the State Labor Inspection Service (SLIS) employed 220 labor inspectors.(32) The SLIS reports that all inspectors receive training on identification of trafficking victims and situations of labor exploitation.(16) However, research did not find information on whether inspectors received training on laws and the enforcement of laws relating specifically to child labor and/or hazardous child labor. Limited evidence suggests that inspectors may not be adequately trained on child labor, including hazardous child labor.(6)

In 2014, the SLIS conducted 8,546 labor inspections, during which compliance with child labor laws was examined. The MLSP has reported difficulty in investigating and prosecuting child labor violations due to conflicting bureaucratic mandates and the lack of mechanisms for effective interagency cooperation.(15)

In 2014, the Ministry of Labor and Social Protection of Population (MLSP) reported carrying out targeted child labor inspections in the trade, construction, and service sectors, but information on the number of investigations conducted was unavailable. The SLIS identified six child labor law violations, all of which involved children working at car washes.(15) Five of the companies found to be in violation received fines of \$13,800, while one company received a warning.(16)

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While the SLIS does conduct unannounced inspections, the MLSP reports that subjects of unannounced child labor investigations are often warned of the investigation in advance through unofficial channels, indicating a problem with internal integrity of the SLIS.(15) In addition, the Government does not have a mechanism for filing and responding expeditiously to complaints about child labor.(6)

Criminal Law Enforcement

Research did not find information on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor. During the reporting period, officials from the Ministry of Internal Affairs (MIA) attended numerous trainings on trafficking in persons both in Azerbaijan and internationally.(16) In addition, in November 2014, the U.S. Embassy in Baku trained 25 prosecutors, judges, criminal investigators, and trafficking victim shelter personnel on best practices in investigating and prosecuting cases of human trafficking.(33)

In 2014, the Anti-Trafficking Division (ATD) of the MIA reported one child victim of commercial sexual exploitation.(16) Research did not find information on investigations, convictions, or penalties implemented for violations of criminal laws on the worst forms of child labor during 2014.(6)

Although the National Referral Mechanism for Trafficking in Persons (NRM) exists to refer victims of trafficking, including child trafficking, to the relevant government agencies, research found that the NRM's efficacy was damaged by a lack of interagency cooperation, despite the introduction of a number of MOUs between key agencies within the NRM in 2013. In addition, NGOs report that no human trafficking victims referred to the NRM by NGOs have succeeded in receiving government services.(16)

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
National Steering Committee on Child Labor*	Identify government priorities in the sphere of child labor prevention to facilitate efficient mobilization of resources. Established through the Global Action Program on Child Labor Issues Project and comprised of representatives from the MLSP, the SCFWCA, the Ministry of Education, the Employers' Confederation, the Trade Unions' Confederation, the OSCE, UNICEF, and the ILO.(34)
State Committee on Family, Women and Children's Affairs (SCFWCA)	Serve as the primary central executive body responsible for implementing child-related policies.(2) Create and maintain an interagency case management database on child rights.(35)
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.(30, 36) Established from the State Program on Poverty Reduction and Sustainable Development in 2008–2015. Membership includes representatives from the SCFWCA, the Ministries of Education, Health, and Labor and Social Protection of Population are also represented.(30)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

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 outlining coordination between the MLSP and the SCFWCA. Planned activities include preparing social awareness campaigns on the negative consequences of child labor exploitation; organizing seminars and roundtables for state agencies involved in the fight against child labor; conducting research on child labor throughout the country; and training labor inspectors on the worst forms of child labor.(30) In 2014, the SCFWCA published a booklet on child labor rights, which it disseminated to children.(32)
National Action Plan on the Protection of Human Rights (2012–2015)	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.(37)

Table 7. Policies Related to Child Labor (cont)

Policy	Description
National Action Plan on Combating Trafficking in Human Beings (NAP) (2014–2018)†	Aims to identify and combat the causes of vulnerability to human trafficking in Azerbaijan, through improved coordination among the government agencies, NGOs, and intergovernmental organizations involved in combating human trafficking. Also seeks to improve the identification, protection, and provision of services to victims, and to ameliorate social conditions that make victims vulnerable to human trafficking.(38) Places special emphasis on protecting the rights of child victims and preventing trafficking of vulnerable children and youth.(16, 38)
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.(39)
State Program on Poverty Reduction and Sustainable Development (2008–2015)	Seeks to improve social protection for the most vulnerable populations, including child laborers. Calls for developing a national action plan to address the issues of abandoned and street children.(40) Includes a plan to improve efforts to make schools better and more accessible, and to decrease educational costs by providing free textbooks and hot meals for children.(40)

† Policy was approved during the reporting period.

The ATD consulted with a wide array of international and domestic partners, including NGOs, when developing the National Action Plan on Combating Trafficking in Human Beings (NAP). The NAP addresses many prior international recommendations, but lacks clear indicators of the source and amount of funding for full implementation of associated programs.(16) NGO-run shelters that are tasked by the NAP with providing victim services do not currently receive funding from the Government. Directors of these shelters note that the informal method of funding prevents long-term planning and capacity building of shelters.(16)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Azerbaijan funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms. The Government has other programs that may have an impact on 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 (2014–2016)†‡	Government program implemented by the MLSPP, SCFWCA, and Ministry of Education. Assists children who are victims of human 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.(41, 42)
Victim Assistance Center (VAC) for Victims of Human Trafficking	MLSPP-supported program that provides medical, psychological, and social rehabilitation and reintegration assistance to victims of trafficking, including children.(12, 16)
Baku Shelter for Victims of Human Trafficking†	MIA-run shelter for victims of human trafficking. In 2014, MIA invested \$120,000 to renovate the shelter.(16)
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 Government and develop strategic policies to address the elimination of child labor and forced labor in Azerbaijan.(34) In 2014, facilitated the establishment of a National Steering Committee on Child Labor.(34)
Global Research on Child Labor Measurement and Policy Development (MAP)†	USDOL-funded research project implemented by the ILO in 10 countries, including Azerbaijan, to increase the knowledge base around child labor by collecting new data, analyzing existing data, and building capacity of the Government to conduct research in this area.(43)
Targeted Social Assistance Program (TSA)*‡	MLSPP-run program that provides cash transfers to low-income families.(44, 45)
Statistical Analysis on Child Labor and Street Children in Azerbaijan	SCFWCA and UNICEF collaboration to create a comprehensive report on the situation of street children in 11 cities and districts of Azerbaijan.(16)

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Table 8. Social Programs to Address Child Labor (cont)

Program	Description
Centers for Vulnerable Children‡	Government-funded program comprising 13 centers that provide social services to vulnerable children including street children and orphans.(46, 47) NGOs reported that the centers are effective in providing services and may contribute to a reduction in child labor.(6) The centers were originally established in 2013, but ran out of funds and closed by the end of 2013.(6) In August 2014, funding for the shelters was restored; however it is not clear if the funding is permanently secured.(46, 47)
MIA Identification Document Program‡	Provides identification documents to undocumented minors who may be street children or victims of human trafficking.(6)
USAID Anti-Trafficking in Persons Project†	\$610,00 USAID-funded, OSCE-implemented program to provide technical assistance and financial support to civil society organizations operating shelters for victims of human trafficking, including children.(33, 48)

* 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.

Although the Government of Azerbaijan has implemented programs to address child trafficking, research found no evidence that it has carried out programs to assist children working in agriculture, in construction, or on the street.

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
Legal Framework	Ensure that the law's minimum age provisions apply to children working without a written employment agreement.	2011 – 2014
Enforcement	Ensure that labor inspectors receive adequate training on the enforcement of laws relating to child labor.	2014
	Strengthen the inspection system by developing a system to receive and act on child labor complaints and by tracking and monitoring labor inspections to collect data that would facilitate targeted inspections.	2011 – 2014
	Make complete data on the number of investigators responsible for enforcing criminal laws on the worst forms of child labor and on the number of investigations, convictions, and penalties related to criminal laws on the worst forms of child labor publicly available.	2014
	Improve interagency cooperation to ensure that the NRM functions adequately and provides needed services to all victims of child trafficking, including victims identified and referred by NGOs.	2014
Government Policies	Fully fund the National Action Plan on Combating Trafficking in Human Beings.	2014
Social Programs	Conduct research to determine the extent of children's continued involvement in the production of commercial agricultural goods, and to determine specific activities related to children's work in construction in order to inform policies and programs.	2013 – 2014
	Assess the impact that existing programs may have on child labor.	2011 – 2014
	Institute programs to address child labor in agriculture and on the streets.	2009 – 2014

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