

# **Sudaba Shiraliyeva - Center “Women and Modern World” Baku, Azerbaijan**

## **NGO Forum on Sexual and Reproductive Health and Development, 2009 Global Partners in Action: NGO Forum 2-4 September 2009, Berlin**

Azerbaijan has ratified the International Covenant on Civil and Political Rights (1992) and its Optional Protocol (2001), International Covenant on Economic, Social and Cultural Rights (1992), the Convention on the Elimination of All Forms of Discrimination against Women (1995) and its Optional Protocol (2001) and the Convention on the Rights of the Child (1992). It is a member of Council of Europe since 2001.

### **Gender norms**

Azerbaijan has strict gender and social norms focused on an heterosexual-centered and extended family. The family decision-making is focused on the elders of the family who make decisions for all other family members and keep the traditions.

Women are expected to function primarily within a family and single women are perceived by a society as a failure once they have passed the marriageable age (21-23 years).

The ‘family honor’ concept prevails in Azeri families, limiting women's mobility, placing them in a vulnerable situation if they have sex before marriage or decide to live independently.

### **Sexual harassment and Gender-based violence**

International organizations working in Azerbaijan have conducted large-scale surveys on the issue of violence. The surveys found that about 30% of women experienced sexual harassment at work. 5 Articles 2 and 3 of the existing law on ‘Ensuring gender equality’ (2006) define sexual harassment in detail. Article 4 states that sexual harassment is prohibited. However, the existence of this legislation does not ensure protection from sexual harassment because its implementation is not adequate and unclear and the public is largely unaware of its existence.

### **Marriage**

In the area of sexual and reproductive rights related to marriage the two main issues are forced marriages within extended families (sometimes at an early age, before the official ages of 17 for women and 18 for men) and religious marriages.

The issue of marriage within the same extended family has been raised by the government since 1959 and yet as many as 37% families as of 2009 continue to arrange marriages between cousins (kindred marriages). Religious marriages which are socially accepted and practiced only recently started to require official registration by the state.

### **Reproductive health and rights**

According to the Constitution of Azerbaijan Republic (Article 41), every citizen has the right to protect her/his health and receive medical aid. Besides, every woman has the right to protect her health in connection with childbirth. However, women can not yet fully enjoy their rights to sexual and reproductive rights.

A national strategy on reproductive health for 2008-2015 is currently being prepared in Azerbaijan. Five main priority directions are taken into account in this document: Maternal and infant health of mother and new born babies; Reproductive choices; Sexually transmitted infections (including HIV/AIDS);

### **Family planning**

Family planning or regulation of childbirth in the family corresponds to the demographic image of the country. Family planning centers researching gender problems are working in the country. A serious problem is the distorted sex-ratios observed broadly in regions of Azerbaijan.

There are not any legal obstacles for women to receive sexual health medical services, including family planning in the country. The society values men over women because ethnicity and family name are passed through men. Many families decide to abort female fetuses. Women who give birth to girls lose their social status and some men may choose to divorce their wife if she is not able to produce male offspring.

### **Sexual orientation and gender identity-based discrimination**

Transgender women who engage in sex work in the streets are the group which suffers the highest level of abuse from both law enforcement bodies and society. Gender reassignment surgeries and hormonal therapy are not available in Azerbaijan which considerably limits transgender women's access to employment.

Most lesbian, gay, bisexual and (LGBT) people live with their families because of family pressure and the social norm that children should live with their family until marriage. Very few LGBT people tell their families about their

sexual orientation or gender identity fearing being disowned or forcibly married. Many migrate to the capital city to escape family pressure and control.

#### **HIV/ AIDS**

Officially there 1010 registered HIV cases in Azerbaijan but NGOs report that there at least ten times more people living with HIV. A service for prevention of AIDS has been created in the country, having organization-methodological, connective and control functions and headed by the Azerbaijan National AIDS Struggle Center.

It is necessary to note that in accordance with serious financial problems, the population does not have sufficient information about the HIV/AIDS problem.

**The Law on “Reproductive Health and Family Planning” is going to be ratified by Milli Majlis (Parliament) in its autumn session in October-November, 2009.**