



REFERENCE: 2024-41/CESCR/FU

21 October 2024

Excellency,

In our capacity as Chair and Rapporteur for the follow-up to concluding observations of the Committee on Economic, Social and Cultural Rights, we have the honour to refer to the examination of the fourth periodic report submitted by Azerbaijan at the Committee's fifty-seventh session held in 2021. In the concluding observations (E/C.12/AZE/CO/4), the Committee requested Azerbaijan to provide, within 24 months, written information on the steps undertaken to implement the recommendations contained in paragraphs 15 (a), 29 (b), and 53 (a) of the concluding observations.

The Committee welcomes the follow-up report (E/C.12/AZE/FCO/4) received in January 2024 under its follow-up procedure. The Committee examined the report at its seventy-sixth session, held from 9 to 27 September 2024, and wishes to communicate the following assessment:

Paragraph 15 (a): Business and human rights – Assessment: Lack of information to make an assessment

The Committee welcomes the State party's adoption of the Law on the Development of Micro, Small, and Medium Enterprises on 2 December 2022, which contains forms and methods for promoting state support for these enterprises.

The Committee, however, notes with regret that the State party has not provided specific information regarding progress made in adopting a binding regulatory framework that explicitly requires business entities to exercise human rights due diligence in their domestic and international operations, as recommended. The Committee notes in this regard that, according to information received, no human rights monitoring has been conducted under the framework of the implementation of the Law on the Development of Micro, Small and Medium Enterprises.

The Committee thus concludes that there is a lack of information to make an assessment with regard to the implementation of this recommendation. The State party is requested to provide, in its next periodic report, detailed information on measures taken to implement the recommendation and the progress made thereby.

H.E. Mr. Galib Israfilov
Permanent Representative
Permanent Mission of the Republic of Azerbaijan
to the United Nations Office and other international organizations in Geneva
Email: geneva@mission.mfa.gov.az

**Paragraph 29 (b): Right to just and favourable conditions of work –
Assessment: Partial progress**

The Committee acknowledges the State party's efforts to enhance labour protection through the establishment of the Labour Protection Center and the implementation of electronic monitoring systems, such as the Labour and Employment Subsystem (EMAS). It also welcomes the State party's indication and reports received that from 2021 to 2023, the State Labour Inspection Service processed and addressed tens of thousands of complaints from individuals regarding labour rights violations, as well as inquiries from various enterprises, departments and organisations.

The Committee notes with concern, however, the information from the State party that the State Labour Inspection Service does not conduct on-site inspections. The Committee is also concerned that, according to the information received, the restriction on inspections by the Service applies to all types, including online inspections. In light of these concerns, the Committee finds that the State party has not adequately demonstrated that labour inspection mechanisms are operational or that labour inspectors are effectively monitoring working conditions, particularly in agriculture, construction, and the oil and gas sectors, to ensure full enforcement of employment standards.

Furthermore, the Committee regrets that the State party has not provided information on any actions taken to repeal the Law of 20 October 2015, which suspended inspections in the field of entrepreneurship. The Committee is also concerned by reports indicating that an amendment to this law has been adopted, extending the suspension of inspections until 1 January 2025.

Consequently, the Committee assesses that there has been partial progress in implementing this recommendation. The State party is requested to provide detailed information in its next periodic report on the measures taken to address the recommendation and the progress achieved.

Paragraph 53 (a): Right to education – Assessment: Partial progress

The Committee welcomes the State party's efforts and the progress made in improving access to education, particularly the increase in government expenditure on education and science from 9% to 14% of total government spending between 2019 and 2023, the establishment of inclusive education initiatives for children with disabilities, and the expansion of access to preschool education in rural and remote areas.

However, the Committee is concerned about reports that significant issues persist regarding access to and the quality of inclusive education across the country. These issues include limited accessibility of teaching materials and methodologies and the lack of reasonable accommodation for children with disabilities, particularly for those with visual or hearing impairments. Furthermore, the Committee regrets that the State party has not fully addressed all aspects of the recommendation in its responses, particularly as it does not provide detailed information on measures taken to reduce the social exclusion of internally displaced children and children living in rural areas and the economic exclusion of children from poor households.

The Committee thus concludes that there has been partial progress in implementing this recommendation. The State party is requested to provide detailed information in its next periodic report on the measures taken to address the recommendation and the progress achieved.

The Committee looks forward to continuing its constructive dialogue with the State party, with a view to providing it with guidance in its efforts to ensure the effective implementation of the Covenant.

Please accept, Excellency, the assurances of our highest consideration.



Asraf Caunhye

co-Rapporteur for follow-up

Committee on Economic, Social and
Cultural Rights



Laura-Maria Crăciunean-Tatu

Chair

Committee on Economic, Social and
Cultural Rights