



AZERBAIJAN

MINIMAL ADVANCEMENT – Efforts Made but Continued Law that Delayed Advancement

In 2023, Azerbaijan made minimal advancement in efforts to eliminate the worst forms of child labor. The State Labor Inspection Service increased the number of labor inspectors to 240, from 182 in 2022. The Ministry of Internal Affairs also trained over 850 employees from 78 law enforcement entities on child labor and human trafficking laws. In addition, the State Committee on Family, Children and Women’s Affairs published an informational booklet on prevention of child labor and sexual exploitation of children and held a series of educational activities for over 1,000 participants on this topic. However, despite new initiatives to address child labor, Azerbaijan is assessed as having made only minimal advancement because it has a law that continues a moratorium on all worksite labor inspections. While inspectors can conduct desk reviews in response to complaints, this lack of proactive or onsite inspection mechanisms may leave potential violations of child labor laws undetected in workplaces. In addition, the government’s priority crop production system in Azerbaijan creates a risk that farmers and local officials may turn to exploitative labor practices, including child labor, and in some cases, regional and local government officials are held responsible for mobilizing sufficient labor to meet established production targets for one or more of these priority crops. Furthermore, in some instances, police treat children forced to beg or engage in street work as a family issue, leading to child labor cases not being properly referred for criminal investigation and prosecution.

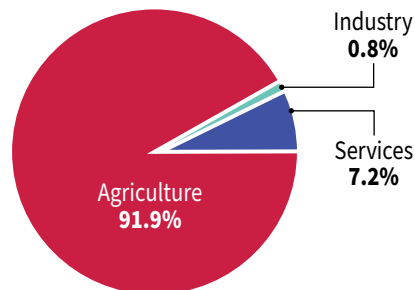


PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education

Children	Age	Percent of Population
Working	5 to 14	4.5% (70,034)
Hazardous Work by Children	15 to 17	Unavailable
Attending School	6 to 14	94.3%
Combining Work and School	7 to 14	4.9%

Working Children by Sector, Ages 5-14



Children in Azerbaijan are subjected to the worst forms of child labor, including in forced begging and commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in harvesting and production of cotton.

Overview of Children’s Work by Sector and Activity



Agriculture

Working in farming, including harvesting and production of cotton.



Services

Street work, including begging and vending. Washing and repairing cars. Working in catering.



Categorical Worst Forms of Child Labor‡

Commercial sexual exploitation, sometimes as a result of human trafficking. Forced begging.

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



SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Azerbaijan’s implementation of its international commitments to eliminate the worst forms of child labor.

Legal Framework

Criminally prohibit the use of children for prostitution and the use and offering of children for the production of pornography and pornographic performances.

Ensure that laws providing free basic education include all children in Azerbaijan, including non-citizens.

Suggested Government Actions to Eliminate Child Labor (cont.)

Enforcement

Ensure children are not used in production of priority crops and ensure that local government officials are not engaged in child recruitment to assist with priority crop production.

Resume routine, targeted, and unannounced labor inspections, including in response to complaints, to ensure that child labor laws are enforced.

Increase the number of labor inspectors from 240 to 265 to ensure adequate coverage of the labor force of approximately 5.3 million workers.

Publish information on the labor inspectorate’s operations, including funding levels.

Ensure that all children identified by law enforcement as engaged in child labor, including children engaged in forced begging, are referred to social services centers or other services, as appropriate, so that they do not return to child labor.

Increase law enforcement investigations related to child labor outside Baku.

Screen for forced labor indicators in child begging situations, including those referred by NGOs, and, as appropriate, investigate and prosecute forcing children to beg as a criminal offense.

Ensure consistent use of human trafficking indicators by law enforcement, immigration, and social services when identifying potential victims of human trafficking among vulnerable populations, including children.

Coordination

Increase the coordination and referral of potential child labor crimes between the Ministry of Labor and Social Protection of Population and the Ministry of Interior Affairs.

Ensure that all regulative and coordinating bodies, including the State Committee for Family, Women, and Children Affairs and the national and local Commissions on Juvenile Issues and Protection of Minors’ Rights, have the capacity to carry out their intended mandates, including across different agencies and levels of government.

Government Policies

Adopt a policy that addresses all relevant worst forms of child labor, including hazardous work in agriculture.

Revise policies on priority crops that mandate production targets to help prevent child labor in agriculture.

Social Programs

Collect and publish data on the extent and nature of child labor to inform policies and programs.

Ensure that children with disabilities have access to education by increasing the availability of special education teachers, training the teachers on inclusive education, improving the accessibility of the physical infrastructure, and providing teaching materials adapted to the needs of the children with disabilities.

Ensure that all children, including children in rural areas and Roma children, have equal access to education.

Provide documents to undocumented children so they are able to access education.

Ensure that the government provides sufficient and consistent funding to NGO-run shelters for victims of human trafficking to enable shelters to provide adequate services to victims.



CHILDREN AT HIGHER RISK

Street children, children placed in or living in childcare institutions, refugee and displaced children, and children from marginalized communities, including Roma children, are vulnerable to labor exploitation and human trafficking within Azerbaijan. Reports indicate that poverty increases the risk of child labor in rural areas. In addition, the government’s priority crop production system in Azerbaijan creates a risk that farmers and local officials may turn to exploitative labor practices, including child labor and forced labor, to ensure they are able to meet production targets for designated crops. In some cases, regional and local government officials are held responsible for mobilizing

sufficient labor to meet established production targets for one or more of these priority crops. This system conditions agricultural subsidies, services, and access to public resources, such as irrigation water, on whether farmers produce one or more crops that the government has designated as high priority.



BARRIERS TO EDUCATION ACCESS

Although Article 5 of the Education Law guarantees free universal education for Azerbaijani citizens, undocumented children and children with disabilities face difficulty accessing education. The court proceedings required to secure identification documents can take up to two or more years, during which time children without identification documents are ineligible to enroll and attend school or to access health services. Some children with disabilities are not in school or are facing barriers to education caused by inaccessible infrastructure, lack of specialized training for teachers on inclusive education, and discrimination against individuals with disabilities. Children in some rural areas have lower rates of school attendance because they must travel to neighboring villages to continue their education beyond the elementary level that is available in their village. In addition, children from the Roma ethnic community have low rates of school attendance, in part due to social stigma. During 2023, access to education was disrupted for several months for 30,000 children from Nagorno-Karabakh in Azerbaijan due to the escalation of years-long conflict in the region. These children have left Azerbaijan and have refugee status in Armenia.






LEGAL FRAMEWORK FOR CHILD LABOR

Azerbaijan has ratified all key international conventions concerning child labor. However, Azerbaijan’s laws do not meet international standards on the commercial sexual exploitation of children because they do not criminalize the purchase of commercial sex with a child and do not clearly criminalize the use or offering of a child for the production of pornography or pornographic performances.

Child Labor Laws and Regulations	Meets International Standards	Legislation
Minimum Age for Work, 15 Years		Articles 42 and 249 of the Labor Code; Article 192 of the Code of Administrative Offenses
Minimum Age for Hazardous Work, 18 Years		Article 250 of the Labor Code; Article 192 of the Code of Administrative Offenses
Identification of Hazardous Occupations or Activities Prohibited for Children		Articles 98, 250–252, and 254 of the Labor Code; Decree 58 of the Cabinet of Ministers in 2000; Article 9 of the Law on the Rights of the Child
Prohibition of Slavery, Debt Bondage, and Forced Labor		Article 35 of the Constitution; Article 106, 144-1, and 144-2 of the Criminal Code
Prohibition of Child Trafficking		Articles 1 and 30 of the Law on Trafficking in Persons; Article 144-1 of the Criminal Code
Prohibition of Commercial Sexual Exploitation of Children		Articles 1 and 30 of the Law on Trafficking in Persons; Articles 144-1 and 171 of the Criminal Code
Prohibition of Using Children in Illicit Activities		Article 28 of the Law on the Rights of the Child; Article 170 of the Criminal Code
Minimum Age for Voluntary State Military Recruitment, 19 Years		Article 36 of the Law on Military Obligation and Military Service
Prohibition of Compulsory Recruitment of Children by (State) Military		Articles 2, 3, and 12 of the Law on Military Obligation and Military Service

Legal Framework for Child Labor (Cont.)

Child Labor Laws and Regulations	Meets International Standards	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups		Article 116 of the Criminal Code
Compulsory Education Age, 15 Years ‡		Article 19 of the Law on Education; Article 13 of the Law on General Education
Free Public Education		Articles 5 and 19 of the Law on Education; Article 13 of the Law on General Education; Article 22 of the Law on the Rights of the Child; Article 42 of the Constitution

‡ Age calculated based on available information

The laws criminalizing commercial sexual exploitation of children are insufficient because they do not criminalize the purchase of commercial sex involving children. Similarly, the criminalization of involvement of a child in “immoral actions” does not clearly criminalize the use, procuring, and offering of a child for pornographic performances. In addition, the laws providing for free basic education do not meet international standards because they do not extend to all children, particularly non-citizens.



ENFORCEMENT OF LAWS ON CHILD LABOR

In 2023, labor and criminal law enforcement agencies in Azerbaijan took actions to address child labor. However, the absence of worksite inspections conducted at the national level in Azerbaijan hindered enforcement efforts.

Agencies Responsible for Child Labor Law Enforcement

Ministry of Labor and Social Protection of Population (MLSPP): Enforces labor laws related to the worst forms of child labor through the State Labor Inspection Service (SLIS). All SLIS inspectors are trained to detect and respond to child labor and received training on child labor issues in 2023. Due to the ongoing moratorium on all worksite labor inspections, passed in 2015, SLIS is only able to receive and respond to complaints through desk reviews. Based on information received, inspectors are empowered to identify violations and impose appropriate penalties. Although SLIS can impose penalties directly against individuals, it must refer cases to the courts to levy penalties against corporate entities. In addition, SLIS does not maintain confidentiality for individuals who file complaints, which could expose workers who file complaints about worst forms of child labor to retaliation by their employers. SLIS is able to identify potential minimum age violations by monitoring an electronic database of labor contracts and has the authority to impose penalties for violations. In 2023, SLIS increased the number of labor inspectors to 240, from 182 in 2022.

Ministry of Internal Affairs (MoIA): Central executive agency responsible for public security and the prevention of criminal offenses, including child trafficking and begging. Through the Anti-Trafficking Department (ATD), enforces human trafficking laws; investigates human trafficking violations, including child trafficking; and enforces criminal laws related to the use of children in illicit activities. Refers children who are victims of human trafficking to social services for assistance and also operates a 24-hour hotline for the public to report suspected child trafficking and instances of child begging. In 2023, approximately 850 employees from 78 law enforcement entities participated in training sessions on child labor, human trafficking, and forced labor laws, including initial training for new and refresher courses for existing employees.

Enforcement Mechanisms and Efforts

Has a Labor Inspectorate	Yes	Has a Complaint Mechanism	Yes
Able to Assess Civil Penalties	Yes	Imposed Penalties for Child Labor Violations	Yes
Routinely Conducted Worksite Inspections	No	Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Yes
Unannounced Inspections Permitted	No	Imposed Penalties for Worst Forms of Child Labor Crimes	No

From January to November 2023, **240** labor inspectors conducted **0** worksite inspections, finding **2** child labor violations. The government conducted **10** investigations into suspected cases of the worst forms of child labor and initiated **9** prosecutions.

The government suspended all routine and unannounced labor inspections in 2015 in an effort to revamp the inspection process, stimulate business growth, and address a broader anti-corruption drive. Since 2015, the government continued to extend the moratorium on a yearly basis and the ongoing suspension remains effective until January 1, 2025. In addition, there have been no indicators as to when the government anticipates a resumption of onsite inspections. Although the State Labor Inspection Service (SLIS) is still able to receive and respond to complaints related to child labor and impose penalties in cases of violations, this response cannot include onsite inspections, and inspectors are limited to conducting desk reviews.



COORDINATION, POLICIES, AND PROGRAMS

<p>Key Mechanism to Coordinate Government Efforts on Child Labor</p> <p>Azerbaijan has established a mechanism to coordinate its efforts to address child labor. However, there is a lack of efficacy in accomplishing mandates.</p>	<p>Commission on Juvenile Issues and Protection of Minors’ Rights: Coordinates policies at the national level to protect children from the worst forms of child labor. Located within the Cabinet of Ministers and acts as a national-level version of district-level Commissions on Juvenile Issues and Protection of Minors’ Rights, which are located in individual district Executive Commissions. Although Commissions on Juvenile Issues and Protection of Minors’ Rights exist at both the national and local levels, research was unable to determine the relationship between these respective national and local coordinating bodies.</p>
<p>Key Policies Related to Child Labor</p> <p>Azerbaijan established policies related to child labor. However, these policies do not cover all worst forms of child labor, including hazardous work in agriculture and other sectors in which child labor is known to occur.</p>	<p>National Action Plan on Combating Trafficking in Human Beings (2020–2024): Aims to address human trafficking through enhanced coordination between relevant government agencies and improved protection for human trafficking victims, including child victims or potential child victims of trafficking. Includes action items to improve services for child trafficking victims, address forced child begging, and research and monitor forced labor and child trafficking risks. A working group under the authority of MoIA’s Trafficking in Persons National Coordinator is coordinating and overseeing the implementation of the National Action Plan. The working group was active in 2023.</p>

Coordination, Policies, and Programs (Cont.)

<p>Key Policies Related to Child Labor</p> <p>‡ The government has other policies that may have addressed child labor issues or had an impact on child labor.</p>	<p>Strategy on Children of the Republic of Azerbaijan (2020–2030): Aims to improve child protection mechanisms and legislation. Through the associated National Action Plan, includes action items on implementing international commitments under ILO Convention 182 and enhancing coordination to detect and prevent child labor and commercial sexual exploitation of children. The National Early Childhood Development (ECD) program was launched as part of the Strategy. Jointly organized by the State Committee for Family, Women, and Children Affairs, the EU Delegation to Azerbaijan, the Regional Development Public Union, and UNICEF Azerbaijan, the program aims, in part, to increase the capacity of children’s services professionals and raise awareness around the health and education of children in four target regions—Ganja, Shirvan, Aghjabadi, and Absheron. In 2023, the entitles working on the ECD program discussed the next steps for implementation of the ECD road map and action plan.</p> <p>State Program for the Development of Inclusive Education for Children with Disabilities (2018–2024): Aims to create inclusive education for children with disabilities. In 2023, the government continued efforts to integrate children with disabilities into mainstream education by training over 500 teachers and school administrators on the importance of inclusive education and inclusive teaching methodology.</p>
<p>Key Social Programs to Address Child Labor</p> <p>Azerbaijan funded and participated in programs that include the goal of eliminating or preventing child labor. However, gaps exist in these social programs, including insufficient funding.</p> <p>† Program is funded by the Government of Azerbaijan.</p> <p>‡ The government had other social programs that may have included the goal of eliminating or preventing child labor.</p>	<p>Government-run Assistance Centers:† Includes Social Shelter and Rehabilitation Center for Minors,† MLSP-run shelter in Baku for vulnerable children, including street children. Children are able to stay in these shelters until they turn 18. Additionally, Victims Assistance Centers,† funded by MLSP, and MoIA-run Shelter for Temporary Residence for Victims of Human Trafficking† provide direct social services and social services referrals, education on administrative and legal procedures, and medical assistance to survivors of human trafficking, including children. Children can stay in these shelters for 60 days and after this period, asylum can be extended upon assessment and request of the police, guardianship authority, or the Commission on Juvenile Issues and Protection of Minor’s Rights. All shelters were active in 2023.</p> <p>Targeted Social Assistance Program:† MLSP-run ongoing program that provides cash transfers to vulnerable families, including families with children with disabilities and low-income families.</p> <p>Ministry of Internal Affairs Identification Document Program:† Provides identification documents to undocumented minors who may be street children or victims of human trafficking. In 2023, 17 children of 9 victims of human trafficking were provided with birth certificates.</p>

For information about USDOL’s projects to address child labor around the world, visit dol.gov/ILABprojects

 **WORKER RIGHTS SPOTLIGHT**

Azerbaijan places limitations on workers’ ability to freely exercise their right to form, join, and operate organizations of their own choosing. Opaque and cumbersome registration requirements prevent workers from forming unions that can meet legal thresholds for engaging in collective bargaining. Laws protecting workers from retaliation for union activity are rarely enforced. The government has also arrested independent union leaders. Since unions play a pivotal role in identifying and combating child labor, these restrictions may allow violations, including in the informal sectors, to go unreported.

For references, please visit dol.gov/ChildLaborReports