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**United Nations Economic Commission for Europe****United Nations Children's Fund****Expert meeting on statistics on children**

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**Children in alternative care****Note by State Statistical Committee of the Republic of Azerbaijan***Abstract*

Protection of rights and legitimate interests of children, including orphans and children without parental care, is one of the key priorities of the Republic of Azerbaijan. The country demonstrates positive advances in defining the child protection mechanism and creation of new forms of alternative care. The State Statistical Committee of the Republic of Azerbaijan annually publishes and submits to state authorities and the users "Children in Azerbaijan" statistical yearbook reflecting a range of indicators on children.

**I. Children in alternative care****A. Introduction**

1. The social phenomenon of orphanhood exists as far back as the human society and forms a part of civilization. It is one of the most serious socio-economic and psycho-pedagogical problems in our country.
2. According to the Universal Declaration of Human Rights, children have the right to special care and support. Nowadays, protection of children's rights is a global problem and the entire global community is concerned with solving it as the younger generation plays the pivotal role in ensuring social resilience and social advancement.
3. Protection of rights and legitimate interests of children, including orphans and children without parental care, is one of the key priorities of our country.

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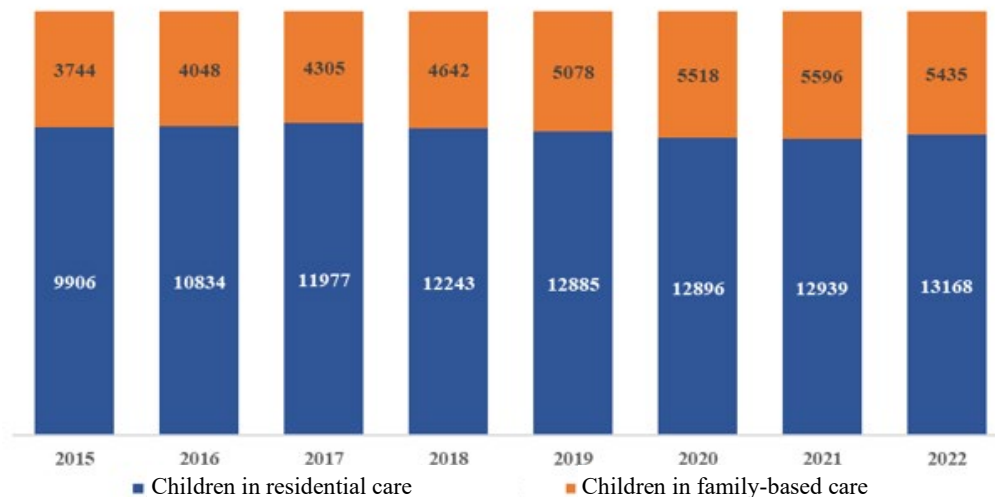
4. Azerbaijan has reached the stage of steady economic progress which provides a favourable ground for ensuring good living standards. This forms the foundation for implementation of children's rights in the country, in particular for taking positive steps in child protection and improving children's position in general.
5. The national policy on children without parental care is based on the law of the Republic of Azerbaijan On Child Rights, the Family Code of the Republic of Azerbaijan, the law On Social Protection of Orphans and Children without Parental Care, government program On De-Institutionalisation of Children and Alternative Care.
6. In Azerbaijan, special government agencies deal with protection of children's rights.
7. The Family Code of the Republic of Azerbaijan forms the legal framework for the standard procedure of alternative family-based care for children.
8. According to the laws of the Republic of Azerbaijan, the state provides care for children in state child-care facilities. According to the UN Convention on the Rights of the Child, which the Republic of Azerbaijan acceded to, family is the most appropriate environment for proper development and social integration of the child. The Convention requires supreme attention to transfer of children from state child-care facilities to biological or alternative families, social support of foster families.
9. According to the State Strategy on Education Development in the Republic of Azerbaijan, the country has implemented inclusive educational programmes for children with special needs. Inclusive education prevents placement of children with disabilities to residential care facilities.
10. The Children's Home and Residential Care Facility Development Programme, prepared at the initiative of Heydar Aliyev Foundation's president, has recently helped to reconstruct, renovate and equip with modern equipment nearly all residential care facilities and children's homes for children with special needs. These facilities provide home-like environment for orphans.
11. The country pays due attention to revealing children without parental care for whatever reason.
12. The Statistical Committee receives online the official statistics on children in alternative care from government child protection services, ministries (Ministry of Labour and Social Protection, Ministry of Health, Ministry of Education), infant homes, children's homes, residential care facilities for orphans and children without parental care, special residential care facilities for children with disabilities, and residential care facilities for children with intellectual disabilities.
13. The near term plans include revision of statistics reporting forms in connection with custody care and special residential care facilities for children with disabilities taking into account TransMonee indicators.
14. According to Decree of the President of the Republic of Azerbaijan No. 393 dated 10 December 2018, the Ministry of Labour and Social Protection keeps centralised electronic records of children without parental care and potential adoptive person. Starting from 2022, the Ministry of Statistics receives data from the register of children without parental care from the Ministry of Labour and Social Protection. The data includes organisations, their names and number of children under their care.
15. Measures on required support and protection of children provided any time by the legal caregiver or any other authorised adult are governed by the Civil Code and the Family Code of the Republic of Azerbaijan. Guardianship is established for minors under fourteen years old and custodianship is established for minors aged from fourteen to eighteen.

## B. Residential care facilities

16. According to Article 114.1 of the Family Code of the Republic of Azerbaijan, protection of rights and interests of children in case of death of parents, deprivation of parental rights, limitation of parental rights, recognition of parents as legally incompetent, illness of parents, long-term absence of parents, evasion of parents from fulfilling their responsibilities for raising children or from protecting their rights and interests, including refusal to take their children from social care, fostering, medical and other similar institutions, as well as in other cases of lack of parental care, shall be laid upon the local child protection services.
17. Children without parental care shall be placed under foster care (put up for adoption, under guardianship, under custodianship or placed in a foster facility) and where this is not practicable – placed to social care, fostering, medical and other similar institutions for children without parental care or orphans.
18. The placement shall take into account ethnicity, religion and culture, native language, the most favourable conditions for education and upbringing of the child.
19. Prior to placement of children without parental care to a family or institution, the care giver obligations shall be temporary vested in local child protection services.
20. According to the law of the Republic of Azerbaijan On Social Protection of Orphans and Children without Parental Care, the social protection of children without parental care and classified as such shall be ensured by the state according to the applicable laws.
21. Respective government agencies develop and implement, within the scope of their powers, target programmes on social protection of orphans and children without parental care and classified as such, establish social adaptation and rehabilitation centres based on special centralised residential facilities, educational, social and other institutions.
22. According to the law of the Republic of Azerbaijan On Social Protection of Orphans and Children without Parental Care, rights and legitimate interests of orphans and children without parental care and classified as such shall be protected by themselves, their legal representatives, custodians (guardians), respective government agencies, court and prosecution agencies, local authorities, as well as non-governmental and trade union organisations according to the laws of the Republic of Azerbaijan.
23. According to Article 138 of the Family Code, children under state care in fostering, medical and social protection institutions shall be appointed no guardians (custodians). These duties shall be performed by administration of such institutions. Temporary placement of a child to such institutions shall not restrict the rights and obligations of the guardian (custodian) of such child. Child protection services shall monitor the conditions of living, fostering, and education of children in the institutions specified in this article of the Code. Protection of rights of children graduating from the institutions specified in this article shall be vested in the child protection services.
24. Article 140 of the said Code defines the rights of children without parental care placed in fostering, medical, social protection and other similar institutions.
25. The country demonstrates positive advances in defining the child protection mechanism and creation of new forms of alternative care. In this regard, adoption of the State Programme On De-Institutionalisation of Children and Alternative Care in the Republic of Azerbaijan is of major importance.
26. Taking into account that family environment is essential for full and harmonious development of the child personality, the major target of the programme includes transferring of children from state care institutions to families. In addition to fostering of

alternative care mechanisms, the country creates conditions for covering children with alternative care in the areas of their living and preventing their placement to state care institutions.

Figure 1  
Number of children in alternative care (TransMonEE)



27. According to the law of the Republic of Azerbaijan On Social Allowances, guardians (custodians) of orphans and children without parental care receive monthly allowances.
28. For the past two decades, Azerbaijan has managed to create a solid basis for development of the social protection system amid extremely complex social, economic, and financial conditions. It currently includes a wide range of measures aimed at prevention of social deprivation and support of vulnerable groups.
29. According to official statistics, there were 1,363 orphans and children without parental care placed in state care institutions as of the beginning of 2023.
30. There are various state educational and fostering institutions in Azerbaijan for children who need social support: infant homes, children's homes, residential care facilities for orphans and children without parental care, special residential care facilities for children with disabilities, and residential care facilities for children with intellectual disabilities.

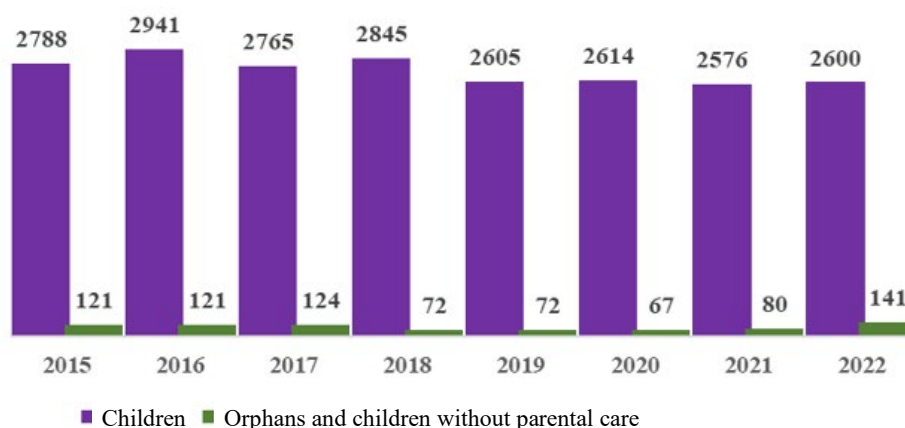
Table 1  
State educational and fostering institutions for children who need social support

	2005	2010	2015	2020	2022
Number of infant homes	4	4	4	4	4
number of children	156	143	179	82	77
including orphans and children without parental care	59	43	-	2	23
Number of children's homes	6	6	8	9	12
number of children	734	513	681	636	769
including orphans and children without parental care	438	351	23	49	769

Number of special residential care facilities for children with disabilities	12	11	11	9	9
number of children	2915	2537	2468	2288	2308
including orphans and children without parental care	280	162	82	28	110
Number of social care institutions for children with disabilities under 18 years old	2	2	2	2	2
number of children	298	267	320	326	292
including orphans and children without parental care	61	44	39	39	31
Number of residential care facilities for orphans and children without parental care	2	2	3	3	3
number of children	330	398	401	449	419
including orphans and children without parental care	330	398	401	449	419

31. Azerbaijan currently has 4 infant homes accommodating 77 children under 3 years old. Two special residential care facilities provide accommodations for 292 children with disabilities, including 31 orphans and children without parental care. Four infant homes are under the authority of the Ministry of Health of the Republic of Azerbaijan. Abandoned children are registered based on police reports, unwanted children – based on the mother’s application, medical and deliver record of the child.
32. Twelve state residential care facilities accommodate children aged 3–18 years old. Since 2005, the network of children’s homes has changed and the number of children increased from 734 to 769. In 2022, 100% of children are orphans or children without parental care. The children are mainly aged 7–15 years old.
33. Three state residential care facilities for orphans and children without parental care accommodate 419 children aged 5–18 years old (280 children in 2005). All school-aged children go to school. Nine state residential care facilities for children with disabilities accommodate 2,308 children. Out of the total number children in special schools and residential care facilities for children with disabilities 62% are children with mental disabilities, 10% are children with speech disorder, 11% are deaf children, 6% are blind children, 2% are children with musculoskeletal disorders, and 4% are hearing impaired and post-lingually deafened children. One hundred and ten children (4.8%) in these facilities are orphans.

Figure 2  
Number of children with disabilities in special residential care facilities



34. Twenty-five general state residential care facilities accommodate 10,126 children, including 430 orphans and children without parental care.
35. In addition to the institutions defined by the Family Code, there are 2 SOS Children's Villages – Azerbaijan. They are located in Baku and Ganja and accommodate 126 children without parental care.

### C. Adoption system

36. According to the Ministry of Justice of the Republic of Azerbaijan, 358 children were adopted in 2022, including 5 children adopted by foreign citizens, in 2005 – 803 and 9, respectively. Priority in adoption is given to the citizens of the Republic of Azerbaijan who can adopt a child upon determination of his/her status as a child without parental care. International adoption as a way to protect the child right to upbringing in a family has been developed in Azerbaijan. Adoption of children without parental care by foreign citizens is allowed only in cases where foster placement of the child with Azerbaijan citizens is impossible.

Table 2  
Number of children adopted and placed under custodianship in 2022 disaggregated by age and sex

	Total	including of the following ages			
		< 1 year	1–5 years	6–10 years	11–17 years
Number of children adopted and placed under guardianship (custodianship)	358	68	188	72	30
including:					
girls	170	29	98	31	12
boys	188	39	90	41	18

Number of children adopted by and placed under guardianship (custodianship) of foreign citizens and persons without citizenship, out of the total number	5	1	-	-	4
including:					
girls	1	1	-	-	-
boys	4	-	-	-	4

37. According to the law of the Republic of Azerbaijan On Child Rights, a child can be adopted for his/her benefit in the procedure provided for by the laws of the Republic of Azerbaijan. The person adopting a child shall have respective capabilities for normal development and upbringing of the child. Adoption of a child for personal gain is prohibited. The adoptive parent secret is secured by the state. Adoption of a child being a citizen of the Republic of Azerbaijan by foreign citizens and adoption of a foreign child by citizens of the Republic of Azerbaijan are governed by interstate agreements and the laws of the Republic of Azerbaijan.
38. The State Statistical Committee of the Republic of Azerbaijan annually publishes and submits to state authorities and the users "Children in Azerbaijan" statistical yearbook reflecting a range of indicators on children. The e-version of the publication is posted on the Committee's web page at [www.stat.gov.az](http://www.stat.gov.az).