

About the rights of persons with disabilities

LAW OF THE REPUBLIC OF AZERBAIJAN

This Law, in accordance with Clause 1 of Part I of Article 94 of the Constitution of the Republic of Azerbaijan, defines the foundations of the state policy regarding persons with disabilities and the duties of the state in the field of protection of their rights, the elimination of risks that cause disability, all forms of discrimination based on the sign of disability, rehabilitation of persons with disabilities, full participation in the life of society and creation of conditions for their social integration, active involvement in the decision-making process regarding strategies and programs related to them, full and equal implementation of the rights and freedoms of persons with disabilities, protection of their honor and dignity regulates relationships.

Chapter 1

GENERAL PROVISIONS

Article 1. Basic concepts

1.0. Terms used in this Law have the following meanings:

1.0.1. disability - the presence of stable physical, mental, mental or emotional disorders that prevent a person from fully and effectively participating in social life on an equal level with other people when faced with various obstacles;

1.0.2. a person with a disability - a person with stable physical, mental, mental or emotional disorders that prevent his full and effective participation in society at the same level as other people when he encounters various obstacles, including a ~~child under the age of 18 with limited health capabilities~~; [1]

1.0.3. disability discrimination - the application of any discrimination, exclusion or limitation related to disability, including the refusal of reasonable accommodation ~~to achieve accessibility~~ in accordance with this Law; [2]

1.0.4. reasonable adaptation - making necessary and possible adaptations and adjustments *in each specific case* in order to ensure the exercise of basic human rights and freedoms by persons with disabilities on an equal level with others; [3]

1.0.5. prevention of disability - early diagnosis of disability, as well as health protection measures, improvement of the ecological condition of the environment, provision of a healthy lifestyle and safe working conditions, implementation of a system of measures to prevent the spread of industrial injuries and occupational diseases;

1.0.6. rehabilitation of persons with disabilities - full or partial restoration of independence, physical, mental, domestic, social and professional labor capacity of persons with disabilities through a system of medical, psychological, pedagogical, sports, socio-economic and other measures aimed at eliminating or compensating the disability;

1.0.7. medical rehabilitation - a system of medical measures aimed at restoring and compensating the functions of the body that were born from birth, or subsequently impaired as a result of illness or injury;

1.0.8. vocational-labor rehabilitation - a system of measures aimed at the vocational choice of a person with a disability, the restoration of the weakened or lost function or its adaptation to a new profession with the aim of returning the ability to work in the previous or new profession;

1.0.9. development of social skills - a system of measures that ensure the mastering of social habits to a person with a disability, the creation of opportunities for them to participate independently in the life of society along with other people;

1.0.10. psychological-pedagogical rehabilitation - a system of measures aimed at the disabled person receiving inclusive or integrated education, communication, self-service and the ability to control his own behavior using various teaching methods according to the disability;

1.0.11. habilitation - developing the existing potential of a person with a disability to the maximum, as well as increasing the opportunities to live freely *by teaching the skills that a person with a disability does not have*; [4]

1.0.12. accessibility to persons with disabilities - suitability of work, education, healthcare and other social environment, public, transport and commercial infrastructure to the characteristics of persons with disabilities;

1.0.13. communication - augmentative and alternative methods of communication, including languages, text, Braille, tactile communication, large print, possible multimedia, as well as printed materials, audio and video, plain language, reciters, as well as possible information and communication technologies use;

1.0.14. universal design - the design of objects, conditions and services to be maximally usable by all people without the need for adaptation or special design;

1.0.15. inclusive education - joint education of persons with disabilities with other persons *by creating special conditions in educational institutions and through special training*; [5]

1.0.16. non-governmental organization of persons with disabilities - public associations and foundations registered by the relevant executive authority and whose main activity is to serve the rights and interests of persons with disabilities;

1.0.17. determination of disability - assessment of a person's disability and rehabilitation possibilities.

Article 2. Persons to whom the law applies

This Law applies to citizens of the Republic of Azerbaijan, stateless persons and foreigners permanently residing in the territory of the Republic of Azerbaijan, unless otherwise provided for in the international agreements to which the Republic of Azerbaijan is a party.

Article 3. Determination of disability

3.1. The percentage, cause and duration of impairment of a person's *body functions* are determined based on the decision made by *the body (institution) determined* by the relevant executive authority after the evaluation of his disability. *Assessment of a person's disability, including re-assessment of disability, sending him to a medical and social expert examination within 10 (ten) working days from the date of entry into the centralized electronic information system of the body (institution) determined by the relevant executive authority, and 15 (ten) in the event that additional investigation is required five) is extended to a working day. The body (institution) that determines the order of disability assessment by the relevant executive power body determines.* [6]

3.2. The relevant executive authority determines the procedure for sending referrals to medical and social expert examination for the purpose of disability assessment.

3.3. A person is considered a person with a disability from the date of adoption of a decision on this by *the body (institution) determined* by the relevant executive authority. [7]

3.3-1. If a person's disability is re-determined as a result of a re- evaluation of disability within 6 months after the end of the disability period, the person is considered a person with a disability, including the transferred period. [8]

3.4. The criteria for determining disability are approved by *the body (institution) determined by the relevant executive authority.*

3.5. *The body (institution) determined by the relevant executive authority maintains the register of persons with disabilities in electronic form using the electronic information resources maintained by the relevant executive authority in order to create a single information base of persons with disabilities.*

3.6. The procedure for keeping the register of persons with disabilities is determined *by the body (institution) determined by the relevant executive authority.*

Article 4. Fundamentals of the legal status of persons with disabilities

4.1. Persons with disabilities have all the human and civil rights and freedoms stipulated in the Constitution of the Republic of Azerbaijan and other normative legal acts, international agreements to which the Republic of Azerbaijan is a party.

4.2. Discrimination against persons with disabilities is prohibited and prosecuted by law. Specific measures necessary to accelerate or achieve de facto equality of persons with disabilities shall not be considered discrimination.

4.3. In order to protect his rights and interests protected by law, a person with a disability can complain about an administrative act, a refusal to accept an administrative act, or the action or inaction of an administrative body in accordance with the Law of the Republic of Azerbaijan "On Administrative Proceedings" by himself or through a representative.

Article 5. The main principles of the state policy regarding persons with disabilities

5.0. The main principles of the state policy regarding persons with disabilities are as follows:

5.0.1. respect for the characteristics of persons with disabilities - respect for the characteristics of persons with disabilities, including the developing ability of *persons identified as disabled up to the age of 18 and their rights to maintain their individuality, recognizing them as a component of human diversity and a part of humanity*; [9]

5.0.2. inclusion - *regardless of the percentage of impairment of the body's functions, the type of disability and the degree of limitation of the person's life activity*, ensuring the availability of work, education and other social environment and infrastructure for a person with a disability to lead a decent life in the place of residence; [10]

5.0.3. integration - creation of conditions for the full and effective participation of persons with disabilities in the life of society on an equal level with others, *regardless of the percentage of impairment of the body's functions, the type of disability, and the degree of limitation of a person's life activity*;

5.0.4. equality - creation of equal conditions and opportunities for the benefit and use of services by persons with disabilities;

5.0.5. non-discrimination based on the sign of disability - establishing and ensuring the rights of persons with disabilities to be protected by the law at the same level as others and to use it equally, refusing to apply any distinctions, exceptions and restrictions related to disability.

Article 6. State guarantees for persons with disabilities

6.1. The state shall provide equal opportunities for persons with disabilities to participate in all spheres of society without any discrimination based on the sign of disability, to create the necessary conditions for them to lead a life according to their individual abilities and interests, to eliminate or reduce the risks that cause disability, provides rehabilitation and comprehensive development of persons with

6.2. The state ensures the creation of necessary conditions for the education and vocational training of persons with disabilities, including the mastery of the use of forms of communication and the implementation of the education of persons with disabilities in accordance with the Law of the Republic of Azerbaijan "On Education" in the language and methods suitable for them.

6.3. The state ensures that persons with disabilities are not subjected to torture and other cruel, inhuman or degrading treatment and punishments, their protection from all forms of exploitation, violence, and insults at their place of residence and outside their place of residence, and the inviolability of their private life.

6.4. Persons with disabilities have the right to defend their rights and legal interests administratively and judicially.

6.5. The state guarantees the creation of conditions for non-governmental organizations of persons with disabilities to exercise their rights established by this Law.

Article 7. Public education

7.0. The relevant executive authorities take measures in the following directions with the aim of raising the general level of awareness of the society on issues related to disability, strengthening respect for the rights and dignity of persons with disabilities, and promoting their potential opportunities and abilities:

- 7.0.1. educating people with disabilities with respect;
- 7.0.2. promotion of positive perceptions of persons with disabilities;
- 7.0.3. assistance in recognition of professional skills and abilities of persons with disabilities;
- 7.0.4. fostering respect for the rights of persons with disabilities at all levels of education, including children from an early age;
- 7.0.5. development of educational and familiarization programs dedicated to persons with disabilities and their rights.

Chapter 2

REHABILITATION, ABILITY AND DEVELOPMENT OF PERSONS WITH DISABILITIES

Article 8. Ensuring a healthy lifestyle

- 8.1. The state ensures the promotion of a healthy lifestyle as the main achievement of society in order to prevent disability.
- 8.2. Protection of people's physical and mental health, increase of their active longevity, provision of medical assistance is regulated by the Law of the Republic of Azerbaijan "On Protection of Population's Health".
- 8.3. With the exception of the types of medical services determined by *the body (institution) determined* by the relevant executive power body, medical services for persons with disabilities in state medical institutions are provided at the expense of the state budget by the referral of *the body (institution) determined by the relevant executive power body*. [\[11\]](#)
- 8.4. Provisions of persons with disabilities in the field of physical education and sports are determined by the Law of the Republic of Azerbaijan "On Physical Education and Sports".

Article 9. Preventive health measures among children

- 9.1. Compulsory medical examination is carried out in accordance with the Law of the Republic of Azerbaijan "On Compulsory Medical Examination of Children" for the purpose of early detection of hidden *disorders* of mental development , disorders of sensory organs, movement system, dynamic monitoring of their health status and reducing the level of *disability* . [\[12\]](#)
- 9.2. The state provides necessary medical, pedagogical, psychological, legal, social and other assistance to children who are at risk of any impairment in their health, physical or mental development. The methods, form, volume and duration of such assistance are determined by the Individual Rehabilitation Program drawn up in accordance with Article 11 of this Law.

Article 10. Rehabilitation and habilitation of persons with disabilities

- 10.1. The state enables persons with disabilities to achieve and maintain maximum independence, physical, mental, social and professional abilities.
- 10.2. The rehabilitation of persons with disabilities is provided by the relevant executive authority based on the Individual Rehabilitation Program drawn up in accordance with Article 11 of this Law.
- 10.3. Rehabilitation and development of disabled persons is carried out in accordance with their Individual Rehabilitation Program at their place of residence (in other areas requiring rehabilitation in accordance with the Individual Rehabilitation Program), workplaces, places of education, rehabilitation institutions and other rehabilitation subjects.
- 10.4. The order of organization and operation of state rehabilitation institutions is determined by the relevant executive authority.
- 10.5. Standards for private and municipal rehabilitation subjects are approved by the relevant executive authority.

10.6. The rehabilitation of persons with disabilities is carried out by the relevant executive authority in accordance with the procedure determined by the relevant executive authority.

Article 11. Individual Rehabilitation Program

11.1. The Individual Rehabilitation Program is designed for the purpose of medical, vocational-labour, psychological-pedagogical rehabilitation and development of social skills of persons with disabilities.

11.2. The procedure for preparing, approving and implementing the Individual Rehabilitation Program is determined by the relevant executive authority.

11.3. The Individual Rehabilitation Program is determined by the relevant executive authority with the participation of a person with a disability and (or) his legal representative.

11.4. Conducting social-psychological assessment of children in early and later age periods, identifying developmental characteristics, giving necessary advice *to disabled persons under the age of 18 and their legal representatives* is carried out by the relevant executive authority. *The participation of the legal representative of disabled persons under the age of 18* is ensured in the work of the relevant executive authority . [\[13\]](#)

11.5. State *bodies and state-owned legal entities* must ensure the implementation of the Individual Rehabilitation Program. [\[14\]](#)

Chapter 3

ACCESSIBILITY FOR PERSONS WITH DISABILITIES

Article 12. Creation of conditions for competence

In order to enable persons with state disabilities to lead an independent lifestyle and participate comprehensively in all aspects of life, on an equal level with others, physical environment, transportation, information and communication, including information and communication technologies and systems, other facilities open or presented to the population. takes necessary measures to ensure the use of facilities and services.

Article 13. Consideration of the needs of persons with disabilities during the design and construction of infrastructure facilities

13.1. During the design and construction of infrastructure objects in the territory of the Republic of Azerbaijan and in residential areas in accordance with the Urban Planning and Construction Code of the Republic of Azerbaijan, reasonable adaptation is provided for the accessibility of these objects to persons with disabilities and their free use of infrastructures on the basis of universal design .[\[15\]](#)

13.2. Construction technical norms related to universal design are stipulated in normative documents on urban planning and construction prepared in accordance with the Urban Planning and Construction Code of the Republic of Azerbaijan.

13.3. The relevant executive authority participates in the preparation of construction technical norms related to universal design specified in Article 13.2 of this Law in accordance with the Constitutional Law of the Republic of Azerbaijan "On Normative Legal Acts".

13.4. According to the Law of the Republic of Azerbaijan "On Traffic", 5 percent of the parking spaces (not less than one parking space) are reserved for persons with disabilities. Only vehicles marked with a *"disabled person" identification* sign may park in the parking spaces reserved for persons with disabilities . [\[16\]](#)

Article 14. Adaptation of infrastructure objects for the use of persons with disabilities

14.1. The relevant executive authorities, enterprises and organizations reasonably adapt the transportation, communication, information, cultural, domestic and other social infrastructure facilities under their jurisdiction for the use of persons with disabilities.

14.2. The procedure for reasonable adaptation of the infrastructure facilities specified in Article 14.1 of this Law for the use of persons with disabilities shall be determined by the relevant executive authority.

Article 15. Adaptation of residential buildings for the use of persons with disabilities

~~15.1. Residential buildings, stairs, stairwells, exits and entrances, corridors, open passages, ramps, elevators, entrance doors of apartments where people with disabilities live are reasonably adjusted for comfortable and safe movement of people with disabilities.~~
[17]

15.2. Reasonable adaptation of facilities specified in Article 15.1 of this Law for persons with disabilities is carried out by the customer of those facilities.

15.3. With the exception of persons with disabilities as a result of industrial accidents and occupational diseases, adaptation of private houses inhabited by persons with disabilities is provided at their expense.

15.4. The costs related to adaptation of private houses for persons with disabilities as a result of industrial accidents and occupational diseases are paid by the guilty legal and natural persons, state bodies. The minimum amount of these costs is determined by the relevant executive authority.

Article 16. Ensuring the accessibility of cultural and sports facilities to persons with disabilities

16.1. The relevant executive authorities provide the necessary conditions for cultural institutions and sports facilities to be accessible to persons with disabilities.

16.2. In accordance with the Law of the Republic of Azerbaijan "On Culture", disabled persons are provided with preferential use of the services provided by cultural institutions.

16.3. In accordance with the Law of the Republic of Azerbaijan "On Physical Education and Sports", persons with disabilities use the physical education and sports services of state and municipal physical education and sports organizations free of charge ~~and on preferential terms~~. [18]

Article 17. State control over accessibility of infrastructure facilities and residential buildings to persons with disabilities

During the design and construction of infrastructural facilities and residential buildings, the consideration of the needs of persons with disabilities, the reasonable adaptation of infrastructural facilities and residential buildings for the use of persons with disabilities is supervised by the relevant executive authority in the manner determined by the relevant executive authority.

Chapter 4

EDUCATION OF PERSONS WITH DISABILITIES

Article 18. Pre-school and out-of-school training and upbringing of children with disabilities [19]

18.1. Education and training of preschool children with disabilities up to the age of 18 is carried out taking into account the Individual Rehabilitation Program approved under Article 11 of this Law. [20]

18.2. Education and upbringing of *disabled persons under the age of 18* in pre-school educational institutions is regulated by the Law of the Republic of Azerbaijan "On Pre-school Education". [21]

18.3. The relevant executive authorities ensure the creation of necessary conditions for their out-of-school education in order to comprehensively and harmoniously develop disabled persons under the age of 18, involve them in work, science, technology, art and sports, and arouse social activity in them . [22]

Article 19. Training and upbringing of *disabled persons under the age of 18* during their stay in stationary institutions [23]

19.1. "On the education (special education) of persons with limited health capabilities" by the body (institution) determined by the relevant executive authority to ensure the continuous education of *persons with disabilities up to the age of 18* who have undergone a course of treatment in inpatient treatment-prophylaxis or rehabilitation institutions during their stay in those institutions Lessons are organized in accordance with Article 10 of the Law of the Republic . [24]

~~19.2. The order of organizing classes in inpatient treatment-prophylaxis or rehabilitation institutions is determined by the relevant executive authority. [25]~~

Article 20. Education and professional training of persons with disabilities

20.1. Education and professional training of persons with disabilities is regulated by the laws of the Republic of Azerbaijan "On Education" , "On General Education" , "On Vocational Education" and "On Education (Special Education) of Persons with Limited Health Opportunities". [26]

20.2. Education and professional training of persons with disabilities is carried out in the form of special and (or) inclusive education, based on special educational programs and an individual *curriculum* . In cases where there are difficulties in the education of persons with disabilities without creating special conditions, their education is carried out in the form of home education, individual education and distance education. [27]

20.3. *Vocational training of persons with disabilities who are registered as jobseekers and (or) unemployed in the body (institution) determined by the relevant executive power body and who have turned 18 years old is referred to the Individual Rehabilitation Program approved under Article 11 of this Law and "On Employment" based on the referral of that body. "* is provided in accordance with the Law of the Republic of Azerbaijan. [28]

20.4. Persons with disabilities are provided at the expense of the state with educational materials and technical equipment necessary for education and professional training in state educational institutions, as well as with means that take into account individual needs.

20.5. The state ensures the training of pedagogues, psychologists, social workers and other specialists for the education and professional training of persons with disabilities.

20.6. In order to ensure the education and professional training of persons with disabilities, the state takes necessary measures for the involvement of teaching staff and the use of augmentative and alternative methods of communication, teaching methods and materials.

20.7. *During the period of education of persons with disabilities in state vocational education institutions on a paid basis, the education fee is paid at the expense of the state budget.* [29]

Chapter 5

EMPLOYMENT OF PERSONS WITH DISABILITIES

Article 21. Implementation of the right to work of persons with disabilities

21.1. Persons with disabilities have the right to engage in labor activities at the same level as other persons, including to ensure their livelihood by participating in the labor market of their free choice or acceptance under open, inclusive and accessible working conditions.

21.2. It is prohibited to allow any discrimination based on the sign of disability in labor relations, as well as to limit the labor rights of persons with disabilities in relation to other workers in collective and labor contracts.

21.3. Except for cases where the health of a person with a disability prevents him from performing his professional duties, or poses a threat to the health and safety of other people, refusing to conclude an employment contract with him due to his disability, promoting him at work, terminating the employment contract, and transferring him to another job (occupation) without his consent, (position) is not allowed.

21.4. With the exception of cases of termination of the institution, it is not allowed to terminate the employment contract concluded with persons with disabilities undergoing treatment in the rehabilitation institution and other rehabilitation subjects by the employer, regardless of the duration.

Article 22. Ensuring the employment of persons with disabilities

22.1. The state ensures the employment of persons with disabilities by creating additional jobs in the labor market and enterprises and organizations with suitable conditions for persons with disabilities, as well as by organizing training on special programs.

22.2. In accordance with the Law of the Republic of Azerbaijan "On Employment", a quota is established in enterprises and organizations to provide employment to persons with disabilities.

22.3. According to Article 22.2 of this Law, persons with disabilities are recruited to workplaces with quotas determined by the relevant executive authority.

22.4. According to Article 22.3 of this Law, referrals given to persons with disabilities for employment should be accepted by enterprises and organizations regardless of the type of ownership and organizational legal form, except for enterprises that are not subject to the quota established by the relevant executive authority.

22.5. Employers who do not accept persons with disabilities sent by the relevant executive authority to workplaces determined for them under the quota shall bear the responsibility established by law.

Article 23. Reasonable adaptation of workplaces for accessibility and use by persons with disabilities

23.1. According to Article 22.3 of this Law, the Individual Rehabilitation Program for persons with disabilities sent by the relevant executive authority, as well as those employed by employers, approved in accordance with Article 11 of this Law and the workplaces of persons with disabilities specified in Article 23.2 of this Law they are provided with jobs taking into account the standards.

23.2. The standards of workplaces for persons with disabilities are determined by the relevant executive authority.

Article 24. Duty of employers to employ persons with disabilities as a result of industrial accidents or occupational diseases

24.1. Employers shall allocate workplaces or find new ones for employees who have lost their ability to work as a result of accidents in that production or who have suffered from an occupational disease and are disabled as a result, taking into account the Individual Rehabilitation Program approved by them and in accordance with Article 11 of this Law. are obliged to organize.

24.2. In order to adapt the workplaces of persons with disabilities for their use specified in Article 24.1 of this Law, the employer shall purchase technical equipment and devices that facilitate the use of workplaces by persons with disabilities, adapt the existing technical equipment and devices to the needs of persons with disabilities, and provide the services of specialized intermediaries. takes reasonable measures such as

24.3. When the number or staff of employees is reduced, if the qualifications (professions) or the level of professionalism of the employees in the relevant occupations (positions) are the same, a person with a disability as a result of an industrial accident or occupational disease in that enterprise has a preferential right to be kept at work.

24.4. Except for the cases of liquidation of the enterprise, the termination of the employment contract with the employee specified in Article 24.1 of this Law by the employer causes the liability established by law.

24.5. According to the Law of the Republic of Azerbaijan "On Labor Pensions", the period during which the persons who are disabled due to 61-100 percent violation of the functions of the non-working body as a result of industrial accidents or occupational disease are on pension until they reach the age limit for determining the labor pension according to age is included in their insurance seniority. [\[30\]](#)

Article 25. Working conditions of persons with disabilities

25.1. Employers provide persons with disabilities with healthy, safe and working conditions in accordance with the Individual Rehabilitation Program specified in Article 11 of this Law, and take measures to restore working capacity and prevent disability in the workplace.

25.2. Employment of disabled workers, characteristics of working conditions, wages, work and rest time, leave period and other issues of labor relations not regulated by this Law are regulated by the Labor Code of the Republic of Azerbaijan.

Article 26. Individual work and entrepreneurial activity of persons with disabilities

The state creates the necessary conditions for the organization of work at home for persons with disabilities to engage in individual work and entrepreneurial activities, implements stimulating measures for the purpose of expanding their economic activities, and guarantees equal protection of their rights to fair and favorable working conditions.

Chapter 6

SOCIAL PROTECTION OF PERSONS WITH DISABILITIES

Article 27. Decent standard of living and social protection

27.0. The state implements the following measures to ensure and promote a decent standard of living and improvement of living conditions, including food, clothing and housing, of persons with disabilities and their families:

27.0.1. provides assistance for meeting the needs of persons with disabilities;

27.0.2. provides opportunities for people with disabilities to use state programs for social protection and poverty reduction.

Article 28. Social security of persons with disabilities

28.1. The conditions and procedure for assigning labor pension to persons with disabilities are determined by the Law of the Republic of Azerbaijan "On Labor Pensions".

28.2. The conditions and procedure for assigning social benefits to persons with disabilities are determined by the Law of the Republic of Azerbaijan "On Social Benefits".

28.3. Persons with disabilities are granted a pension in cases determined by the relevant executive authority.

Article 29. Medical care of persons with disabilities

Persons with disabilities are provided with medicines, medical services, sanatorium-resort treatment within the borders of the country, as well as prosthetic-orthopedic products, dental prostheses (except prostheses made of precious metals) in accordance with the procedure determined by the relevant executive authority.

Article 30. Provision of rehabilitation facilities to persons with disabilities

30.1. The provision of rehabilitation facilities to persons with disabilities is carried out at the expense of the state budget based on the list of types of rehabilitation facilities approved by the relevant executive authority.

30.2. The conditions and procedure for providing persons with disabilities with the means of rehabilitation specified in Article 30.1 of this Law shall be determined by the relevant executive authority.

30.3. Control of the compliance of the rehabilitation means specified in Article 30.1 of this Law with technical normative legal acts and their provision to persons with disabilities according to their place of residence is carried out by the relevant executive authority.

Article 31. Provision of housing for persons with disabilities

31.1. The grounds for considering a person with a disability as needing a place of residence and the rules for recording him as needing a place of residence are determined by the Housing Code of the Republic of Azerbaijan.

31.2. In the case of the death of a person with a disability registered as a person in need of housing, such records are kept for his family members in the manner determined by the relevant executive authority.

Article 32. Provision of social services to persons with disabilities

32.1. The procedure and conditions for providing social services to persons with disabilities are regulated by the Law of the Republic of Azerbaijan "On Social Services".

32.2. The presence of persons with disabilities in social service institutions provides them with the opportunity to exercise their rights and freedoms and helps to satisfy the individual's needs to the maximum.

32.3. *Disabled persons under the age of 18 who have lost their parents living in social service institutions and are deprived of parental care have the right to receive temporary housing if they can serve themselves and live independently upon reaching the age of majority, according to the opinion of the relevant executive authority.* [\[31\]](#)

Article 32-1. Electronic implementation of services in the fields of social protection and social security of persons with disabilities [\[32\]](#)

Electronic services in the fields of social protection and social security of persons with disabilities are provided through the centralized electronic information system of the relevant executive authority.

Chapter 7

PARTICIPATION OF PERSONS WITH DISABILITIES IN POLITICAL LIFE AND JUDICIAL JUDGMENT

Article 33. Participation in political and public life

33.1. In accordance with Article 56 of the Constitution of the Republic of Azerbaijan and the Election Code of the Republic of Azerbaijan, persons with disabilities have the right to elect and be elected to state bodies, as well as to participate in the referendum.

33.2. In accordance with the Election Code of the Republic of Azerbaijan, during the organization and holding of the elections (referendum), all opportunities are created for the participation of persons with disabilities who are required to create special conditions for voting.

33.3. The statutes of political parties, non-governmental organizations, and trade unions should not limit the participation of persons with disabilities in the activities of these organizations.

33.4. The non-governmental organization of persons with disabilities is established in accordance with the Law of the Republic of Azerbaijan "On Non-Governmental Organizations (Public Unions and Funds)".

Article 34. Provision of justice for persons with disabilities

Persons with disabilities who participate in administrative proceedings and court proceedings and need the assistance of specialized mediators are provided with the services of specialized mediators (readers and professional surdo interpreters).

Chapter 8

FINAL CONCLUSIONS

Article 35. Funding of measures related to the realization of the rights of persons with disabilities

35.1. Measures related to the realization of the rights of persons with disabilities are financed at the expense of the state, local self-government bodies and other sources provided for by law.

35.2. The financing of the measures to be implemented at the expense of the state budget is carried out within the budget allocations allocated to the relevant executive authorities.

Article 36. Collection of statistics and data

36.1. The collection of information related to disability, including primary statistical data, is carried out by relevant executive authorities.

36.2. In accordance with the accepted international standards for the protection of human and civil rights and freedoms during the collection, storage, use and dissemination of information related to disability, "On Personal Data", "On Official Statistics", "On Access to Information" and "On Freedom of Information" Republic of Azerbaijan the requirements of the laws must be followed.

36.3. The information collected in accordance with Article 36 of this Law is used to identify and remove the obstacles faced by persons with disabilities during the exercise of their rights.

36.4. Failure to ensure the protection of personal information related to disability leads to liability established by law.

Article 37. International cooperation

The state implements necessary and effective measures in the direction of international cooperation, including international development programs, to include and make them accessible to persons with disabilities, to expand existing opportunities through the exchange of information, experience and advanced projects within the framework of international cooperation, and to provide assistance to cooperation in the field of research.

Article 38. State monitoring in the field of rights of persons with disabilities

38.1. The purpose of state monitoring in the field of the rights of persons with disabilities is to study the current state of implementation of state policy in this field, to identify shortcomings and the directions and measures of state policy to be implemented.

38.2. State monitoring in the field of the rights of persons with disabilities is carried out by the relevant executive authority in the manner determined by the relevant executive authority.

38.3. Persons with disabilities and specialized non-governmental organizations representing them can participate in the state monitoring process in the field of rights of persons with disabilities.

Article 39. Liability for violation of the law

Persons guilty of violating the requirements of this Law are liable according to the Criminal Code of the Republic of Azerbaijan, the Civil Code of the Republic of Azerbaijan and the Code of Administrative Offenses of the Republic of Azerbaijan.

Article 40. Entry into force of the law

From the date of entry into force of this Law "On Prevention of Disability and Children with Health Impairment, Rehabilitation and Social Protection of Disabled and Health Impaired Children" No. 284 dated August 25, 1992 of the Republic of [Azerbaijan](#) Law (Information of the Supreme Soviet of the Republic of Azerbaijan, 1992, No. 16, Article 697; 1994, No. 15, Article 176; 1995, No. 17-18, Article 285; Legislative Collection of the Republic of Azerbaijan, 1997, No. 2, Article 81, No. 4, Article 305, No. 5, Articles 356, 378, No. 6, Article 452; 1998, No. 1, Article 16; 1999, No. 4, Article 217, No. 7, Article 395; 2001, No. 3, Article 145, No. 12, Articles 731, 736; 2002, No. 5, Articles 244, 246, No. 12, Article 706; 2004, No. 4, Article 202, No. 7, Article 507, No. 8, Article 596; 2005, No. 8, Article 684; 2007, No. 5, Article 401; 2008, No. 7, Article 602; 2010, No. 3, Article 171, No. 4, Article 275, No. 11, Article 949; 2011, No. 2, Article 71, No. 4, Article 260, No. 10, article 882) is canceled.

Ilham Aliyev,

President of the Republic of Azerbaijan

Baku city, May 31, 2018

№ 1153-VQ

LIST OF SOURCE DOCUMENTS USED

1. Law of the Republic of Azerbaijan [No. 1483-VQD dated February 1, 2019](#) ("Azerbaijan" newspaper, March 14, 2019, No. 59 , Legislative Collection of the Republic of Azerbaijan, 2019, No. 3, Article 3 81)

2. Law of the Republic of Azerbaijan [No. 1552-VQD dated March 29, 2019](#) ("Azerbaijan" newspaper, May 26, 2019, No. 115, Legislative Collection of the Republic of Azerbaijan, 2019, No. 5, Article 797)
3. Law of the Republic of Azerbaijan [No. 1661-VQD dated July 12, 2019](#) ("Azerbaijan" newspaper, August 22, 2019, No. 182 , Legislative Collection of the Republic of Azerbaijan, 2019, No. 8, Article 1382)
4. Law of the Republic of Azerbaijan [No. 113-VIQD dated May 19, 2020](#) ("Azerbaijan" newspaper, June 12, 2020, No. 134 , Legislative Collection of the Republic of Azerbaijan, 2020, No. 7, Article 831)
5. Law of the Republic of Azerbaijan [No. 185-VIQD dated October 6, 2020](#) ("Azerbaijan" newspaper, November 27, 2020, No. 248 , Legislative Collection of the Republic of Azerbaijan, 2020, No. 11, Article 1335)
6. Law of the Republic of Azerbaijan [No. 312-VIQD dated May 4, 2021](#) ("Azerbaijan" newspaper, June 18, 2021 , No. 125 , Legislative Collection of the Republic of Azerbaijan, 2021, No. 6, Book I, Article 548)
7. Law of the Republic of Azerbaijan [No. 346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021 , No. 175 , Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) (*2022 enters into force on July 1, 2018*)
8. Law of the Republic of Azerbaijan [No. 356-VIQD dated July 2, 2021](#) ("Azerbaijan" newspaper, July 24, 2021 , No. 151 , Legislative Collection of the Republic of Azerbaijan, 2021, No. 7, Article 710)

LIST OF AMENDMENTS AND AMENDMENTS TO THE ACT

[1] With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) From Article 1.0.2, the words "including a child under the age of 18 with limited health capabilities" have been removed.

[2] With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) From Article 1.0.3, the words "to achieve feasibility" have been removed.

[3] With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) In Article 1.0.4, before the word "necessary" the words "in each specific case" have been added.

[4] With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) In Article 1.0.11, the word "by making" was replaced by the words "by making, as well as by teaching skills that a person with a disability does not have

[5] With the Law of the Republic of Azerbaijan [185-VIQD dated October 6, 2020](#) ("Azerbaijan" newspaper, November 27, 2020, No. 248, Legislative Collection of the Republic of Azerbaijan, 2020, No. 11, Article 1335) In Article 1.0.15, by creating special conditions and through special training" were added before the words "with other persons

[6] With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) In article 3.1, the words "cause, degree of disability" should be replaced by the words "percentage, cause of impairment of body functions" and the word "organ" should be replaced by the words "organ (institution) determined by the body", the second sentence of that article was considered the third sentence and the new second sentence added in content.

[7] With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) In Articles 3.3 - 3.6, the word "body" has been replaced by the words "the body (institution) determined by the body

[8] The Law of the Republic of Azerbaijan [No.356-VIQD dated July 2, 2021](#) ("Azerbaijan" newspaper, July 24, 2021, No. 151, Legislative Collection of the Republic of Azerbaijan, 2021, No. 7, Article 710) is new Article 3.3-1 has been added to the content.

[9] With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) in Article 5.0.1, the words **children under 18 years of age with limited health capabilities** have been replaced by the words **disabled persons under 18 years of age**

[10] With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) in Articles 5.0.2 and 5.0.3, the words **from the type, form and severity of the disability** have been replaced by the words **from the percentage of impairment of body functions, the type of disability and the limitation of the person's life activity**

[11] Law of the Republic of Azerbaijan [312-VIQD dated May 4, 2021](#) ("Azerbaijan" newspaper, June 18, 2021, No. 125, Legislative Collection of the Republic of Azerbaijan, 2021, No. 6, Book I, Article 548) in Article 8.3, the word **"body"** was replaced by the words **the body (institution) determined by the body** the word of the body **the body (institution) determined by the body**

[12] With the Law of the Republic of Azerbaijan [No.113-VIQD dated May 19, 2020](#) ("Azerbaijan" newspaper, June 12, 2020, No. 134, Legislative Collection of the Republic of Azerbaijan, 2020, No. 7, Article 831) in Article 9.1, the word **"defects"** is replaced by the word **violations**

Article 9.1 of the Law of the Republic of Azerbaijan No. [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) in the article, the words **"restricted health capabilities"** were replaced by the word **"disability"**.

[13] With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) in the first and second sentences of Article 11.4, the words **children under the age of 18 with limited health capabilities** have been replaced by the words **disabled persons under the age of 18**

[14] With the Law of the Republic of Azerbaijan [No.113-VIQD dated May 19, 2020](#) ("Azerbaijan" newspaper, June 12, 2020, No. 134, Legislative Collection of the Republic of Azerbaijan, 2020, No. 7, Article 831) in Article 11.5, the words **"enterprises, departments and organizations"** have been replaced by the words **authorities and state-owned legal entities**

[15] With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) **reasonable accommodation for their free use of infrastructures** from Article 13.1.

[16] With the Law of the Republic of Azerbaijan [No.113-VIQD dated May 19, 2020](#) ("Azerbaijan" newspaper, June 12, 2020, No. 134, Legislative Collection of the Republic of Azerbaijan, 2020, No. 7, Article 831) in the second sentence of Article 13.4, the words **"disabled car"** have been replaced by the words **"recognition of a person with a disability"**

[17] With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) **reasonable** from Articles 15.1 and 15.2.

[18] With the Law of the Republic of Azerbaijan [No.113-VIQD dated May 19, 2020](#) ("Azerbaijan" newspaper, June 12, 2020, No. 134, Legislative Collection of the Republic of Azerbaijan, 2020, No. 7, Article 831) from Article 16.3, the words **"and under favorable conditions"** have been removed.

[19]. With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) In the title of Article 18, the words "children with limited health capabilities" have been replaced by the words **disabled persons under the age of 18**

[20]. With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) Article 18.1 has been revised.

the previous editorial said:

~~18.1. Education and training of preschool children with disabilities is carried out in state, municipal and private special preschool educational institutions for children with disabilities or in other preschool educational institutions according to the principles of inclusion, in accordance with the Individual Rehabilitation Program approved under Article 11 of this Law.~~

[21]. With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) In Article 18.2, the words "children with limited health capabilities" have been replaced by the words **disabled persons under the age of 18**

[22]. With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) In Article 18.3, the words "children with limited health capabilities" have been replaced by the words **disabled persons under the age of 18**

[23]. With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) In the title of Article 19, the words "children with limited health capabilities" have been replaced by the words **disabled persons under the age of 18**

[24]. With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) In Article 19.1, the words ~~children with disabilities~~ are replaced by the words ~~disabled persons under the age of 18~~ by the body "are replaced by the body (institution) determined by the body "On education (special education) of persons with disabilities" of the Republic of Azerbaijan According to Article 10 of the Law " was replaced by the words.

[25]. With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) Article 19.2 is repealed.

[26]. With the Law of the Republic of Azerbaijan [1552-VQD dated March 29, 2019](#) ("Azerbaijan" newspaper, May 26, 2019, No. 115, Legislative Collection of the Republic of Azerbaijan, 2019, No. 5, Article 797) In Article 20.1, after the words "About Education", the words **About General Education** have been added.

1.0.15 with the Law of the Republic of Azerbaijan No. [185-VIQD dated October 6, 2020](#) ("Azerbaijan" newspaper, November 27, 2020, No. 248 , Legislative Collection of the Republic of Azerbaijan, 2020, No. 11, Article 1335) The words " by creating special conditions and through special training " were added to the article before the words " with other persons " .

[27]. With the Law of the Republic of Azerbaijan [No.113-VIQD dated May 19, 2020](#) ("Azerbaijan" newspaper, June 12, 2020, No. 134, Legislative Collection of the Republic of Azerbaijan, 2020, No. 7, Article 831) In Article 20.2, the words "educational plan" have been replaced by the words **educational plan**

[28] With the Law of the Republic of Azerbaijan [1661-VQD dated July 12, 2019](#) ("Azerbaijan" newspaper, August 22, 2019, No. 182, Legislative Collection of the Republic of Azerbaijan, 2019, No. 8, Article 1382) Article 20.3 has been revised.

The previous editorial said:

~~20.3. Vocational training and additional education of persons with disabilities who are registered as jobseekers in the relevant executive authority and have reached the age of 18, based on the referral of that authority, in accordance with the Individual Rehabilitation Program approved under Article 11 of this Law, in educational institutions, including educational centers of the relevant executive authority is provided:~~

24.5 with the Law of the Republic of Azerbaijan No. [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021 , No. 175 , Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) in the article, the words " I and II degree disabled " were replaced by the words " disabled due to 61-100 percent impairment of the body's functions ".

[29] With the Law of the Republic of Azerbaijan [1552-VQD dated March 29, 2019](#) ("Azerbaijan" newspaper, May 26, 2019, No. 115, Legislative Collection of the Republic of Azerbaijan, 2019, No. 5, Article 797) Article 20.7 has been added in the new content.

[30] With the Law of the Republic of Azerbaijan [No.113-VIQD dated May 19, 2020](#) ("Azerbaijan" newspaper, June 12, 2020, No. 134, Legislative Collection of the Republic of Azerbaijan, 2020, No. 7, Article 831) In Article 24.5, the word "group" is replaced by the word grade

[31] With the Law of the Republic of Azerbaijan [346-VIQD dated June 22, 2021](#) ("Azerbaijan" newspaper, August 21, 2021, No. 175, Legislative Collection of the Republic of Azerbaijan, 2021, No. 8, Article 892) In Article 32.3, the words "children with limited health capabilities" have been replaced by the words disabled persons under the age of 18

[32] With the Law of the Republic of Azerbaijan [1483-VQD dated February 1, 2019](#) ("Azerbaijan" newspaper, March 14, 2019, No. 59, Legislative Collection of the Republic of Azerbaijan, 2019, No. 3, Article 381) Article 32-1 was added in the new content.