



## THE MONITORING OVER THE IMPLEMENTATION OF THE ADDRESSED STATE SOCIAL ASSISTANCE

---

<b>Project title:</b>	<b>The Monitoring over the implementation of the Addressed State Social Assistance.</b>
<b>Coalition members:</b>	Citizens Labor Rights Protection League Eurasian Lawyers Association Constitutional Research Foundation Azerbaijan Lawyers Confederation Information and Cooperation Network of Organizations Working on Combatting Corruption
<b>Arrangement:</b>	Sahib Mammadov, Head of the Coalition
<b>Staff conducting the monitoring</b>	Alimammad Nuriyev Ramil Iskandarli Sahib Mammadov Elmari Mamishov Nadir Adilov Aslan Veliyev (Ganja) Ali Mirzayev (Shirvan) Jeyhun Mammadov(Lankaran) Rufan Abdullayev(Guba) Ali Farzaliyev (Absheron and Sumgayit)
<b>Distribution:</b>	State bodies (ministries, state committees and agencies), international organizations and other institutions

---

**Note:**

The project The Monitoring over the implementation of the Addressed State Social Assistance has been supported by the Civil Society Project of the U.S. Agency for International Development and is implementing by the civil society coalition. The Coalition aimed to conduct the monitoring of the measures provided in the Action Plan (AP) of the State Program directed to solving the problems with social protection of the population and IDPs, to assist the effective implementation of the State Program, through providing active participation of the civil society organizations in implementation of the Action Plan

**Composition of the Coalition:**

Citizens Labor Rights Protection League

Contact person: Sahib Mammadov

Phone: +994124964185

Email: sahib.mammadov@gmail.com

Eurasian Lawyers Association

Contact person: Ramil Iskandarli

Phone: +994 12 4499414

Email: ramil.iskandarli@gmail.com

Constitutional Research Foundation

Contact person: Alimammad Nuriyev

Phone:+ 99 412 492 57 26

Email: nuriyevalimammad@gmail.com

Azerbaijan Lawyers Confederation

Contact person: Nadir Adilov

Phone: +994 12 440 96 82

Email: nadir.adilov@gmail.com

Information and cooperation network of organizations working on combatting corruption

Contact person: Alimammad Nuriyev

Phone:+ 99 412 492 57 26

Email: network@anticornet.az

**Acknowledgement:**

This publication was made possible through support provided by the Office of Democracy and Governance, U.S. Agency for International Development, under the terms of Award No. 112-A-00-05-00050-00 between USAID and Counterpart International. The opinions expressed herein are those of the author(s) and do not necessarily reflect the views of the U.S. Agency for International Development or Counterpart International.

The Civil Society Project is a United States Agency for International Development initiative, implemented by Counterpart International in partnership with the International Center for Not-for-Profit Law. The goal of the Civil Society Project is to assist the citizens and the government of Azerbaijan to develop a dialogue while working towards the creation of a more representative and better functioning democracy.

## **Content:**

### Executive Summary

1. General information about the project
  - 1.1 Conditions making the project actual
  - 1.2 Conformity of the project to the State Program and the Action Plan
  
2. Policy on the addressed state social assistance in Azerbaijan and the existing problems
  - 2.1 Previous experience on the addressed state social assistance
  - 2.2 The measures taken by the state for solution of the problems
  
3. The Monitoring methodology
  - 3.1 Information Collecting Principles
  
4. Recopmmendations
5. Attachments to the monitoring report
  - 5.1 Analysis of the appropriate norms
  - 5.2 Outcomes of the survey
  - 5.3 Interviews with experts
  - 5.4 The observations outcomes
  - 5.5 The Statistics

## Executive Summary

This report covers the monitoring of the measures related to provision of the addressed state social assistance, (Social Protection of the Population in the State Program on Poverty Reduction and Sustainable Development (SPPRSD) for 2008-2015". This document was approved by the Decree of the President of the Azerbaijan Republic on September 15, 2008.

The main purposes for conduction of the monitoring are the following:

- i) Determining the gaps and contradictions in the legal acts creating obstacles for fair and addressed (to those who really need) distribution of the allowances via analysis of the legislation on the Addressed State Social Assistance and preparation of the recommendations;
- ii) Conducting activity for revealing the existing shortages in determination of persons who receive the Addressed State Social Assistance, provision of the allowances and processes related to it and their elimination.;
- iii) Increase of public awareness in the field of determination of the Addressed State Social Assistance, procedures and provision of the allowances;
- iv) Provision of the civil society participation in effective use of means provided from the state budget.

The monitoring was conducted in the 5 regions (Baku, Sumgayit, Guba, Ganja and Lankaran) which include 10 administrative units by using a special monitoring methodology.

### 1. General information about the Project

#### 1.1. Conditions making the Project actual

The implementation of the main sections of the "State Program on Poverty Reduction and Sustainable Development for 2008 – 2015" covers the period of 2008-2010. Realization of the priorities stressed in these sections is the main indicators ensuring poverty reduction and sustainable development. At the same time, activities included into this area will be accompanied with huge funds allocated from the state budget and non-budget sources (e.g. State Oil Fund).

An effective realization of the provided activities may be achieved only if funds will be spent efficiently and transparently. Lack of provision fair distribution and payment of the addressed state social allowances at the initial stage, embezzlement, that takes place in provision of the social allowances create obstacles for effective use of resources and implementation of the State Program.

Provision of the public control over the measures conducted within directions of the State Program will positively affect an effectiveness and and accuracy of expenditures.

This report covers the monitoring of the activities on provision of the addressed state social assistance.

The Advocacy Coalition on the Alternative Monitoring of the State Program consists of CSO's aimed to advocate for provision of public control by CSO's over the implementation of the State Policy on Addressed state social assistance by conducting the monitoring of processes related to the addressed state social assistance. Participation of the civil society is pointed in the State

Program and the Action Plan. "...increase of transparency in provision of the addressed assistance, ensure of more active participation of the civil society in these procedures is one of the important issues today".[1]

The State Program emphasises the transparency issues in provision of the addressed state social assistance.

"The Addressed State Social Assistance is the state contribution to the families living in poverty. Therefore this is an effective tool for elimination of the social risks for disadvantaged social groups. However, the addressed assistance is temporary support for the families and does not mean a total reduction of poverty. In this stage we have focused our assistance for the families living in severe poverty to identify the mechanisms on how to provide consultancy for positive changes in addition to addressed state social assistance. Hence, along with the addressed state social assistance, these targeted social groups should be offered various programs including social rehabilitation, special programs for professional education, employment, etc.[2]

The objectives of the project in its long-term plan are following:

- Provision of transparency during implementation of the Action Plan related to the State Program and raising public awareness.
- Eliminate corruption cases through conducting of the legal, public and educational measures;
- Providing participation of the civil society organizations in implementation of state programs and strengthening the capacity of the civil society organizations to provide sustainability for implemented actions;
- Achieve an increase of effectiveness of the activities conducted for settlement of the social problems of vulnerable groups, elimination of possible social risks and provision of the adequate employment and living conditions at a minimal level for achieving the sustainable development.

## 1.2 Conformity of the project to the State Program and the Action Plan

State Program on Poverty Reduction and Sustainable Development and its Action Plan for 2008 – 2010 gives a visible space for intervention of civil society. The State Program and its Action Plan permits public control and monitoring by civil society organizations

One of the major peculiarities of State Program is unique effort of the government, CSO's and International Organizations in struggle against poverty. The main purposes of the participation process may be summarized as follows:

- Close collaboration between governmental officials, civil society and international community in reducing poverty;
- Improvement of the effective dialogue between government and the civil society;
- Increasing public awareness on State Strategy in poverty reduction and implementation of the measures under framework of the State Programs;
- Expanding discussions on determination of priorities influencing the measures taken over the scale of living of the population;
- Civic engagement for active participation in the State Program implementation process.

Together with provision of control of implementation of SPPRSD via the public monitoring mechanism, with the purpose of improvement of the monitoring capacity for the above

mentioned State Program the methods and standards for collecting various information will be improved”.[3]

The implementation of the State Program will also give an impulse for sustainable development of the civil society in the country. Conducting of special activities for NGOs is provided in the Action Plan. The program indicates that “activity of NGOs will be supported to enforce the civil society, increase the role of communities in solution of the important problems and support to the community based development”.[4]

## 2. Policy on the addressed state social assistance in Azerbaijan and the existing problems

### 2.1 Previous experience on the addressed state social assistance

The addressed state social assistance provided in many countries of the world is one of the main state social policies. The main essence of this policy directed towards temporary assistance by states is to eliminate poverty, to establish sustainable maintenance system for the low income population groups and achieve the long term improvement of the population’s living scale. In Azerbaijan, an establishment of the addressed state social assistance mechanism started in 2002, a provision of this assistance started only in 2006. This is a progressive mechanism for social protection and respective policies. Although, several problems and errors have arisen in the practice of its subsequent application.

Funds allocated from the State Budget for this purpose were not always spent properly.

There was no public awareness campaign in the preparation stage and allocation of huge state funds under framework of this program. Although, this program considers targeted social assistance for disadvantaged group of citizens. Besides that, CSO’s also were not involved into this process, which raise doubts on transparency of the process.

In the past, the measures have been taken for rising of level of the professionalism of human resources responsible for the implementation of the State Program were not sufficient and effective.

The process of papers collection for receiving of the addressed state social assistance and the approaches for identification of real need of applicant in social assistance can be considered as ineffective and bureaucratic procedures. As a result in many cases these allowances were disseminated by avoiding audience, which real need this type of assistance.

While conducting monitoring, the coalition used special monitoring methodology developed by its experts. By applying this methodology the coalition was able to find out cases of corruption in local level while distribution of the addressed state assistance for targeted groups.

### 2.2. The measures taken by the State for solving of the negative cases

There are number of ongoing activities initiated by government for the solution of the negative cases in the implementation of State Program on addressed social assistance:

- Improvement of the legislative basis for the addressed state social assistance;
- Improvement of the management system for the addressed state social assistance;
- Establishment of information system (network) for centralized management of the addressed state social assistance system;
- Gradual increase of living needs criteria for reaching the subsistence minimum;

- Creation of the monitoring and evaluation system for the addressed state social assistance;
- Preparation and application of the legal acts on rehabilitation of the low-income population;
- Preparation of the legislative basis for unification and simplification of the existing social allowances system

### 3. The monitoring methodology

#### 3.1. Information Collecting Principles

To collect relevant data and prepare narrative report, we have carried out surveys and interviews, conducted observation and analyses of existing situation with involvement of targeted audience.

Existing monitoring methodology enabled us to collect data

For relevant data collection the coalition applied special monitoring methodology including an establishment of communication with line state agencies (Ministry of Labor and Social Protection) and addressing official request for receiving statistical information covering last three years. These endeavours resulted positively and the representative of the Ministry of Labor and Social Protection (Mr. Sadig Gurbanov, Head of department) expressed his wish to cooperate with the coalition.

Generally, following tools have been applied for data collection:

#### Analysis of the legislation and relevant normative documents

Within this activity the normative legal documents directly or indirectly related to determination and provision of the addressed social assistance have been analysed. During the process the points, creating conditions for arbitrariness of officials in procedures for determination of the addressed state social allowances, superficial bureaucracy, and groundless rejections has been revealed on the level of normative documents and the appropriate recommendations have been given.

#### Conduction of the surveys

The information received from targeted audience is highly important for data collection, especially for identification of negative causes, cases of corruption. That's why a confidential survey was carried out among 1500 community residents in five regions, which includes ten administrative units. The outcomes obtained have been processed and added to the report.

#### Interviews with local experts.

This interview was conducted among 50 experts representing five project regions and was aimed to find out the level of transparency in the implementation of the addressed state social assistance.

#### Observations as a tool for monitoring.

The project's team conducted monitoring visits to Social Protection Centers to observe a process of implementation of addressed social state assistance in places. A special application form was used during observation and analyzed afterwards by team of experts. Its final findings were



included into report and used while preparing a set of recommendation for improvement of the implementation of the State Program on Addressed Social Assistance.

### Data Collection

The coalition has addressed official letters to the Ministry of Labor and Social Protection for receiving an official statistics indicating number of people have been included into the list of addressed social assistance recipients. According to the data received from the Ministry the number of such people was 749,965. In 2009 this indicator has increased and came to 601,444. Detailed information on applied monitoring tools are attached to the report.

### 4.Recommendations

Further improvement of the legislation on the Addressed State Social Assistance

The coalition's expert team analyzed monitoring findings and developed list of recommendations on further improvement of the implementation of the Addressed State Social Assistance. These are recommendations for making changes in respective legislative documents, such as:

The titles of the Decision of the Cabinet of Ministers of the Azerbaijan Republic (2 February 2006, №32) on approval of the "Regulations on appeals for obtaining, determination, provision and refuse from provision of the social assistance" and "Regulations on Counting the Average Monthly Income of the Family" and the Decision of the Cabinet of Ministers of the Azerbaijan Republic (1 May 2006, №118) on approval of the "Regulations on Counting the Income from Personal Subsidiary Enterprise for Obtaining Social Assistance" should be changed and adapted to the Law of the Azerbaijan Republic on "The Addressed State Social Assistance" (21 October 2005, № 1039-IIQ) with subsequent changes and Decree of the President of the Azerbaijan Republic (16 November 2005, №312) on application of the Law of the Azerbaijan Republic on "The Addressed State Social Assistance"

2. The Law of the Azerbaijan Republic on "The Addressed State Social Assistance":

- make the amendment in the article 1.0.1 by adding "considering the social-economic indicators of the region" after the word "population";
- make the amendment in article 1.0.2 as following – "exact list of relatives should be provided";
- make the amendment in Article 1.0.3 by removing words "which may be obtained";
- make the amendment in Article 7.2 the subject which will be initiating increase of the need criterion and the fore casted time frame should be provided.

Norms determining the responsibility for the person violating this Law should be added to the respective legislative acts.

3. Decision of the Cabinet of Ministers of the Azerbaijan Republic (2 February 2006, №32) on approval of the "Regulations on appeals for obtaining, determination, provision and refuse from provision of the social assistance" and "Regulations on Counting the Average Monthly Income of the Family":

Mandating of including the regional NGO representative as a members in Commissions of the Addressed State Social Assistance.

In the paragraph 3.3 of the Decision after the first "documents" word the words "since they are submitted to the Regional (City) Centre for Social Protection of The Population" must be added

and after the word “necessity” the word “about” should be added. In the whole decision the words “the organ determining the social assistance” should be changed to “commission”. In paragraphed 3.5 the word “efficiently” be replaced by the words “not later than 2 business days”.

In paragraph 3.10 to add words “provided in this Regulation” after the word “necessary information” and add word “intentional” before the word “non-provision”.

There must be at least the normative legal act on the level of the Cabinet of Ministers which would provide definition of “suitable job”, its provision, refusal and other regulations.

4. The control over provision of the addressed state social assistance should be taken from the responsibility of the Ministry of Labour and Social Protection of the Population and delegated to the Independent agency. Also, an establishment and the Status of that agency should be determined by the Decree of the President of the Azerbaijan Republic.

5. The mechanism for complains about the decisions of the commissions determining the social assistance should be provided in the “Statute of the Commission determining the Addressed State Social Assistance”.

6. Make amendments to the paragraph 4 of the Regulations regarding mechanism for precise checking the accuracy of the sources of information.

9. The paragraph 1.3 of the “Statute of the Commission determining the Addressed State Social Assistance should be brought to conformity with the paragraph 3.1 of the Decision of the Cabinet of Ministers of the Azerbaijan Republic (2 February 2006, №32).

10. The united electronically information system should be established for making easier an access to the information on the social status of all persons in all cities or the access of these bodies to the information databases of different state organs should be provided.

11. Speed up the process of transferring to the “One window” principle to reduce contact between state officials and citizens. This tool can eliminate probable corruptions cases.

12. It was identified while monitoring that in most cases Employment Centres offer unsuitable jobs to the applicants for hindering provision of the addressed state social assistance. In several cases the work place locations are quite far and travel expenses exceed monthly income. For prevention of such cases the definition of “suitable job” in mentioned legal document should be clarified and specified for the purposes of the Law of the Azerbaijan Republic on “The Addressed State Social Assistance”.

13. If the reasons of persons who may not use their plots of land for not using the land are well grounded (the indicators should be determined for this purpose), then the appropriate state authority should determine the addressed state social assistance for these persons also.

14. During the monitoring, the coalition’s expert’s team found out cases which proves an existance of gaps and non transparency in dissemination of addressed state social assistance. F.e. findings indicates that there are number of people received such assistance do not meet requirements. The coalition names of recipients of the addressed state social assistance with relevant supplementing information must be placed at the web page of the Ministry of Labor and Social Protection and on the special boards in Employment Centres.

15. It would be positive to obtain the list of documents and certificates required by the law “Regulations on appeals for obtaining, determination, provision and refuse from provision of the social assistance” from respective executive government agency. The applicant should just give required information about the documents requested in these paragraphs.

<sup>1</sup> “2008-2015 State Program on Poverty Repuction and Sustainable Development at the Republic of Azerbaijan” has been approved by the Decree No3043 of the President of the Azerbaijan Republic 15 September 2008.

<sup>2</sup>“2008-2015 State Program on Poverty Repuction and Sustainable Development at the Republic of Azerbaijan” has been approved by the Decree No3043 of the President of the Azerbaijan Republic 15 September 2008.

<sup>3</sup> “2008-2015 State Program on Poverty Repuction and Sustainable Development at the Republic of Azerbaijan” has been approved by the Decree No3043 of the President of the Azerbaijan Republic 15 September 2008.

<sup>4</sup> “2008-2015 State Program on Poverty Repuction and Sustainable Development at the Republic of Azerbaijan” has been approved by the Decree No3043 of the President of the Azerbaijan Republic 15 September 2008.

## 5. Attachments to the monitoring report

### Attachment 1 - Analysis of the relevant legislative documents and norms

1. Law of the Azerbaijan Republic on “The Addressed State Social Assistance” (21 October 2005, № 1039-IIQ) with subsequent changes;
2. Decree of the President of the Azerbaijan Republic (16 November 2005, №312) on application of the Law of the Azerbaijan Republic on “The Addressed State Social Assistance”
3. The Decision of the Cabinet of Ministers of the Azerbaijan Republic (2 February 2006, №32) on approval of the “Regulations on appeals for obtaining, determination, provision and refuse from provision of the social assistance” and “Regulations on Counting the Average Monthly Income of the Family”
4. The Decision of the Cabinet of Ministers of the Azerbaijan Republic (1 May 2006, №118) on approval of the “Regulations on Counting the Income from Personal Subsidiary Enterprise for Obtaining Social Assistance”
5. The Decision of the Cabinet of Ministers of the Azerbaijan Republic (14 June 2006, №145) on approval of the “Limit of the Need Criterion with the purpose of determining the Addressed State Social Assistance”
6. The Decision of the Cabinet of Ministers of the Azerbaijan Republic (1 March 2007, №45) on changes to the Decision of the Cabinet of Ministers of the Azerbaijan Republic (2 February 2006, №32) on approval of the “Regulations on appeals for obtaining, determination, provision and refuse from provision of the social assistance” and “Regulations on Counting the Average Monthly Income of the Family”
7. The Decision of the Cabinet of Ministers of the Azerbaijan Republic (23 April 2007, №70) on amendments and changes to the Decision of the Cabinet of Ministers of the Azerbaijan Republic (2 February 2006, №32) on approval of the “Regulations on appeals for obtaining, determination, provision and refuse from provision of the social assistance” and “Regulations on Counting the Average Monthly Income of the Family”
8. The Decision of the Cabinet of Ministers of the Azerbaijan Republic (15 July 2008, №58) on amendments and changes to the Decision of the Cabinet of Ministers of the Azerbaijan Republic (2 February 2006, №32) on approval of the “Regulations on appeals for obtaining, determination, provision and refuse from provision of the social assistance” and “Regulations on Counting the Average Monthly Income of the Family”
9. “Statute of the Commission determining the Addressed State Social Assistance” approved by the Decision 01.06.2006, № 7 of Collegium of the Ministry of Labour and Social Protection of The Population of the Azerbaijan Republic
10. The Law of the Azerbaijan Republic on the Employment. 2 July 2001, № 170-IIQ

In the titles of some normative legal acts (particularly it concerns the decision of the Cabinet of ministers) the term “the addressed state social assistance” was used as “the addressed social assistance”. This means that the Law on “the Addressed State Social Assistance” the Decree of the President of The Azerbaijan Republic on approval of the Law on “the Addressed State Social Assistance” which have superior power to the decision of the Cabinet of Ministers according to the Article 148 of the Constitution of the Azerbaijan Republic were interpreted inconsistently with both law and the Decree.

It is known that, generally the term “social assistance” is very broad notion including source of funding, form, content and the differences from the subject view point. This means that, the social assistance may be provided by any person or legal entity, governmental, non-governmental body, commercial organization, NGOs or charity organizations. The right to social maintenance envisaged in the article 38 of the Constitution of the Azerbaijan Republic is provided generally not

only meaning the state or non-state spheres, i.e. here the constitutional nor does not classify particularly the addressed social assistance.

By adopting the Law of the Azerbaijan Republic on “The Addressed State Social Assistance” the legislation put legal regulation of the state social assistance as a goal. The basic legislative act on the addressed state social assistance is the Law of the Azerbaijan Republic on “The Addressed State Social Assistance”. In general, this law sufficiently covers the aims and principles of provision and legal basis for determination of the addressed state social assistance and the consequent changes made to it are aimed for broadening of the appropriate rights of the poor part of the population. Also there is a range of disputable and contradictory points in the Law on which we want to stop.

In the article 1.0.1 of the Law the notion of “needs criterias” is provided as the limit which will be approved each year together with the state budget, with the purpose of determining the addressed state social assistance depending on the subsistence level of the main social demographic groups of the population. The legislation differentiated the population only according to the social demographic groups and generalized them according to one criterion. But this from the point of view of the Law’s aims may not be considered a right approach. The matter is that the subsistence level of the social demographic groups of the population is not equal. It means that the part of the population related to the same social demographic groups has various maintenance depending on the region, rural or urban area they are residing at. As it is known, in the various regions of the republic the scale of living, monthly income of the population, prices of consumer goods, movable and immovable property and other indicators of social wealth differ substantially. From this view point the subsistence level should be determined not only based on the main social demographic groups of the population but also taking into account the scale of living in the regions. If it would be like that, then the amount of the addressed social assistance for the families living in various regions and having similar monthly income will be closer to reality and at the same time it will more meet the aim of the Law which philosophy is directed to provision of the protection of the low income families. That is why, we suggest in the Article 1.0.1 of the Law to add “depending on the social-economic indicators of the region they live” after the word “population”.

The article 1.0.3 of the Law determines income of the family as collection of all kinds of income of the family members, including presents made to the family members, income obtained from property, possessions of the family members, personal subsidiary enterprise or the money which may be obtained or other natural income. Provision of the “income from personal subsidiary enterprise or the money which may be obtained or other natural income” as a forecast is inadmissible from the legislative view point. Such provision does not provide any estimated mechanism neither in this Law nor in any other legislative act and this creates conditions for arbitrariness for officials and also makes it impossible to estimate the future income from the subsidiary enterprise productivity of which depends on natural factors. That is why we suggest that the words “which may be obtained” be excluded from the article 1.0.3 of the Law.

The article 1.0.2 of the Law determines the notion of “family” as persons who have relativity or other links according to the peculiarities determined by the law, living together, having common household or living alone. This norm is very general, determination of the family members does not provide concrete and exact criterion. In addition, it is ambiguous if this norm takes into account the persons who have relativity links from those who are provided in the legislation. Thus, in various normative legal acts the term “family”, “family members” or “relatives” are determined in each act as for the purposes of this act.

Taking into account that notion of the family and the family members plays exclusive and the main role in determination of the addressed state social assistance, for the purpose of unambiguous

application and prevention of abuse, we suggest that the exact list of relatives will be provided in the article 1.0.2 of the Law.

The article 7.2 of the Law providing for gradual increase of the need criterion for reaching the country subsistence minimum also needs clarification. The matter is that there is practice in the legislation of the Azerbaijan Republic for determining the time for reaching the goal. Right, it is understandable that it is difficult to determine the exact time frame for increase of the need criterion for reaching the country subsistence minimum because in many cases depends on objective reasons, i.e. economic power of the country, pace of development, direct dependence on international economic crisis. But, we think that provision of the subject which will be initiating increase of the need criterion and addition of the fore casted time frame to the Law will make it more effective.

The article 11 of the Law provides responsibility for persons infringing the Law in accordance with the legislation of the Azerbaijan Republic. The Law does not provide direct punishment but via banquet norm refers these cases to the other legislative acts. We should mention that, the laws adopted in the recent times for regulation of various public relations also contain such norms. But, unlike those laws, banquet norm of this Law does not have “material provision”. Thus, analysis of the legislation shows that responsibility of the persons violating this Law is not provided in any of the legislative acts. From this point of view the above mentioned norm is “dead” and it is formal and deprives the law of the very important enforcing element. That is why we suggest to add norms determining the responsibility for the person violating this Law to the other legislative acts.

The main normative legal act on determination of the addressed state social assistance after the Law is the Decision of the Cabinet of Ministers of the Azerbaijan Republic (2 February 2006, №32) on approval of the “Regulations on appeals for obtaining, determination, provision and refuse from provision of the social assistance” and “Regulations on Counting the Average Monthly Income of the Family”. This Decision the main purpose of which is preparation of the mechanism for application of the Law of the Azerbaijan Republic on “The Addressed State Social Assistance”, is both act for state bodies determining the addressed state social assistance and the act to which the low income families apply. Although this decision was prepared together with the Law, it was more applied in the practice and that is why was more subjected to the changes and amendments.

It is shown in the article 2.3 of the Decision, that the person representing the family will present the application, “Declaration of the family’s income and property”, questionnaire for determine the suitable means with the purpose to bring the families out of poverty, copies of identification documents of the family members and the certificate about composition of the family from the place of living and also in necessary cases other documents provided in this paragraph. Before talking about which documents are needed for which cases, we would like pay attention to the word ”necessary” provided in this paragraph. Here the legislation by using the word ”necessary” taking into account the social statuses to which the persons applying for the addressed state social assistance belong intended to create conditions for making it possible to choose the documents that will be submitted. At first sight and in ideal situation it may be satisfactory. But taking into account that the decision about determination of the addressed state social assistance or refuse from the determination formally depend on the appropriate commissions but in fact on the certain persons working at the Regional (City) Centres for Social Protection of The Population, i.e from this point of view even if it is not formally provided in the legislation which particular documents are “necessary” in the best case this issue will be considered by the commission, in the worth case by different persons. Thus it creates conditions for abuse, but is shown as non violation of the requirements of the Decision. That is why, we suggest that in the article 2.3 of the Decision the words “in necessary cases” be changed to “depending on the existing social situation of the family members”.

In general, we think it is important to mention that with the purpose to simplify the process of obtaining the necessary documents (e.g. copies of certificates of marriage, divorce, birth and death, for children under guardianship - copy of the order of the head of regional (city) executive power about the guardianship, certificates on the amounts of all kinds of pensions, allowances and scholarship sand etc) for submission to the commission by persons applying for the addressed state social assistance, the information banks of the state bodies may be used. Although a range of measures is taken related to the establishment of the e-government in the Azerbaijan Republic, solution of this issues not on the desired level. We suppose that after the e-government project will start to work at its full capacity, obtaining of any necessary information about the families which want to get the addressed state social assistance from the official information databases of appropriate state bodies will be eased for the commission and consideration of the appeals will accelerated, at the same time the likelihood of negligently or intentionally provision of wrong or incomplete information would be decreased. That is why we suggest that united electronically information system will be established to make it possible to obtain the information on the social status of all persons in all cities or the access of these bodies to the information databases of different state organs must be provided.

One more positive change made to the Decision in paragraph 3.1 is related to the composition of the commission determining the addressed state social assistance. Thus, in the initial edition of the article 3.1 with the purpose of providing transparency in determination of social assistance the representatives of administrations, institutions and organizations regardless of their legal form could be invited to the meetings of the commission. It means that, representatives of administrations, institutions and organizations was at the discretion of the commission. At the present edition the initiation of the representatives of administrations, institutions and organizations regardless of their legal form is enough to provide their compulsory participation in the meetings of the commission. But we suggest including the regional NGO representative to the membership in commission determining the addressed state social assistance as one of the effective tools for providing public control over the decisions made and conduction of the commission's activity in really transparent way.

One of the issues in the Decision which should be clarified is the time frame within which the commissions will consider documentation. Of course, although it is provided in the paragraph 3.3 of the Decision that the commission will consider the document on determination of the addressed state social assistance within 10 days it is unclearer since when this period starts. Of course, it is provided in the paragraph 4.1 of the "Statute of the Commission determining the Addressed State Social Assistance" approved by the Decision 01.06.2006, № 7 of Collegium of the Ministry of Labour and Social Protection of The Population of The Azerbaijan Republic that "the documents are considered at the meeting of the commission not later than within 10 days since they are submitted to the Regional (City) Centre for Social Protection of the Population". From the point of view of improvement of the legal regulation we suggest that in the paragraph 3.3 of the Decision after the first "documents" word the words "since they are submitted to the Regional (City) Centre for Social Protection of The Population" will be added and after the word "necessity" the word "about" will be added. The first part of the paragraph 3.3 will be seriously edited because of being too complicated.

Although, according to the Decision the addressed state social assistance is determined by the commissions, in some paragraphs of the Decision instead of the term "commission" the phrase "the body determining the social assistance" is used. With the purpose of using equal terms in the Decision, we suggest to change the words "the body determining the social assistance" to the word "commission".

It is provided in the paragraph 3.5 of the Decision the appropriate administrations, institutions and organizations are obliged to efficiently respond to the requests of the body determining the social assistance. We think that provision of the exact time frame for response would increase the force of the norm. That is why, we suggest that in the paragraph 3.5 of the decision the word “efficiently” be replaced by the words “not later than 2 business days”.

One of the grounds for refuse from determining the social assistance is non-provision of necessary information about issues which may influence provision of the social assistance or provision of incorrect or incomplete information about the family composition and income of the family members. We think that the edition of this norm was not completely successful, i.e sometimes and particularly in provision of the addressed state social assistance in rural areas the applicants providing information are unaware of its correctness or incompleteness. And this brings to the situation when commission makes formally right, but in fact wrong decision. That is why for making the paragraph 3.10 of the Decision understandable for everyone and with the purpose to provide their equal application by all commissions we suggest to add words “provided in this Regulation” after the word “necessary information” and add word “intentional” before the word “non-provision”.

One of the disputable points is refuse from determination of the social assistance in cases when the family within 1 year before appeal for assistance purchased the apartment or paid education fee or made purchase or sale in the amount of 10 subsistence wages determined in the republic. The disputable point is that one of the grounds for refuse from determining the social assistance might happen 1 year before appeal for assistance. The experience shows that at least during the global economic crisis one year is enough period for a person or a family to become bankrupt. From this view point, the above mentioned actions may not be considered as grounded and objective reason for depriving the person or the family from the right to obtain the addressed state social assistance. That is why we suggest to exclude this paragraph from the document.

As another ground for refuse from determining the social assistance is possession of the vehicle by the family, except for vehicles provided by the government for rehabilitation purposes. Here the legislation takes into account not only the vehicles in property of the family but also the vehicles hired or at any other reason possessed by the family for use. If we take into account that sometimes, various families possess non-serviceable non-serviceable vehicles and this is mostly met in the low income families, then we will agree that this paragraph of the Decision may bring to the groundless deprivation of the family from the right to obtain the addressed state social assistance. That is why, in the paragraph 3.10.3 of the decision after the word “in possession of the” to add the words “technically serviceable”.

In cases when the unemployed member of the family which has capacity for work refuses from 2 suitable jobs offered by the local organ of the Chief Employment Office, the determination of the social assistance to this family is rejected. Generally, there is a need in the legislation for broader explanation of the notion of “suitable job” provided in the Law of the Azerbaijan Republic on the “Employment” and being ambiguously met since the day it is applied and which is mostly used for refusal from determination of the addressed state social assistance. Thus, according to the articles 5.1 and 5.2 of the Law of the Azerbaijan Republic on the “Employment” the suitable job is the job where the job seeker’s specialization, previous professional experience, health, ability to come to the workplace is taken into consideration. The maximum distance from the job seeker’s place of living to the suitable work place is determined by the local executive authority, taking into account the capabilities of the transportation network in that area. As we can see, such definition of the suitable job in many cases creates opportunities for subjective decisions in relation to the applicants. Thus, when saying transportation network it was not clarified whether it is personal or public transportation. At the same time, the taxi service is also included to the transportation



network, but use of this service may not concern the job seeker. Besides, the fact that determination of the maximum distance from the job seeker's place of living to the suitable work place is at the discretion of the local executive authority will be evaluated as the factor decreasing unique application of the legislation. That is why, we suggest that there will be at least the normative legal act on the level of the cabinet of ministers which would provide definition of "suitable job", its provision, refusal and other regulations.

After the commission made decision on refusal from determination of social assistance, the notification showing the reason for refusal from determination of social assistance will be submitted to the person representing the family not later than within 3 days after the decision was issued. This norm reflects the probability that this decision will be disputed. In this case, the legislation considers the decision as the subject for complaint, not the notification. Thus, we suggest that in the paragraph 3.11 of the Decision the word "notification" should be replaced by the word "decision".

It is known that, for effective achievement of purposes put by any normative legal act and from the point of view of its efficiency and regulation of the relations the important factor is who will realize the control over implementation of this legislation. According to the existing legislation, at the control over determination and provision of the social assistance is conducted by the Azerbaijan Republic Ministry of Labour and Social Protection of The Population. At first sight there is nothing contradictory or inconvenient. But, it should be taken into account that the paragraph 2.3 of the Decree of the President of the Azerbaijan Republic (16 November 2005, №312) on application of the Law of the Azerbaijan Republic on "The Addressed State Social Assistance" appointment of the social assistance is conducted by the regional (city) Centers for Social Protection of The Population of the Azerbaijan Republic Ministry of Labour and Social Protection of The Population. Thus, legislation differs two absolutely different functions such as determination of the addressed state social assistance and provision of control over this activity to the same agency. And this, on its turn, provides room for corruption in determination of the addressed state social assistance and makes control over the determination ineffective, from the point of view of the field interest security. That is why, delegation of the control over provision of the social assistance to the independent agency may be one of the important instruments for more perfect implementation of the legislation in this field and prevention of cases which may bring to corruption. We suggest that, the appropriate norm must be added concerning realization of control over implementation of the Law of the Azerbaijan Republic on "The Addressed State Social Assistance" by the certain agency. At the same time, establishment and the Status of that agency will be determined by the Decree of the President of the Azerbaijan Republic.

As one of the generally accepted principles of law making is that any legislative act contains the complaint procedure about the actions (inaction) of the appropriate authoritative subjects. But, the "Regulations on appeals for obtaining, determination, provision and refuse from provision of the social assistance" and the "Statute of the Commission determining the Addressed State Social Assistance" do not contain mechanism for complains about the decisions of the commissions determining the social assistance. Of course, the court is provided in the legislation as the body considering any disputable situations. But, elimination of this legal gap which is inadmissible and reduces "the legal confidence" of any legal act, is necessary.

It is provided in the paragraph 4 of the "Regulations on Counting the Average Monthly Income of the Family" that while counting the average monthly income of the family all official and unofficial sources (also by investigation at place) which may prove correctness of information about income of the family members are used. Here one of the points providing room for subjectiveness is improvement of the correctness of information based on information obtained from unofficial sources. Such edition of this norm provides for taking into account the

information provided by neighbours which is really suspicious and unreliable as basic. Because, the mechanism for precise checking the accuracy of the information provided from this source, we suggest that either such mechanism will be added to the paragraph 4 of the Regulations or the words “and incorrect sources” should be excluded.

With the purpose to provide concreteness of the paragraph 5.3 and 5.4 of the Regulation, prevent the arbitrary actions of officials, to provide common understating of norms, we suggest that the words “and etc.” should be excluded from these paragraphs.

The paragraph 6.11 of the Regulation - “is determined in the amount not less than the income shown by the person and the subjects conducting entrepreneurial activity in the employment agreement of the citizens working based on the employment agreement;” is not understandable that is why we suggest that it should be reedited.

Because in the paragraph 3.1 of the Decision of the Cabinet of Ministers of the Azerbaijan Republic (2 February 2006, №32) on approval of the “Regulations on appeals for obtaining, determination, provision and refuse from provision of the social assistance” and “Regulations on Counting the Average Monthly Income of the Family” the above mentioned changes made related to the composition of the commission determining the addressed state social assistance was not reflected in the paragraph 1.3of the “Statute of the Commission determining the Addressed State Social Assistance” this discrepancy should be eliminated.

## Attachment 2 – Outcomes of the survey

The survey has been conducted within the Project Monitoring over the implementation of the Addressed State Social Assistance with the financial assistance of Counterpart International by NGO Coalition including Citizens Labor Rights Protection League, Eurasian Lawyers Association, Constitutional Research Foundation, Azerbaijan Lawyers Confederation and Information and cooperation network of organizations working on combating corruption.

The survey has been conducted among 1500 respondents in 5 zones covered by the monitoring. These included the following 5 zones:

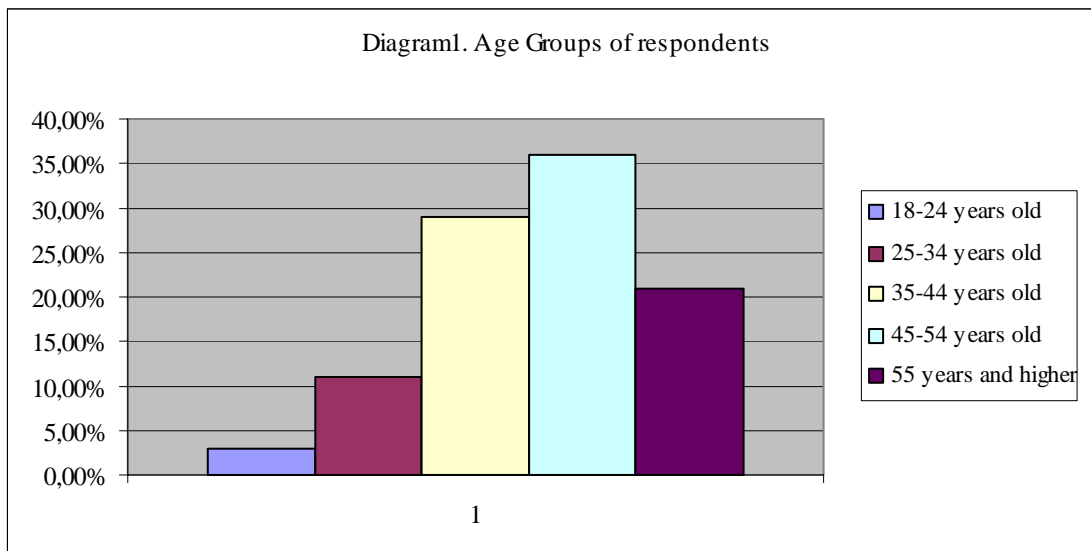
- Baku-Absheron and Sumgayit;
- Guba-Khachmaz-Siyazan-Devechi-Gusar;
- Ganja and surrounding regions;
- Shirvan city and surrounding regions;
- Southern zone (Lankaran and surrounding regions).

The main purpose of the questionnaire was to learn the real situation with provision of the low-income population with the Addressed State Social Assistance, the existing practical problems in access of citizens to the addressed state social assistance, determine the level of corruption in this field, the problems arising in the documents collection process, to determine the procedures which mostly create problems and etc.

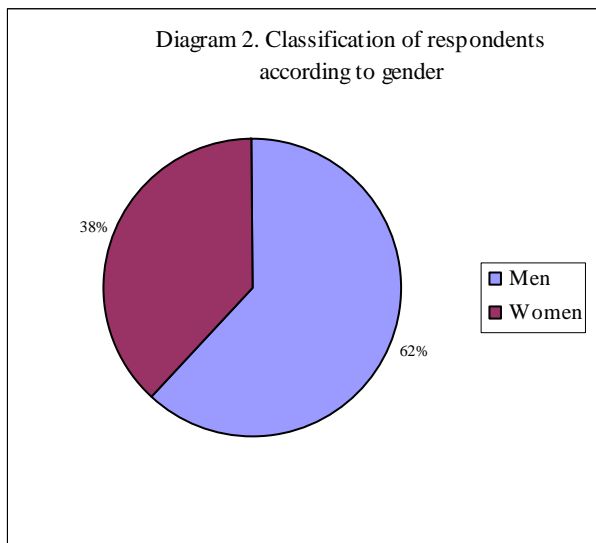
The questions consisted of two parts. First 4 questions were general, the second group (5th – 9th questions) were related personally to the respondent or his/her family members. Besides expressing the opinion by putting marks in front of answers, the respondents were asked to give opinion in the “other” variant of the answer. The confidentiality of respondents was guaranteed.

The respondents have been divided into several age groups and generally opinion of 1500 persons was learnt:

- a) 18-24 – 3%
- b) 25-34 – 11%
- c) 35-44 – 29%
- d) 45-54 – 36%
- e) Over 55 years – 21%



**In general 61.8% of respondents were men and 38.2%- women. But the gender balance were kept as follows according to the zones:**



- Shirvan city and surrounding regions – 61% men – 39% women
- Ganja and surrounding regions - 67% men – 33% women
- Baku-Absheron – 52 % men – 48 % women
- Sumgayit – 57 % men – 43 % women
- Guba-Khachmaz-Siyazan-Devechi-Gusar - 64% men – 36% women
- Southern zone (Lankaran and surrounding regions)– 76% men – 24 % women

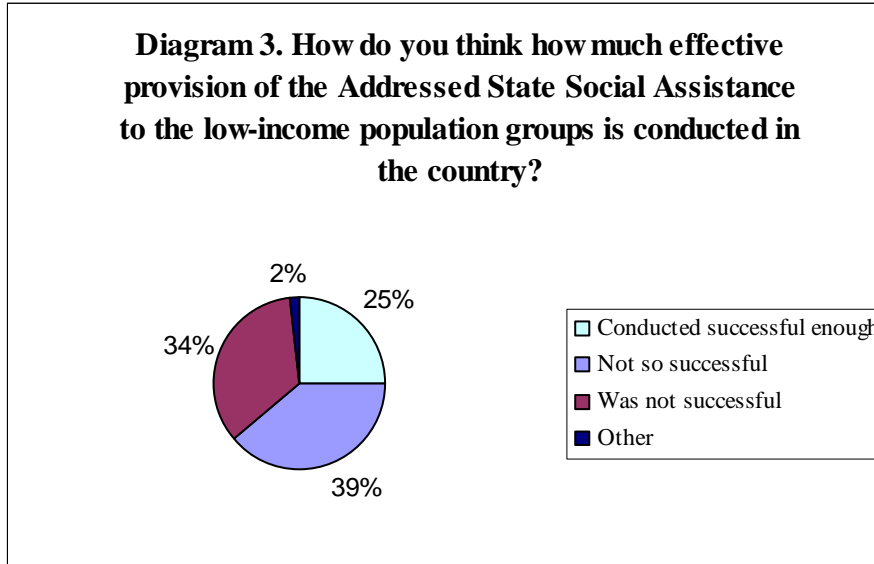
The first question of in the questionnaire we the following:

**How do you think how much effective provision of the Addressed State Social Assistance to the low-income population groups is conducted in the country?**

The outcomes were as follows:

- a) Conducted successful enough - **25%**
- b) Not so successful - **39%**
- c) Was not successful -**34%**
- d) Other -**2%**

The majority of “Other” answers were “I do not know”.

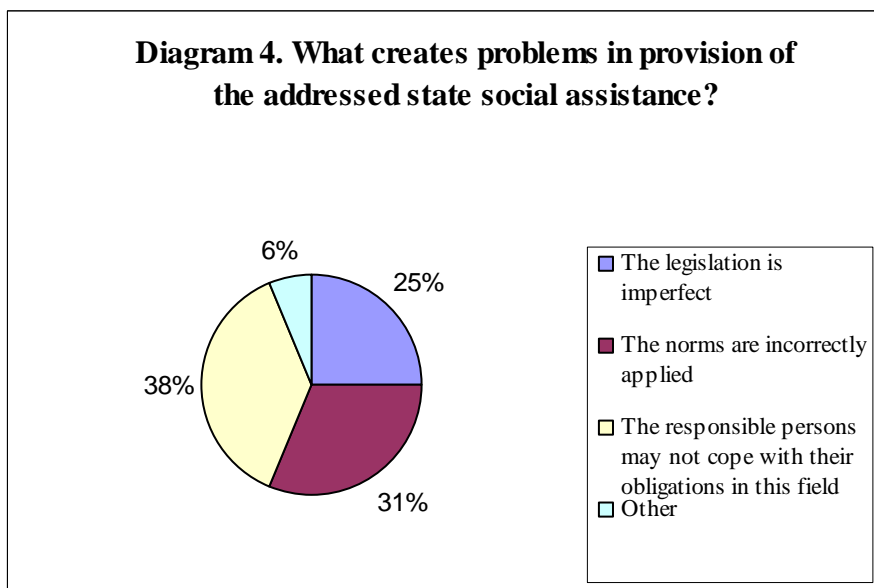


The following question in the questionnaire was:

**What creates the problems in provision of the addressed state social assistance?**

The outcomes were:

- a) The legislation is imperfect - **25%**
- b) The norms are incorrectly applied - **31%**
- c) The responsible persons may not cope with their obligations in this field - **38%**
- d)Other-**6%**



The other answers may also be important for evaluating the situation. Mostly repeated were the following answer:

“I can say it if the transparency will be provided”, “it is impossible to solve the problem without bribe”, “Too much requirements”, “I did not have any problem”, “There is environment providing conditions for subjective factors”, “I do not know”.

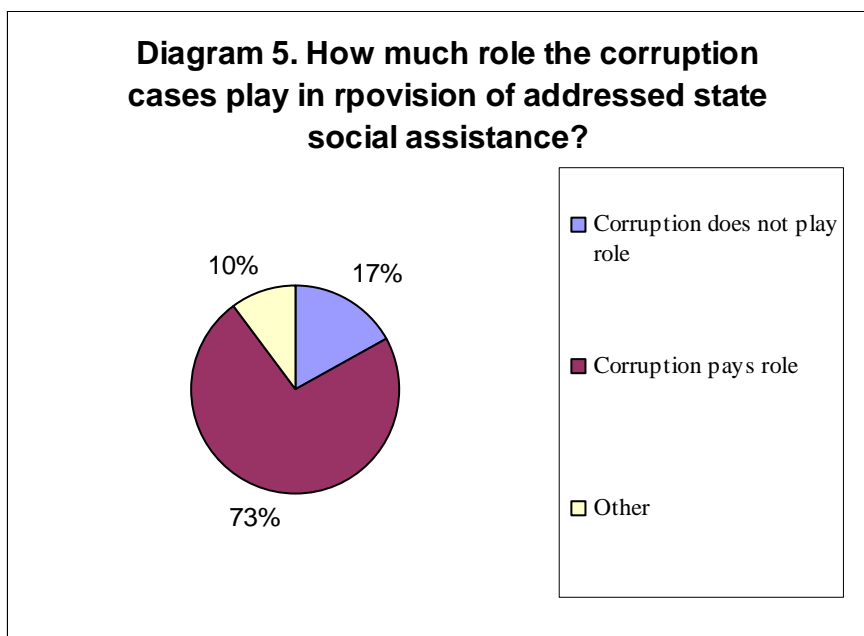
**How much role the corruption cases play in provision of the addressed state social assistance?** The answers were as follows:

- a) Corruption does not play role in provision of the addressed state social assistance - **17%**
- b) Corruption pays role in provision of the addressed state social assistance - **73%**
- c) Other-**10%**

The following answers were often repeated among the others:

“Subjective factors may create conditions for corruption”, “Corruption cases appear as a result of officials preferring subjective factors”, “Subjective factors play more role”, “When they knew that I do not have husband, the did not create the problems”, “you understand in the conversation that you will have difficulties if you do not pay bribe”, “you will have difficulties if you do not pay bribe”,

“I cannot say anything about it”, “there is a certain role of corruption”, “The citizen is also responsible for creation of conditions for corruption”, “I do not know”



The following question was:

**Which changes you think are necessary in provision of the addressed state social maintenance?**

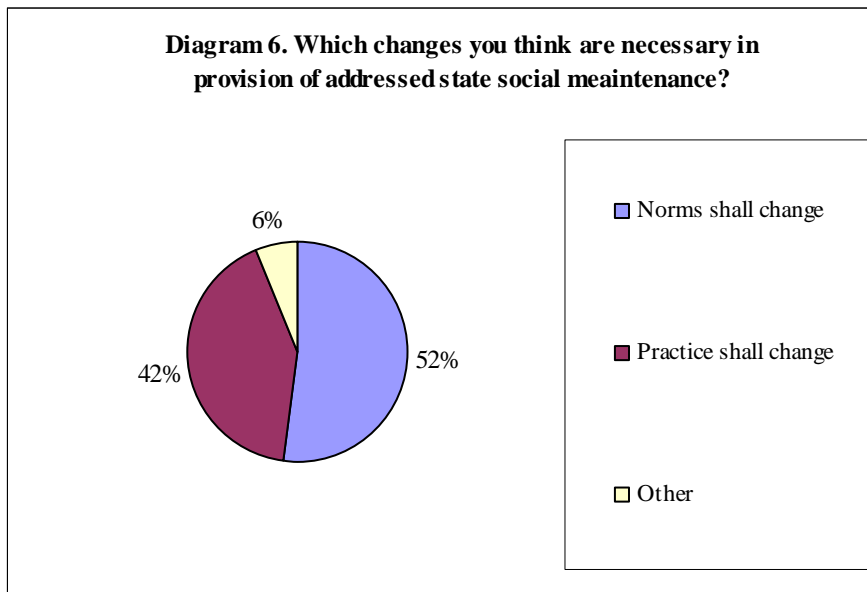
The answers were as follows.

- a) Norms should be change - **52%**
- b) Practice should be change - **42%**
- c) Other-**6%**

The following answers were mainly repeated among others.

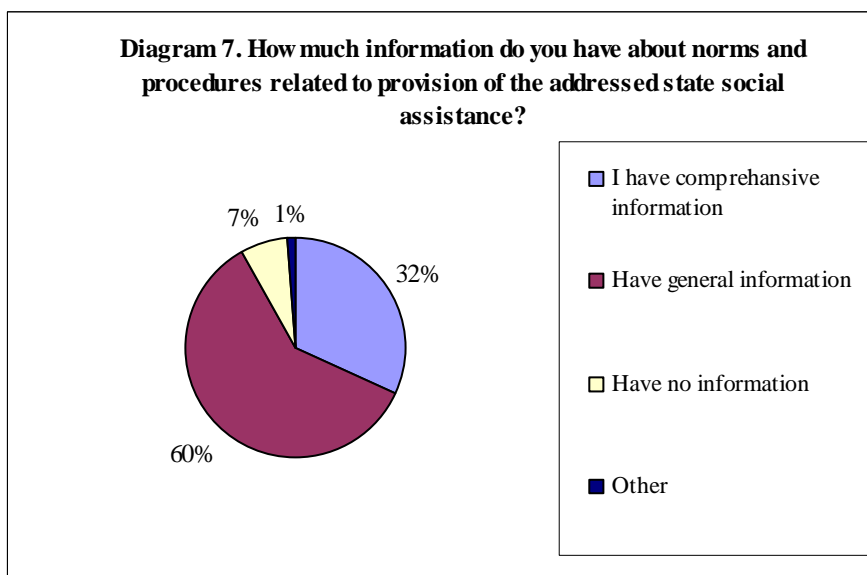
“There should be regular analysis and improvement”, “Officials should change”, “Persons from other countries should substitute the officials”, “Too many documents are required”, “I think everything is OK”

“Bribery should be eliminated”, “Norms should be improved, officials’ responsibility should increase”, “I can’t say anything”, “I do not know”, “Norms should change”.



For determining the awareness level of respondents the following question was included.  
**How much information do you have about norms and procedures related to provision of the addressed state social assistance?**

- a) I have comprehansive information - **32%**
- b) Have general information - **60%**
- c) Have no information - **7%**
- d) Other-**1%**



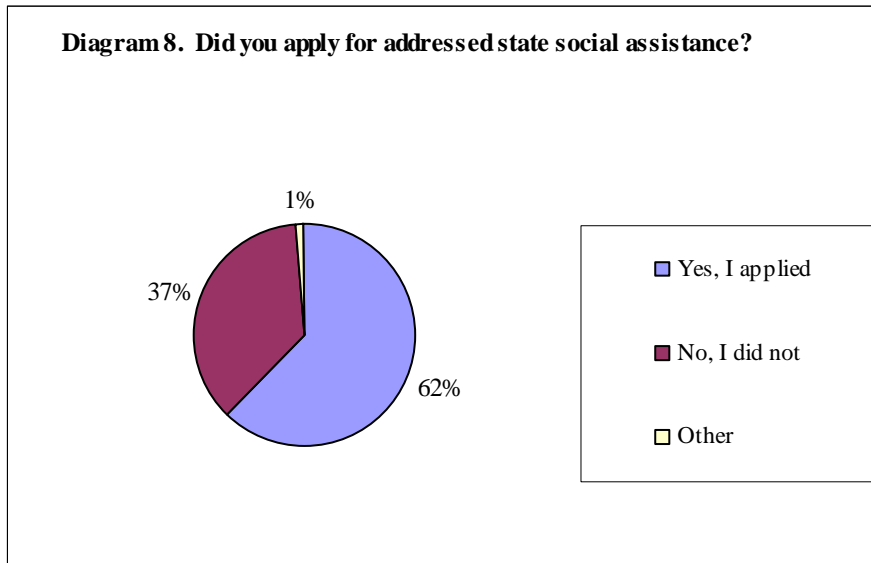
Several respondents noted that they obtained certain information at the Social Protection Centres.

For determining the percentage of respondent who applied for the addressed state social assistance the following question was included to the questionnaire.

**Did you apply for the addressed state social assistance?**

The answers were as follows.

- a) Yes, I applied - **62%**
- b) No, I did not - **37%**
- c) Other-**1%**

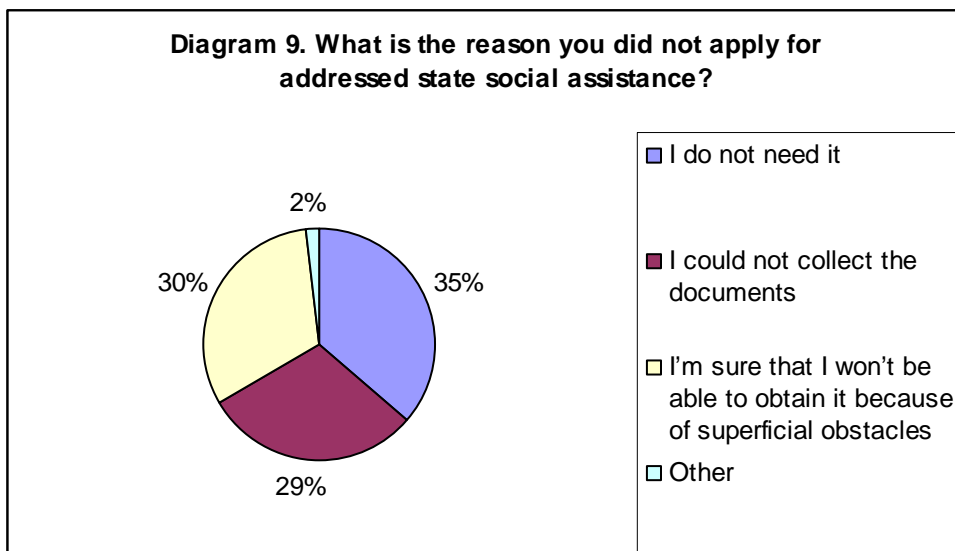


The following question was addressed only to those who did not apply.

**What is the reason you did not apply for the addressed state social assistance?**

The following answers were obtained.

- a) I do not need it - **35%**
- b) I could not collect the documents- **29%**
- c) I'm sure that I won't be able to obtain it because of superficial obstacles -**30%**
- d) Other-**2%**



The following questions in the questionnaire were addressed to those who applied for the addressed state social assistance.

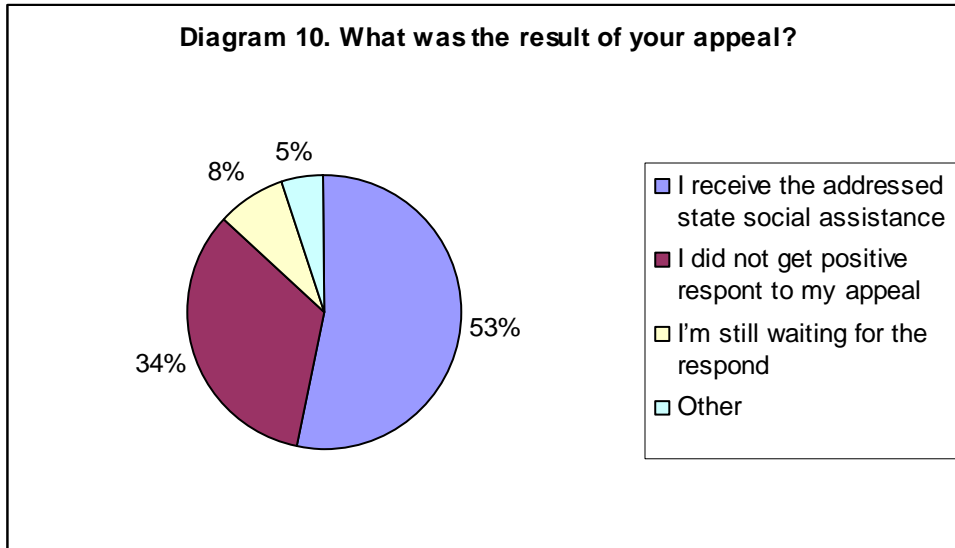
**What was the result of your appeal?**

- a) I receive the addressed state social assistance - **53%**



- b) I did not get positive respont to my appeal - **34%**
- c) I'm still waiting for the respond -**8%**
- d) Other-**5%**

Other answers prove existence of corruption in provision opf assistance. The following answeres were often repeated “I receive only 40%”, “I received 70%”, “I could receive 50% of the allowances”, “I received 65%”, “I receive only 50% of the allowances” “They put multiple requirements and I rejected the assistance” and etc.

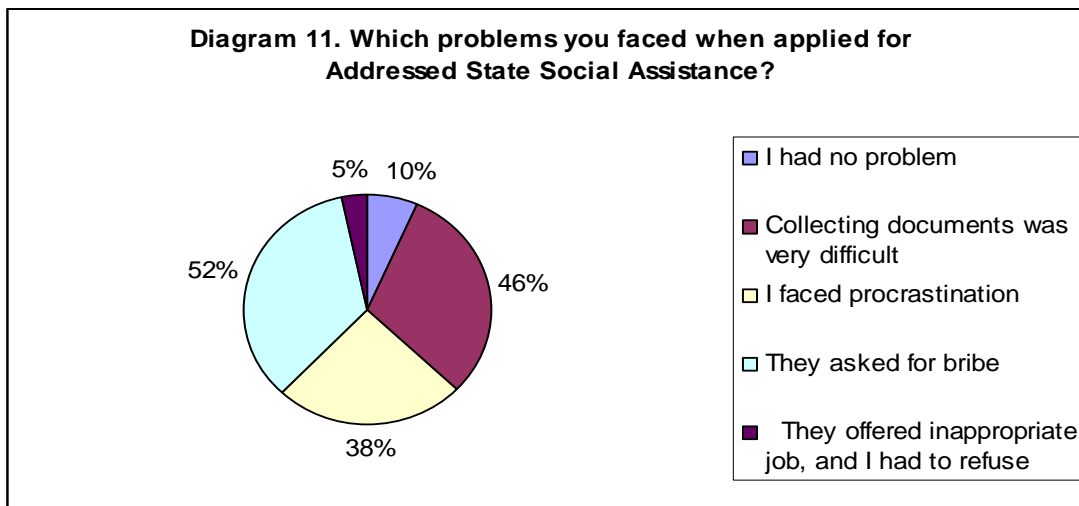


The last question of the questionnaire was as follows.

**Which problems you faced when applied for the Addressed State Social Assistance?**

The respondents were asked to show 3 main problems. Answers are following:

- a) I had no problem; - **10%**
- b) Collecting documents was very difficult; -**46%**
- c) I faced procrastination; - **38%**
- d) They asked for bribe;- **52%**
- e) They offered inappropriate job, and I had to refuse; -**5%**



Besides, some of the respondents were arbitrarily told that their family income is at the minimum level.

There were also other answers which also were repeated.

“I gave them my card and after 6 month I will receive payments for 6 month”, “I had to give them payments for 5 months”, “The requirements are difficult a little”, “they told that they make me concession because I’m disabled person”, “They created situation when I had to promise money to them”, “They explained that, I may not receive it”, “It was determined that we may not receive it”.

### Attachment 3 – Analysis of interviews with experts

In the regions covered by the monitoring the unstructured interviews have been conducted with 50 local experts. These interviews played great role in determining the level of transparency and effectiveness in processes related to provision of the addressed state social assistance. The questions in interviews were not consecutive. Majority of the interviewees do not know what was the interview related (i.e. that it is conducted within the monitoring). Although, the interviews were unstructured it aimed to collect exact information and mainly the following questions were used.

1. How is the general situation with provision of the Addressed State Social Assistance?
2. What creates the problems?
3. What are the main existing problems in collecting documents, obtaining certificates from the employment centres about being unemployed?
4. Is there cases of obtaining the payment cards?
5. Are there intermediaries in obtaining Addressed State Social Assistance?

The obtained outcomes have been generalized and the common and repeating problems for all regions and administrative units have been revealed. There was no specific and unimportant problems which may not decrease the effectiveness of provision of the addressed state social assistance.

The general situation with provision of the addressed state social assistance was commented by experts as follows: in general, provision of assistance positively affects the population's scale of living. At the same time, violations which appear in determination and provision of the allowances in many cases bring to injustice. There were cases where person who have no right to obtain the addressed state social assistance have hidden their real income trying to receive the assistance and income cases they succeeded. On the contrary, the persons who have all rights (those in need) to receive the assistance face superficial bureaucratic obstacles, may not collect necessary documents (these documents do not help them to obtain the assistance). As a result, such cases show that there is injustice in determination and provision of the addressed state social assistance.

Majority of experts involved in interviews noted that the main problems for determination of the addressed state social assistance are related with collection of the documents. Some local officials can create ground for refuse from provision of the addressed state social assistance by means of documents. Many experts mention that there are secret agreements between social Protection Centres and various agencies. As the main mean they show that it is a problem to be registered as unemployed in the employment centres. The person who applies to the employment agency for registration as unemployed for obtaining the addressed state social assistance is offered unsuitable job or the job not corresponding to his/her specialisation. This person, of course, refuses these jobs. For example, in Salyan region the 52 years old woman is offered a place of worker at a bread-baking plant with 100 AZN salaries (including income tax and social payments). This work place is 35 km far from her settlement. To reach the work place she needs to walk 3 km. Then, she has to use 3 different transportation means. The monthly transportation expenses are up to 75 AZN.

The second time this woman is offered a job 8km far from her settlement. In this case it was seasonal work related with loading of grass bunches in the farm. There is no any transport for reaching that place. The 52 years old woman would throw 20 kq grass bunch to the 3 meters height (The Labour Code prohibits attraction of women to such works).

Majority of experts involved in the interviews mentioned that the same methods are used in the areas they live.

In the employment centres, persons with higher education are offered a worker job, when they refuse that job, they are offered to sign empty blanks. Afterwards this blank is filled as if suitable job was offered to the person with higher education.

One of the serious problems is related with existence of the plot of land in possession of the person. Any person who has a plot of land may be refused from provision of the addressed state social assistance. But, a great part of those who receive this assistance have lands. And this give us reason to say that when officials want to determine the assistance the mechanism of secret agreement is launched and the documents are arranged in such way that it becomes possible to provide the assistance.

Several experts notices some facts. The addressed state social assistance is not determined to the woman which moved from one administrative unit of one of the regions to the another after getting married, and the main reason for that is the fact that she has plot of land in another village. At the same time, the assistance is not also determined to the father of this woman because his daughter has plot of land and this person may use it.

Majority of experts mention that pin codes of plastic cards provided for payment of the addressed state social assistance are being opened. The official determining the assistance knows these codes. Before transfer of the amount the plastic card is taken from the owner and the amount for 3 months (sometimes 4 months) is being withdrawn from the cars. After that the card is returned to its owner.

All experts noticed that mediators' services are used in determination of assistance. Sometimes, mediators are employees of the employment centres or any of them link the applicants with mediators. The mediators based on the agreement provide services to any person in obtaining the social assistance their irrelevant of social situation. Also services in operative collection of the documents are also being offered. In some regions there are cases of "establishment" of informal "one window" opportunity have been noticed.

The unstructured interviews show that corruption and serious law violations are typical for determination of assistance.

#### Attachment 4 – Conduction of the Observations

The Observation has been conducted at the social protection centres of 10 regions covered by 5 monitoring zones. The observations have been conducted *incognito*. Previously the questionnaires have been prepared for conduction of the observation and the instructions have been provided for the persons conducting the observation. The observers made notes regarding the following questions.

Have the special boards regarding regulations on obtaining the addressed state social assistance been placed at the entrance of the centres or at the well seen place?

- Have the specialist been provided in the centre for advising the population in this field?
- Do many people apply?
- Is there information on the days for appeals?
- Is the entrance to the building of the centre easy to find?
- Is there infrastructure for entry of disabled persons?

Based on the issues mainly typical for all centres the following results have been obtained during the observations.

There are boards containing information about legislation and other normative acts regarding the addressed state social assistance in the majority of centres where the observations have been conducted. But there also were centres which did not have such boards. The observer noticed that in the Social Protection Centre of the Azizbekov district of Baku city such board was not placed. But, there are no conditions for taking notes on information provided on the boards (e.g. to take notes on the list of documents) and the copies were not provided for the population to take with themselves (only one copy was stucked to the board).

The persons conducting the observations investigated whether there are experts who advise on obtaining the addressed state social assistance. It was revealed that, there is no problem for receiving advice. Any person may apply to the expert and get information and advice.

While conducting the observations in the centres it was noticed that the number of applicants is low. During the observations there were just a few applicants.

The boards containing information on the days for appeals were placed in all centres.

There no any obstacles for entering the centres. No any document is required at the entrance. But at the same time there are no conditions for disabled persons to enter the centres. No any infrastructure is provided for entry of disabled persons.

The observations conducted shaw that, the population does not have difficulty in applying to the Centres and geting advice.

## Attachment 5 – Statistical Data

As it is mentioned in SPPRSD the addressed assistance is temporary support for the families and does not mean to end up with poverty. From this point of view, implementation of the measures on reduction of poverty and provision of sustainable development should be accompanied by decrease of the amount of persons receiving ASSA. Implementation of the ASSA program started in 2006. Although, according to the official information of the government the poverty indicators have decreased since that time, there is increasing tendency in the amount of persons receiving this assistance. Thus, in 2006 the number of the families receiving ASSA was 48705 and number of the family members for whom the ASSA was determined was 218 673 persons. In the following years these figures continued to increase. In 2007 the number of the families receiving ASSA was 145 907 and number of the family members for whom the ASSA was determined was 672 235 persons, in 2008 the number of the families receiving ASSA was 163 409 and number of the family members for whom the ASSA was determined was 749 965 persons.

As we can see, number of the families receiving the assistance and the family members increased several times during 3 years. During 10 months of 2009 these figures increased consecutively to 132 471 and 601 444.

It is seen from the statistics that the amount of persons for whom ASSA is determined is large enough and this is incompatible with sustainable developments indicators.

At the same time, the monthly amount of money provided for each family and each family member also continues to increase. Thus, in 2006 the average monthly amount of ASSA for a family was 44,28 manats, per person the average monthly amount of ASSA was 9,86 manats. In the following years these figures continued to increase. In 2007 the average monthly amount of ASSA for a family was 80,03 manats, per person the average monthly amount of ASSA was 17,38 manats, in 2008 the average monthly amount of ASSA for a family was 100,96 manats, per person the average monthly amount of ASSA was 22,0 manats and during 10 months of 2009 the average monthly amount of ASSA for a family was 111,8 manats, per person the average monthly amount of ASSA was 24,62 manats.

The statistics regarding rejections of appeals made for obtaining the Addressed State Social Assistance is decreasing. Thus, in 2006 the general number of the families over the Republic whose appeals were rejected was 24885, in 2007 this number was 12697, in 2008 – 3405 and in 2009 – 1220 families.

The decreasing tendency was also typical for various regions of the Republic. Thus, in 2006 in Nakhchivan Autonomous Republic the appeals of 3912 families were not satisfied. In 2007 this amount was 1101, in 2008 – 187; in 2009 it were just 79 families.

For Mingachevir city this figures were consecutively 598 in 2006, 379 in 2007, 108 in 2008 and 0 in 2009. In Shirvan city these figures were 254 in 2006, 48 in 2007, 3 in 2008 and 2 in 2009. Generally, these figures are decreasing in majority of regions and cities of the country. But, at the same time, there are exceptions. For example, in Masalli the figure were 446 families in 2006, 1342 in 2007, 67 in 2008 and 49 in 2009. In Lenkaran the figure were 821 families in 2006, 2031 in 2007, 123 in 2008 and 132 families in 2009. In 2009, in 23 regions and cities of the Republic no rejections to the applicant families were registered, in 14 regions and cities the number of rejections per each administrative unit was 1. In 5 administrative unit no rejections have been registered during 2 years running.