

---

# АЗАМАТТЫҚ ҚҰҚЫҚ ЖӘНЕ АЗАМАТТЫҚ ПРОЦЕСС ГРАЖДАНСКОЕ ПРАВО И ГРАЖДАНСКИЙ ПРОЦЕСС CIVIL LAW AND CIVIL PROCEDURE

UDC 347.6

S. Hassanzadeh

*Department of «International relations and international law»  
of Institute of Philosophy and Law of National Academy of Sciences, Azerbaijan  
(E-mail: saidahasan@gmail.com)*

## Maternity rights protection

In years of independence in the legislation of the Republic of Azerbaijan there was specified a wide circle of rights and freedoms for women as the citizens of this country. In family right when stating on the parents, the point is father and mother of the born child, in other words, man and woman. In article 34 of the Constitution a right of everybody on reaching an age determined by the law to found a family, to marry is recognized. In section III of this article it is pointed that «maternity, paternity and childhood are under protection of the law». Nevertheless neither Constitution, no Family Code and Civil Code have not yet made clear the meaning of nation of term «maternity» indicated in the Constitution, what content of «maternity» consists in, also as far as status, right and duties. In the article, for the first time in the context of «maternity» there have been made clear the content and definition of right to maternity of woman been the citizens of the Republic of Azerbaijan.

*Key words:* family, maternity, Constitution, rights.

Determination of the «Family» institution in the Constitution of the Republic of Azerbaijan and regarding this regulation at national level of various social relations issues arising from in society have crucial theoretical and practical importance [1; 65, 2; 101, 3; 60]. The researches in this respect determining content and essence of various concepts that are closely related with the «family» institution play an important role as a «key».

Academic V.N. Kudryavtsev rightly notes that, while the defining of any concept or event it is necessary to assume its totality of the characteristic symptoms that this definition or concept may lead essence of event or manifestation whether standing behind it highlighted objective reality [4; 36]. Dekart showed that specify concepts and you will have saved the world from to be wong [5; 119]. In this regard, for studying of complex constitutional determination of the «family» institution, some terms which closely related with it — «human», «woman», «man» «child», «mother», «motherhood», «maternity right», and so on words there is a great need for disclosure of the notions essence. Among these concepts it is important determination of the concepts of «maternity rights» and «motherhood» that were used in the Constitution of the Republic of Azerbaijan, in the Family Code, in the normative — legal act, as well as a number of international legal norms [6, 7].

The terms «mother», «maternity» and others have been attempted to give some explanations in the Explanatory Dictionary of Azerbaijan. There were stated that, «mother» is «who has a child», but «maternity» the mother's relationship and connection with her children, maternity duty, maternal instincts, it is understood the meaning and content elements such as maternity [8; 114]. Motherhood-contains set of rights and obligations with respect to the functions mother's childbearing, keeping and upbringing [9; 57]. Therefore, if we approach the issue from the point of etymology, then «mother» — the child's biological parents or socially takes to the role, foster mother of her child, the genetic mother or it's clear she is the mother who give birth to child from her ovarian cells. But «motherhood» is a notion that appeared in as a result of

a combination of word-building endings — «liq», characterizes the childbearing, social and biological status caused by the process of childbearing, the quality of maternity and status of maternity [10; 117, 11; 36]. It is no coincidence that, law dated 26 June 1997 «On the protection of public health» of the Republic of Azerbaijan has been shown that a woman who has reached age of maturity has the right to resolve the issue of motherhood independently [12]. Being a mother and in accordance with maternity right contains a set of rights and obligations with respect to the fact that her childbearing as well as the status of motherhood. Although it is essentially legal conception, but its biological, sociological, psychological, medical and other aspects require a comprehensive approach to the issue.

In addition to being the fact being a mother and her childbearing linked to reproductive health and reproductive activity, this fact results not only significant changes in the status of women but also getting rights to maternity. The content of maternity rights, components are expressed in normative legal acts, Codes, laws which regulating public relations in the field of women social, labor, administrative, criminal, procedural, health, educational and in other field of law, and its organizational and legal mechanisms of protection and security, ways and means reflects thoroughly in the same normative legal acts [3; 61, 13; 116]. As an individual person to be a mother and getting the right to motherhood, first of all, concerning with the biological features as it belongs female gender. Being a mother and in accordance with getting the right to motherhood, normally it is usually associated with a person who belongs to female gender. Mother, a person who only belongs to female gender without exception may be individual and thus she could able to get the right to motherhood. Human, the highest and higher layer of all living creatures on the earth, standing on the basis of historical processes, the creator of material and moral culture and the subject of its development, unfortunately, so far had never been completed scientific perception and its definition and characteristic features had not been researched till the end. As well as the entities that belong to the human species — the nature of men and women, general and individual specific traits had not been fully studied, generally this notion and the image of a man –man and woman were not given absolute definitions as medical, legal, philosophical, sociological, biological and other senses. In course of researches human- women, men's rights, their general and individual features, nature, location and role were not defined as well as had not been involved in complete and comprehensive researches by social and political, various fields of humanitarian and medicine sciences. The main purpose of our research is to eliminate this gap partially.

In a globalized world on the bases of latest advances in medical science nowadays we encounter some persons with their persistent demands belonging male gender making appropriate changes over the body by a medical procedure in order to be mother, giving birth to a child but such situations can't be considered normal. Therefore our research have covered only natural processes, legal, psychological, social, biological in course of theoretical study of the right to mother and maternity, «human», «woman», «man», «mother», «maternity right», motherhood, such as terms had been clarified and for the first time made some effort for their definition. As a result of comprehensive scientific research has produced such a result that the highest and higher layer of the creatures on earth, the creator of the historical process, material and spiritual culture, the subject of development, genetically associated with other forms of life, ability producing tools and material goods, clear speech, thinking, consciousness, intelligence, having the social and political role in society, proactive, enjoying beauty of life and nature, combined set of biological, genetic, physiological, anatomical and morphological traits, being able to biological function increasing generation, biosocial and intellectual being-are considered a human [14; 110].

Human are represented in two biological categories man-male and woman-female. For the uncovering the definition of woman, girl and motherhood institution, as biological being it is important to clarify some of the main features that characterize the woman. With the joint efforts of various sciences biological sociological, legal, medical and other aspects of research unambiguously prove that, social role of women in family, nature and society, biological, physiological, mental, physical characteristics, childbearing and feed, combining the other qualities of motherhood, containing a set of features that allow you to characterize as a mother and is considered a woman [14; 110]. Studying characteristics sex difference in men and women, require consideration scientific achievements of feminist anthropology and ethnography. Regardless of the biological differences the situation in their social roles, forms of activities, emotional characteristics, sounds, behaviors, habits, actions, correspondences, attitudes, in the biological, psychological algorithms characterize the main features of the woman and the mother as an individual. Irrespective of individual choice to accept categorization on sexual symptoms conditioned to more biological aspects and considered socially compulsory. From this point of view it is inevitable and natural process that every human being be-

longs to male and female sex due to their nature and characteristics. Biologically characterizing quality features of human as the woman and mother as a rule stands on bases of mother and maternity rights [14; 110].

In fact nature laid the initial foundation of biological, sociological, psychological and legal differences by dividing human as an individual into two main categories male and female. Therefore, for centuries, the role, place and position of men differing with physical strength in the relationship between men and women has been high and was distinguished by the domination in society and family. As being creative the incomparable role of women in the developing family and the generations her skills and capabilities of the state and society, family life is extremely broad highlighted and in all these directions continuous replacement process, repeated attempts to human-made has continued [15; 80]. The biological, physiologic research of human species, woman, man, mother in other directions allows you to determine the general and individual characteristics each of them. Scientists are always deeply affected the nature of human birth being as a male or female sex and had gotten an instructive conclusions. As a result of genetic, biological, medical and legal research it was clear that, first of all the reason for the emergence and formation of human as a male and female sex, depend on from any chromosomes X or Y in the egg cell in the womb were leaven and the final outcome of physiological process. Unlike other cell in the body the egg cell due to its form and physiology in the process of development in the womb is subjected consistent, systematic and natural changes. In the result, future human tissues, distinctive special-purpose organs begins to take shape. In fact, source of development program of egg cell benefitting from vacuum or «Space» in the womb based on the holographic model of human and the specific image of a specific person begins to take shape. Dividing cells of a human embryo fills only volume of holographic copy and egg cell cultivates of a specific form of DNA with its information sources, and tissues- specific physiological characteristics that are inherent in the human being, the interior and exterior signs. Taking place heritage development processes which revitalizing future human intelligence, as a result of resonance workflow of space indicators their own information, led to the point of their parent norms and level. Although initially information, energy source of embryo was deprived of gender, future consciousness arises in the mother's womb, developing on the basis of physiological processes and respectively formed male and female gender and starts emergence of a model of the human image [16; 111].

Researches indicated that, woman and man however include two individual gender that both sides of — «human» being, although have a certain similarity in terms of exterior and interior as a matter of fact they are not similar. As a human being woman and man, due to their inner and outer bodily structures, biological and physiological characteristics, sexual activities, habits, temperaments, feelings, nervous system, intellectual and mental abilities, memories, social and psychological behavior, approaching to events and processes, distinctive roles in society and in everyday life and the other numerous characteristics significantly are differ from each other. In contrast to the male genital organs to increasing the generation, nature has placed of the woman's organs with a strong bones protection system which is important to increase the generation in an area protected from any external influences and injuries, in the abdominal cavity. It is also be regarded the true embodiment of the divine love to the mother. During intercourse in order to childbirth more than millions of sperm are released but in woman's body are produced in a total of four hundred egg cell all her life. With a very complex structure of the female egg cells perform the carrier function of intergenerational transmission of heredity characteristics. With a fairly complicated of develop and mature of female egg, it just gets Basal Body Temperature — 36,6 degree. Humans have 23 pairs of chromosomes — 22 pairs of numbered chromosomes, called *autosomes* (non-sex chromosoms) and one pair of sex chromosomes, X and Y. Only 23<sup>rd</sup> normal feminine complement XX-chromosome, and normal masculine complement XY-chromosomes have direct relationship between gender. The Y chromosome is present in males, X chromosomes is presented in female, Y chromosome compared to the X chromosome considered little information carrier. The Y chromosome is present in males, who have one X and one Y chromosome. During conception, Y chromosome from a man transfers the egg of a woman the a boy is born, if x chromosome transfers a girl is born and this has already been confirmed scientifically. Males, of course, have one Y chromosome from their father and one X chromosome from their mother. When a Y chromosome is submitted for analysis It is possible to check for genetic genealogy analysis. But females have two X chromosomes, one from each parent. The use of X chromosomes to study genealogical relationships is still relatively new and its chromosomes to study genealogical relationships is still relatively new and it is difficult to determine that which of them was taken from mother or father [16; 111].

Today the science of genetics incontrovertible confirmed that, we receive source of our eye is from our father, the source of other eyes from our mother. As a descendant, all the positive and negative features,

traits are inherited from our parents to our personality, soul, spirit. For most of our genome we receive half of our genes from our father and half from our mother. To take two copies, one of the left half of our shape and left half of our face and turning the mirror create an entire visage, we will look like our mother or sister, but right half if we will do the same setting up we will look like our father or brother. The left hemisphere of the brain is formed by malefather basis, the right hemisphere of the brain is formed by woman- female basis. Each hemisphere controls organs, limbs and extremities in the opposite side of the body [16; 111].

Generally male and female are inherently different due to their biological, physiological, psychological, genetic, social and many other traits, although they were represented under the name «human» or have similarity to each other, the analyses also found that the obsessively differences between men and women. When we explain differences between men and women as a rule the sex differences were always preferable in researches. Considering the oldest legal monuments in religious books — in Bible, Torah, Psalms, Koran reflected different attitude to women and men. In Bible as well as in the epic of «Bilgamesh» which is considered the oldest epic of the world in both, a man and woman were created by a god. There was noted that, Adam and Eve's bodies were created by God between them had intimacies and they began to live as husband and wife. This may be beginning of male-female relations. According to the ancient Sumerian legend in the beginning, human-like Gods ruled over Earth, when they came to the earth *The sky* (also from Sumerian An, «sky, heaven») and Earth (also known Ki) had relation. From this relation were born Enki (or Ea water god) and Enlil (air god). Afterwards the first human being was created and developed. In another version of this myth created a new goddess (seven or eight to heal his seven or eight ailing organs, including his rib), who was named Ninti — «Lady of Living», the title of Ninhursag, also means «the mother of all living». It is also indicated that, the idea man was made from the rib of woman reflected in the Sumerian myth. In the Bible of book of Genesis unlike this, other version had reflected so that, God made a woman from the rib had taken out of the man had. In the Bible of book of Genesis has reflected the definition as an entity created by combining the two sexes, the man has been reported “crown” of all creatures and woman was created from the rib of man. The Creation of Man and woman and does not mean that they are unlike in nature, is based on a certain logic and legality as the creation and formation of a unified under one name «human» as in a certain sense the unity of opposites. As antic philosophy, as all the things in the world have dual nature, men and woman unlike in nature. It also proceeds from the assumption that, historically opposing forces were the main essence of being main process that bring about evolution for the beginning and developing of new life. Today impossibility of the stipulation of biological development of the human offspring without differences in men and women, were unequivocally already approved by the science there is no doubt continuation and development of humanity based on logical proven reasoning. The unity and struggle of opposites constitutes the essence of dialectical development of life and it was actually admitted. A human gestation period is divided into three trimesters of approximately three months each for nine months total. In the first trimester the pregnancy starts with a fertilized egg that divides to become tissue and cleavage, which becomes an embryo. The sex of an early embryo cannot be determined because the reproductive structures do not differentiate until the seventh week. Over the next five weeks, the fetus begins producing hormones that cause its sex organs to grow into either male or female organs. Although 9 week old embryo weight 2 gram, length 3 cm under the microscope possible to observe initial symptoms of male or female. After the fourth month of pregnancy, respectively doctors determine the sex of the fetus, would be a girl or a boy. As a result of scientific research it was proved that, during the first stage the development of the embryo in the womb guiding, influencing, controlling, regulating became reality in order to give stimulus to the fetus will it be a girl or a boy in future. When giving birth to a girl 25 gram lighter than the boy. Later the difference is in progress due to ratio of age. The heart of adult woman compare with man is small. There are few quantitative blood circulation, possibilities of breathing leg behind. All the functional system of the female body is distinguished by its weakness except for the exchange of cholesterol. That's why cholesterol accumulates in the blood vessels of man and in the result cardiovascular diseases are significantly more in men than women. Due to the large size of the bones and muscle mass in men, he is physically stronger than woman. It should be noted that, however the power of the girls' arm under the age of ten is stronger than the same age boys, later on this difference significantly increase and changes in favor of boys. Statistical analyzes show that, all over the world the average age of women's life is more than men. Heavy physical work, alcoholic beverages, tobacco, the effect of harmful habits and other negative factors causing it [17; 91].

Analyzes show that, revealed different features in mental abilities, head and brain of men and women. The women's intuition is a wide range of possibilities and they are distinguished by enough emotionality. As women give preference to receive spiritual nourishment in their relationships and connections but men

pay more attention to the financial side. As women give preference to receive spiritual nourishment in their relationships and connections but men pay more attention to the financial side. As they carry out their talents in poetry and the visual arts, they are distinguished by composing talent is underdeveloped, facing the facts known to them, willing to hide the fear of collapse of the relationships and family, craftiness, cunning ability. Men are concerned about the bad news, professional failures, financial difficulties, whereas women are concerned about loneliness, family disagreements, problems with children. When women love, they are interested in kindness, attention and respect whereas men are more involved in spending enjoyable time, the feeling of lust and ambition features [18; 74].

According to the Islamic religion, God created the world first then he created man. In the Qur'an «Surah Al- Hijr, verse 26 quoted: we created man from the sounding clay (touched that sound like pottery) of rotten earth(molded into shape)!»

«... (Prophet!) then recall to mind the time when your Lord said to the angels, «I am going to create a man(Adam) from dried clay of rotten earth. When I have brought him to perfection and breathed of My spirit into him, you should bow down before him all together» (Surah Al Hijr, verse 31) [19].

Eve, in religious books presented as a human being who eager to learn everything. It should be considered one of the characterized and distinguished typical qualities of women such as the psychology of woman as well as her trait and interest in any event and processes inwardly, motivation learn and to know everything. But Adam is presented as naive, very passive, primitive — «a piece of clay-mud». As a result of that, breaking the divine rules Eve ate of the forbidden fruit, and made Adam to eat it. As an immediate result, they both realized that they were naked. As Adam saw naked Eve and blazing with passion.

As a result Eve's willful actions disobeying God, obeying the devil, reduce confidence in woman. From time to time in Christian world formed mistrust towards women and in the history of development of society woman leaves an impression «wicked temptresses», «disobedient the rules». From this point of view restrictions on women's rights has a dominant position in the ancient religion of Christianity. Just from here in various countries of Europe the idea has formed that women are «wicked» being and were forbidden to touch «Bible». In 18<sup>th</sup> century In a country like France, which is the cradle of democracy was held conference named «Is the woman human or Satan?» and explores different aspects [20; 104].

In primeval society although historical sources and archaeological excavations was very primitive but it was proved that dominant position belongs to mother-matriarch by ruling the house family problems, fire protection, food supply, increasing generation, the upbringing of children. Swedish scientist Johann Jakob Bachofen in 1861 in his seminal work «the theory of matriarchy» as a result of archaeological excavations and researches proved that matriarchy has existed before the patriarchy. The same position also was proved by Friedrich Engels the work «The Origin of the Family, Private Property and the State». Many archaeologists during the archeological excavations in the various countries of Europe have concluded that matriarchy existed historically. The formation of the division of labor played an important role in the development of nature and society, development of tools and means of production, increasing labor products, the emergence of property relations, tribal conflicts and controversies, aggravation of the struggle with ruthless nature, obtained success by the physical force, victory, the struggle for material benefits, had incentive to increasing men's role in society and women's role replacement by men's role. In the ancient religions the role of the woman as a mother was sacred and as for the ancient Sumerians mother is above all else from property, wealth, child. According to the thinking of ancient Sumer you can win everything in life, but not the mother. That's why mother was sacred, her dignity and feel always was eternal for every children. The ancient Greeks on the columns of the Temple of Artemis has been described beautiful, attractive women with breast cut (right side) by the sculptors Fidiy, Poliklet and Kresilay. It was related to the fact that, in ancient times girls' breasts were cut by incineration because of while drawing the bow not prevent them. This fact gives impression of women, her twist of fate and way of evolution, being instructive example of female evolution like a matriarch creature how is mainstream as a mother that shouldered the whole burden of society [21; 102]. Generally genetic, biological, physiological characteristics, behavior and way of thinking, intellectuality rate, mental maturity level, the social purpose of man and woman are significantly different. Female logic is drastically differ from men's logic. She knows what she wants in her activities. According to the thinking of women if the woman put forward to reach the goal, the ways to reach the goal takes on secondary importance. Nowadays philosophical teachings deal with the role of women in society, rights and responsibilities, although obtained some success as well as feminism, movement, It has led to the emergence of a variety of negative manifestations. Today due to scientific success people have opportunities to intervene with different ways and means in the natural process of sexual life. Women trying to avoid

pregnancy in different ways, after knowing the sex of the embryo gets chance which more appropriate by choosing boy or girl to save or on the contrary liquidate. Medical science, Genetics prove that, female body no matter what maintains the quality of produce hormones. Woman is able to maintain this performance until a certain age. As a result of these operations and interventions, despite the intensity of sexual intercourse, pregnancy doesn't occur and creates gender imbalance. Sexually active women are increasing gradually decreases the chance of finding sex couple. Woman gets aggressive and aggression toward men. Then woman's sexual instinct does not «understand» what is happening, as a result woman's sexual orientation turning to the individuals with their sex. In this case, unpleasant, abnormal manifestations begin to occur as an out lesbian relationship. The majority of sexually active women leads to male «sexual satiety», they get passive in order to get sexual arousal they are forced to use drags, DG. The feeling of fear created by female aggression incites men's sexual weakness to another direction. As a result of all these among the men and women create different sexual disorders, abnormal events, processes, emerges and develops deviant behavior dispositions. In order to regulate the childbirth women uses different ways prevents childbirth, regulated the number and sex of children but sometimes genetically defective newborn perishes without next generation. As a mother who lost her baby carries the spiritual and mental trauma and there is no intention of trying to conceive another child under the influence of this trauma arises despair and fear.

Chance of survive of defective newborns are expanding through the use of modern medical technology and increasing their number. It is a pity as a result of approaches in the context of sexual disorders and disabilities, homosexuality was initiated to present as the nature of the organism. In recent years, feminists considers it is important to eliminate the external differences of male and female and pay special attention to this aspect. Some men tend to behave as «third sex». The preference is given to promotion of the rule of unisex clothing and clothes. Except homosexuality, as one of the most immoral forms of unisex carnival culture, in fact causes increasing phenomenon of transvestitism. The essence of phenomenon is to reduce to a minimum outward sign of physical sex, as if initiates eliminate difference between men and women. According to the main conclusion of the current realities and trends, it is a fact that feminization becomes widespread today's world. From this point of view Prophet Mohammad (SAW) said — «whereby the male is inclined towards the female, and vice versa needs to damn both of them» it must be fully right. Unlike Christianity, Islam identified equality between men and women. Both males and females have similar rewards for obedience and penalties for disobedience in this world and the Hereafter. As stated by Allah in the Glorious Qur'an: «for believing men and for believing women, — whoever does righteous acts, whether male or female, while he is a believer, verily, to him we will give a good life, and We shall pay them certainly a reward in proportion to the best of what they used to do» like these provisions shows progress and humanism of Islam. Generally, in pre-Islamic Arabia killing of female infants was very common and very often the moment a female was born she was buried alive. However, after the spread of Islam in Arabia, this evil practice has been discontinued by the revelations of Prophet Mohammad (saw) which were received from God and it is rather instructive to realize, secular and philosophical essence of Islam. Just this one of the most convincing things about Islam — the treatment of woman in general and especially the high position mother hold in Islam. Prophet Muhammad said in his famous narration: «Paradise lies at the feet of mothers» this hadith on mothers demonstrates the significance of women and mothers' status in Islam and how they were held in high regard, either way, it shows the great esteem, honor and respect that Islam has for mothers [22; 195]. Researches and analysis of relations between men and women in various sphere confirms that, besides they are various creature, they are distinguished by held the different position in society and social and political processes, when we speak the role of women in society, today mankind should be grateful to a mother for the existence of the human species, increase, formation, evolution and reproduction. Woman — is a mother, sister, wife, a member of society, manufacturer of material things, guardian of hearth and home. Unlike males, woman — mother is an unusual phenomenon, creative being distinguishable by bearing children. She has no alternative. Irreplaceable. In normally motherhood and its characteristics are impossible for men. Women are defined by protection of family, bearing and raising, feeding, upbringing children maintenance of biological diversity of the human species. It contains characteristics of the status of motherhood. The set of these characteristics and qualities could be described as biological, social, psychological, medical content of «motherhood» concept. And it plays the main role in define content of maternity rights. So that, a person who is a member of the female sex with her own request, willingly having sexual intercourse, intimate relations between husband and wife, carrying and giving birth and taking care of infant, breastfeeding, ensuring biological development, caretaking, upbringing and to grow someone as a human and so on. Such as complex combinations of material, spiritual, biological and moral qualifications, rights,

duties and obligations are stated maternity rights. In fact, as a system these complex processes reflects the elements of characteristic of maternity. I consider that as maternity carries more important and humanity essence, enshrining such norm — «maternity rights» in the constitution, will provide its perfectness and as well as helps solving some problems. In accordance with the Article 34 n. III of the Constitution declares:

«III. Family and marriage are protected by the state. Maternity, paternity and childhood are protected by law. The state provides assistance to large families».

First of all, complex research of maternity rights requires giving a specific concept as a biological, social being to human as well as man and woman based on the obtained scientific discoveries, teachings, theories, views at times by the various scientific fields- biology, physiology, genetics, anthropology, psychology, various fields of medicine, philosophy, law, various fields of social and political sciences. So far not giving perfect concept, definition to this phenomenon stipulates the importance of necessity. Undoubtedly it created some difficulties in scientific research of woman rights as well as various problems relating to woman of human rights and freedoms. Therefore, in our view, having completing studies, research, analyzes conducted by various scientific and obtained overall information must be considered appropriate giving the following definitions to «man» — as a human being, «men and women» as to their gender identity [23].

Social role of men, anatomical, genetic, physiological, morphological, histological structure of the male genital gonads, ability to produce male hormones, hormonal sex chromosomes, reproductive ability, origin male genitals, do have an active male role in childbearing of a woman, however numerous overall other traits includes in biological human species, it considers a man is a male human [20; 91] and it organizes main gist of the male sex.

Social role of women, anatomical, genetic, physiological, morphological, emotional, mental and physical traits in nature, in family and society, histological structure of the female reproductive glands, ability to produce female hormones, hormonal sex chromosomes, origin female genitals, childbearing, breastfeeding, reflects many other qualities of motherhood and set of complex traits which can be characterized as the mother includes in biological human species, it considers woman is a female human [20, 105]. Therefore, the individual nature of the female sex and determination of the international standards of the rights and freedoms of women and its identifying in the domestic legal system do have exceptional importance. It is no coincidence that, the promotion and protection of all human rights and freedoms must be considered as a priority objective of the UN in accordance with purpose and principles fulfilling their obligation to promote universal respect for all human rights and fundamental freedoms. Equalizing, identification or expanding of women rights with men's, the social and political training in the field of ensuring gender equality, although the policy of feminism and gender unites around some political and public figures, above mentioned provisions confirms that equality of men and women impossible in the point of physical, biological, physiological, social and other aspects. That's why when we speak about the equality of men and women it must be taken into account expressing the meaning of mental and spiritual equality of rights and freedoms. In the Women's lifestyle there is also need for distinction of girlhood and widowhood stages. Girlhood period usually begins from 10–12 and covers until the period of an individual's marriage. This period is considered as stage of virginity although it is typical of well-known and aristocratic families, in the Middle Ages virginity applied to urban women. Widowhood- characterizes the woman's situation after losing her husband by death or termination of marriage. From the legal point of view the status of girlhood, widowhood and virginity have an effect on women's status, rights, duties but these status not regulated by the Law, but customs and traditions of many years ethical and moral values gives chance to clarify and differentiate the issue [24; 28].

The sharp distinction in woman and man's biological, physiological, social, genetic, psychological, and many other numerous features which were favored by nature proved that, feminism and gender training are illusion, equality only relate to the legal status. Despite this, the role of woman in family, society, public life, childbearing, development of mankind, the production of material goods confirm the basis of the essence to women's right. In this regard, women's rights should be expanded in all senses, In addition to being a mother, the role of the mother and the legal possibilities must be broad [25; 105].

In term years of independence in the legislation of the Azerbaijan Republic envisaged extensive rights and freedoms for women. First of all, family status as an institution expressed in the Constitution of the Republic of Azerbaijan. So that, in the Article 17 stated that family as a basic element of society is under special protection of the state. Parents must take care of their children and their education. The state controls implementation of this responsibility. Children without parents or guardians, deprived of parental care are under the protection of state. It was banned to involve children in actions threatening their health, lives, mo-

rality. Children who are under the age 15 couldn't be adopted. The realization of children's rights is under the state control [6].

Seemingly in the Constitution of the Republic of Azerbaijan family status, as well as to be under the protection of state Legal regulation of the relations between parent and child, family, child and parental rights protection under the state control, children's health, lives, labor and so on issues have expressed in the Constitution act. Unlike this, Article 34 has identified the main criteria for determination of the constitutional right to marriage, reflected the main content of the relationship between husband and wife, marriage was described as a natural right of human in the context of human and civil rights of marriage. In the Article 34 indicated that, everyone has the right to marry on reaching the age specified by legislation. Marriages shall be concluded voluntarily. Nobody should be forced into marriage. Family and marriage are protected by state. Maternity, paternity and childhood are protected by the law. The state provides support to large families. Rights of wife and husband are equal. Care and education of children constitute both right and responsibility of parents. Responsibility of children is to respect parents, look after them. Children who are of age 18 and capable of working must support disabled parents [6].

The legal basis of Articles 17 and 34 of the Constitution Act derives from the content and requirements of International Law which our country joined and preferred. So that, numerous conventions on equal right between men and women, the expansion of women's rights and freedoms, gender equality, ensuring political and labor rights and other issues relate to regulation International law, Conventions — «The Un Universal Declaration of Human Rights», «Women's political rights», «Consent to enter into marriage, the minimum age of marriage, registration of marriages», «Elimination of All Forms of Discrimination against Women», International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on the Elimination of All Forms of Discrimination against Women, the elimination of violence against women, Declarations- Beijing declaration, Millennium Declaration of the UN General Assembly, European convention, The European Social Charter, ILO minimum standards of social security, ILO Maternity Protection, convention despite the adoption dozen of documents in those documents women, men, motherhood, children were not given appropriate definitions.

The same attitude is observed in several legislative acts of the Republic of Azerbaijan [26; 9]. That's why in the course of researches women, men, motherhood, maternity right and so on terms were given explanations, definitions. The problematic issues related to the constitutional and family law which will help complex scientific research [26; 9].

The family legislation in the Azerbaijan Republic consists of the following acts: Family Code of Azerbaijan Republic have an important place and role in laying down the rules for the Code in accordance with the fundamental rights and freedoms of a person and a citizen establishing principles for creation, strengthening and termination of family relations; provided the rights and duties of the participants of the legal relations within a family; enlisted duties of the governmental bodies in this area and included rules of civil registration [7]. In this realms the place and role of women-mother has a great of importance. The General Conference of the International Labor Organization adopts the Convention on 28 June 1952 «On Maternity Protection» which may be cited as the C103 Maternity Protection Convention in the Article 2 states that, the term woman means any female person, irrespective of age, nationality, race or creed, whether married or unmarried, and the term child means any child whether born of marriage or not [27; 137].

As a result of above- mentioned investigations and researches we came to this conclusion that, the term woman- is understood biosocial human sex - irrespective of age, nationality, race or creed, whether married or unmarried, Social role of women, anatomical, genetic, physiological, morphological, emotional, mental and physical traits in nature, in family and society, histological structure of the female reproductive glands, ability to produce female hormones, hormonal sex chromosomes, origin female genitals, childbearing, breastfeeding, reflects many other qualities of motherhood and set of complex traits which can be characterized as the mother includes in biological human species, it considers woman is a female human [14; 112]. Between parents one of the important sides of family unity — is expressed using terms woman, mother, wife. In Family law the term parents refer to father and mother of newborn, in other meaning wife and husband or man and woman [7]. Despite this, as above-mentioned violation of the requirements of article 31 of the Constitution law «On normative-legal acts» of the Republic of Azerbaijan, the terms and concepts which are used in the family code had not been given their definition [28]. In this regard in the course of researches giving explanation and definitions to the terms and concepts will be significant.

The family legislation in the Azerbaijan Republic derived from the necessity of strengthening the family, formation of family relations on the basis of mutual love and respect, inadmissibility of interference in the

family events, mutual support and responsibility of family members, ensure the smooth implementation of their rights and protection them in court [7].

Benefiting from the constitution in Article 1.2 of family Code of Azerbaijan states that, family is under special protection of the state. Family and marriage are protected by state. Maternity, paternity and childhood are protected by the law and only recognizes concluded marriages by the relevant executive authority [7].

The terms «Maternity», «paternity» and «childhood» also were used in the Articles 29,44,45,46,47,57 as well as «motherhood» in other law on normative — legal acts on women and children. Nevertheless neither in Constitution, nor in family Code and other normative-legal acts the term of «Motherhood» was not given its definition, what index is composed of the content of motherhood and its status, rights and responsibilities were not clarified exactly. Therefore, in the course of above- mentioned analyzes terms, concepts were appropriately updated and given legal definitions. The addition of Article 1 «conceptions» of Family Code of Azerbaijan Republic should be solved via legislation. The inclusion the terms such as man, woman, men, children, mother, motherhood, maternity right as well as other terms which is used in the Family Code will significant impact on the implementation and use of the Family Code, in addition to ensuring compliance with the requirements of Constitution law «On Normative- legal acts» of the Republic of Azerbaijan. Every woman has maternity right in the Republic of Azerbaijan. During the generalization on the basis of international and national law have been identified that the main contents mother and women's right are following. So that, every woman and mother has following rights and freedoms: Legal regulation of family relations is administered in accordance with the principles of the free-will marriage of a man and woman, equality of the spouses, settlement of the interfamily issues on mutual consent, priority of children's upbringing in the family, care about their welfare and development, ensuring the priority protection of minors' and disabled family members' rights and interests. comprehensive protection of the interests of mothers and children's interests and provision of a happy life of every child, elimination of the harmful traditions in family relations, training children about the feeling of responsibility to family and society. *Protection* private non-property and property rights, following the rules medical genetics, medical, psychological and family planning, the right to demand alimony, respect the equality of men and women, choosing occupation, profession and place of residence, to help strengthening the family and the upbringing children, chose the surname, protection joint property, right to possession, usage and disposition of the property, concluding marriage contract and obeying its terms, ensuring the protection of children's rights and freedoms, participate in the determination of paternity maternity and childhood, prosecution, get the child's birth certificate, appeal to court for paternity and maternity, prosecute, ensuring the right upbringing of children and living in the family and communication with other relatives, listening opinion of the child, respect the right to bear the father's name and surname, ensuring the protection of the property rights of the child, not to harm a child's mental and physical health, ensuring protection of parental rights, to comply with child support obligations, adopt or not to adopt child, not to involve children in activities threatening their health, lives, interest, Not to allow to work children under the age of 15, respect everyone's rights, childbearing, getting allowance, medical and social support, have a rest, using insurance rights, living, freedom, property, intellectual property, confidentiality, living safely, sanctity of home, education, labor, recreation, culture, vacation, holidays and salary rights, right to choose profession, occupation and place of work, everyone has the right to work in safe and healthy conditions, to help of family members in need of assistance, to receive social allowances for illness, disability, loss of family head, unemployment, to get compensation for damages to the property, using cultural resources, to respect the historical and spiritual heritage, protection national origin, speak in native language, get education in any language, to be creative, protection the honor and dignity, not to subjected tortures, enjoying from freedom of thought and speech, belief in religion or not using of the right to freedom of conscience, assembly, using your creativity and freedom of information, to be citizen, participate in political life of state and society, in public administration, elect and be elected, to apply, association, deal with free enterprise, legal assistance, not to testify against relatives, political asylum, using of the right to judicial protection of rights and freedoms and so on. Responsibility of children is to respect parents, look after them. Children who are of age 18 and capable of working must support disabled parents [14; 112]. In 1962 Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages as well as 1965 Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages were taken into consideration in accordance with the Family Code. In international and national law a wide range of privileges were envisaged in connection with the determination and protection of mother and her maternity rights in international and national law. In International Covenant on Economic, Social and Cultural

Rights enshrined that everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services.

During the years of independence in the Republic of Azerbaijan in connection with the expansion, protection and security of maternity rights systematic and consistent measures were carried out in our country. In the first years of independence adopted Constitutional Act On The State Independence of the Republic of Azerbaijan» dated on 18 October in 1991 «on restoration of state independence of Azerbaijan Republic» women right's equality and maternity rights were enshrined in a level of international standards. On 19 September, 1994 a decree on the establishment of a national committee of the Azerbaijan woman was signed and Azerbaijani women were represented in the Fourth World Conference on Women Beijing. The Constitution of Azerbaijan was adopted on 12 November 1995 by referendum. In the Constitution of the Azerbaijani Republic enshrined the extensive system of women's rights and maternity rights and freedoms. In this regards decree of the President of Republic of Azerbaijan of 14 January 1998 «On Establishing of the State Committee for Women's Issues of the Republic of Azerbaijan, Decree of the President of the Republic of Azerbaijan of 6 March 2000 «On implementation of the state women policy in the Republic of Azerbaijan had had a crucial importance.

Family Code of the Republic of Azerbaijan have been developed and adopted by the Law of Azerbaijan Republic of 29 December 1999 in accordance with the international standards and international law norms. «the list of productions, occupations (positions) as well as underground works with difficult and hazardous working conditions where use of woman labor is prohibited »has been approved by the Decree No 170 of the Cabinet of Ministers of the Republic of Azerbaijan on October 20, 1999. The Maternity Protection Convention (No. 183), is the most recent maternity protection Convention adopted by ILO member States, In particular, cash benefits during the time off employment around childbirth (maternity leave) are one of the crucial elements of maternity protection. All these standards were envisaged in the Labor Code of the Republic of Azerbaijan adopted by the Law of Azerbaijan Republic of February 01, 1999, in the Code Labor rights of women and Guarantees to their Implementation, regulating employee social insurance and labor security and other modern standards entered into force. Mean time «On main standards for protection of women's rights and maternity» of European Social charter were envisaged.

The «State Program on poverty reduction and economic development for the period 2003–2005 approved by the President on 20 February, 2003 and later on stimulated for the preparation and implementation of other state programs. In March, 6, 2000, the Cabinet of Ministers of Azerbaijan Republic approved the National Plan of Actions on Women's Problems for 2000–2005, and systematically continued in the following years.

The State Committee for Family, Women and Children Affairs was established by Presidential Decree on February 6 200 revised and significantly improved. In 2006 «On Gender Equality» adopted by the Law of the Republic of Azerbaijan, and were envisaged a wide range of possibilities in order to comply with the international standards. International conventions that playing crucial important role in the realm of development and expansion of the maternity rights, was ratified at the national level, improvement national legislative acts have been completed. *The Laws were adopted On May 19, 1998 «On Children's Rights», «on the social protection of children lacking parents and parental support» Act of 22 June 1999. «On prevention of disablement, rehabilitation and social security of disabled persons» 25 August 1992», «Education of persons with disabilities» 05 June, 2001, On the Juvenile Homelessness and Delinquency Prevention Act was adopted on 24 May 2005; «On Infant and young child feeding» 17 June, 2003, «On social insurance» 8 February, 1997, «Under the Employment «Pension acts» and the «Social Benefits Act», both of which entered into force on 7 February 2006, Decree No. 1386 of the President of the Republic of Azerbaijan dated 29 March 2006 on approving «State Program on De-institutionalization and alternative care (2006–2015)», On March 12, 2007 Decree was signed «the Plan of Action for the country's program between UNICEF and the government of the Republic of Azerbaijan (2005–2009)» Decree approving on April 12, 2007 «State Program for Modernization of Preschool Education in the Republic of Azerbaijan (2007–2010)», 17 March, 2000 «Law on joining to the European Convention on legal status of illegitimate children», 13 January 2004 «The plan of action for the elimination of the worst forms of child labor, the Azerbaijan Republic joined «On the Protection of Children and Co-operation in Respect of intercountry adoption» on March 30, 2004, besides the ratification of the conventions, both the preparation of national legislation in this field, and improvement existing ones were provided.*

The constitution had enshrined the enforcement of fundamental rights and freedoms of woman and mother and had been taken organizational and legal measures by international and national level for their

protection and security. In addition to judicial authority, the strict protection of maternity rights is considered a priority in all links of legislative and executive bodies, various institutions of civil society, non-governmental organizations, political parties, trade unions, mass media, educational and scientific institutions, from time to time studies and carry out educational activities for protection women's rights. judicial and investigative practice unequivocally confirm that, protection of maternity rights comprehensive and effective measures are implemented in the field of criminal, administrative, civil, labor and other legal means. These measures are carried out consistent, efficient and state level in a planned manner. The taken measures in the realm of legal protection of women and maternity appreciated by citizens and experts. We can say with confidence that, the work in this sphere, will be continued successfully in the context of «Azerbaijan – 2020: vision into the future» development concept.

## References

- 1 *Снежко О.А.* Конституционно-правовая защита семьи // Государство и право. — 2008. — № 2. — С. 63–71.
- 2 *Нечаева А.М.* Семья как самостоятельный объект правовой охраны // Государство и право. — 1996. — № 12. — С. 99–107.
- 3 *Снежко О.А.* Проблемы государственной защиты материнства в Российской Федерации // Государство и право. — 2010. — № 10. — С. 58–66.
- 4 *Кудрявцев В.Н.* Общая теория квалификации преступлений. — 2-е изд., перераб. и доп. — М.: Юрист, 2007. — 302 с.
- 5 *Сартаева Н.А.* Наркотизм, социально-правовой аспект // Государство и право. — 2003. — № 2. — С. 119–124.
- 6 Конституция Азербайджанской Республики. 12.11.1995 г. — [ЭР]. Режим доступа: <http://ru.president.az/azerbaijan/constitution>
- 7 Семейный кодекс Азербайджанской Республики от 28 декабря 1999 г. № 781-IQ. — [ЭР]. Режим доступа: [http://online.zakon.kz/document/?doc\\_id=30420386](http://online.zakon.kz/document/?doc_id=30420386)
- 8 Толковый словарь азербайджанского языка. — Т. I. — Баку: Шерг-Терб, 2006. — 744 с.
- 9 *Гулиев А.И.* Словарь юридических терминов. — Баку: Səda, 2007. — 248 с.
- 10 *Панкратова Н.В.* Социальный и биологический аспекты родительства // Социологические исследования. — 2006. — № 10. — С. 116–123.
- 11 *Салагай О.О.* Дефиниция биологического пола человека в международном и национальном праве // Государство и право. — 2011. — № 6. — С. 34–40.
- 12 Закон Азербайджанской Республики «О защите здоровья населения». Ст. 30. — [ЭР]. Режим доступа: [http://sehiyye.gov.az/ehalinin\\_saqlamliqi\\_qorunmasi\\_haqqinda\\_qanun.html](http://sehiyye.gov.az/ehalinin_saqlamliqi_qorunmasi_haqqinda_qanun.html)
- 13 *Скунтнева С.В.* Раннее материнство // Социологические исследования. — 2009. — № 7. — С. 114–118.
- 14 *Гасанзаде С.Б.* Проект Закона «О правах и свободах женщины в Азербайджанской Республике». — Баку, 2014. — 21 с.
- 15 *Гасанзаде С.Б.* Роль Гейдара Алиева в сфере закрепления прав женщины в Азербайджанском законодательстве // Материалы конференции, посвящ. 90-летию Великого Лидера Гейдара Алиева. — Баку, 2013. — С. 78–90.
- 16 *Кайданов Л.З.* Генетика популяций. — М.: Высш. шк., 1996. — С. 111–113.
- 17 *Рустамов Р.* Религия, генетика и взаимоотношения мужчины и женщины с точки зрения общественного наследия // Государство и право: сборник общественного мнения. — Баку, 2011. — № 4. — С. 87–104.
- 18 *Байрамов А.А., Ализаде А.А.* Психология. — Баку: Наука и образование, 2000. — 270 с.
- 19 Коран. Перевод Алихана Мусаева. — [ЭР]. Режим доступа: <http://www.quranikerim.org/2011/01/15-l-hicr-sursi.html#more>
- 20 *Гасанзаде С.Б.* Права и свободы женщин в Азербайджане (конституционный и международно-правовой анализ). — Баку, 2014. — 345 с.
- 21 *Салманова Н.А.* Развитие брачно-семейных взаимоотношений в Азербайджане: монография. — Баку, 2013. — 178 с.
- 22 *Дубинин Н.П., Карпец И.И., Кудрявцев В.Н.* Генетика, поведение, ответственность. О природе антиобщественных поступков и путях их предупреждения. — М.: Политиздат, 1982. — 304 с.
- 23 *Богданов В.* Преступность в крови // Российская газета. — 30.10.2008. — [ЭР]. Режим доступа: <http://rg.ru/2008/10/30/dnk-prestupniki.html>
- 24 Толковый словарь гендерных терминов. — Баку, 2005. — 139 с.
- 25 *Гасанзаде С.Б.* О некоторых характерных особенностях прав женщины в Азербайджане // Современные проблемы права: Материалы IV респ. науч.-практ. конф. 6–7 мая 2014 г., посвящ. теме «Новые тенденции защиты прав и свобод человека в Азербайджанской Республике». — Баку, 2014. — С. 105–114.
- 26 Сборник международных документов. Т. 1. — Баку, 2015. — [ЭР]. Режим доступа: [http://base.spinform.ru/show\\_doc.fwx?rgn=33085](http://base.spinform.ru/show_doc.fwx?rgn=33085)
- 27 Конвенция № 103 Международной Организации Труда «О защите материнства» // Сборник международных документов. — Баку: Закон, 2008. — 960 с.
- 28 Конституционный Закон Азербайджанской Республики «О нормативно-правовых актах» от 21 декабря 2010 г. — [ЭР]. Режим доступа: [http://base.spinform.ru/show\\_doc.fwx?rgn=33085](http://base.spinform.ru/show_doc.fwx?rgn=33085)

С. Гасанзаде

## Ана болу құқығын қорғау

Мақалада тәуелсіздік жылдарында Әзербайжан Республикасының заңнамасында әйел азаматшалары үшін кең құқықтар мен міндеттемелер қарастырылғаны жайында айтылған. Отбасылық құқығында ата-ана туралы айтқанда, яғни туылған баланың әкесі мен анасы жайлы, ер адам мен әйел тұрғысындағы мәселелер зерттелген. Конституцияның 34-бабында заңмен белгіленген жасқа жеткен кез келген адамның отбасы құру құқығы бар екені танылады. Бұл ер адамның құқығымен бірге әйел адамның да құқығы. Аталмыш баптың 3-бөлімінде «ана, әке және бала мемлекеттің қорғауында болады» делінген. Соған қарамастан, Конституция, Отбасы кодексі және Азаматтық кодекс «ана болу» терминінің ұғымын нақтыламайды, сол себепті «ана болу» мазмұнының құрамы және оның мәртебесі, құқықтары мен міндеттері туралы түсінік беру қажет. Мақалада «ана болу» тұрғысында Әзербайжан Республикасының азаматтары болып табылатын әйелдердің ана болу құқығы дефинициясы мен мазмұнына алғаш рет анықтаушы түсінік берілген.

С. Гасанзаде

## Защита прав материнства

В статье отмечено, что в годы независимости в законодательстве Азербайджанской Республики для женщин как граждан этой страны был предусмотрен широкий круг прав и свобод. В семейном праве, говоря о родителях, речь идет об отце и матери родившегося ребенка, другими словами, имеются в виду мужчина и женщина. В статье 34 Конституции, подчеркнута автором, признается право каждого по достижении возраста, установленного законом, создавать семью, вступать в брак. В части III этой статьи указывается, что «материнство, отцовство и детство находятся под охраной закона». Тем не менее, ни Конституция, ни Семейный кодекс, ни Гражданский кодекс до сих пор не внесли ясность в обозначение понятия «материнство», указанного в Конституции, из чего состоит показатель содержания «материнства» и его статус, права и обязанности. В статье в контексте понятия «материнство» впервые внесена ясность в содержание и дефиницию права на материнство женщин, являющихся гражданами Азербайджанской Республики.

### References

- 1 Snezhko O.A. *State and law*, 2008, 2, p. 69–71.
- 2 Nechayeva A.M. *State and law*, 1996, 12, p. 99–107.
- 3 Snezhko O.A. *State and law*, 2010, 10, p. 58–66.
- 4 Kudryavtsev V.N. *General Theory of criminalities qualification. The 2-nd edition-remaking and added*, Moscow: Jurist, 2007, 302 p.
- 5 Sartayeva N.A. *State and law*, 2003, 2, p. 119–124.
- 6 The Constitution of the Republic Azerbaijan. 12.11.1995, [ER]. Access mode: <http://ru.president.az/azerbaijan/constitution>
- 7 Family Code of the Azerbaijan Republic dated December 28, 1999. No.781-IQ, [ER]. Access mode: [http://online.zakon.kz/document/?doc\\_id=30420386](http://online.zakon.kz/document/?doc_id=30420386)
- 8 Explanatory Dictionary of the Azerbaijani language, 1, Baku: East-West, 2006, 744 p.
- 9 Guliyev A.I. *Dictionary of juristic terms*, Baku: Sada, 2007, 248 p.
- 10 Pankratova N.B. *Sociological researches*, 2006, 10, p. 116–123.
- 11 Salagay O.O. *State and law*, 2011, 6, p. 34–40.
- 12 The Law of the Azerbaijan Republic «On protection of health of a population». Art. 30, [ER]. Access mode: [http://sehiyye.gov.az/ehalinin\\_saqlaml;q\\_qorunmasi\\_haqqinda\\_qanun.html](http://sehiyye.gov.az/ehalinin_saqlaml;q_qorunmasi_haqqinda_qanun.html)
- 13 Skutneva S.V. *Social investigations*, 2009, 7, p. 114–118.
- 14 Hasanzade S.B. *The Draft of Law «On the rights and freedoms of a woman in the Azerbaijan Republic»*, Baku, 2014, 21 p.
- 15 Hasanzade S.B. *The materials of the conference dedicated to the 90th anniversary of the Great Leader Heydar Aliyev*, Baku, 2013, p. 78–90.
- 16 Kaydanov L.Z. *Genetics of populations*, Moscow: Vysshaya shkola, 1996, p. 111–113.
- 17 Rustamov R. *State and law: collection of public opinion*, Baku, 2011, 4, p. 87–104.
- 18 Bayramov A.A., Alizade A.A. *Psychology*, Baku: Science and Education, 2000, 270 p.
- 19 Koran. Translation of Alikhan Musayev, [ER]. Access mode: <http://www.quranikerim.org/2011/01/15-l-hicr-sursi.html#more>
- 20 Hasanzade S.B. *The rights and freedoms of women n Azerbaijan (the constitutional and international analysis)*, Baku, 2014, 345 p.

- 21 Salmanova N.A. *The development of marriage-family relationship in Azerbaijan*, Baku, 2013, 178 p.
- 22 Dubinin N.P., Karpets I.I., Kudryavtsev V.N. *Genetics, behavior, responsibility. On the nature of antisocial actions and ways of their warning*, Moscow: Politizdat, 1982, 304 p.
- 23 Bogdanov V. *Russian newspaper*, 30.10.2008, [ER]. Access mode: <http://rg.ru/2008/10/30/dnk-prestupniki.html>
- 24 Explanatory vocabulary of gender terms, Baku, 2005, 139 p.
- 25 Hasanzade S.B. *The modern problems of law: the materials of the IV republic scientific and practical conference on 6–7 May. 2014 dedicated to the theme «The new tendencies of protection of human rights and freedoms in the Republic of Azerbaijan»*, Baku, 2014, p. 105–114.
- 26 The collection of the international documents, I, Baku, 2015, 959 p.
- 27 The Convention No. 103 of the International Organization of Labor «On protection of motherhood» // Collection of international documents, Baku: The law, 2008, 960 p.
- 28 The Constitutional Law of the Republic of Azerbaijan «On normative-legal acts» dated December 21, 2010, [ER]. Access mode: [http://base.spininform.ru/show\\_doc.fwx?rgn=33085](http://base.spininform.ru/show_doc.fwx?rgn=33085)

Репозиторий КАРГУ