

**THE REPUBLIC OF AZERBAIJAN**

*On the rights of the manuscript*

**THE ROLE OF NON-GOVERNMENTAL ORGANIZATIONS IN THE  
IMPLEMENTATION OF STATE ORDERS FOR SOCIAL SERVICES**

Specialty: 6310.01 – Social problems

Field of science: Sociology

Applicant: **Ulvi Mammadali Aliyev**

***ABSTRACT***

*of the dissertation for the degree of Doctor of Philosophy in sociology*

Baku–2021

The dissertation work was performed at the department of "Social work" of the faculty of "Social sciences and psychology" of Baku State University.

Scientific supervisor: **Gizilgul Yasin Abbasova,**  
Doctor of Philosophical Sciences, Professor


Official opponents: **Sakit Yahya Huseynov**  
Doctor of Philosophical Sciences, Professor

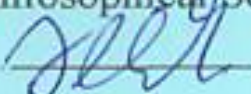
**Vusal Elshad Abdullayev**  
Doctor of Philosophy in Philosophy,  
Associate Professor

**Savvara Dovlat Rzaguliyeva**  
Doctor of Philosophy in Philosophy,  
Associate Professor

BFD 4.04 One-time Dissertation Council of the Supreme Attestation Commission under the President of the Republic of Azerbaijan operating under the Baku State University

Chairman of the  
Dissertation Council: Doctor of Sociological Sciences, Professor  
  
**Huseyn Tapdig Garashov**

Scientific secretary of the  
Dissertation Council: Doctor of Philosophy in Sociology,  
Associate Professor  
  
**Saadat Davud Mammadova**

Chairman of the  
Scientific seminar: Doctor of Philosophical Sciences, Professor  
  
**Goshgar Jalal Aliyev**

## GENERAL CHARACTERISTICS OF THE DISSERTATION

### **The relevance and the degree of the problematic topic.**

According to the Constitution of the Republic of Azerbaijan, the state has undertaken to recognize, respect rights and freedoms of a man and a citizen and to protect them from any cases of illegal interference and restriction. The essence of this constitutional duty of the state is to ensure that the rights and freedoms granted to citizens do not remain as empty statements and are actually implemented and protected. However, in modern conditions, the state needs the support of non-profit or non-governmental organizations (hereafter, for the purposes of this research paper, the terms 'non-profit organizations and 'non-governmental organizations (NGOs)' will be used as synonymous terms) to fully implement this obligation and, since the state attaches particular importance to this support, it creates the conditions for the development of this sector.

By transferring some of its functions to civil society institutions at a certain stage of its development, the state gives an impetus to the development of democratic institutions and society. Non-governmental organizations, which have become the most exemplary element of civil society in Azerbaijan today, have been rendering practical assistance to the implementation of the social functions of the Azerbaijani state by doing important work in implementing the social policy course of the state. The most important activities in this direction have been carried out primarily by the Heydar Aliyev Foundation and are being successfully implemented to this day.

In the modern period, the active participation of NGOs in the processes of building civil society in our country is manifested in the implementation of many projects and government programs by them. This is important in terms of the active role that the NGOs play in the public, political, social, economic and cultural life of the country.

It is well known that the social sphere is the sphere of activity in which the social policy of the state is implemented. In the modern period, the role of socially oriented NGOs in the market of social services has significantly increased. There are always problems in society that do not depend on state

policy and socio-economic development (diseases, violence, drug addiction, etc.). The provision of individual social services by non-governmental organizations plays an important role in changing the outlook of people. It is an undeniable fact that without organizations, neither society nor the economy can function and develop effectively at the present stage of development. In civil society, non-profit organizations contribute to the self-realization of citizens, protect their interests and act as intermediaries between the citizen and the authorities.

After the great nationwide leader Heydar Aliyev returned to power for the second time, the transformation processes taking place in all spheres of our society - political, economic and cultural spheres- gave a strong impetus to the recognition of the Republic of Azerbaijan in the world community and taking by the Republic of Azerbaijan of its rightful place among other countries of the world.<sup>1</sup>

The issue of social service also occupied one of the important places in the social policy pursued by the great nationwide leader Heydar Aliyev. The role of the concept of sustainable social policy implemented by the nationwide leader in the development of this sphere is expressed in the creation of normal conditions for each citizen to benefit from social services, in particular in the organization and provision of a nationwide social service system, ensuring its smooth functioning.

President Ilham Aliyev, the worthy successor to the great nationwide leader, spoke briefly and clearly about the social policy pursued in the country: "Azerbaijan has a very strong social policy. Social policy is one of the main directions of our general policy. Azerbaijan's growing economic potential increases our strength and thus creates conditions for us to conduct our social policy even more successfully. We do our best to solve all social issues in due time and at a high level". As the Head of State emphasized, "At the heart of all our policies is the citizen of Azerbaijan. All officials, including myself, are servants of the people. We must make the Azerbaijani people live even better"<sup>2</sup>.

President of the Republic of Azerbaijan Ilham Aliyev, creatively and successfully developing the great nationwide leader's concept of social policy,

---

<sup>1</sup> Aliyev, Q.J, Heydar Aliyev and philosophy of national mentality. Baku, Kismet publishing house, 2003, p.5

<sup>2</sup> Social state philosophy of President Ilham Aliyev: real results of social policy implemented in the last 10 years / "Yeni Azerbaijan" newspaper, September 29, 2013, №181, p.7

demonstrates accuracy, modernity and consistency in his approach to this momentous issue.

The relevance of the issue of the implementation of state orders (contracts) by non-governmental organizations in the sphere of social services in the Republic of Azerbaijan is due to the fact that Article 6 of the Law of the Republic of Azerbaijan "On Social Services", first adopted in Azerbaijan in accordance with international social standards, provides for the provision of social services by non-governmental organizations on the basis of social orders (contracts) to persons in need of social services. This is also because that a certain practice in this area has already been established. With the adoption of this law, the state support for the implementation of state social orders (contracts) by non-governmental organizations in the field of social services has been actually established. In general, the adopted national legislation on social services has significantly expanded both the range of persons entitled to social services and the forms and types of social assistance provided to them.

The draft "National Strategy for the Development of Social Services in the Republic of Azerbaijan for 2020-2026", prepared by the Ministry of Labor and Social Protection of the Population, also linked the existence of problems in the field of social services to the misuse of civil society resources in the relevant sphere. The implementation in Azerbaijan of reforms aimed at increasing the accessibility of social services to citizens in need, improving them under international norms and standards, and ensuring their targeting, further demonstrates the relevance of the current research topic.

The main purpose of non-governmental organizations is to provide real help in solving the social problems of millions of people in society by implementing numerous socially significant projects. Although the number of non-governmental organizations in our country has increased considerably in recent years, the level of public awareness of these organizations and their activities is rather low.

One of the most important directions of building the social state model at the present stage is the implementation of social projects as part of joint cooperation between the state bodies and civil society institutions, mainly with non-governmental organizations, which corresponds to the experience of

developed foreign countries.

All the above-mentioned stipulates that the issues related to the role of non-governmental organizations in the system of social protection of the population, including the implementation of state orders (contracts) for social services in the Republic of Azerbaijan in our modern time are actual, and makes it necessary to study this topic comprehensively.

Problems related to the role of non-governmental organizations in the implementation of state orders (contracts) in the sphere of social services have always been the focus of attention of many scholars, including sociologists, lawyers, and social work specialists. However, the issues related to the topic of the research are new for our republic, and the practice of the implementation of state orders (contracts) in the field of social services by non-governmental organizations covers a period of only about 10 years. Therefore, this problem has not been fully, comprehensively and deeply researched, and many issues in this area remain unresolved. This determines both theoretical and practical relevance of a comprehensive study devoted to the problems associated with the role of non-governmental organizations in the implementation of state orders (contracts) in the field of social services.

Since the problem itself is multifaceted, it has many aspects, including historical, legal, political, economic, and moral aspects. Each of these aspects can include the names of dozens of studies, up to specific examples of research on global and regional, that is, local problems.

The problems of social services in Azerbaijan were considered from the point of view of the person, the personality, his socialization, his rights and freedoms, ensuring the standard of living. The very problem of social services is multifaceted, and therefore its political and legal, socio-demographic, socio-economic, and moral aspects have been studied by various specialists in both humanities and social sciences. Some socio-political and economic aspects of the subject of research were analyzed in the works of Q.S.Aliyev, H.M.Rajabli, G.R.Mammadli, A.A.Musayeva, E.A.Musayev, V.I.Ismayilov, and legal aspects were analyzed in the works of M.N.Aliyev, M.A.Hajiyeva, F.M.Aliyeva and others.

The theoretical basis of the dissertation research is the scientific works of G.Y. Abbasova, Z.A. Askerov, G.S. Aliyev, H.M. Rajabli, E.A. Musayev, M.N. Aliyev, T.S. Valiyev, A.P. Babayev, M.Kh. Meybullayev, A.O. Samadov, A.N. Ibragimova. In Russia, it is the scientific works of T. Yazgan, A.S. Avtonomov, A.L. Blagodir, R.I. Buneva, M.O. Buyanova, A.A. Klishin, A.A. Shugayev, M.S. Komarov, S.Y. Korobov, R.V. Kosov, V.V. Maklakov, Y.Y. Machulskaya, M.A. Molokova, A.Y. Nekrasov, P.D. Pavlink, V.L. Rimskiy, M.L. Rodionova, T.V. Soifer, I.G. Zaichishev, A.M. Fisher-Geiser, Y.M. Fogel, Y.G. Shekova, L.E. Kunelskiy, A.V. Osadchi, L.M. Salamon and others, dedicated to non-governmental organizations and social service issues. Through the efforts of these researchers, several approaches to the definition of the conceptual apparatus of social services as a special phenomenon of social life have been formed. The problems of studying the peculiarities of the formation of social services became the object of scientific research of the named researchers. The most important part of these studies is the issue of service provision in the system of social services, which includes such subsystems as social insurance, pension provision, and social security in modern society. Here we consider the analysis of the structure and composition of social services from the point of view of the consumer, assessment of models and the level of satisfaction with social services, the formation of indicators and criteria for the quality, cost and competitiveness of services.

**The object and subject of the research.** The object of the research is the public processes arising in implementation of state social orders (contracts) in the sphere of social services by non-governmental organizations. The subject of the research is a sociological analysis of the problem of implementation of state orders (contracts) by non-governmental organizations in the field of social services.

**The purpose and objectives of the research.** The purpose of the research is to scientifically and comprehensively study the issues related to the role of non-governmental organizations in the implementation of state orders (contracts) in the sphere of social services, as well as to identify the problems arising in the process of implementation of state contracts by non-governmental organizations in the sphere of social services and propose ways to solve them.

In order to achieve the purpose, the following **objectives** have been set in the research work:

- Analyze conceptual approaches to the concept and content of social services and the social status of persons in difficult life situations;
- Examine the role of the state and the principles of state policy in the implementation of social services in the modern period;
- Interpretation of the principles of state policy in the field of social services and their content;
- To involve in research the issues relating to the concept, essence and history of the status of non-governmental organizations, as well as the issues relating to the history of the formation and development of non-governmental organizations in Azerbaijan;
- Analyze the specifics of social services regulation in foreign countries and the experience of NGOs in implementing state social orders (contracts) in the sphere of social services;
- Consider the delegation of state social orders (contracts) to NGOs as a mechanism for implementing social and economic policy;
- Analyze the formation and sociological aspects of the implementation by non-governmental organizations of state orders (contracts) in social services in the Republic of Azerbaijan;
- Identifying the prospects for the development of the system for the implementation of state orders (contracts) by non-governmental organizations in the field of social services and making proposals accordingly.

### **Methods of the research.**

The theoretical and methodological basis of the research consists of scientific findings obtained by domestic and foreign researchers, data from the State Statistics Committee and the Ministry of Labor and Social Protection of Population, analysis of the materials of ongoing sociological surveys, local and international acts relating to NGOs and state social contracts, program and other legal and regulatory documents, and relevant decrees and orders issued by the Head of State. The methods of comparative and systematic analysis,



deduction, induction and judgment were used in the research. The dissertation also refers to the results of sociological surveys that we conducted.

**The main provisions of the defense.** The main provisions defended in the dissertation are:

1. The following new concept is given to social services: The social services mean activities of socially specialized organizations responsible for providing free medical, social, psychological, legal and other assistance to persons (families) in difficult life situations who are unable to cope independently (or with the help of persons legally obliged to look after them) with their life situation problems. It is argued that the term 'social service' is closely related to the term 'social work', which has recently come into academic use in our country, and that the term 'social service' is sometimes synonymous with the term 'social work'. And the concept of social work is described as an activity related to overcoming the social problems of people in difficult life situations. Also, social work in Azerbaijan is now presented as an institution providing state support and social services to vulnerable groups in solving problems that, for one reason or another, hinders their social and psychological well-being and living and cannot be solved alone.

2. Due to the fact that social service is currently financed exclusively from the state budget and does not allow for the implementation of broader activities in this area, the need to apply the principles of mandatory state social insurance (formation of a special non-budgetary state fund, which will accumulate all funds that will be spent on the needs of social service) is justified.

3. The followings are justified among the principles of state policy on social service: the definition of social service at a level that ensures decent living conditions for the individual, the preventive orientation of social service, the application of life-long principles, as well as forms of "emergency social service" and the reduction from 70 to 65 of the age limit set for old age for the purpose of admission to social service.

4. Possibilities of application in Azerbaijan of the theory of "convergence" formed in the sphere of rendering social services to the population in foreign countries are studied, and in this connection it is justified that in providing

effective functioning of social services the state shall act not alone, but in close cooperation with public associations and members of society.

5. Taking into account the more flexible and effective activities of non-governmental organizations in the field of social services in comparison with state structures, a number of improved proposals are put forward on the issue under study: expanding the scale of charitable and volunteer activities in the field of social services, creating private social service enterprises, training specialists in types of social services throughout the country, mainly in the regions, and regularly improving their knowledge and skills based on modern methods, the conclusion of contracts on state orders in the field of social services for a period of at least 5 years and if the monitoring mechanism reveals improper fulfilment of contractual obligations, the NGO-executor is removed from the provision of social services, the involvement of NGOs in the process of implementing the form of providing social services at home (mobile), the creation of a permanent monitoring and control system for more professional and high-quality implementation of NGO social services, etc.

**The scientific innovation of the research** lies in the fact that it is the first research work of a monographic nature, written on the basis of the experience of work on problems related to the role of non-governmental organizations in the implementation of state social orders (contracts) in the sphere of social services in our republic and foreign countries.

**The theoretical and practical significance of the research.** The theoretical significance of the research is determined by the fact that the provisions put forward here, the proposals and the results obtained, enriching the scientific basis of sociology and social work, develop and complement the relevant sections of the research devoted to the activities of non-governmental organizations and the problems of social services. This research work can act as a theoretical basis for further researches on the problems of non-governmental organizations in the implementation of state social orders in the sphere of social services. The research work summarizes theoretical and practical issues related to the role of non-governmental organizations in the implementation of state orders in the sphere of social services, clarifies the categorical and conceptual apparatus in this area.

The results of the research can be used to improve the legislation on social services. The theoretical provisions of the research can be used when giving lectures and conducting classes in the process of teaching the relevant sections of the courses of social work, sociology and the social welfare (assistance) system, as well as in the preparation of textbooks and methodological manuals in this field.

**Approbation and its application.** The main provisions of the dissertation were presented at international and national scientific conferences, as well as published in various journals.

**Name of the organization where the dissertation work was performed.** The dissertation work was carried out and discussed at the Department of “Social Work” at Baku State University.

**The volume of the structural sections of dissertation separately and the general volume with the sign.**

The dissertation consists of an introduction, three chapters covering eight half-chapters, conclusion, list of used literature and appendix. An introduction consists of 10 pages -18928 characters, the first chapter consists of 63 pages - 122190 characters, the second chapter consists of 28 pages -54691 characters, the third chapter consists of 45 pages – 73372 characters, conclusion consists of 13 pages – 25405 characters, a list of used literature consists of 15 pages – 21945 characters and appendix consists of 3 pages - 5148 characters.

The total volume of the dissertation consists of 179 pages – 321679 characters.

## MAIN CONTENT OF THE DISSERTATION PAPER

**The introduction** substantiates the relevance of the chosen topic, indicates the degree of its scientific elaboration, subject and object of research, goals and objectives, methodological and theoretical bases, regulatory framework, scientific novelty of research, formulates the main provisions defended, reveals the theoretical and practical significance of research, provides information about the approbation and structure of research results.

The first chapter of the dissertation paper explores **the state policy in the field of social services and the role of non-governmental organizations in its implementation**. In the first paragraph of the same chapter, entitled "**Doctrinal approaches to the concept and content of social services**", the author, considering the concept of social services as an economic and legal category, notes that from an economic point of view, the fact that the services provided in the process of social services are considered primarily as a type of consumer value, not capable of having any impact on the well-being of people is taken as a basis. In characterizing social service as a legal category, it is stated that it includes the following:

- policy of redistribution of national income of the state;
- organizational and legal forms of implementation of social services through legal mechanisms and in a regulatory manner;
- the conditions for the provision of guarantees established by law, legislation, aimed at acquiring the right to social services and the restoring violated rights in this area;
- the order of organization of the relevant financial systems and their legal status;
- social service management systems;
- the circle of persons to whom the social service is provided;
- types of social services and conditions of their provision;
- mechanism for the protection of violated rights, the activities of state agencies to ensure and protect the rights established by law to social services, etc.

According to a researcher analyzing the concepts of social service and social work, social work is a profession aimed at helping people to function as best as possible in their environment. At the core of the social work profession is precisely the understanding and acceptance of people as social beings. At the same time, it is the interdependence between people that is at the heart of the profession. This profession, based on social connections, helps people to improve the quality of these relationships and connections, and increases people's social activity. The analysis shows that social work as a field of activity reflects the very field of social service.

The pretendant believes that in terms of improving the social status of victims of human trafficking, it is necessary to take measures to train personnel specializing in the social rehabilitation of victims of human trafficking, to ensure that the trained personnel work not only in law enforcement agencies, but also in health care, education, diplomatic, migration services and other related areas. It is also important to take measures to improve access to social and economic reintegration and rehabilitation services for victims of trafficking, taking into account international best practices.

Based on this analysis, the social service is defined as the statutory activity of special organizations to provide free or uncompensated medical, social, psychological, legal and other assistance to persons who find themselves in a situation where they cannot independently (or with the help of persons obliged by law to care for them) eliminate violations of their livelihoods due to circumstances beyond their control.

Regarding the need to provide primary and emergency social assistance to persons in difficult situations, the author proposed that the form of "emergency social service" be included in the legislation on social service, noting that emergency social service includes the provision of primary and emergency social assistance to persons in difficult situations, which has an important place in the social protection of these persons.

The pretendant, who considers it necessary to pass a law that includes the child protection system in a comprehensive and systematic form at the present stage, proposes that this law, along with other elements of social protection for children, shall include the following concerning social services for children:

- procedures for reporting children subjected to parental violence or exploitation of child labor and the steps to be taken thereafter;
- criteria for separating a child in emergency situations from his or her biological family and placing him or her in state childcare institutions;
- detailed criteria for assessing the needs of the child and his or her family members in need of social services, etc. (analyzed in more detail in the dissertation paper).

The researcher also believes that in terms of improving the social status of victims of human trafficking, it is necessary to take measures to train personnel specializing in the social rehabilitation of victims of human trafficking, to ensure that the trained personnel work not only in law enforcement agencies, but also in health care, education, diplomatic, migration services and other related areas, and taking into account progressive international experience, it would be important to implement measures to improve access to social and economic reintegration, rehabilitation services for victims of trafficking.

Pretendant proposes that the age of 65 be set for old age by the Law on "Social Service" due to premature aging and suffering from various diseases, of some individuals, mostly living in the regions, in order to take them on social security.

The author also believes that the responsibility for the development of the system of social protection of children and the definition of standards in this area, as well as the functions of the Commission on juvenile affairs and protection of their rights should be assigned to the agency and the centers of DOST (Sustainable and Operational Social Security).

In the second half-chapter of the first chapter of the dissertation paper entitled "The role of the state in the implementation of social service policy in the modern period and the principles of state policy in this area", the pretendant notes the general characteristics of the social function of the state. It is pointed out that the social function of the state is the state activity aimed at ensuring a normal standard of living for each member of society, where the main task is to ensure the general welfare of people, as much as possible reducing social inequality in society.

Characterizing the provision of social services as one of the functions of the social state in the modern period, the author believes that the function consisting in the provision of social services is provided by the totality of all mechanisms of the social state.

The researcher believes that public authorities should create an extra-budgetary fund in circumstances where budget funds are insufficient for social services, and attract commercial enterprises to channel funds for this purpose.

The dissertation paper highlights the following characteristics of social service policy pursued in Azerbaijan in the modern period:

- First, this policy should be based on a legal and regulatory framework that is perfect and consistent with international social standards;
- Second, this policy should be comprehensive, covering all persons in difficult circumstances in society;
- Third, this policy should be sustainable and long-lasting, and based on the real economic base of the republic;
- Fourth, this policy should have a scientific and theoretical basis.

The principles of the Social Service Institute are characterized by the author as the basic principles, ideas that guide the regulation of social relations in this sphere. In the sphere of social services of the present time the author of the dissertation paper highlights such principles state policy as observance of human rights and freedoms, humanity, voluntariness, confidentiality, tolerance, targeting, justice and accessibility, non-admission of discrimination and stigmatization, providing equal opportunities in receipt of social services by persons (families) which are in difficult life situation, social integration and improvement of quality of life of the population, ensuring public participation. In the dissertation paper the author explains the essence of each of these principles.

Based on the generalization of the study, the social function of the state was characterized as an activity that provides a normal standard of living for members of society, regardless of their financial situation, age, gender, and health capabilities.

The author believes that public authorities should create an extra-budgetary fund in circumstances where budget funds are insufficient for social services, and attract commercial enterprises to channel their funds for this purpose.

The pretendant points out that although the principles of state policy in the sphere of social services are enshrined in Article 5 of the Law "On Social Services," many of these principles (observance of human rights and freedoms, humanity, justice, etc.) as general principles act as guidelines in regulating all

relations in society. In his opinion, it would be appropriate to include the following sphere-specific principles among these principles:

- a) the principle of determining the level of social security in such a way as to ensure a person a decent standard of living;
- b) the principle of preventive orientation of a given service;
- c) the principle of lifelongness.

The third half-chapter of the first chapter of the dissertation paper explores **the essence of non-governmental organization and the stages of its formation in Azerbaijan.**

The pretendant points out that the development of non-profit organizations in Azerbaijan dates back to pre-revolutionary times and is characterized mainly by the activities of entities engaged in charitable activities in social and public spheres.

Analyzing normative acts of the Soviet period, the researcher concludes that the legislation on non-commercial organizations began to form only in the 1990s. Although some normative acts regulating the development of culture, science, education, health care, social protection recognized the special status of organizations acting in the public interest, in particular, they were subject to tax benefit and other benefits.

During the period of the Soviet empire, there were no independent public associations in Azerbaijan, with the exception of charitable and religious organizations. The activity of independent public organizations was banned, and, in spite of this, it was the government itself that created trade unions, organizations for the disabled, creative associations dealing with women's and youth issues. It should be noted that the establishment of the first NGOs operating in accordance with international standards falls precisely on that period of time.

In 1991, youth and women's organizations began to emerge as independent organizations. Komsomol organizations, which had been active during the Soviet empire, were becoming independent organizations. Witnessing the development and increase in the number of public organizations, the government accepted the need to adopt normative acts in



order to regulate the activity of public organizations. Thus, in 1992, the first law, the Law "On public associations" was adopted, which provided a legal basis for the creation of the third sector. Thus, national legislation on non-profit organizations began to develop in the early 1990s of the twentieth century.

Based on the conducted analysis, the pretendant notes that the prerequisites for the creation of non-profit (non-governmental) organizations can be the existence of any interests, ideas, or problems. In this regard, non-profit organizations can be created by interested parties, initiative groups, like-minded people or individuals wishing to realize a common interest or solve a public problem. Non-profit organizations are created when there is a need to draw society's attention to the needs of certain social groups, to the observance of their rights.

Based on the analysis of theoretical approaches, relevant articles of the Civil Code of the Azerbaijan Republic and the Law of the Azerbaijan Republic "On the non-governmental organizations (public associations and foundations), non-profit organizations are given the following notion: "Non-profit organizations are legal entities created on the initiative of several individuals and (or) legal entities, united on the basis of common interests for the purposes determined by the constituent documents, in the form of public associations, foundations, unions of legal entities, as well as in other forms provided for by the legislation, or not being their members, established by one or more individuals and (or) legal entities on the basis of a voluntary property contribution and having social, charitable, cultural, educational or other socially useful purposes, these are legal entities, the main purpose of which is not to receive profit and not to distribute the profit received among its participants".

The second chapter of this dissertation paper is titled "**International experience in the implementation of state social orders by NGOs in the field of social services**". Exploring in the first half-chapter of this chapter **the specifics of regulation of social services in foreign countries**, the pretendant points out that the expansion of the social service system that accompanied the economic development of Western countries proceeded in three directions (expanding the risks of providing social services, expanding the composition of

socially protected persons and increase in the number and level of types of social services provided).

Based on the analysis and generalization of provisions of legislation in the sphere of social services of some advanced countries (Germany, Great Britain, USA, Netherlands, Switzerland, Denmark, Spain, France, Luxembourg, Belgium) in this half-chapter the pretendant concluded that for formation of social service system in the Republic of Azerbaijan an important role can be played by application of "convergence" theory ("convergere" in Latin means "contingence") on social services existing in Western European countries. The convergence theory is important because it rejects all attempts to start all over again and proposes to use the already existing positive experience in the field of legislation and law enforcement. The pretendant believes that it would be more appropriate to use such a theory in regulating social service relations.

Analysis of the legislation of foreign countries on social services allowed the researcher to conclude that the types and volumes of social services largely depend on the efficiency of the country's economy. In economically weak countries, the social insurance system is able to provide at least a relatively low level of social security, in terms of financing. With the growth of economic efficiency, the social service system is also expanding.

The pretendant believes that a special non-budgetary state fund should be formed, in which all funds to be spent on social services will be concentrated. It is through this fund that the constitutional rights of citizens to basic types of social services can be realized. In a market economy, along with centralized sources of funding for social services, it is advisable to attract individuals with certain financial capabilities (resources) and additional extra-budgetary sources (for example, the State Oil Fund).

In the author's opinion, for higher implementation of forms of social services and better fulfillment of state social orders in the sphere of social services, it would be advisable to create the following new types of social service institutions in our republic:

- Assistance centers for children deprived of parental care;
- Mobile home rehabilitation services for the severely disabled;
- Centers for psychological assistance to the population;

- Special psycho-social rehabilitation centers for minors and children with behavioral disorders;
- Rehabilitation and development centers for children with disabilities;
- Small family-based group homes;
- Family-based temporary shelters for children;
- Child support and development centers;
- Foster care services;
- Family counseling and education centers;
- Child and family support centers;
- Crisis centers like shelters for trafficked or abused children.

The second half-chapter of the second chapter of the dissertation analyzes the experience of NGOs in implementing state orders in the sphere of social services in foreign countries.

The pretendant points out that the expansion of non-governmental organizations' activities in the social sphere along with the strengthening of competition in the market of social services and the development of a competitive environment has a positive impact on the development of employment. Therefore, strengthening the activity of this sector in the social sphere, developing their interaction with state structures to expand their potential, increasing the efficiency of their interaction are among the important issues. The successful solution of this process depends on the influence of the state policy in the social sphere and the application of improved mechanisms and methods of interaction between non-state and state structures.

As a result of the analysis conducted in this half-chapter, it is noted that the development of the tertiary sector of the economy in countries with developed market economies has led to increasing and expanding trends of participation in social services by non-state structures, including civil society institutions, non-profit organizations, and non-governmental non-profit organizations.

On the basis of the already established experience of foreign countries, the author substantiated the principles of state support for NGOs related to activities in the social sphere.

The pretendant believes that according to relevant foreign experience, our republic should also reflect in its legislation norms prohibiting the granting of state orders to enterprises that do not produce any products for the rehabilitation of disabled persons, and to enterprises in which the representation rate of disabled persons in the workforce is below the level established by law.

The third chapter of the dissertation is titled "Cooperation with NGOs on social service orders in the Republic of Azerbaijan as an example of state-civil society cooperation". In the first half-chapter of the same chapter, entitled "Delegation of state social orders to NGOs as a mechanism for implementing social and economic policy", it is noted that one of the main priorities of state social policy should be the implementation of urgent and consistent comprehensive measures to prevent negative situations, processes of any nature against the full realization of social, economic, and cultural rights.

The activities of NGOs operating in Azerbaijan in the field of services are classified into two directions - social services of educational and informational nature and on the basis of state social orders. The first direction analyzes the activity of the Council on State Support to Non-Governmental Organizations under the auspices of the President of the Republic of Azerbaijan, acting as a donor organization on the following issues: human rights, public advocacy and labor rights, combating human trafficking, rehabilitation of persons released from prison, environmental and health protection, improving the quality of medical services to the population, food security, assistance in improving the living conditions of elderly, lonely, disabled and persons with disabilities In the second direction, from the point of view of the current legislation of the Republic of Azerbaijan in the field of social service, the activity of non-governmental organizations in providing social services on the basis of social orders is analyzed.

The author, who considers it advisable to create private enterprises of social services in a market economy conditions, notes that it would be more correct from the point of view of reducing the financial burden on the state in this area, to ensure a high level of social services by private enterprises of social services to citizens who make up the wealthy strata of society.

According to the pretendant, expanding the scale of participation of the non-governmental sector in the sphere of social services will not only create a new mechanism for creating and providing these services, but will also increase the relevance of liberalizing the sphere of social services, which in the conditions of market relations becomes a sphere of public, social, economic activity, due to the provision of the following:

- Increasing the possibility of taking into account the interests of society when organizing the involvement of non-governmental organizations in solving social problems and the need to monitor the intended use of funds;
- Creating a system of continuous monitoring and control to improve the quality of social services provided;
- Ensuring systematic, long-term and continuous activities of the non-state sector in the field of social services;
- Creating and ensuring the functioning of a system of public control over the activities of structures that provide social services;
- Ensuring compliance of interests between entities providing social services (avoidance of conflicts of interest);
- Formation of a healthy competitive environment in the market of social services, etc.

In the second half-chapter of the third chapter of the dissertation entitled "Formation of implementation of state orders in the sphere of social service in the Republic of Azerbaijan by non-governmental organizations" the pretendant points out that in order to develop cooperation between the state and civil society institutions in a new plane of assistance, support and definition of its contours the "Concept of state support to non-governmental organizations of the Republic of Azerbaijan" was approved by Order of the President of the Republic of Azerbaijan dated July 27, 2007. The period of independence in our country can be characterized as an important stage in the formation of civil society institutions, including the formation of NGOs, which are its main elements, and the development of their relations with the state.

According to the researcher, the participation of NGOs in decision-making is carried out in the following forms:

1. Official representation of NGO representatives in government decision-making bodies;
2. Involvement of the representatives of NGOs in the process of preparing and discussing documents such as various normative-legal acts, decisions, government programs, concepts, national action strategies, action plans, etc.
3. Review of NGO proposals and initiatives by government agencies;
4. Creation of various public structures in the executive authorities, which include representatives of NGOs.

The author notes that the state, at a certain stage of its development, by transferring some of its functions to institutions of civil society, stimulates the development of democratic institutions and society.

According to worthy successor of the great nationwide leader, President Ilham Aliyev, one of the most important directions of building a social state model is the involvement of civil society institutions, mainly non-governmental organizations, in the implementation of social projects within the framework of joint cooperation with government agencies, which corresponds to the experience of developed foreign countries.

In the third half-chapter of the third chapter of the dissertation the prospects of implementation of state orders by non-governmental organizations in the sphere of social service in the Republic of Azerbaijan were examined, and the results of sociological researches conducted by the author himself were highlighted in detail. Thus, in order to improve the institution of social service in the Republic of Azerbaijan, the pretendant conducted a sociological survey among NGOs providing social services on the basis of state orders and other NGOs specializing in the social sphere. The survey was conducted anonymously on a random selection basis in Baku. The use of survey results for scientific research purposes was established in the survey.

Based on the conducted analysis, it is noted that NGOs should work regularly with government agencies and other entities to create an unhindered

environment for the implementation of community-based medical, educational, and social services for persons (families) in difficult situations. At the same time, they should inform local residents and create conditions to take advantage of the services provided in order to achieve a favorable environment for persons (families) in difficult life situations.

According to the pretendant, the implementation by non-governmental organizations of social service projects on the basis of state social orders allows to achieve the following successful results:

- (a) Achieving full or partial restoration of the abilities of the beneficiaries selected as the target group, mainly persons (families) in difficult situations, in terms of their integration into society, as well as the adoption of measures aimed at developing their abilities;
- (b) providing public support to the beneficiaries themselves and their families by organizing the involvement of public authorities in solving the problems of the beneficiaries selected as the target group;
- (c) training of specialists in the types of social services throughout the country, mainly in the regions, and achieving a continuous improvement of their knowledge and skills based on modern methods, etc.

The researcher points out that the lack of continuity and duration of NGO activities in the field of social services is unacceptable in terms of the effectiveness of these services, which negatively affects the dynamics of social projects currently being implemented in a positive direction.

Noting the need to form a flexible mechanism for control and monitoring of the targeted use of funds and materials and the effective implementation of projects in the process of implementing social services by NGOs on the basis of social contracts, the pretendant proposes to create a permanent system of monitoring and control over the more professional and high-quality implementation of social services by NGOs.

In his/her opinion, it would be advisable to achieve voluntary participation of citizens in the activities of NGOs in the sphere of provision of social services on the basis of social orders, to create effective incentive

mechanisms to expand the scale of charitable activities of individuals and increase the amount of funds allocated by them for these purposes, and to involve business structures in social projects carried out in the sphere of social services.

In the author's opinion, in terms of relieving local structures of the State Social Protection Fund, which is an administrative body, from performing economic functions, it would be advisable to amend the procedure for "home-based (mobile) social services", approved by the decision No. 17 of the Cabinet of Ministers dated January 31, 2013, in order to involve NGOs in the implementation of this form of social services.

In the conclusion part of the dissertation the author summarizes the research and presents its main results, as well as proposals for improving the labor law.

**The main content of the dissertation has been reflected in the following theses and articles of the author:**

1. Əliyev, Ü.M. Müasir dövrdə inklüziv təhsilin prinsip və xüsusiyyətləri. "Azərbaycanda inklüziv təhsilin tətbiqi problemləri və onların aradan qaldırılması yolları" mövzusunda elmi-praktik konfransın materialları, Bakı, 2014, s. 96-98
2. Əliyev, Ü.M. İcma əsaslı sosial reabilitasiya: mövcud vəziyyət və perspektivlər. Sosial həyat. Aylıq sosial jurnal, Bakı, 2016, № 4, s.50-53
3. Əliyev, M.N., Əliyev, Ü.M. İqtisadi və hüquqi kateqoriya kimi sosial xidmətin hüquqi təbiəti. Əmək və sosial problemlər. Elmi əsərlər toplusu. Bakı, 2016, №1 (17), s.37-43
4. Əliyev, Ü.M. Müasir dövrdə sosial xidmətin reallaşdırılmasında dövlətin rolu. Bakı Universitetinin xəbərləri, Sosial-siyasi elmlər seriyası, Bakı, 2017, № 4, s. 69-77
5. Əliyev, Ü.M. Sosial xidmətlə bağlı xarici ölkələrin təcrübəsinin tətbiqi məsələləri. AMEA Fəlsəfə İnstitutunun elmi əsərləri, Bakı, 2017, № 2(29), s. 142-151



6. Əliyev, Ü.M. Əhalinin həsas təbəqəsi kimi sağlamlıq imkanları məhdud uşaqlara göstərilən sosial xidmətin tənzimlənməsi xüsusiyyətləri. Əmək və Sosial Problemləri üzrə Elmi – tədqiqat və Tədris Mərkəzinin 20 illiyinə həsr olunmuş “Əmək, məşğulluq və sosial müdafiənin aktual məsələləri” mövzusunda beynəlxalq elmi-praktiki konfransın materialları, Bakı, 2017, s. 183-186
7. Əliyev, Ü.M. Dövlət sosial sifarişlərinin QHT-lərə həvalə edilməsi sosial-iqtisadi siyasətin reallaşdırılması mexanizmi kimi. Dirçəliş -XXI əsr, 2018, №186, s.223-233
8. Алиев, У.М. Проблемы реализации политики государства в сфере социального обслуживания на современном этапе. Евразийский юридический журнал, 2018, № 9 (124), s. 395-397
9. Əliyev, Ü.M. Yabancı Ülkelerde Sosyal Hizmet Uygulamaları və Özellikleri. “Turan” Stratejik Araştırmalar Merkezi, Uluslararası bilimsel hakemli mevsimlik dergi, 2018, s. 378-388
10. Əliyev, Ü.M. Müasir dövrdə sosial xidmət sahəsində dövlət siyasətinin prinsipləri. Doktorantların və gənc tədqiqatçıların XXII respublika elmi-praktiki konfransın materialları, Bakı, 2018, s.35-36
11. Əliyev, Ü.M. Sosial sifarişlər əsasında icma əsaslı sosial reabilitasiya xidmətlərinin təkmilləşdirilməsi problemləri. “Azərbaycan sosial müdafiə sisteminin inkişafı: dünən, bu gün və sabah” mövzusunda Beynəlxalq Elmi-Praktiki konfransın materialları, Bakı, 2019, s. 138-142
12. Əliyev, M.N., Əliyev, Ü.M. Çətin həyat şəraitində yaşayan uşaqların hüquqi və sosial statusu. “Qanun” jurnalı, Bakı, 2020, № 5, s.12-20
13. Əliyev, Ü.M. Sosial xidmət sahəsində dövlət sifarişlərinin qeyri-hökumət təşkilatları tərəfindən həyata keçirilməsinin perspektivləri. Sivilizasiya jurnalı, Bakı, 2021, N2 (47), s. 55-67
14. Əliyev, Ü.M. Sağlamlıq imkanları məhdud uşaqlara göstərilən sosial xidmətin sosial-hüquqi əsasları. // Ulu Öndər Heydər Əliyevin anadan olmasının 98-ci ildönümünə həsr olunmuş “Heydər Əliyev və Azərbaycanın inkişaf strategiyası” adlı respublika elmi-praktiki konfransının materialları, - Bakı: AR DTX-nin Heydər Əliyev adına Akademiyasının nəşriyyatı, -2021, - s. 141-143

The defense will be held on 30 November 2021 at 14<sup>00</sup> at the meeting of the Dissertation Council BFD 4.04 operating at Baku State University.

Address: Baku, AZ 1048, Zahid Khalilov, 23

The dissertation is available in the Scientific Library of Baku State University.

The electronic version of the dissertation and its abstract is posted on the official website of Baku State University

Abstract was sent to the required addresses on “29” October 2021.

Signed for print: 27.10.2021

Paper format: A5

Volume: 44170 characters

Number of hard copies: 100