



**International Convention on the
Protection of the Rights of
All Migrant Workers and
Members of Their Families**

Distr.: General
28 April 2020

Original: English
English, French and Spanish only

**Committee on the Protection of the Rights of All
Migrant Workers and Members of Their Families**

**Third periodic report submitted by Azerbaijan
under article 73 of the Convention pursuant to the
simplified reporting procedure, due in 2018* ****

[Date received: 4 February 2020]

* The present document is being issued without formal editing.

** The annexes to the present report may be accessed from the web page of the Committee.

GE.20-06127(E)



* 2 0 0 6 1 2 7 *

Please recycle The recycling symbol, consisting of three chasing arrows forming a triangle.



1. The third periodic report of the Republic of Azerbaijan on the Convention has been prepared, on the basis of data provided by relevant ministries and relevant agencies, by the Working Group established by the Decree of the President of the Republic of Azerbaijan “On increasing the effectiveness of cooperation with the UN bodies on human rights mechanisms” No.504 dated September 20, 2018. In accordance with this Decree a Working Group composed of the relevant state institutions established to ensure the supervision in elaboration of periodic reports of the Republic of Azerbaijan and the implementation of the recommendations adopted for the Republic of Azerbaijan in the framework of the United Nations human rights treaty bodies and the Universal Period Review mechanism of the United Nations, and it delegates the right to the Ministry of Foreign Affairs (MFA) to act as a lead agency over the activities of this Working Group. Representatives of the Prosecutor General’s Office of the Republic of Azerbaijan and the Office of the Commissioner for Human Rights (Ombudsman) of the Republic Azerbaijan participate in the meetings of the Working Group.
2. Before going into detailed comments, we would like to give a brief overview of the general state policy and legal reforms on human rights carried out in the Republic of Azerbaijan. The necessary political and legal base has been established in order to apply provisions of the basic international legal documents in the sphere of human rights in the Republic of Azerbaijan. Ensuring of human and civil rights and freedoms has been declared as supreme purpose of the state in the Constitution of the Republic of Azerbaijan. In accordance with the Constitution human and civil rights and freedoms are fully ensured and legislation of the country is constantly being improved for the purpose of complying with international standards in the sphere of political, civil, economic, social and cultural rights. Several significant additions and amendments on human rights have been made to the Constitution of the Republic of Azerbaijan in the popular vote (referendum) on September 26, 2019. In accordance with the amendments human and civil rights and freedoms were further expanded, Article 60 (Administrative and judicial guarantees of rights and freedoms) was given in the new edition, a new fourth section was added to Article 36, which regulates the right to strike. In accordance with this section lockout is prohibited, except otherwise is provided by the law.
3. According to the relevant Decree of the President of the Republic of Azerbaijan June 18 is marked as the Human Rights Day in the Republic of Azerbaijan.
4. The current report has been prepared on the basis of questions (CMW/C/AZE/QPR/3) developed by the UN Committee on Migrant Workers.

**Reply to paragraph 1 (a) of the list of issues prior to reporting
(CMW/C/AZE/QPR/3)**

5. After the previous reporting period significant novelties have been made in the legislation regulating migration sphere. The Migration Code of the Republic of Azerbaijan was approved by the Law of the Republic of Azerbaijan No.713-IVQ dated July 2, 2013 and entered into force on August 1 of the same year. The Code establishes norms on implementation of state policy on migration, regulation of migration processes and relations arising in this sphere, as well as legal status of foreigners and stateless persons in the Republic of Azerbaijan.
6. Rights of foreigners and stateless persons engaged in paid labor activity in the Republic of Azerbaijan are defined in the Migration and Labor codes of the Republic of Azerbaijan. According to Article 75 of the Migration Code, except for cases provided for in the Labor Code, migrant workers enjoy the same rights with the citizens of the Republic of Azerbaijan in terms of working conditions and their salaries are paid in the order established by the legislation for the citizens of the Republic of Azerbaijan. Other issues concerning labor activity of the migrant workers those are not envisaged by the Migration Code is regulated by the Labor Code. The Ministry of Labor and Social Protection of Population (MLSPP) carries out control over ensuring rights of labor migrants by employers.

7. Pursuant to Article 71 of the Migration Code in case of early termination of the employment contract between foreigner or stateless person and the employer, the latter should inform about it the State Migration Service (SMS) within 5 working days. In case of early termination of the employment contract existence of other grounds for staying in the Republic of Azerbaijan of migrant worker is investigated in detail. Furthermore, conditions are created for employment of labor migrant by other employer. In case of absence of mentioned cases, migrant is given 10 working days for leaving the territory of the Republic of Azerbaijan.

8. In accordance with the Law “On freedom of religious beliefs” everyone has the right to profess individually or jointly with others any religion, to express and disseminate his/her opinions in connection with the attitude to religion. It is not allowed to prevent anyone from expressing his/her religious belief, taking part in worship, religious rites and ceremonies and studying religion. Nobody can be forced to expression (demonstration) of his/her religion, performance of religious ceremonies or participation in them. Propaganda of religion and religious ways of life through the use of force or threat of force, as well as incitement to racial, ethnic, religious, social animosity and hostility are prohibited. The dissemination and promotion of religions (sects), humiliating humans’ dignity or contradicting the principles of humanity is not allowed. Taking into account relevant recommendations, with amendments to the Law “On freedom of religious beliefs” dated May 16, 2017 article on prohibition of religious propaganda by foreigners was given in a new edition. Thus, pursuant to Article 1 this restriction does not apply to religious professionals who carry out professional religious activities and invited by religious centers. In accordance with Article 45.0.1 of the Migration Code permits for temporary residence in the territory of the Republic of Azerbaijan are issued to foreigners and stateless persons who carry out professional religious activities at religious associations registered by the state. During 2013–2018 and the first half of 2019, 143 foreigners and stateless persons were issued relevant permits for residence on that ground.

9. In accordance with the legislation of the Republic of Azerbaijan, labor migrants and members of their families can be expelled from the territory of the country only for the execution of the decision taken by the competent authorities. Decision on expulsion of foreigner and stateless person from the country can be made by SMS and the courts of the Republic of Azerbaijan. The decision is delivered to the person about whom a decision on expulsion from the territory of the country was made in a language that he/she understands clearly. Moreover, those persons are entitled to use services of interpreter. Pursuant to Article 79.8 of the Migration Code foreigners and stateless persons can appeal the decision on expulsion from the territory of the Republic of Azerbaijan to the court.

10. Asylum seekers are able to appeal the decision on refusal of granting refugee status, which has the effect of suspending the expulsion. In order to ensure the right to appeal, those foreigners and stateless persons are not expelled from the territory of the country during the defined period (in case of existence of appeal).

11. In accordance with Article 5 of the Law “On education”, state ensures right of every citizen to free compulsory secondary education and everyone who receives education at state educational institutions enjoys the right to free-of-charge general education. Furthermore, pursuant to that Article the Republic of Azerbaijan ensures creation of relevant conditions for education of every citizen and does not permit deprivation of any stage, level and form of education, ensures creation of opportunities for education of every citizen and prohibits any discrimination, regardless of gender, race, language, religion, political views, nationality, social status, background, and state of health. In accordance with the Law control over compulsory secondary education is an obligation of the state.

12. Pursuant to Article 44.1 of the Law “On education” receiving education and professional development at any level of education by foreigners and stateless persons in the Republic of Azerbaijan is carried out in accordance with international agreements to which the Republic of Azerbaijan is party, on the basis of quota set by the state, the educational grant program and direct agreements signed by educational institutions, legal entities and individuals. That article is related to higher education and the quota is applied to cases defined regarding admission to level of higher education in accordance with agreements between the Republic of Azerbaijan and foreign countries. Receiving education

and professional development at any level of education in the Republic of Azerbaijan is carried out in accordance with international documents. It should be mentioned that the legislation of the Republic of Azerbaijan on education does not limit the Articles 43 and 45 of the Convention. During 2018–2019 academic years in accordance with international agreements 47 persons received education in the framework of quota set by the state, 33 persons – in the framework of educational grant. Furthermore, approximately 6500 persons received education on the basis of direct agreements between educational institutions and legal entities and individuals.

Reply to paragraph 1 (b) of the list of issues

13. The Republic of Azerbaijan uses possible international instruments for more effective regulation of migration and especially labor migration processes. For the purpose of ensuring protection of rights of labor migrants and members of their families the Republic of Azerbaijan has signed agreements with several states. Thus, there are bilateral agreements with Moldova, Kazakhstan, Kyrgyzstan, Ukraine, Belarus and Turkey.

14. Currently measures on signing draft agreements and memorandums of understanding on cooperation in migration sphere with 14 countries (Russia, Turkey, Georgia, Tajikistan, Uzbekistan, Kazakhstan, Germany, etc.) are continued. Issues on ensuring rights of labor migrants, receiving benefits from the social protection system, conducting exchange of information among states, creating opportunities for labor migrants to get information from state authorities and legalization of residence of illegal migrants were also included in the drafts.

15. Furthermore, agreements on cooperation in the field of migration were signed with the Belarus on November 19, 2018 and with Kazakhstan on October 14, 2019. The agreements aimed at developing the regulation and management of migration processes, ensuring civil and human rights and freedoms by expanding legal base for cooperation in migration field.

Reply to paragraph 2 of the list of issues

16. “Azerbaijan 2020: looking into the future” Development Concept approved by the Order of the President of the Republic of Azerbaijan dated December 29, 2012 contains activities such as continuation of international cooperation in the direction of improving of regulation system of labor migration processes, regulating work on sending country citizens to foreign countries as labor migrants in accordance with international practice, preventing illegal flow of labor force from abroad to the country, strengthening of social protection of our citizens working in foreign countries.

17. Strategic Road Maps on National Economy and Key Sectors of the Economy approved in 2016 includes activities in the direction of effective regulation of labor migration and export activity of Azerbaijani labor force in several service sectors, simplification and acceleration of visa application processes and border crossing procedures by ensuring fast border crossing of foreigners and stateless persons at border checkpoints, simplification of normative legal requirements on permits and visas required for working of citizens of foreign countries in free-trade zone.

18. Determination of labor migration quota and improvement of system of issuance of work permits has been identified as one of the priorities in the National Employment Strategy (2019–2030) of the Republic of Azerbaijan, which was approved by the Decree of the President of the Republic of Azerbaijan dated October 31, 2018.

19. By the decision dated February 7, 2018 the Cabinet of Ministers of the Republic of Azerbaijan, Azerbaijan Trade Unions Confederation and Azerbaijan National Confederation of Entrepreneurs (Employers’) Organizations signed the General Collective Agreement for 2018–2019. In accordance with this Agreement agencies undertake to fulfill their obligations on carrying out interstate cooperation on ensuring rights of labor migrants and using of experience of concluding interstate agreements.

20. In 2019 “National Strategy on Migration of the Republic of Azerbaijan” for the next five years was drafted by SMS and is expected to be approved in the near future. One of the main purposes of the Strategy is comprehensive and effective protection of rights and interests of foreigners and stateless persons in the Republic of Azerbaijan, as well as citizens of the Republic of Azerbaijan living abroad. The 6 strategic visions of the Strategy includes facilitation of legal migration, prevention of irregular migration, development of protection system of vulnerable groups, use of development perspectives of migration, institutional development and awareness-raising on migration. Activities on regulation of labor migration and improvement of legislation in the field of protection of rights of labor migrants have been included in the Strategy.

21. For the purpose of supporting integration of migrants into the Azerbaijani society, the Training Center of SMS organizes free courses for foreigners and stateless persons on Azerbaijani language, history, culture, legislation on rights and obligations of foreigners and stateless persons since October, 2016. So far thousands of foreigners and stateless persons have attended the courses.

22. SMS is the central executive body with law enforcement status, which coordinates the activities of relevant state authorities in the field of migration, exercises the powers defined by the legislation of the Republic of Azerbaijan on state policy in migration sphere, management and regulation of migration processes. The scope of activity of SMS includes registration of foreigners and stateless persons upon place of stay, extension of temporary staying period, issuance and extension of permits for temporary and permanent residence, as well as work permits, determination of refugee status, citizenship and readmission issues, as well as fight against illegal migration. Along with headquarters, the SMS of the Nakhchivan Autonomous Republic, 8 regional migration departments, Detention Centers for Illegal Migrants in Baku and Yevlakh cities, Training Center, Medical institution are included in the system of SMS. Furthermore, migration units at border checkpoints operate for effective regulation of migration processes within the country, ensuring convenience of applicants, facilitation of consideration of applications of foreigners and stateless persons. SMS has a total of 655 staff.

23. Moreover, applications of foreigners and stateless persons on issuance of permits for temporary and permanent residence, work permits, as well as determination of a person’s affiliation to citizenship of the Republic of Azerbaijan and applications on registration upon place of stay are accepted and relevant decisions are presented to them at Azerbaijani brand “ASAN service” centers, as well.

24. SMS, within its competence, controls compliance of foreigners and stateless persons with the rules of temporary staying in the territory of the Republic of Azerbaijan, as well as temporary and permanent residence, registration upon place of stay and residence. In addition, SMS carries out regular monitoring and closely cooperates with local executive authorities and other agencies in order to detect irregular migration.

25. Control over ensuring of labor migrants rights is carried out by the State Labor Inspectorate Service under MLSPP. The Service carries out consideration of applications of foreigners and stateless persons on violation of labor rights in accordance with the Law “On appeals of citizens”. Moreover, the Memorandum of Understanding on technical assistance was signed with the International Finance Corporation (IFC) to enhance capacity of the State Labor Inspectorate Service, to improve legislation on risk-oriented state control over compliance with labor legislation, to prepare modern methodology and rules for risk-based audits and to learn best international practice. Currently cooperation between MLSPP and IFC in this area is continued.

26. General coordination on implementation of the Convention and relevant recommendations is carried out by the Cabinet of Ministers in accordance with tasks assigned by Prime Minister and his deputies. Furthermore, relevant state authorities have been instructed by the Cabinet of Ministers to take into consideration the recommendations in the Final Review regarding the second periodic report of Azerbaijan on UN “International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families”.

Reply to paragraph 3 of the list of issues

27. Activities of all state authorities in the Republic of Azerbaijan in the field of migration are coordinated by SMS, which carries out unified state policy in this area. Thus, relevant data is entered in the Unified Migration Information System (UMIS) of SMS, which is a data base where data is stored on foreigners and stateless persons temporary staying, working and residing in the Republic of Azerbaijan, by the Commission on Citizenship Issues, the State Security Service (SSS), the Foreign Intelligence Service, the State Border Service, the Ministry of Education (ME), MLSP, the Minister of Health (MH), the Ministry of Taxes, along with SMS. As well as the Anti-Corruption General Directorate uses the system in real time. Integration of UMIS with the Interagency automated information-retrieval system “Entry-Exit and Registration” and the State Register of Population was ensured. Furthermore, hotels, sanatoriums, rest homes, boarding houses, camping, tourist bases, hospitals and other similar public places operating in the Republic of Azerbaijan transfer relevant data to UMIS. Annex 1 clearly illustrates the cooperation between SMS and the relevant government agencies.

28. In 2016, a Working Group consisting of representatives of the relevant central executive authorities (MFA, MLSP, MIA, MH, ME, SBS, State Customs Committee) was established for flexible solutions of reintegration (accommodation, health care, employment, social security, education, etc.) of persons, readmitted to the Republic of Azerbaijan, to society together with relevant state authorities. Needs of the citizens (employment, accommodation, financial assistance, education, ensuring medical treatment and so on) are identified and sent relevant representatives of the working group. The activities of the working group are coordinated by SMS.

29. Integration and social protection of persons intending to obtain refugee status and refugees, are among the activity directions which are in the center attention of the Government of Azerbaijan. One of the important steps taken in this direction was the establishment of a working group consisting of representatives of relevant government agencies. The main objective of the working group is to coordinate activities of relevant state agencies in implementation of the tasks on the rights, social security, access to medical care, adaptation to local conditions and ensuring employment of persons obtained refugee status in the Republic of Azerbaijan, as reflected in the relevant articles of the May 21, 1999 dated Law “On the Status of Refugees and IDPs (internally displaced persons)”, and ensuring integration of refugees into society. In accordance with the relevant instructions of the Cabinet of Ministers, the Working Group included competent representatives of the Cabinet of Ministers, the Ministry of Foreign Affairs, the Ministry of Interior, the Ministry of Justice, the Ministry of Taxes, the Ministry of Economy, MLSP, MH, the State Security Service, and the Ministry of Finance under the leadership of the SMS.

30. As a part of the IOM project “Consolidation of the Capacities on Migration and Border Management in Azerbaijan” implemented on September 1, 2014 – December 31, 2018, the Migration Management Working Group was established under the chairmanship of the State Migration Service and Secretariat functions of the IOM. At present, work is being carried out to ensure the activities of the “Migration Management: Working Group for Monitoring Projects” on the basis of the working group.

Reply to paragraph 4 of the list of issues

31. According to Article 28 of the Constitution, every citizen of the Republic of Azerbaijan can freely leave the country, live and work abroad. According to Article 58 of the Migration Code, able-bodied citizens of the Republic of Azerbaijan who have reached the age of 18 may engage in paid labor activity in foreign countries.

32. According to the Migration Code, citizens of the Republic of Azerbaijan traveling abroad for temporary or permanent residence are registered at the consulate of the Republic of Azerbaijan abroad. Citizens living in foreign countries (places) where there is no consulate of the Republic of Azerbaijan may submit information about the residence

electronically to MFA. According to the Migration Code, in case citizens of the Republic of Azerbaijan are engaged in paid work abroad, they should register in the diplomatic mission or consulate of the Republic of Azerbaijan in that country within one month after arriving in their destination countries for full protection of their rights and submit an official document confirming their work in that country.

33. According to the information of the Ministry of Foreign Affairs, the number of citizens of the Republic of Azerbaijan registered in consular offices abroad for 2017 was 16,000.

34. In order to keep records of foreigners and stateless persons residing, working and temporarily staying in the Republic of Azerbaijan, to provide necessary information to the authorities involved in migration management, to automate documentation, monitoring, inquiry and analysis regarding migration, and to improve electronic services in this area the Unified Migration Information System was created (detailed information on the System is provided in paragraph 3) by the Decree of the President of the Republic of Azerbaijan dated June 04, 2010.

35. In 2016–2018 and the first half of 2019, based on employers' requests, 29,661 foreigners and stateless persons were granted work permits for paid labor activity in the country by SMS. In addition, according to Article 64 of the Migration Code, work permits are not required for migrant workers who are eligible for 21 categories (permanent residence permit, entrepreneurship, marriage with a citizen of the Republic of Azerbaijan, etc.). Information for the last 3 years regarding persons engaged in labor activity without requirement for work permit during the reporting period and residing in the country on the basis of relevant permits is provided in the annex (Annex 2).

36. According to the data of July 1, 2019, the number of employment contracts with foreigners and stateless persons were 9576 in the Electronic Employment Information System on the Labor Contract Notification of MLSPP.

37. Today, measures are mainly aimed at legalizing the activities of migrant workers across the country and promoting legal migration. Legal labor migration is essential for the full protection of the rights of all migrant workers and their families. As of June 30, 2019, the number of illegal migrants in the territory of the Republic of Azerbaijan is around 5,000.

38. According to the Decree of the President of the Republic of Azerbaijan "On the Census of Population in the Republic of Azerbaijan in 2019", the next census was held on October 1–10, 2019. The Census Questionnaire contains detailed questions about migration, as well as the answer "Citizenship is unknown" to the question "Your citizenship" was added to the questionnaire based on proposals of the UNHCR and SMS for obtaining more detailed information on stateless persons.

39. Integration of the SMS's databases into the State Statistical Committee's database was launched within the framework of taken measures in order to obtain statistical data on sustainable development goals, to reduce the burden of information on respondents by eliminating duplication, to improve efficiency of official statistical materials by optimizing expenditures spent on their production in accordance with the "State Program for Development of Official Statistics in the Republic of Azerbaijan for 2018–2025" approved by the Decree of the President of the Republic of Azerbaijan dated February 14, 2018. Moreover, the State Program is designated to provide the organization of for short-term and long-term, as well as module type statistical training programs in the specialized training centers for relevant employees.

40. During the reporting period SMS's Training Center held 21 trainings to improve the skills of staff working with statistical data. At the same time, the Service employees participated in the trainings organized by the international partners in our country, as well as in Korea, Austria, Poland and Macedonia in order to work with statistical data, as well as to improve their research skills.

41. During 2013–2018 and the first half of 2019, 10 experts of the State Statistical Committee participated in 17 events on migration, including collection and dissemination of statistical data regarding labor migration, combating irregular migration, migration

management which were organized by the IOM, International Labor Organization and other international partners.

42. SMS provides electronic services within its competence for ensuring the convenience of applicants. During the past period the number of e-services provided by the SMS has reached to 14. In December 2018, a new mobile application, "MIGAZ", was launched to facilitate the access of foreigners to e-services and to minimize time spent on applications and registration upon place of stay. Currently, mobile application provides opportunity to register upon place of stay, to track the application status of foreigners, as well as to check the travel ban on entry to and exit from the country, to count the last registration date via calculator, online payment, online queue, "ASAN visa" and other services rendered by the SMS. With the mobile application, users will be able to access e-services more easily online. Calls and requests are responded via the mobile application developed in Azerbaijani, English and Russian, as well as updates and notifications are transmitted to users.

Reply to paragraph 5 of the list of issues

43. One of the main activity directions of the Commissioner for Human Rights of the Republic of Azerbaijan (Ombudsman) is protection of the rights of refugees and IDPs, as well as migrants. In order to effectively ensure the rights of migrants in the country, the Ombudsman has continued its cooperation with the MIA, SBS and other state entities, along with the SMS. As a result of this cooperation, extensive awareness raising works have been conducted for civil servants working in this field.

44. Regular inspections are conducted at the Detention Centers for Illegal Migrants located in Baku and Yevlakh by the Commissioner and its staff, as well as members of the National Preventive Group on the request of the Commissioner. The purpose of the visits was to investigate the applications on the detention condition and treatment in those centers and legalization of residence in the territory of the country, as well as to get familiarized with relevant documentation procedure. During the interviews conducted with the migrants voluntarily placed in the centers, they did not complain about the detention condition and treatment. The results of that visits were satisfactory, and recommendations made during the previous visits to the centers were implemented. Heads of the Centers were provided with some recommendations regarding the detention condition and treatment issues in compliance with the national and international legislation.

45. Furthermore, the representatives of UNHCR, IOM, International Committee of the Red Cross, Council of Europe, as well as diplomatic representations of the origin countries in the Republic of Azerbaijan of the persons placed in the Centers and mass media visited the Detention Centers and met with foreigners and stateless persons placed there.

46. Regular work with the citizens of the Republic of Azerbaijan emigrated from the country, along with the migrants was continued, as well as cooperation established both between the SMS and Ombudsmen of foreign countries, as well as diplomatic representations of those countries in Azerbaijan and diplomatic representations of our country in foreign countries was developed. Based on bilateral agreements with 15 foreign Ombudsmen, meetings were held in order to address the problems faced by our compatriots residing and working abroad, in particular in the Russian Federation, and to promote legal migration, as well as the status of persons living in uncertain situations was identified and joint actions in this direction was taken. As a result of these measures, our citizens were assisted in legalization of their labor activity, proposals on liberalization of migration rules and relevant normative legal acts were made, longer period was given to illegal migrants to legalize their status, private and family situation of migrants were taken into consideration by applying individual approach to everyone, one of the generally recognized principles of the international law "family reunification" and other norms were observed, the process of issuance of return certificates to persons expelled from the territory of the country in an administrative way was implemented in more flexible manner, timely notification of the person before the expulsion from the country and elimination of cases of violence during the deportation or compulsory expulsion from the country were propagated, as well as

comprehensive, consistent and systematic awareness raising events were conducted with this purpose.

47. Proposals were sent to the relevant state entities with regard to ensuring the migrants' rights, improving the legislation through achieved results on analyzing their problems, needs and applications, enhancing the quality of the database in this field, and adjusting the state policy with the international documents that the Republic of Azerbaijan is party to. The proposals of the Commissioner on extension of the registration period of foreigners upon place of stay, as well as social protection of unaccompanied minors, deprived of parental protection and applied for asylum, improvement of the legal situation of foreigners placed in special detention centers, along with other proposals were taken into consideration.

48. In cooperation with international organizations, trainings on various topics such as, recognition of migrants' documents and health, violence, inadmissibility and prevention of illegal labor activity and labor exploitation, labor market information systems, readmission and human rights were jointly organized with the state entities in the capital and regions by involving Regional Centers of the Ombudsman, as well. Moreover, large-scale awareness raising works were carried out at the border crossings points by using specially designed printing materials.

49. An Independent Experts Council was established under the Commissioner with the purpose of familiarizing with the problems existing in the field of protection of human rights and freedoms, conducting scientific and theoretical works and preparing recommendations, improving legal awareness in this field. This Council consists of experts working in scientific and educational institutions, state entities and non-governmental organizations with knowledge and experience in the field of human rights, by acting in accordance with the adopted Regulation.

50. Events on various topics, including "Protection of the rights of labor migrants in the context of business and human rights" were organized by the Working Group on Business and Human Rights under the Ombudsman, comprised of the representatives of relevant state entities and NGOs representatives was established in 2013. As a result of these events, proposals were summarized and sent to the relevant state entities and positive results were achieved.

Reply to paragraph 6 of the list of issues

51. The official webpage (www.migration.gov.az) of the SMS is functioning in 3 languages – Azerbaijani, English and Russian, as well as foreigners and stateless persons can apply to the "Question-Answer" service or email to the entity in any of these languages and receive timely legal assistance on issues interested them. Besides, foreigners' migration guide, documentation, legislation on citizens' application and other subsections were developed under the "Useful information section" of the official webpage of the Service, video tutorials were posted on rendered services. Moreover, this International Convention and other international documents that the Republic of Azerbaijan acceded to were posted in the webpage in Azerbaijani, English and Russian. The "Online guide" service functions in order to ensure prompt and convenient search by the users of the official webpage of the SMS. Furthermore, an opportunity to apply to "Online guide" via "MigAz" mobile application was created, as well.

52. A new webpage (www.migrationto.az) has been developed by the SMS in order to raise awareness of foreigners and stateless persons visiting the Republic of Azerbaijan about services rendered by the relevant state entities, as well as culture, history, customs, tourist attractions of the country. Through the webpage which operates in Azerbaijani, English and Russian, necessary information regarding the national migration legislation, business environment and tourism opportunities within the country is provided in a user-friendly format for ensuring convenience of foreigners and stateless persons intending to visit Azerbaijan.

53. Moreover, the 919 Call Center of the SMS which operates continuously in 3 languages – Azerbaijani, English and Russian is of pivotal importance in terms of raising awareness of citizens, including foreigners and stateless persons in the field of migration and guaranteeing their rights to obtain necessary information. Additionally, since January 2019, enquiries regarding migration legislation both from inside and outside of the country via “Whatsapp” mobile application are responded by the Call Center.

54. International Conventions on the “Protection of the Rights of All Migrant Workers and Members of Their Families”, “Elimination of All Forms of Racial Discrimination”, “Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others”, “Protection of National Minorities”, “Protection of Human Rights and Fundamental Freedoms” and other international documents were posted in the official webpages of the Ministry of Justice and SMS. Everyone has an opportunity to familiarize with the provisions of those documents.

55. Furthermore, broad utilization of topics concerning the international conventions in the field of human rights in the education process of judges, candidates for judge position, employees of the law-enforcement entities and advocates, as well as implementation of the measures envisaging utilization of the precedent law of the European Court of Human Rights in the court practice, learning and application of issues regarding application of the provisions of international documents on human rights by the courts of the Republic of Azerbaijan were included in the National Action Plan on the Protection of Human Rights of the Republic of Azerbaijan.

56. Topics of the trainings and workshops regularly organized by the international organizations, in particular IOM and ICMPD, for the employees of the relevant state entities cover the issues related to the Convention and its requirements, as well and detailed information is given to the participants by involving international experts.

57. The employees of the SMS were involved in 170 trainings on protection of the rights of labor migrants conducted by the Training Center of the Service, as well as 14 trainings and study visits organized by the international partners. During the reporting period 67 international events were jointly organized with the international partners towards protection of the rights of labor migrants.

58. The brochures in Azerbaijani, English and Russian about the implementation mechanisms of the migration legislation were published by the SMS. Simultaneously, informative-analytical magazine of the SMS – “Migration” is published in three languages (Azerbaijani, English and Russian) with the purpose of delivering information on novelties occurred in the country and world in the field of migration to foreigners and stateless persons, as well as citizens of the Republic of Azerbaijan.

59. Trainings based on the separate program about the rights of labor migrants and members of their families envisaged by the Convention and other international documents are organized in the educational centers of the MJ, MIA, SBS and State Customs Committee.

60. “Open door day” – civil forums, mobile services with the participation of foreigners and stateless persons, citizens, representatives of relevant state entities, public organizations, employers, entrepreneurs were organized in the regions of the country in accordance with the National Action Plans for promotion of Open Government for 2012–2015 and for 2016–2018 approved by the relevant orders of the President of the Republic of Azerbaijan.

Reply to paragraph 7 of the list of issues

61. “Addressing the problems of refugees, IDPs, disabled persons, children with disabilities and veterans” is among the priority directions of the Council on State Support to NGOs under the Auspices of the President of the Republic of Azerbaijan which is a specialized entity providing financial, organizational, technical and consultative assistance to non-governmental organizations. Taking into consideration the proposals of the SMS one of the topics of competition was providing multidimensional assistance to migrants, including those who obtained refugee status and their integration to society. In general,

during the reporting period the projects of the qualified NGOs on protection of interests of foreigners, including labor migrants, refugees and asylum seekers residing in the territory of the country were funded. Thus, 18 projects in the amount of 88.300.00 manats in 2013, 5 projects in the amount of 42.000.00 manats in 2014, 16 projects in the amount of 144.000.00 manats in 2015, 3 projects in the amount of 29.000.00 manats in 2016, 16 projects in the amount of 101.000.00 manats in 2017, 15 projects in the amount of 102.000.00 manats in 2018, 13 projects in the amount of 96.500.00 manats in the first half of 2019 were funded. In total, 86 projects in the amount of 602.800.00 manats were funded by the Council during the years of 2013–2019.

62. On November 22, 2013 Law “On Public Participation” was adopted with the purpose of participation of citizens and civil society institutions in the development and implementation of the state policy in various fields of the state and society, adoption of decisions at the state and local level, organization of public control on the activity of the central and local executive authorities, as well as local municipalities, consultation of state and local municipalities with the community and consideration of the public opinion. According to that Law, Public Councils were established under many state bodies for the application of public participation in the activity of the state institutions.

63. An effective cooperation has been established between the Public Council under SMS currently consisting of 9 members and the Service since 2015. A number of innovative proposals made by the Public Council with the purpose of expanding rights of foreigners and stateless persons in the country, much better protection of their legal interests, regulation and enhancement of migration processes in terms of significance of regular improvement of the normative legal acts in line with the development of society were taken into consideration by SMS. Furthermore, Azerbaijani language courses for refugees and asylum seekers were organized, as well as humanitarian and medical aid was delivered to refugee families through the Public Council under SMS. The Public Council regularly holds meetings with the migrants, conducts their receptions, receives their suggestions, listens to their problems and solves their complaints in collaboration with SMS. The Public Council supports the activity of SMS towards raising awareness of foreigners and stateless persons about the existing legislative acts in the field of migration, its requirements and amendments to the legislation, as well. At the same time, the Public Council contributed to the development of the current periodical report, as well.

64. On June 28, 2019 the “Migration Volunteer” Public Union was established for involving youth to migration management and awareness-raising of migrants.

Reply to paragraph 8 of the list of issues

65. The activity of private employment agencies are regulated with the Law “On Employment” dated June 29, 2018. Agencies carrying out mediation activity in employment of citizens of the Republic of Azerbaijan in foreign countries should obey the requirements of the Migration Code, as well. The procedures regarding establishment and activity of private employment agencies were facilitated with the Law “On Employment”, and registration, exchange of information and submission of the reports required with this Law is only carried out electronically. In 2015, the requirement on obtaining license for carrying out mediation activity in employment of citizens of the Republic of Azerbaijan in foreign countries was revoked in accordance with the Decree of the President of the Republic of Azerbaijan. According to the abovementioned Law, mediation activity in employment of jobseekers and unemployed persons in the Republic of Azerbaijan, as well as citizens of the Republic of Azerbaijan in foreign countries can only be carried out by the juridical persons. MLSPP maintains registration of juridical persons carrying out mediation activity in employment in electronic format. The rule on maintaining registration of juridical persons carrying out mediation activity in employment and requirements for those juridical persons were approved by the Decision of the Cabinet of Ministers №349 dated August 8, 2019. Juridical persons carrying out mediation activity in employment of jobseekers and unemployed persons present data on the number of persons applied for and provided with job to the Ministry. Full operation of the registration of juridical persons carrying out mediation activity in employment is expected by the end of 2019. It will be

possible to obtain detailed statistical information on private employment agencies, number, occupation, etc. of persons recruited within and abroad with their mediation.

66. According to Article 58 of the Migration Code every able-bodied citizen of the Republic of Azerbaijan over 18 years old can carry out paid labor activity in foreign countries. Citizens of the Republic of Azerbaijan can get employed in foreign countries through mediation of juridical persons or individually. Mediation activity for employment of citizens of the Republic of Azerbaijan in foreign countries can only be carried out by the juridical persons in accordance with the Migration Code and the Law “On Employment”. When citizens of the Republic of Azerbaijan carry out paid labor activity in foreign countries, they should be registered at the diplomatic representation or consulate of the Republic of Azerbaijan in that country within 1 month after arrival in the country of destination and submit an official document on employment in the given country in order to ensure full provision of their rights by the state.

Reply to paragraph 9 of the list of issues

67. According to Article 60 of the Constitution of the Republic of Azerbaijan protection of the rights and freedoms of foreigners and stateless persons, along with citizens of the Republic of Azerbaijan is ensured in an administrative order and in the court. Moreover, foreigners and stateless persons can lodge a complaint against actions or inactions of the state bodies, political parties, juridical persons, municipalities and officials in an administrative order and to the court.

68. According to Article 10 of the Law “On Courts and judges” foreign citizens and stateless persons residing in the territory of the country are entitled to judicial protection of their rights and freedoms envisaged by the Constitution of the Republic of Azerbaijan and other laws, as well as legal interests of juridical persons from any conspiracies and infringements in any phase of the court proceeding, along with citizens of the Republic of Azerbaijan. No one can be deprived from the right to judicial protection.

69. According to Articles 292 and 294 of the Labor Code labor migrants possess a right to apply to the judicial instances with the same grounds and conditions envisaged for the citizens of the Republic of Azerbaijan.

70. According to the requirements of the Migration Code and Law “On Administrative Execution” foreigners and stateless persons can file a complaint in an administrative and (or) court order from the decisions made by the administrative bodies about them.

71. During 2013–2018, 1233 complaints were lodged to the courts by the persons regarding the issues included to the competences of the SMS (permits for temporary and permanent residence, establishment of citizenship, etc.). In some cases, decisions made by the Service were amended or complaints of the citizens were positively handled.

72. During 6 months of 2019, 22 applications were received by the State Labor Inspectorate Service from foreigners and stateless persons. 18 out of them were about the payment of salary and last billing, 2 about the reinstatement of job, 1 about not concluding the labor contract and 1 about the violation of vacation rights. All applications were investigated by the Service, and the rights of the employees determined by the labor legislation were restored by taking relevant measures.

73. Furthermore, the unified internet portal (www.courts.az) including all courts was developed for the facilitation of application of persons to the courts, getting information regarding the court activity and rendering better legal service to them.

74. The Board of Appeal of the SMS was established for ensuring the implementation of the Decree of the President of the Republic of Azerbaijan №762 dated February 3, 2016. The purpose of the Board of Appeal is to ensure transparency and objectiveness in the field of proceeding complaints of physical and juridical persons carrying out entrepreneurship activity, to protect rights and legal interests of persons in this sphere.

75. In 2018, an amendment was made to the legislation on lifting entry ban to the country in case of removal of grounds resulted in the revocation of temporary stay,

residence or work permit of foreigner and stateless person. Moreover, the provision on imposing the entry ban to the foreigner or stateless person for 5 years in case the person has been involved in administrative liabilities for violating the migration legislation twice or more in the last 3 years was revoked. Along with the aforementioned, in case foreigners, who have been subjected to administrative sanction in the form of administrative fine without an administrative expulsion for violation of the migration legislation fail to pay the fine, they can leave the country without restriction and come to the country after the payment of relevant fine.

Reply to paragraph 10 of the list of issues

76. Awareness-raising measures on labor migration, in particular on issues envisaged by the International Convention on the “Protection of the Rights of All Migrant Workers and Members of Their Families” and national legislation are regularly conducted in the mass media by the state bodies responsible for migration processes. During 2013–2018 and the first half of 2019, a number of events on raising awareness of the public in the field of migration was jointly organized by the SMS, district and city executive authorities, as well as higher educational institutions with the participation of the local municipalities, employers, media representatives, foreigners and stateless persons. During the series of events detailed information on all aspects of the migration legislation, as well as the requirements of the existing legislation with regard to the labor migrants were provided to the public. The development and broadcasting of videos indicating regulation procedures of the existing relations in the field of migration were ensured. “Open door day” – civil forums, mobile services with the participation of foreigners and stateless persons, citizens, representatives of relevant state entities, public organizations, employers, entrepreneurs were organized, as well as publication of wide range of articles in periodic and electronic media and broadcasting of reportages in TV channels were ensured. From December 15, 2018 to January 15, 2019 SMS organized large-scale awareness raising campaign among migrants. General awareness raising via videos and delivering information in an addressed order were implemented within the framework of the campaign, and 40000 flyers and 700 posters were distributed within a month.

77. Series of trainings on “International Migration Law” was organized in Shaki, Guba, Lankaran, Ganja cities by the Justice Academy and “Key principles on equality and elimination of discrimination” and “Rights to live, inviolability and freedom” topics were included to the training program. In total, 33 judges and 36 advocates participated in these trainings.

78. Measures on facilitations of the legislation and procedural rules were carried out with the purpose of promotion of obtaining work permits for labor migrants by the employers. Thus, the list of documents required for granting work permit was simplified, as well as the opportunity of processing the applications regarding the work permit within a short period of time was established. Furthermore, a hotline was created which provides opportunity to apply directly to the Chief of State Migration Service regarding consideration of work permits with the purpose of improvement of issuance of work permits, raising transparency and ensuring effective proceeding of the entrepreneurs’ applications. The contact number and email of the hotline were placed under special window of the official webpage of the Service.

79. In 2018, an Advisory Board under the State Migration Service which brings together NGOs, as well as representatives of physical and juridical persons carrying out entrepreneurship activity who employ foreign labor force was established in order to deliver necessary information about work permits to employers, to assess the impact of legislation in the field of migration to the entrepreneurship, to address difficulties encountered by employers.

80. “ASAN Visa” system for the issuance of electronic visa was established in order to facilitate procedure on issuance visa to foreigners and stateless persons visiting the Republic of Azerbaijan, to create e-visa system ensuring efficiency and transparency with the application of modern information technologies. Currently, e-visa is issued within 3

business days, in case of application for the facilitated single e-visa it is issued within 3 hours. Citizens of 95 countries can visit the Republic of Azerbaijan by using “ASAN Visa” system. Though, obtaining electronic labor visa via “ASAN Visa” system was not considered initially, currently, issuance of such kind of visa is ensured.

81. Cases when obtaining work permit is not required from foreigners and stateless persons are mentioned in Article 64 of the Migration Code. Since the adoption of the Migration Code until now, the number of cases mentioned in Article 64 has been increased to 21 from 17 as a result of the amendments made to the Code.

82. According to the requirements of the Migration Code obtaining work permit for foreigners and stateless persons can only be required if they enter the labor relations by concluding labor contract with the employer. It should be noted that foreigners and stateless persons can carry out paid and unpaid labor activity without obtaining work permit in the territory of the Republic of Azerbaijan in the form of doing some works or rendering services by concluding civil law contracts.

83. Each year events are held with employers in order to prepare forecast on the need for labor migrants in the upcoming year, to discuss challenges arising in provision of demand for foreign labor force, as well as other relevant issues.

84. According to the “Rules on determination of the labor migration quota” every year employers intending to recruit foreign labor force submit forecast-information on demand for foreign labor force by indicating professions according to the Employment Classification until May 1st with the purpose of determination of the demand of employers for foreign manpower. Forecast-information form on demand for foreign labor force is posted in the official website of the SMS and received in an online regime. Forecast-information is summarized by the SMS according to types of economic activity by indicating the number of employers submitting information, including professions according to the Employment Classification. The Commission, established with the purpose of preparation of proposals for determining quota and coordination of the work in this field, forecasts demand for foreign labor force in accordance with the aforementioned Rule and submits the proposals regarding the quota for the next year according to the types of economic activity to the Cabinet of Ministers until September 15 every year. Quota is approved by the Cabinet of Ministers 3 months prior to the commencement of every year. Foreigners and stateless persons to whom obtaining work permit is not required in compliance with the Migration Code are involved in paid labor activity in the territory of the Republic of Azerbaijan beyond the quota.

Reply to paragraph 11 of the list of issues

85. During the relevant periods investigations were carried out with regard to any exploitation of persons who applied to the SMS, as well as detained as illegal migrants by the Service. In 2013, letters on failure to pay foreigners’ salaries by the employing companies are received from the IOM Representation in Azerbaijan in few cases. Every case was individually investigated, as a result of the taken measures payment of the salaries of labor migrants was fully ensured by the employers and departure of the persons to their homelands was organized.

86. Furthermore, MIA is regularly informed by SMS about the labor migrants who are considered as a potential victim of human trafficking. The letters on potential victims of human trafficking were sent to MIA (*related to 1 Pakistani citizen in 2012, 11 Pakistani citizens in 2013, about 3 Chinese citizens in 2014, 4 Philippine citizens in 2015 and 4 Philippine citizen in 2017*) and as a result of the investigation no fact regarding human trafficking was revealed.

87. According to the Agreement signed between IOM and SMS since December 18, 2017 the Pilot Project on “Support to the Voluntary Return of Migrants from Azerbaijan” is implemented. The project is aimed to create a favorable condition for successful return of persons willing to voluntarily return to their countries of origin and whose application on asylum was rejected, as well as vulnerable migrants. Until the first half of 2019, voluntary

return of 60 persons to the countries of origin was organized within the framework of the project. Moreover, during the reporting period return of 10 migrants to their countries (the citizens of the Republic of Philippines, the People's Republic of China and the Republic of Kazakhstan) was ensured in accordance with the application of IOM and MIA.

88. Moratorium was imposed on inspections in entrepreneurship subjects in the territory of the Republic of Azerbaijan until January 1, 2021 in accordance with the Law "On Moratorium on Inspections Carried out in Entrepreneurship Field". Foreigners and stateless persons carrying out labor activity in the Republic of Azerbaijan can file a complaint against violation of their labor rights by employers directly to MLSPP or via "142 Hotline" of the Ministry. In case of reception of such complaints, they are investigated by the State Labor Inspectorate Service under the Ministry and relevant measures are taken.

89. Besides, the relevant proposal for carrying out inspections on child labor was made by the MLSPP for making amendment in the list of fields on which inspections are allowed approved with the Decree of the President of the Republic of Azerbaijan dated October 26, 2015 and including the inspections on child labor to that list. Currently, the proposal is reviewed accordingly.

90. According to the recommendations of the Group of Experts on Action against Trafficking in Human Beings of the European Council (GRETA) currently, measures are continued towards enhancement of regulation system regarding foreigners and stateless persons working as a household servant. Furthermore, according to the Migration Code foreigners and stateless persons engaged in entrepreneurship activity in the territory of the Republic of Azerbaijan can carry out labor activity without obtaining work permit.

91. According to the "Labor migration quota 2019" approved with the Order of the Cabinet of Ministers №III dated February 7, 2019 nursing activity was included to the "Activity of household: activity on goods and services produced by the household for private consumption" economic activity field.

92. According to the Migration Code exit of foreigners and stateless persons from the Republic of Azerbaijan can be temporarily prohibited in 9 cases. Temporary restriction is only applied in cases necessary for national security, public order and health or protection of rights and freedoms of others and which are excluded in Article 8 of the Convention.

93. According to Article 35 of the Constitution no one can be forced to work. Moreover, labor contracts are freely concluded and no one can be forced to conclude labor contract. According to Article 17 of the Labor Code forcing employee to fulfill the task (service) which is not included to his/her labor function by using force in any order, as well as threatening with revocation of labor contract is prohibited. The persons involving an employee to forced labor bear responsibility in a way envisaged by the legislation. Forced labor can only be allowed in accordance with the relevant legislation regarding military or emergency situation, as well as during the works carried out under the control of state authorities regarding the implementation of court verdicts which has legally come into force. According to Article 193 of the Administrative Offenses Code fine in the amount from one thousand manats up to two thousand manats is imposed on employers for forcing employee to fulfill the task (service) which is not included to his/her labor function by threatening with revocation of labor contract or depriving from privileges and immunities envisaged by the collective agreement.

Reply to paragraph 12 of the list of issues

94. The next "National Action Plan for promotion of Open Government in 2016–2018" was approved by the Order of the President of the Republic of Azerbaijan dated April 27, 2016 in order to expand the application of open government principles, to apply new mechanisms for preventing corruption, to consolidate the activity of civil society institutions and public control, to protect the rights of entrepreneurs and to ensure sustainability of the implemented measures.

95. Information on the amount of the state fees required for rendering migration services in accordance with the Law "On State Fees" was posted in the webpage of the SMS. During

the awareness raising campaigns conducted by the SMS information on free of charge registration upon place of stay and the amount of the state fee required for other services was delivered, as well as that information was included in the brochures and booklets distributed among migrant categories.

96. Furthermore, expansion of the scope of rendered e-services, launching of “MigAz” mobile application, rendering services provided by the SMS in the “ASAN service” centers, as well, eliminated the possibility of corruption cases by preventing direct contact of civil servants with foreigners and stateless persons.

97. Applications of migrants on infringements regarding corruption are reviewed in accordance with the Law “On Citizens’ Applications”. Thus, in case an application on infringements regarding corruption is received the head of the state body assigns service investigation through the application. The service investigation is carried out by the internal control service within the state body. In case grounds mentioned in the application are justified, as well as signs of civil and legal or administrative liability are revealed in the action, decision on taking measures in line with the Civil and Administrative Offenses Codes, in case infringements with the signs of criminal are revealed decision on sending relevant documents to the Prosecutor General’s Office of the Republic of Azerbaijan, as well as in case grounds mentioned in the application are justified, but signs of civil and legal, administrative or criminal liability are not revealed in the action, decision on bringing relevant persons to disciplinary liability are made by the head of the state body.

98. During the reporting period trainings on disciplinary rules, preventing conflict of interests, ensuring freedom of speech and information, liability on infringements regarding corruption were regularly organized for civil servants.

Reply to paragraph 13 of the list of issues

99. Crossing the protected state border of the Republic of Azerbaijan without identification documents or crossing the state border out of checkpoints is punishable by a fine in the amount of one thousand five hundred to three thousand manats or imprisonment for up to two years. If these actions are performed by a group of persons with prior agreement or by organized group, or with the use of force or threat of using such force, it will be punishable by up to five years’ imprisonment. In addition, a foreigner or stateless person arriving in the Republic of Azerbaijan by violating the rules of crossing the protected state border of the Republic of Azerbaijan for the purpose of exercising the right of political asylum established by the Constitution of the Republic of Azerbaijan is not criminally liable, if no other criminal content was found in his/her actions.

100. A new chapter was added to the Migration Code on December 16, 2014, entitled “Rules for the Placement and Detention of Foreigners and Stateless Persons in centers for detention of illegal migrants”. This chapter covers the grounds, terms, procedures, characteristics of detention at the Center, accommodation of foreigners and stateless persons in detention centers, regime of the Center, internal disciplinary rules and regulations of the Center, the rights and obligations of stateless persons, placed in the center voluntarily and mandatorily, as well as other issues.

101. Persons applying for refugee status (with family members accompanying him/her), as well as persons granted refugee status are placed in the centers voluntarily until the issue of refugee status has been resolved, or they got a workplace or an employment but not exceeding 3 months, as well as those to be deported from the territory of the Republic of Azerbaijan, within the period specified in the Administrative Offences, Execution of Punishments and Migrations Codes.

102. By the Decree dated February 23, 2017, amendments and additions have been made to the “Rules of Consideration on Applications for Refugee Status” in connection with unaccompanied children. Thus, when a person under 18 arrives unaccompanied or stays unaccompanied after arrival is revealed, information about that person is referred to the Guardianship and Trusteeship Authority. The Guardianship and Trusteeship Authority shall determine whether an unaccompanied child enters the territory of the country or remains

unaccompanied after arrival and in case of his/her intention to obtain refugee status, application is filled to the SMS in accordance with the Rules.

103. Until the issue of granting refugee status to an unaccompanied child is resolved, the guardianship and custody authorities place him/her in a social service facility. Unaccompanied children in the country is treated equally as children who have lost their parents and are deprived of parental care, and their social protection is ensured by the state, and their rights and benefits are protected in accordance with the law.

104. According to the instruction of the Cabinet of Ministers a Working Group was established to ensure the effective national referral mechanism in the area of child care for improving the care for unaccompanied and separated children. The Working Group is headed by the State Committee for Family, Women and Children Affairs. The working group includes representatives of the State Migration Service, MLSPP, ME, MH and the Executive Power of Baku city.

105. Regardless of race, religion, nationality, political convictions, or affiliation with any social group, all foreigners and stateless persons can apply to the State Migration Service with family members to obtain refugee status. All applications received by the Service are registered. No time limitation regarding the right to apply for refugee status, regardless of when and for what purpose he/she came in the territory of the country, is applied, and persons who arrived in the Republic of Azerbaijan illegally from another state and applied to SMS as soon as possible are exempt from liability provided by the legislation of the Republic of Azerbaijan, based on the justified decision of the Service.

106. In addition to SMS, foreigners and stateless persons may apply for refugee status at the border control checkpoints or through the MIA, the State Security Service, the State Border Service and their structural subdivisions, as well as local authorities for applying to SMS for refugee status. Applications of such foreigners are sent to the State Migration Service within 3 working days for review and investigation. Regardless of any immigration status of foreigners and stateless persons, all their applications to SMS for refugee status are registered in a timely manner and their fingerprints (over 18 years old) are taken, and according to Rules for consideration of the application for granting “refugee” status individual interviews are held with those persons and their applications are responded within 3 months. Such persons and family members are provided with a Temporary Certificate with 3-month validity issued by the State Migration Service. Holders of Temporary Certificate issued according to Article 11 of the Law and Article 64.0.15 of the Migration Code are entitled to employment without the need for a work permit during the period of consideration of their application.

107. In the event of a decision is made on refusal to grant refugee status to a foreigner or a stateless person, decision on refusal is provided to the applicant within 5 days with explaining the right to appeal against that decision in administrative or judicial way within one month and they are explained in a language clear to them. Persons who are newly arrived in the territory of the Republic of Azerbaijan and intending to obtain refugee status are provided with appropriate certificates, pending the submission of administrative or judicial appeal against the decision. Conditions are created for asylum seekers to appeal with the suspension effect. In order to secure the right to appeal, foreigners and stateless persons are expelled from the country within a specified period and the validity of their Temporary Certificates, validity of which has expired, are extended.

108. 1 (one) unaccompanied child applied to the State Migration Service for refugee status in 2017, 3 (three) children in 2018, and 4 (four) children during 6 months of 2019. The applicants were male.

109. A total of 5011 foreigners and stateless persons were placed in the State Migration Service’s Detention Center for Illegal Migrants in 2013–2018 and the first half of 2019. Of these, 4,491 were placed in the Detention Centers voluntarily and 720 mandatorily.

110. There were no persons with disabilities among foreigners and stateless persons, placed in the Centers during the reporting period.

Reply to paragraph 14 of the list of issues

111. Agreements on readmission of persons residing without authorization were signed between the Republic of Azerbaijan and the European Union, Norway, Switzerland and Montenegro. Appropriate measures are being taken to sign readmission agreements with the Russia, Moldova, Pakistan, Turkey, Ukraine, Georgia, Belarus, Serbia and Uzbekistan.

112. Various projects are being implemented jointly with international organizations to reintegrate persons who have been returned during implementation of existing readmission agreements. In order to support effective reintegration of the readmitted citizens of the Republic of Azerbaijan into society and to solve their problems, implementation of the project “Reintegration Support to Azerbaijani Returnees (RESTART)” was launched in January 2019 jointly with International Centre for Migration Policy Development (ICMPD). The project aims at developing reintegration guidelines, developing experience in providing reintegration support for returning citizens who fall into vulnerable categories in cooperation with civil society organizations, as well as providing support for citizens of the Republic of Azerbaijan returning from EU Member States.

113. Within the framework of the Working Group on Reintegration (referred to in paragraph 3), the issues of medical, social protection and education of persons readmitted to the country are being addressed. As of June 30, 2019, appropriate measures have been taken to address medical needs of 120 people, social protection needs of 80 persons and education needs of 11 persons.

114. The IOM is in the process of discussing the project to establish an Electronic Case Management System in connection with the implementation of readmission agreements.

115. An electronic database has been set up at the SMS, the main competent body for the implementation of the readmission agreement for gathering information on persons returning under the readmission agreements of the Republic of Azerbaijan. The database collects detailed information about individuals (name, surname, country of origin, sex, birth, marital status, arrival date). At the same time, during the interviews with readmitted persons they are asked about their family status, education, languages, needs, whether rights in the country they resided were violated, whether they were treated roughly by the escort team.

116. 1,275 persons were readmitted to the country during the period from the date of entry into force of the first readmission agreement of the Republic of Azerbaijan (September 1, 2014) and to the first half of 2019. 141 persons were readmitted from Sweden, 19 from Belgium, 14 from Poland, 37 from Netherlands, 2 from Finland, 8 from France, 1007 from Germany, 26 from Austria, 1 from Lithuania, 4 from Latvia, 4 from Luxembourg, 3 from Bulgaria, 5 from Norway, 5 from Czech Republic (Detailed statistics for the last three years – Annex 3).

Reply to paragraph 15 of the list of issues

117. The conditions applied to the working conditions of migrant workers and their remuneration is provided for the citizens of the Republic of Azerbaijan in the manner as prescribed by the legislation. The legislation also provides for the payment of insurance compensation to foreigners and stateless persons engaged in labor activity in connection with the loss of life or loss of professional capacity as a result of industrial accidents and occupational diseases. According to Article 16 of the Labor Code, any kind of discrimination, as well as defining the rights and privileges on those grounds, whether directly or indirectly, as well as limiting the rights among workers in labor relations for citizenship, sex, race, religion, ethnicity, language, place of residence, property status, social origin, age, family status, beliefs, affiliation to any trade unions or other public associations, to service status, as well as other factors not related to employee’s qualifications professional skills, results of the labor, is strictly prohibited.

118. Unless otherwise provided by the law or international treaties to which the Republic of Azerbaijan is a party, Article 13 of the Labor Code allows foreigners and stateless

persons to enjoy all labor rights equally with citizens of the Republic of Azerbaijan while staying in the Republic of Azerbaijan, and bear duties relevant to these rights. Restrictions on the rights of foreigners and stateless persons, envisaged by the Labor Code and other normative legal acts, are prohibited, except otherwise provided by the law.

119. According to Article 207 of the Labor Code, employees have the right to work in safe and healthy conditions. According to Article 224 (2) of the Labor Code, the employment contract must necessarily indicate the employer's obligation to ensure an employee's healthy and safe working conditions.

120. According to Article 75.1 of the Migration Code, except for the cases provided by the Labor Code (privileges applied to women, the disabled, the persons below 18 years of age and other persons in need of social protection) the same terms and conditions are applied to migrants equally with citizens of the Republic of Azerbaijan in connection with labor conditions according to the legislation and their remuneration is carried out in the manner prescribed by law for citizens of the Republic of Azerbaijan.

121. According to Article 2 of the Law "On ensuring Gender (men and women) equality" adopted on October 10, 2006, with the aim of ensuring gender equality by eliminating all forms of gender discrimination and creating equal opportunities for men and women in the political, economic, social, cultural and other spheres of public life, the gender equality refers to the legal equality of women and men, and their equal opportunities for the exercise of these rights, and their equal social status in society. In addition, the law reflects the provision for the elimination of gender discrimination, the main directions of state policy on ensuring gender equality, the state's commitment to ensuring gender equality, employers' responsibilities for eliminating discrimination on the basis of sex in labor activities, equality in remuneration of labor, inadmissibility of any pressure on sexually abused workers, equal opportunities for the right to education, gender discrimination in the activities of educational institutions, gender equality in economic and social relations, gender equality in activities of political parties, non-governmental organizations and unions.

122. The Labor Code sets out the details of women's labor rights and guarantees for their implementation. In accordance with the legislation, Articles 16 and 154.2 of the Labor Code prohibit discrimination in labor relations and prohibit any reduction in the salaries of employees, and give them wages below the state minimum wage in violation of these principles.

123. According to Article 155 of the Labor Code, an employee has the right to receive no less than the minimum wage established by the state for his or her work without discrimination.

124. The MLSP has created an Electronic Information System on Notification of Employment Contracts. Under the law, an employer must submit a notice of employment contracts to the system within one business day. After the notification is entered into, the employment contract shall be deemed to have come into force. At the same time, in case of changes or termination of employment contracts, the relevant notice must be submitted to the system within 1 (one) business day. Only then will the employment contract be enacted, and the terminated employment contract will be considered invalid. This system allows for proper monitoring of labor rights of both local and foreign workers and effective protection of their labor rights. Real-time integration of the SMS to the system has been ensured.

125. Work is now underway to improve the regulatory framework for foreigners and stateless persons who work as domestic servants.

Reply to paragraph 16 of the list of issues

126. Education in higher and secondary special education institutions in the Republic of Azerbaijan is one of the cases where foreigners and stateless persons are allowed to temporarily reside in the territory of the Republic of Azerbaijan.

127. Information on foreign and stateless students studying in secondary schools of the Republic of Azerbaijan is as follows:

<i>Type of registration document</i>	<i>Academic year</i>		
	<i>2016/2017</i>	<i>2017/2018</i>	<i>2018/2019</i>
Certificate of birth of foreign country	10 012	11 807	12 258
Document on migration status	3 340	3 136	3 079
Passport of foreign country	672	725	780
UNHCR protection document	190	210	178
Diplomatic card	120	114	134
Total	14 334	15 992	16 429

128. The activities related to the education of Azerbaijanis living abroad are regulated in accordance with Section 5.8 of the Law “On education”. According to the relevant paragraph, the state implements special projects and programs related to the education of Azerbaijanis living abroad.

129. Information on the legal status of parents of foreign children studying in schools is not exchanged between the ME and the State Migration Service. It also allows all students to study regardless of their status.

130. Weekend schools are organized by diaspora organizations in Turkey, Netherlands, Russia, Ukraine, Latvia, Lithuania, Estonia, and France to teach Azerbaijani language, Azerbaijani children living abroad. “Karabakh” educational institution began to function on October 6, 2018 in the city of Bern in the Swiss Confederation and on April 20, 2019 in the city of Nantes, France. In addition, there are weekend schools within the Azerbaijani diaspora organizations operating in most regions of the Russian Federation. Examples include the school No.157 in Moscow, in St. Petersburg, Sunday school of St. Petersburg’s Azerbaijanis under the national-cultural autonomy, school No. 11 in the Astrakhan region, Azerbaijani weekend school under the public organization “Azerbaijan” in Yekaterinburg region, as well as Azerbaijani class in Yekaterinburg gymnasium and the weekend school under the “Dostluq” Azerbaijani Diaspora organization in the Republic of Udmurtia.

131. As of 2018, the Azerbaijani language is taught in 88 secondary education institutions in the Russian Federation.

132. On the basis of mutual agreement, the mother tongue and literature textbooks are exchanged for Georgian language schools in Azerbaijan and Azerbaijani language schools in Georgia. In the 2019–2020 academic year, 20,622 textbooks and teaching materials in 21 titles were sent to schools in Georgia, taught in the Azerbaijani language, by the ME. Over the past three years, 56,249 textbooks and manuals have been sent to those schools.

133. In addition, in accordance with the Decree of the President of the Republic of Azerbaijan dated July 17, 2018, an instruction was given to establish the “Electronic platform of Azerbaijani Language for Foreigners”. The Statute of the Platform and other tasks have been approved by the Resolution of the Cabinet of Ministers dated of September 10, 2019.

Reply to paragraph 17 of the list of issues

134. In accordance with the Law “On Protection of Public Health”, stateless persons permanently residing in the Republic of Azerbaijan have equal rights with the citizens of the Republic of Azerbaijan in the field of health protection. Foreigners and stateless persons have the right to health care in accordance with the provisions of the international treaties to which the Republic of Azerbaijan is a party. Examination and treatment of foreigners and stateless persons permanently residing in the territory of the Republic of Azerbaijan is carried out on a paid basis in oncological centers, while emergency oncological care is provided them free of charge. Compulsory child care measures encompass citizens of the Republic of Azerbaijan, stateless persons and foreigners permanently residing in the Republic of Azerbaijan in accordance with the Law “On Compulsory Medical Examinations of Children”. According to the law of the Republic of Azerbaijan “On

protection of health of population” medical care is free in the public medical enterprises of the Republic of Azerbaijan. According to the legislation of the Republic of Azerbaijan migrants can use ambulance and special medical care without any restrictions or discrimination.

135. In 2013–2018, 5879 foreigners and stateless persons were registered in the “Citizens’ electronic health card system” of the Ministry of Health.

136. The number of foreigners and stateless persons involved in inpatient treatment in 2013–2018 was 3225.

Regarding paragraph 18 of the list of issues

137. According to the provisions of Articles 166 and 167 of the Family Code, birth registration is carried out at the place of birth of a child or at the place of residence of a parent or one of them by the registration office, consular office and the representation of executive power. Birth information must be provided within 1 (one) month of the child’s birth.

138. The list of documents required for birth registration was approved by the Cabinet of Ministers’ Decision No. 145 dated October 31, 2003. According to the amendment made to that decision on July 21, 2017, the requirement to submit a document on registration upon place of residence in the Republic of Azerbaijan was revoked if one or both of their parents are foreigners or stateless persons. This also ensured that all children born in the country are registered regardless of their parents’ migration status. In 2013–2018, the number of children born in the Republic of Azerbaijan with one or both parents being foreigner and stateless persons was 11140.

139. In accordance with Paragraph 2.2 of the “Rule on state registration of civil states Acts”, approved by the Decision of Cabinet of Ministers of the Republic of Azerbaijan dated October 31, 2003 birth information (as a rule, birth date and sex of a child, mother’s surname, name, patronymic, place of residence, number of identity card and date of issuance) are immediately transmitted by the medical institution to the Ministry of Health (MH) and further from MH to database of the Ministry of Justice through information system and then to the registration department on place of residence of the mother on automated regime.

140. A joint project with the Ministries of Justice, Health and the State Agency for Public Services and Social Innovations under the President of the Republic of Azerbaijan is being implemented to ensure accurate registration of the population, identification of each person and provide immediately the newborn with an individual identification number. Thus, in the event of birth, information is immediately sent to the State Population Register by the MH, and when information is entered in the Register, the child is given a unique identification number that cannot be duplicated, in an automated mode, until the end of his or her life. This, in turn, allows children to be unambiguously identified, to identify those whose birth is not registered within the timeframe established by law, to notify parents about the compulsory state registration of birth and invite them to registration authority and to bring to administrative responsibility those who fail to register without valid excuse.

141. For the purpose of registration of all births and providing them with a certificate based on the information from the Ministry of Health entered into the database of the Ministry of Justice regarding birth of the child, the notice on necessity of registration of birth of a child is sent to the residence address of the mother in 2018 by the registration offices. In addition, in order to ensure the comfort of parents and to prevent late birth registration, mobile registration was carried out directly at the maternity home before mother leaves the hospital.

142. In addition, staff members regularly visit the regions to improve birth registration issues and raise awareness on the importance of birth registration throughout the area, explanatory works and discussions are held with the population of the residential areas covered by the executive offices and meetings are held on the importance and necessity of birth registration. In 2018, 437 settlements were visited, about 8,000 booklets reflecting the

requirements of birth registration legislation were distributed and relevant information was placed in more densely populated areas.

143. Proposals were made to amend the legislation to provide mobile birth registration services.

144. In order to improve the quality and flexibility of registration services for foreign citizens, appropriate work is being done with the MFA towards the integration of our diplomatic missions and consulates into the “Civil Status Acts” information systems.

145. By the Decision of the Cabinet of Ministers of the Republic of Azerbaijan No. 570 dated December 28, 2018 changes were made to the Rule “On state registration of acts of civil status” to provide the possibility of registration of civil status acts (including birth) for citizens of Azerbaijan temporarily staying, as well as temporarily and permanently residing living outside the Republic of Azerbaijan.”.

146. In order to improve the registration of civil status acts the measure of connecting the representations on administrative offices and the administrative-territorial units of the head of the executive power of the city, region and city district of the Republic of Azerbaijan to Automated Registration Information System “Civil Status Acts” was reflected in the State Program for the years 2019–2023 on development of Azerbaijani justice”.

Reply to paragraph 19 of the list of issues

147. According to the Migration Code, except for cases provided by the Labor Code, labor migrants are subject to the same conditions as established by the legislation for the citizens of the Republic of Azerbaijan, in connection with labor conditions and their labor is paid in accordance with the legislation of the Republic of Azerbaijan.

148. Insurance and pension system established in our country in accordance with international standards also provides reliable social protection of migrant workers. In addition to Azerbaijani citizens, foreign citizens engaged in labor activity and gaining incomes in the territory of the Republic of Azerbaijan also pay compulsory state social insurance. From January 1, 2006, activities are carried out to foreigners and stateless persons, who receive wages and other income from compulsory state social insurance from the sources of the Republic of Azerbaijan with compulsory state social insurance. Increasing the number of migrant workers registered in the individual accounting system will enable them to have social security and pension benefits in the future.

149. Since 2006, when the system of individual record was launched in Azerbaijan, foreigners engaged in labor activity in our country are covered by the compulsory state social insurance system like country citizens. In doing so, they form the basis for future pension and other social protection rights, forming pension capital in their individual accounts.

150. According to Article 3.2 of the Law “On Labor Pensions” foreigners and stateless persons permanently residing in the territory of the Republic of Azerbaijan have the right to get labor pensions on equal terms with the citizens of the Republic of Azerbaijan under the conditions provided by the Law. At the same time, this issue is also regulated by interstate bilateral treaties. Foreigners and stateless persons now enjoy these rights.

151. Under the Law “On Social Insurance”, citizens of the Republic of Azerbaijan and stateless persons working on labor contract, foreigners receiving payment for labor and other incomes subject to compulsory social state insurance payment are covered by compulsory state social insurance.

152. The Law “On Compulsory Insurance of loss of occupational capabilities at result of Occupational Accidents and Occupational Diseases” envisages insurance payment in connection with loss of occupational capability or death due to industrial accidents and occupational diseases to foreigners and stateless persons, employed in the territory of the Republic of Azerbaijan.

153. According to Article 75.3 of the Migration Code, when a migrant worker dies, the legal or natural person who recruited him/her must ensure that the migrant's dead body is sent to the country of permanent residence.

154. The Government of the Republic of Azerbaijan signed bilateral agreements in the field of pension with the Governments of Belarus, Moldova, Turkey, Kyrgyz Republic, Kazakhstan, Uzbekistan, Turkmenistan and Georgia. Protocol on cooperation on compulsory State Social Insurance was signed with the Republic of Moldova.

Reply to paragraph 20 of the list of issues

155. In accordance with Part 3 of Article 25 of the Constitution, the state guarantees equality of rights and freedoms of everyone, irrespective of race, nationality, religion, language, sex, origin, financial position, occupation, political convictions, membership to political parties, trade unions and other public organizations. National legislation does not restrict migrant workers to join in trade union. According to the Labor Code and the Law "On trade unions", employees, pensioners, persons receiving education have, without any discrimination, right to voluntarily establish trade unions at their choice and without preliminary consent, as well as to join trade unions for the protection of their legal interests, labour, social and economic rights and to engage in trade union activities.

156. Besides, "Tasks of trade union organizations in addressing social and economic problems of migrant workers" was discussed and a long-term Action Program was adopted by the Azerbaijan Trade Union Confederation (ATUC) Assembly. Extensive cooperation was established with state bodies and civil society institutions within the Action Program. The main target groups of the Action Program include migrants, refugees in the country and persons residing on the permanent grounds. The main objective of activities in this sphere is to assist to create favourable economic, organizational and moral-psychological conditions for the development of cultural, creative skills and capacity of migrant workers.

157. The General Collective Agreement for 2018–2019 was signed among the Cabinet of Ministers, the Azerbaijan Trade Union Confederation and the National Confederation of the Entrepreneurs (Employers) Organizations. According to sub-clause 3.2.18 of that Agreement the parties undertake to fulfil obligations on realizing interstate cooperation on protection of the rights of migrant workers and using experience of concluding interstate agreements.

158. On March 2, 2018, the Executive Committee of the Azerbaijan Trade Unions Confederation of made a decision on establishment of "ATUC Working Group for Migrant Workers". The main objective of the establishment of the working group is to inform migrant workers arriving in the country about the equality of rights and opportunities, and to assist them in establishing contacts with state bodies and law enforcement bodies for their residence in the country, job search, access to the labor market, realization of labor and social rights, improvement of professional skill, education, health care and participation in trade unions and public associations.

159. ATUC closely took part in international projects implemented by the European Union, the Organization for Security and Co-operation in Europe, the International Labor Organization and the International Organization for Migration, held regional trainings on raising awareness in migration field in Azerbaijan with state bodies and non-governmental organizations. At the same time, cooperation agreements signed by ATUC with trade unions of Russia, Turkey, Georgia, Moldova, Kazakhstan, Albania and other countries covers assistance to migrant workers, mutual realization of their protection.

160. According to Article 9 of the Law "On non-governmental organizations (public associations and foundations)" foreigners and stateless persons permanently residing in the territory of the Republic of Azerbaijan can be founder and legal representative of non-governmental organization. 4 non-governmental organizations were founded by foreigners in 2016–2018. In addition, foreigners and stateless persons can be participants of non-governmental organizations functioning in the Republic of Azerbaijan, which gives them the right to hold leading position.

Reply to paragraph 21 of the list of issues

161. Organization and conduct of elections and referendums in the Republic of Azerbaijan, including rules for exercising voting rights are regulated with the Constitution, the Election Code and normative legal acts adopted by the Central Election Commission (CEC), such as instructions, explanations and regulations.

162. Provision of voting right is determined directly in the Constitution as one of the main human rights in our country. According to the Constitution citizens have the right to elect and be elected to governmental bodies, as well as to participate in referendum.

163. According to Article 35.6 of the Election Code election precincts for organizing voting by voters abroad are established by the heads of diplomatic representations or consular offices of the Republic of Azerbaijan, provided that number of voters registered in the consulate is more than 50, this process ends at least 30 days prior to the voting day. Such voting precincts are only established during referendum and Presidential elections.

164. In the absence of a diplomatic representation or consular office of the Republic of Azerbaijan in a foreign state, as well as no election (referendum) precinct is established in the diplomatic representation or consular office, the citizens of the Republic of Azerbaijan in that foreign country do not participate in the election.

165. Legislation also determines the rules for including citizens in foreign countries in voter list. Thus, inclusion of citizens living outside the territory of the Republic of Azerbaijan or having a long-term business trip, in the voters' list is based on the fact of permanent residence outside Azerbaijan, as well as long-term foreign trips defined by diplomatic missions or consular offices. Information about such voters is submitted to CEC by MFA.

166. Voter's lists for electoral precincts established outside the Republic of Azerbaijan are approved by relevant precinct election commission on the basis of information on voters provided by heads of the diplomatic representation and consular office at least 25 days prior to the election day.

167. During the reporting period election precincts were established in diplomatic representations and consular offices abroad and voters residing outside the country exercised their voting rights in Presidential election 2013, national election (referendum) 2016 and Presidential election 2018 in the Republic of Azerbaijan.

168. 38 election precincts were established in our embassies and consulates for 14138 voters residing outside Azerbaijan or having a long-term foreign trip in Presidential elections 2013, 38 election precincts for 15417 voters in national elections (referendum) 2016 and 41 election precincts for 13961 voters in Presidential elections 2018. It should be noted that 13538 voters residing outside the country or having a long-term foreign trip in Presidential elections 2013, 9271 voters in national elections (referendum) 2016, and 9409 voters in Presidential elections in 2018 expressed their will freely by coming to election precincts created at our embassies and consulates in foreign countries. As well as, special software prepared by CEC for sending voter turnout during the election day and results of counting of the votes after completion of the voting, was available at all polling stations established in all diplomatic missions and consulates of the Republic of Azerbaijan, and relevant information was electronically submitted to the relevant constituency and the CEC.

169. As a body directly responsible for the preparation and conduct of elections, the CEC regularly conducts large-scale projects to educate all election process participants, including voters, and to exercise citizens' electoral rights, and conducts an intensive promotion campaigns through various means, also cooperates with both local and international organization in this direction. The CEC's official webpage, mass media and social networks are widely used to increase the effectiveness of awareness raising projects and regularly inform the public about all activities being undertaken. The project implemented jointly by CEC and MFA on the organization of voting outside the country is of great importance. The project provided trainings on rule for conducting election to relevant persons.

170. A number of measures have been taken to raise awareness of voters living abroad. Precinct election commissions on polling stations in the diplomatic missions and consular offices of Azerbaijan abroad and relevant bodies make all necessary steps to inform voters of this category about the election (referendum) process. The CEC also provides video clips, educational materials, and general information about voting procedures on its official webpage and social media pages to educate voters including those who have the right to vote in polling stations established outside the country.

Reply to paragraph 22 of the list of issues

171. Article 3.0.11 of the Migration Code defines “family members of a foreigner or a stateless person”. Thus, this category includes foreigner’s or stateless person’s spouse, children under the age of 18, children who are 18 or older, but unable to work and parents supported by him/her. According to the Code, migrant workers have the right to reunite with their families. Family members of migrant workers who are legally employed in the territory of the Republic of Azerbaijan are granted temporary residence permits for the duration of their work permits.

172. There is no provision in the legislation which limits or sets conditions for migrant workers to reunite with their families.

173. Article 3.0.12 of the Migration Code provides for the definition of close relatives of migrants who are citizens of the Republic of Azerbaijan (father, mother, spouse, children, brother, sister and their children, grandfather, grandmother, the father and mother of the grandfather (grandmother), grandchild, father-in-law, mother-in-law, brother-in-law, sister-in-law).

174. According to the Migration Code, resident permit of a migrant who is married to a citizen of the Republic of Azerbaijan is not cancelled even if he/she is a carrier of a virus specified in the list of dangerous infectious diseases approved by the Cabinet of Ministers. In addition, according to the Migration Code, work permit is not required for migrants who are married to a citizen of the Republic of Azerbaijan.

175. During 2016–2018 and the first half of 2019, 20,360 family members of migrants were issued temporary residence permits. This is in line with the provisions of the Convention.

176. The number of registered marriages between citizens of the Republic of Azerbaijan and foreigners or stateless persons was 2780 in 2013, 3411 in 2014, 2680 in 2015, 2319 in 2016, 2429 in 2017, 2256 in 2018, and 1013 during the first half of 2019. The top ten were the citizens of Russia, Georgia, Turkey, Ukraine, Kazakhstan, Uzbekistan, Turkmenistan, Iran, the United Kingdom and Germany.

Reply to paragraph 23 of the list of issues

177. The Republic of Azerbaijan uses possible international instruments for more effective regulation of migration processes, in particular labor migration. The Republic of Azerbaijan has signed bilateral and multilateral agreements with a number of countries to protect the rights of migrant workers and their families. Thus, there are bilateral agreements with Moldova, Kazakhstan, Kyrgyzstan, Turkey, Belarus and Ukraine. Currently, work on signing agreements and memorandums on cooperation in the field of migration with 14 countries (Russia, Turkey, Georgia, Tajikistan, Uzbekistan, Germany, etc.), is in progress. The drafts also include protection of rights of migrant workers, access to social security, exchange of information between the states, access to information from government agencies by migrant workers, and legalization of residence of irregular migrants. Furthermore, a separate agreement on cooperation in the field of social protection was signed between the Government of the Republic of Azerbaijan and the Government of the Republic of Turkey.

178. The MLSP signed agreements, memorandums and protocols of intent with the relevant ministries of Turkey, Russia, Iran, Afghanistan, Lithuania, Kazakhstan, Ukraine,

Georgia, Moldova, Romania, Italy, Poland, Germany, Latvia, Bulgaria, Tajikistan, Bahrain and Austria in order to cooperate on issues related to labor, social security, employment, occupational safety, and the rehabilitation of persons with disabilities.

179. In the direction of cooperation with the European Union, “Agreement between the Republic of Azerbaijan and the European Union on the facilitation of the issuance of visas” and “Joint declaration on a Mobility Partnership between the Republic of Azerbaijan and the European Union and its participating Member States” were signed.

180. The Republic of Azerbaijan has signed agreements with 55 countries on abolition of double taxation in respect of income and property taxes.

181. On July 6, 2018, Fund for Support to Azerbaijani Diaspora was established under the State Committee on Affairs with Diaspora. One of the objectives of the Fund is to provide state support to the activities of the Azerbaijani diaspora organizations and strengthening their organizational structure. Established on July 5, 2018, the webpage www.diasporamap.com provides an opportunity for close contacts, online correspondence and video conferencing with diaspora organizations operating outside of Azerbaijan. The Diaspora map is an infographic map of the Azerbaijani diaspora operating in different countries around the world. The purpose of the webpage is to provide direct communication with diasporas abroad, including the ability to connect online with any diaspora, regardless of geographical location. The map contains information on the number and location of diaspora organizations operating in each foreign country. The site has a database of 565 diaspora organizations from 49 countries.

182. There are more than 70 Azerbaijani diaspora organizations operating in Turkey as NGOs. These organizations represent Azerbaijan in the status of an independent, non-profit, non-political organization in accordance with their charters, protecting the national identity of our compatriots, protecting national interests and so on. Moreover, there are media outlets (“*Azərbaycanın səsi*”, “*AzTürk World*”, “*Türkiye Azərbaycan*”, “*Can Azərbaycan*” newspaper, TV, and radio, etc.) belonging to these diaspora organizations, such as magazines.

183. Diaspora TV has been active in promoting Azerbaijani language. Diaspor FM radio operates, as well.

184. There are 102 Azerbaijani diaspora organizations operating in Russia.

185. A draft law “On compatriots living abroad and diaspora organizations” has been prepared and is currently negotiated. A draft legislative act was also developed to provide social assistance to low-income Azerbaijanis living abroad.

Reply to paragraph 24 of the list of issues

186. Paragraphs 3 and 14 includes detailed information on the working group comprising representatives of the relevant central executive authorities for the purpose of organization of social reintegration of persons who have been readmitted to the Republic of Azerbaijan.

187. In 2019, the Agency for Sustainable and Operational Social Security (DOST) was established under the MLSPP. Establishment of “DOST” Centers enables rendering a wide range of public services – services in labor, employment, social security, targeted state social assistance, disability, pension, social insurance and other related areas through one-stop-shop with operational and simplified procedures based on transparent and citizen-friendly principle, provides expansion of the range of services. The “DOST” Centers have made it possible to provide 126 types of social services through a single platform. A total of 31 such centers are planned to be established in the capital and regions within 2019–2025. These centers will play an important role in ensuring operative provision of social rights of readmitted citizens, and accelerating their social reintegration.

188. Section regarding paragraph 14 provides detailed information on the project “RESTART” implemented jointly with the ICMPD in order to support the effective reintegration of the readmitted citizens of the Republic of Azerbaijan into society.

189. The IOM monitored post return situation of citizens readmitted to the Republic of Azerbaijan during 2014–2018 and published three assessment reports. The purpose of the reports was to increase awareness on reintegration and needs of Azerbaijani citizens returning to the country in accordance with “Agreement between the Republic of Azerbaijan and the European Union on the readmission of persons residing without authorization”.

190. The SMS is currently in talks with the IOM to launch the project entitled “Consolidation of Readmission Management in Azerbaijan”. The project envisages the creation of an Electronic Case Management System, capacity building for readmission management, monitoring the situation of readmitted citizens, and providing assistance to those in vulnerable situation through the fund allocated to Azerbaijan by EURCAP.

191. According to the agreements on the readmission of persons residing without authorisation between the Republic of Azerbaijan and the European Union, Norway, Switzerland and Montenegro, while strengthening cooperation on preventing and combating irregular migration, the parties shall, in the application of the agreement, ensure respect for human rights and for the obligations and responsibilities following international law, including from relevant international instruments applicable to the parties.

Reply to paragraph 25 of the list of issues

192. For the purpose of systematic continuation of implementation of complex measures on prevention and elimination of all forms of human trafficking in our country, including implementation of obligations arising from international documents the third National Action Plan for 2014–2018 was approved by the Order of the President of the Republic of Azerbaijan dated July 24, 2014. The National Action Plan takes into account the requirements of national legislation and international conventions, suggestions of the relevant state agencies and international partners.

193. In the period from 2013 to 2018 and in the first 6 months of 2019, dozens of officials of Ministry of Internal Affairs took part in 219 national and 90 foreign conferences, seminars, trainings, round tables, working groups, expert meetings, as well as attended as trainers, exchange of best practices and training courses on the relevant subjects organized with the support of the MIA and international organizations (IOM, ICMPD and others) and local NGOs, in order to increase effectiveness of combating human trafficking, study the best international practices in this sphere, and to develop professionalism in the field of identification of victims of forced labor and provide support to them.

194. During 2017–2018 and 6 months of 2019, a total of 139 SMS staff participated in 40 international and national trainings, as well as meetings. During this period, the Training Center of SMS involved 155 employees including service personnel in 14 trainings on combatting human trafficking.

195. Moreover, dozens of staff members of the Prosecutor General’s Office, SBS, MJ, MFA, as well as 33 judges and 36 attorneys were involved in trainings on combatting human trafficking, detection of victims of human trafficking and identification of the indicators organized at international and national level, including those organized by the relevant training centers of these agencies, as well as brochures have been published and videos have been prepared as a part of awareness-raising activities.

196. On May 31, 2019, an international conference on the role of diplomatic missions in the fight against human trafficking was held for representatives of foreign diplomatic missions in the Republic of Azerbaijan.

197. According to the National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan for 2014–2018 expenditures required for implementation of activities specified in the National Action Plan shall be financed by funds allocated to relevant executive authorities in the state budget of the Republic of Azerbaijan, extra budgetary funds, grants as well as by other sources not prohibited by the legislation of the Republic of Azerbaijan.

198. “The rules (indicators) of identification of victims of trafficking” approved by the decision of the Cabinet of Ministers dated September 3, 2009, defines mechanisms enabling to identify persons, in particular migrant women and children, to be victims of trafficking. It also regulates implementation of urgent measures to identify victims and protect their rights, and ensures that the staff of relevant agencies receives the necessary knowledge in identifying victims of trafficking.

199. Foreign citizens or stateless persons who have become human trafficking victims are provided with the same protection and support as citizens of the Republic of Azerbaijan.

200. In accordance with the Law “on Combating Human Trafficking”, special shelters and assistance centers were established to protect victims of trafficking. “Rules of control over creation, funding, and activities of special facilities for human trafficking victims” were approved by the Decision of the Cabinet of Minister of the Republic of Azerbaijan on November 9, 2005.

201. The Council on State Support to Non-Governmental Organizations under the President of the Republic of Azerbaijan allocated 61.400 manats for 10 projects in 2013, 28.000 manats for 4 projects in 2014, 99,000 manats for 11 projects in 2015, 81,000 manats for 8 projects in 2016, 104,000 manats for 16 projects in 2017 and 110,000 manats for 15 projects in 2018 in the direction of “Organizing assessment on human trafficking and initiatives to increase public participation in this area”. Every year, MIA gives cash awards in the amount of 1000 manats to 15 employees of NGOs for their active participation in combating human trafficking.

202. By the relevant Decree of the President of the Republic of Azerbaijan, the State Social Protection Fund under MLSPP is authorized to take measures on social rehabilitation of the victims, to establish assistance centers, to get control over their activities.

203. The main purpose of “The National Referral Mechanism on victims of human trafficking”, approved by the Cabinet of Ministers on August 11, 2009, is to establish effective system to protect the rights of victims and their transfer, safety, social protection and repatriation and formation of regulations in this area.

204. In order to fulfill the obligations connected with implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, by the law of Republic of Azerbaijan dated April 19, 2013, new norms have been added to the Criminal Code and the Law “On combatting trafficking in human beings” on expansion of the scope of relevant crimes, rehabilitation and repatriation of the victims. The regulations “On the list of documents confirming the hard living condition of the person (family), placing them in social service facilities” and “Repatriation of the victims of human trafficking” have been approved by the decisions of the Cabinet of Ministers.

205. The recommendations of the Council of Europe’s Group of Experts on Action against Trafficking in Human Beings (GRETA) on the issues of criminal prosecution, assistance, compensation and rehabilitation for the victims, reflected in its report submitted to the government on implementation of the obligations arising from the Convention, have been subsequently implemented. In this respect, the Cabinet of Ministers amended the “Regulations on repatriation of the victims of human trafficking”. As well as, “Program on social rehabilitation and social reintegration of the children being the victim of trafficking in human beings” and “Guaranteed amount of the social service provided to the persons (families) living in hard conditions at the expense of the state budget” have been approved by the decisions of the Cabinet of Ministers.

206. In order to intensify the protection of the children against the threat of human trafficking, to provide transparency in management and spending of funds allocated for assistance to the victims of human trafficking, to involve non-governmental organizations in organization of activities of special institutions for the victims and to implement protection measure related to migrant workers, relevant changes were made to the Codes of Labor, Family and Criminal Procedure, the laws on “On social benefits”, “On rights of the child” and other relevant normative acts.

207. Joint declarations with the republics of Venezuela, Latvia and Poland envisaging joint cooperation in the fight against human trafficking, an agreement on cooperation with Turkmenistan were signed.

208. According to the amendments made to the Migration Code, grounds have been established to grant foreigners and stateless persons who have been considered victims of human trafficking with permits for temporary residence in the territory of the Republic of Azerbaijan. In addition, according to the Migration Code, foreigners and stateless persons who are considered victims of human trafficking or assisting criminal prosecution are not required to obtain work permits for paid labor activity. The amount of benefits provided to victims of trafficking during the reintegration period has been increased to 700 manats.

209. A law dated May 31, 2017 was adopted to ratify the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, which envisages fight against human trafficking. The Law “On psychological assistance” states that victims of human trafficking have the right to free psychological assistance.

210. A modern database was established in 2014, considering recommendations from the UN and Council of Europe’s human rights institutions in order to analyse all kinds of crimes against children and other offenses, including child trafficking, exploitation, begging, and to assess the work done in this area and new statistical reporting forms were created.

211. “The General Collective Agreement between the Cabinet of Ministers of the Republic of Azerbaijan, the Azerbaijan Trade Union Confederation and the National Confederation of Entrepreneurs (Employers’) Organizations of the Republic of Azerbaijan for 2018–2019” envisages provision of support to government’s social programs eliminating child labor, forced labor and human trafficking, and organization of joint monitoring.

212. “DOST” centers also provide social rehabilitation of victims of human trafficking via services rendered in the area of social services.

213. By the decision of the Cabinet of Ministers of Republic of Azerbaijan dated April 11, 2019, “Special Program for preparation on professional activity and behaviour of the drivers performing international and domestic passenger and cargo transportation with motor transport commonly used, as well as their working and resting regime, also regulatory legal acts regulating passenger and cargo transportation with motor transport” has been approved and the program includes trainings on “Information on prevention of and combating human trafficking”.

214. In addition to the shelter for victims of human trafficking directly subordinated to MIA, there are also shelters affiliated to the Public Unions for Supporting Women “Tamiz Dunya”, the Azerbaijan Children’s Association, and the Tamas Regional Development. Furthermore, a new Aid Center was launched in Goychay region and relevant measures are continued to build Aid Centers in Ganja, Lankaran and in Guba region.

Reply to paragraph 26 of the list of issues

215. During 2013–2018 and 6 months of 2019 bilateral and multilateral international documents were signed in the direction of various types of transnational crime, including exchange of information and experience in combating human trafficking, illegal migration, smuggling and other crimes, conducting joint investigation operations, cooperation in the field of training. The agreements on cooperation in security and law enforcement with the Turkmenistan, Afghanistan, Morocco and the “Protocol on Cooperation in the Fight against Organized Crime in the Caspian Sea” are included in this category.

216. The Republic of Azerbaijan has acceded to the United Nations Convention against Transnational Organized Crime, its complementary Protocols to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and against the Smuggling of Migrants by Land, Sea and Air.

217. In 2015 13 criminal groups and 1 organized gang, in 2016 15 criminal groups, in 2017 8 criminal groups, and in 2018 13 criminal groups involved in human trafficking were identified.

218. Efforts have been made to identify the links between transnational organized criminal groups and human traffickers, as well as to strengthen appropriate measures to prevent, detect and eliminate transnational organized crime. In 2016, a transnational group of Uzbekistan and Azerbaijani citizens involved in trafficking was exposed and neutralized. In this regard, Azerbaijani citizens were sentenced to ten years imprisonment; a criminal case was filed against the foreigners and they were sent to the Republic of Uzbekistan in accordance with international treaties to conduct criminal proceedings.

219. The table below indicates the data on foreigners detained while violating the state border of the Republic of Azerbaijan, as well as crossing the state border checkpoints with falsified or forged identity documents or visas during 2017–2018 and the first half of 2019:

<i>Type of violation / period</i>	<i>2017</i>	<i>2018</i>	<i>1st half of 2019</i>
Violation of state border	47	75	41
Crossing with falsified or forged identity documents or visas	241	255	213

220. In 2016 SMS revealed 8 cases, in 2017 2 cases, and in 2018 3 cases of illegal migration channels (18 organizers and 228 users of channels). In 2018, SMS investigated illegal activities of 4 Indian and 1 Pakistani citizen who organized arrivals of 92 Indian citizens under the guise of employment and relevant materials were directed to the General Prosecutor’s Office. Based on the sent materials a criminal case was filed against 3 Indian and 1 Pakistani citizen with the charges of organizing illegal migration and fraud. One Indian citizen was sentenced to 10 years, 2 Indian citizens to 9 years and 1 Pakistani citizen to 8 years in accordance with the verdict of the Baku Grave Crimes Court dated September 27, 2018.

Reply to paragraph 27 (a) of the list of issues

221. The Migration Code of the Republic of Azerbaijan was approved by the Law No. 713-IVQ of the Republic of Azerbaijan dated July 2, 2013. The Code establishes norms concerning implementation of the state policy in the sphere of migration in the Republic of Azerbaijan, regulation of migration processes and relations arising in this sphere and legal status of foreigners and stateless persons in the Republic of Azerbaijan. It regulates relations in the spheres of exit from/entry to the country of citizens of the Republic of Azerbaijan, foreigners’ and stateless persons’ entry to/exit from the Republic of Azerbaijan and their temporary stay in the Republic of Azerbaijan, issuance of temporary and permanent residence permits for them, their registration, rights and obligations of stakeholders of migration processes, labor migration, as well as state control over migration and fight against illegal migration. Issues on refugee status and citizenship are not included in the Migration Code, these areas are regulated by relevant laws.

222. The Labor Code of the Republic of Azerbaijan regulates other issues not covered by the Migration Code regarding labor activity of foreigners and stateless persons in the Republic of Azerbaijan.

223. Decision No 124 of the Cabinet of Ministers of the Republic of Azerbaijan dated March 14, 2016 on the approval of the “Procedure of determination of labor migration quota” defines rules and conditions of formation of labor migration quota in connection with the involvement of foreigners and stateless persons in paid labor activity in the territory of the Republic of Azerbaijan. Decision No 86 of the Cabinet of Ministers dated June 4, 2009 was abolished with this decision.

224. Decree No. 69 of the President of the Republic of Azerbaijan dated March 4, 2009 “On the application of the “one-stop-shop” principle in the management of migration processes” aims to regulate migration processes in the country on the basis of more flexible and operational mechanisms, to improve and simplify the migration management

mechanism, as well as to ensure efficiency and transparency in this area. SMS implements the competences of unified state authority on this principle.

Reply to paragraph 27 (b) of the list of issues

225. State Migration Service is a central executive body with the law-enforcement status that implements the state policy in the migration sphere and manages and regulates migration processes as defined by the legislation of the Republic of Azerbaijan. The spheres of activity of SMS include registration of foreigners and stateless persons upon place of stay, extension of temporary staying period, issuance of temporary and permanent residence permits, as well as work permits and extension of their period, determination of refugee status, citizenship and readmission issues and prevention of irregular migration.

226. The Ministry of Labor and Social Protection of Population is the central executive body that implements state policy in the areas of labor relations, occupational safety, utilization of labor resources, social protection, including pensions and social insurance, employment of population, unemployment insurance, demographics, medical and social expertise, rehabilitation of disabled persons and children with disabilities. The Ministry participates in the formation and implementation of unified state policy in the area of labor migration. It also coordinates the activities of other governmental and non-governmental bodies in the area of labor migration within its mandate, provides necessary conditions for the social protection of migrant workers, and oversees the provision of migrant workers' rights by their employers. The State Labor Inspection Service under the MLSPP carries out state control over observance of requirements of the Labor Code and other normative legal acts included in the system of labor legislation of the Republic of Azerbaijan by juridical persons of the Republic of Azerbaijan, branches and representative offices of foreign juridical persons, physical persons engaging in entrepreneurship activity without establishing juridical person (employers) operating within the territory of the Republic of Azerbaijan, regardless of ownership and organizational-legal form.

Reply to paragraph 27 (c) of the list of issues

227. The State Migration Management Policy Concept of the Republic of Azerbaijan was approved on July 13, 2004, to formulate a policy on assessing and managing the current situation in the field of migration. The Concept defines specific tasks in the field of foreign policy, legislation, information exchange, as well as organizational measures to manage internal and external migration flows in the Republic of Azerbaijan.

228. Strategic Road Map on National Economy and Key Sectors of the Economy (2016) covers effective regulation of labor migration and export activities of Azerbaijani labor force in a number of service sectors, development of tourism in the country, improvement of e-visa issuance process, simplification and acceleration of visa issuance procedures and border crossing procedures by ensuring "fast track" of foreigners and stateless persons at state border checkpoints, as well as simplification of the legal requirements for permits and visas required for foreign citizens to work in the free trade zones.

229. National Action Program to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan was approved to provide continuation of the measures to increase effectiveness of protection of human rights and liberties, to develop legal culture in the society, to improve legal basis and legal protection systems. The Program includes activities aimed at enhancing contractual and legal basis improving legal situation of citizens of the Republic of Azerbaijan abroad and regulating protection of their rights, as well as actions on harmonization of environment and regime at the places where detained persons cannot leave upon their will, in accordance with international standards.

230. 2019–2030 Employment Strategy of the Republic of Azerbaijan identifies strengthening social protection of migrant workers, improving systems for determining labor migration quota and issuing work permits as one of the priorities of the Strategy.

231. National Action Plan for the years 2014–2018 on Combating trafficking in human beings in the Republic of Azerbaijan also includes actions on conducting monitoring and inspection measures with participation of representatives of relevant government agencies to prevent illegal migration, forced labor and human trafficking, identifying victims and potential victims, detecting and eliminating the circumstances that lead to human trafficking, taking measures to strengthen control over labor migration, and strengthening fight against human traffickers (individuals or legal entities) involved in forced labor of migrants. Taking into account the expiration of implementation period, the draft of next “National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan for 2019–2023” has been prepared and submitted to the Cabinet of Ministers.

232. The draft of “National Migration Strategy of the Republic of Azerbaijan” aims at organization of works on effective protection of the rights and interests of foreigners and stateless persons in the Republic of Azerbaijan, as well as citizens of the Republic of Azerbaijan living abroad, fulfilment of obligations (on refugees, asylum seekers, stateless persons, etc.) in accordance with international documents which our country is a party to, regulation of internal migration in accordance with modern standards, taking into account new challenges.

Reply to paragraph 27 (d) of the list of issues

233. The issue of ratifying the mentioned conventions of the International Labor Organization by the Republic of Azerbaijan is under consideration by the relevant state bodies.

234. The Republic of Azerbaijan actively participated in adoption of the New York Declaration on Refugees and Migrants, and joined “Global Pact for Safe, Orderly and Regular Migration” and “Global Compact on Refugees” in 2018.

Reply to paragraph 27 (e) of the list of issues

235. Recent comprehensive studies on migration, including the situation of migrant workers and members of their families are as follows:

- Assessment of the Current Institutional and Operational Framework for Migration Management in Azerbaijan;
- Review of counter-trafficking mechanism in Azerbaijan;
- Gap analysis of the legislative and institutional framework in the field of unauthorized employment and undeclared work of migrant workers in Azerbaijan;
- Model Standard Operating Procedures (SOPs) on conducting unplanned joint inspections with the purpose of preventing, monitoring and counteracting unauthorized employment and labour exploitation of migrant workers and protecting their rights;
- Mainstreaming statistics on international migration into the Labour Market Information System of the Republic of Azerbaijan;
- Consular Reference Manual;
- Assessment of Normative Framework On Migration And Economic Development Within The Framework Of Legislative And Institutional Reform In Azerbaijan;
- Mapping The Azerbaijani Diaspora: Insights From Data;
- Analysis of legal and labor migration in the Republic of Azerbaijan”;
- Identification of the demand for foreign labor force in labor market of Azerbaijan”;
- Improvement of the mechanism of attracting highly qualified specialists in the country, improving the procedures for determining the demand for foreign labor force in the labor market.

Reply to paragraph 28 (a) of the list of issues

Data on foreigners and stateless persons staying and residing within the territory of the Republic of Azerbaijan for the period of 2016–2018, as well as the 1st half of 2019

	2016	2017	2018	1st half of 2019
Number of foreigners and stateless persons arriving in the country	2 242 783	2 692 219	2 845 697	1 409 724
Number of foreigners and stateless persons who left the country	2 242 788	2 681 391	2 842 773	1 374 908
Persons registered upon place of stay*	672 337	749 732	740 841	300 488
Extension of temporary staying period	358	550	418	245
Permits for temporary residence	48 477	42 232	41 030	17 864
Permits for permanent residence	3 233	3 073	3 220	908
Refugee status	4 (with family members 16)	3 (with family members 8)	4 (with family members 14)	5 (with family members 18)

Note: Foreigners or stateless persons temporary staying in the country for more than 10 days from November 6, 2014 to July 14, 2018, after the latter for more than 15 days, have been registered upon place of stay.

Reply to paragraph 28 (b) of the list of issues

Data on foreigners and stateless persons who placed at the SMS detention centres for illegal migrants for the period of 2017–2018 and the 1st half of 2019

Years	Age group					Gender	
	0–14	15–29	30–59	60–64	65 and higher	Female	Male
2017	47	398	551	12	13	150	871
2018	58	720	976	16	11	240	1 541
1st half of 2019	20	259	339	5	4	70	557

Reply to paragraph 28 (c) of the list of issues

236. Relevant administrative decisions were made on 382 foreigners according to Article 575.1.4 of the Code of Administrative Offenses (getting involved in paid labor activity in the territory of the Republic of Azerbaijan without work permit in cases such permit is required) during 2016–2018 and the first half of 2019.

Reply to paragraph 28 (d) of the list of issues

237. One unaccompanied minor in 2017, 3 in 2018 and 4 in 6 months of 2019 applied to State Migration Service for refugee status. The applicants were male minors.

Reply to paragraph 28 (e) of the list of issues

Remittances received from foreign countries

in thousand USD

Countries	2016	2017	2018
Russian Federation	237 652	682 763	727 440
Turkey	63 304	67 880	79 512

<i>Countries</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>
U.S.A	27 788	29 486	32 927
Republic of Kazakhstan	24 008	31 881	30 400
U.K	29 682	22 760	22 195
Other countries	181 759	185 434	187 154
Total	564 194	1 020 203	1 079 629

Reply to paragraph 28 (f) of the list of issues

238. In 2017, crimes related to 142 human trafficking (25 criminal cases), 6 forced labor (4 criminal cases), and 26 illegal actions with documents for trafficking purpose were detected as a result of investigation operations. 33 persons (6 men, 27 women) (28 in criminal cases, 7 from previous years) were involved in criminal liability for committing human trafficking crimes and 33 were prosecuted (28 in criminal cases, 7 cases from previous years). During the reporting period, 31 traffickers were sentenced to imprisonment by 27 convictions issued by the Grave Crimes Courts. 25 persons were conditionally sentenced, sentence of one person was postponed until the child reached the age of 8, and 5 were imprisoned. Of the 71 identified trafficking victims, 68 are citizens of the Republic of Azerbaijan, 2 are citizens of the Russian Federation and 1 is a Ukrainian citizen. 66 of the victims are women and 5 are men. Out of 71 victims of trafficking, 66 were sexually abused and 5 were exploited in terms of labor.

239. In 2018, crimes related to 144 human trafficking (26 criminal cases), 4 forced labor (2 criminal cases), and 35 illegal actions with documents for trafficking purpose were detected as a result of investigation operations. 34 persons (5 men, 29 women) (30 in criminal cases, 11 from previous years) were involved in criminal liability for committing human trafficking crimes, 34 were prosecuted (27 in criminal cases, 9 from previous years). During the reporting period, 23 traffickers were sentenced to imprisonment by 20 sentences issued by the Grave Crimes Courts. 20 of these persons were conditionally sentenced, sentence of one person was postponed until the child of a person was 14, and 2 were imprisoned. 98 of identified trafficking victims, all are citizens of the Republic of Azerbaijan. 82 of the victims were women and 16 were men. From 98 victims of human trafficking 82 were sexually exploited, 16 were exploited in terms of labor. No foreign victim was recorded.

240. During the first 6 months of 2019, crimes related to 115 human trafficking (21 criminal cases), 2 forced labor (2 criminal cases), 26 illegal actions with documents for trafficking purpose were detected as a result of investigation operations. 13 persons (2 men, 11 women) (12 criminal cases, 8 from previous years) were involved in criminal liability for committing human trafficking crimes, and 15 were prosecuted (12 criminal cases, 9 from previous years). During the reporting period, 22 traffickers were sentenced to 18 years imprisonment by 18 convictions imposed by the Grave Crimes Courts. Of these, 16 were conditionally sentenced, one was postponed until the child reached the age of 14, and 5 were imprisoned. 63 of the 64 identified trafficking victims are citizens of the Republic of Azerbaijan and 1 is a Tajikistan citizen (female). 58 of the victims are women and 5 are men, and 1 is a child. Of the 64 victims of trafficking, 58 were sexually abused and 6 were exploited in terms of labor.

Reply to paragraph 28 (g) of the list of issues

241. Foreigners and stateless persons can get detailed information on the requirements of migration legislation, as well as their rights, both within the country and abroad, via 919 Call Center of SMS. The Call Center provides 7/24 uninterrupted service.

Calls received by 919 Call Center of SMS

<i>2017</i>	<i>2018</i>	<i>1st half of 2019</i>
107.172	103.741	53.303

242. In addition, sub-section “Emigration” has been created on the webpage of the Service for the citizens of the Republic of Azerbaijan traveling abroad, the sub-section contains information on their legal protection. The section contains information on the laws of the country of destination of citizens of Azerbaijan in order to support citizens’ compliance with the migration legislation of the countries where they go.

243. Diplomatic representations of the Republic of Azerbaijan protect rights and interests of the Republic of Azerbaijan, its citizens and legal entities in foreign countries. They register country citizens engaged in paid labor activity abroad, records civil status acts of the citizens and carry out notary actions. According to the Law “On approval of consular charter of the Republic of Azerbaijan”, the consul can represent citizens of the Republic of Azerbaijan in all agencies of the country the consulate located, without special power of attorney, when they are not there and do not entrust their interests to another person, or unable to protect their interests for any other reasons. Diplomatic representations issue return certificates in line with the cases and manner envisaged in the Migration Code and “Regulations on issuance of return certificate to the Republic of Azerbaijan”.

244. The table below includes information on services rendered by the diplomatic representation of the Republic of Azerbaijan for the citizens of the Republic of Azerbaijan abroad during 2016-2018.

<i>Type of the service/period</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>
Police clearance certificates issued	656	790	979
Legal assistance rendered	2 169	2 357	3 465
Requests considered related to pension provision	29	30	26
Return certificates issued	5 206	9 795	10 419
National passports issued	586	1 963	2 672

Reply to paragraph 29 of the list of issues

245. The issue of making declaration under Articles 76 and 77 of the Convention is under consideration by the Government of the Republic of Azerbaijan.

Reply to paragraph 30 of the list of issues

246. The updated Common Core Document of the Government of the Republic of Azerbaijan was registered as document HRI/CORE/AZE/2018 dated January 7, 2018 by the UN High Commissioner for Human Rights.

247. Furthermore, an additional document containing updated information on the abovementioned document was submitted to the UN High Commissioner for Human Rights in May, this year.