



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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Committee on the Elimination of Racial Discrimination

**Concluding observations on the combined seventh to ninth
periodic reports of Azerbaijan**

Addendum

**Information received from Azerbaijan on follow-up to the
concluding observations***

[Date received: 17 October 2017]

* The present document is being issued without formal editing.



Information on the paragraphs 32 and 34 of the concluding observations

On paragraph 32

1. In regard with the recommendation mentioned at the paragraph 32 of the concluding observations adopted by the Committee (issuance of a birth certificate to all children born in the country, irrespective of the legal status of parents or ability to present residence registration paper) the internal procedures are being carried out on the issue of making amendments to the “Regulation on State registration of Civil Status Acts”.

2. Furthermore, in regard with another recommendation (identifying stateless persons and adoption of a legislative framework providing procedures for their registration, documentation and access to citizenship for stateless persons) we would like to inform that in accordance with the Article 12 of the “Law of the Republic of Azerbaijan on Citizenship of the Republic of Azerbaijan”:

- A child born in the territory of the Republic of Azerbaijan both parents of whom are foreigners shall not be considered a citizen of the Republic of Azerbaijan.
- A child born in the territory of the Republic of Azerbaijan one parent of whom is a foreigner and the other one is a stateless person shall not be considered a citizen of the Republic of Azerbaijan.
- A child born in the territory of the Republic of Azerbaijan both parents of whom are stateless persons shall be considered a citizen of the Republic of Azerbaijan.

3. In accordance with the Article 14 of the mentioned Law, a foreigner or a stateless person who legally resides on the territory of the Republic of Azerbaijan uninterruptedly and permanently for the last 5 years, who has legal source of income and undertakes to abide by the Constitution and Azerbaijani legislation, as well submits a document certifying his/her knowledge of the state language, may be admitted to the citizenship of the Republic of Azerbaijan upon his/her own application consistent with this Law, regardless of his/her origin, social and property status, race and nationality, sex, educational background, language, religious views, political and other views.

4. Foreigners and stateless persons can be admitted to the citizenship of the Republic of Azerbaijan notwithstanding of the term indicated above in the following cases:

- Possession of high achievements in the sphere of science, techniques, culture or sport;
- In exceptional cases, if persons represents special interest for the Republic of Azerbaijan.

5. Person who has rendered great service for the Republic of Azerbaijan can be granted with the citizenship of the Republic of Azerbaijan notwithstanding of the conditions stipulated in the appropriate article of the said Law.

6. The Rules on consideration and solution of the issues of obtaining, restoration and termination of the citizenship of the Republic of Azerbaijan are determined by the “Regulation on consideration and solution of issues of the citizenship of the Republic of Azerbaijan” approved by the Decree of the President of the Republic of Azerbaijan of 30 August 1999.

7. The works are continued in the sphere of reducing and preventing the statelessness, in conformity with the requirements of the international conventions to which our country is a party. Therefore, “Regulation on determination of the relation of person to the citizenship of the Republic of Azerbaijan” was approved by the Decision of the Cabinet of Ministers of the Republic of Azerbaijan of 18 March 2015. The relation of the person to the citizenship of the Republic of Azerbaijan is determined by the “Law of the Republic of

Azerbaijan on Citizenship of the Republic of Azerbaijan” without prejudice to the provisions of the “Convention on Reduction of the Statelessness” of 30 August 1961.

8. Moreover, during the investigation of the appeals, necessary measures had been taken by the State Migration Service with regard to determination of the legal status of a number of persons living in the territory of the Republic of Azerbaijan for a long period and having no documents confirming their citizenship of any state and reduction of statelessness.

9. Permission cards are issued to the stateless persons to reside on a temporary and permanent basis. This document allows stateless persons to leave and return to the Republic of Azerbaijan without obtaining visa, confirms registration upon place of residence and identity in the territory of the country during its validity period.

On paragraph 34

10. With regard to 34th paragraph of the concluding recommendations of the Committee (replacing the work permit which ties a migrant worker to an employer with a residency permit or other systems that reduce migrant workers’ vulnerability to exploitation and abuse by their employers), it should be mentioned that foreigners and stateless persons who reside or live in the territory of the Republic of Azerbaijan could carry out labor activity without getting work permit, if any of the circumstances shown in the Article 64 of the Migration Code of the Republic of Azerbaijan applies.

11. At the same time the appropriate work is being carried out in order to implement item 10 of the Decree of the President of the Republic of Azerbaijan of 22 December 2014 (preparation of the proposals by the Ministry of Labor and Social Protection of the Population and State Migration Service of the Republic of Azerbaijan on the establishment of the mechanism on attracting high qualified foreign experts fitting the demands of competitive innovative economy and severing the labor migration quota in order to ensure rational utilization of the national labor reserves and prevent participation of unqualified foreign personnel in the national labor market).

12. Along with this, the appropriate internal procedures are being carried out to resolve the issue mentioned in another recommendation of the Committee (to ensure that families of migrant workers with children enrolled in schools are not subject to expulsion from the country during school year).
