



**Permanent Mission  
of the Republic of Azerbaijan  
to the UN Office and other  
International Organizations  
GENEVA**

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The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights, and with reference to the request of Mr. Felipe González Morales, the Special Rapporteur on the human rights of migrants, has the honour to transmit herewith the replies by the Government of Azerbaijan to the questionnaire on “the impact of COVID-19 on the human rights of migrants”.

The Permanent Mission of the Republic of Azerbaijan to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 17 June 2021

Enclosure: 7 pages

Office of the United Nations  
High Commissioner for Human Rights,  
GENEVA



**Information submitted by the Republic of Azerbaijan on the Questionnaire of the Special Rapporteur on the human rights of migrants: “the impact of COVID-19 on the human rights of migrants”.**

**General comments:**

Azerbaijan was one of the first few countries who called for solidarity and cooperation and took prompt and proactive steps both domestically and globally to prevent the spread of coronavirus. Domestically, a robust strategy was adopted to fight the COVID-19 and to minimize the impact of the pandemic on the population. The national authorities implemented several containment measures to halt the spread of COVID-19 with a people-centered approach. Globally, Azerbaijan came forward with bold moves and initiatives.

On 30 January 2020, the Cabinet of Ministers of the Republic of Azerbaijan issued the Action Plan to prevent the spread of the novel coronavirus in the country. The Government established the Task Force under the Cabinet of Ministers on 27 February 2020, consisting of senior officials of the relevant authorities to coordinate the measures taken by the Government in response to the spread of the coronavirus in the country.

On 19 March 2020, with the Presidential Order “Special Coronavirus Response Fund” was established to provide financial assistance to the country’s response measures. Around 12 million US dollars were allocated to the Fund from the President’s Contingency Fund.

19 March 2020 Presidential Order regulates a number of measures to reduce the negative impact of coronavirus pandemic on the economy of Azerbaijan, macroeconomic stability, employment, and entrepreneurship. The Action Plan aimed at implementing the Presidential Order includes large-scale, effective, and efficient measures. 2 billion US dollars have been allocated for these purposes.

As part of additional measures new hospitals for COVID-19 patients were constructed soon after the outbreak of the pandemic, local production of face masks was launched etc.

In its global efforts to fight COVID-19 pandemic, Azerbaijan took the following steps:

- As the current chair, the President of Azerbaijan initiated holding an emergency Summit of the Cooperation Council of Turkic Speaking States. Held on 10 April 2020 that was the first international organization on a global scale to hold a summit on the COVID-19 pandemic at the level of heads of state.
- As the chairing country of the Non-Aligned Movement (NAM), Azerbaijan initiated the online Summit-level meeting of the NAM Contact Group. As a result of the meeting held on 4 May 2020, the Task Force in response to COVID-19 was established. The goal of the Task Force is to elaborate the database on basic humanitarian and medical needs and requirements of NAM member States, for submitting them to donor countries, international humanitarian organizations and other related entities.
- At the initiative of the President Ilham Aliyev a special session of the UN General Assembly in response to the COVID-19 pandemic was convened on 3-4 December 2020. President Ilham Aliyev voiced important calls for fair and equal access to vaccines.
- President Ilham Aliyev also made public statements on vaccination condemning “vaccine nationalism” and expressing disappointment of the discrimination in the distribution of vaccines.



- On March 23, 2021 within the framework of the 46th session of the UN Human Rights Council, at the initiative of Azerbaijan, as the chairman of the NAM, a Resolution was adopted entitled "Ensuring equal, affordable, timely and universal access to vaccines against COVID-19." The resolution draws attention to the negative impact of the inequitable and unequal distribution of COVID-19 vaccines on the enjoyment of human rights among the developed and developing countries, highlighting it as one of the main obstacles to the complete elimination of the pandemic, as well as to the achievement of the SDG's. The resolution also contains calls on the UN Member States and international organizations regarding fair distribution of COVID-19 vaccines among all states.
- On 31 May 2021 President Ilham Aliyev at the invitation of the WHO Director General Dr. Tedros Adhanom Gebreyesus, addressed the closing ceremony of the 74<sup>th</sup> session of the World Health Assembly. In his statement President of Azerbaijan condemned "vaccine nationalism", and expressed disturbance about the deepening inequality in access to vaccines between developing and developed countries.
- Azerbaijan donated 5 million US dollars to WHO. Additional 5 million US dollars were donated by Azerbaijan in its capacity as the current Chair of the Non-Aligned Movement (NAM) to WHO to support the most affected NAM countries. In his letter of 23 March 2020, the WHO Director-General expressed appreciation to the President of the Republic of Azerbaijan for his country's contribution to the global response to COVID-19, illustrating Azerbaijan as an exemplary country in the fight against the COVID-19 pandemic. Azerbaijan has also provided urgent humanitarian aid to more than 30 affected countries on a bilateral basis, including technical and medical supplies, financial assistance, providing transport airplanes, etc.

In its domestic efforts Azerbaijan covered with protection and secured to everyone, including migrants within its jurisdiction, the rights and freedoms defined in its constitution, relevant laws and international conventions.

Global efforts of Azerbaijan in the fight against the pandemic, especially the stress put on equal, affordable, timely and universal access to vaccines against COVID-19, undoubtedly serves, among others, the fulfilment of Objective 2 set in the Global Compact for Safe, Orderly and Regular Migration (GCM).

#### **Reply to Question 1:**

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. In accordance with the same Law, 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 permanently residing and those who are granted refugee status in the Republic of Azerbaijan are included in the vaccinated population group in accordance with the rules applicable to citizens of the Republic of Azerbaijan. At the same time, the State Migration Service addressed an official request to the Government to include all foreigners and stateless persons living and working in the



country in the vaccinated population group regardless of their migration status. Currently, joint work is underway with the relevant government agencies in this direction.

Also, refugees and asylum seekers and their family members have the opportunity to receive medical care by applying to the polyclinics at the place of residence. Taking into account the language problem of new asylum seekers, as well as their need for special attention and support to register, make a complaint and receive the necessary treatment, online translation service was organized to support them in this direction during the pandemic.

Persons intending to obtain refugee status, refugees, persons under the protection of the UNHCR are regularly informed in their own languages (*in the language of the countries of origin of the persons who applied for refugee status in Azerbaijan and received refugee status, i.e. Persian, Urdu, Russian, Arabic, as well as in English and Azerbaijani, through social networks, e-mail addresses*). As well as, the rules of contacting with medical facilities in case of coronavirus infection were explained to individuals separately during their applications.

### **Reply to Question 2:**

In order to protect the rights and freedoms of migrants, asylum seekers and refugees residing in the Republic of Azerbaijan, to provide social support to vulnerable groups State Migration Service regularly partners with non-governmental organizations and civil society institutions, and implements social assistance projects with their close participation. Social assistance activities for the vulnerable migrants have been expanded during the pandemic.

In this regard, the Public Council under State Migration Service holds regular meetings with migrants, studies their proposals and problems, and resolves complaints in cooperation with the Service. The Public Council also supports the activities of State Migration Service in raising awareness of foreigners about the existing migration legislation, its requirements, and changes in legislation.

During the pandemic, a number of projects were implemented by NGOs that are members of the Public Council. As an example, within the framework of the project "Provision of legal assistance to foreigners remaining in the country during the pandemic" a methodical manual on "Legal aspects of the integration of foreigners remaining in the country during the COVID-19 pandemic", and a booklet on "Useful information on the integration of foreigners in the country during the pandemic" were published, as well as the project "Organization of events to support the psychological adaptation of foreigners residing in the Republic of Azerbaijan and their integration into society" was implemented. As well as, public discussions were organized on the topics "The impact of the pandemic on migration processes" and "Current aspects of the integration of foreigners into society."

In addition, the Service provided food and other assistance (*money for rent, aid for receiving treatment, aid for purchasing clothes and school supplies*) to unemployed, low-income, vulnerable migrants, including refugees and asylum seekers, at the expense of individual donors. In total, the number of families assisted in 2020 is 739 (57 of them are women). These activities were carried out in close cooperation with civil society institutions.

Moreover, with support of the State Migration Service "Migration Volunteers" Public Union provided food assistance to low-income families living in Azerbaijan with



refugee status, as well as asylum seekers. State Migration Service also cooperates with the International Organization for Migration and United Nations High Commissioner for Refugees to provide necessary assistance to migrants such as food, hygiene, temporary housing and medical care during the pandemic.

The State Migration Service also collaborated with the International Organization for Migration in a project targeting promotion of migrant-inclusive response to COVID-19 and assistance to migrants in vulnerable situations. Within the project tailored humanitarian assistance services are provided for vulnerable foreign migrants and families in South Caucasus countries including Azerbaijan.

**Reply to Question 3:**

The placement of foreigners and stateless persons irregularly staying within the country, in detention centers for illegal migrants has been suspended since the date of application of the special quarantine regime in the country (March 24, 2020).

Urgent assessments are conducted to identify those who may be included in the risk group within the previously placed persons in the detention center, and medical examination of foreigners are carried out and their health is monitored. Taking into account the requirements for preventing the pandemic, the daily outdoor walks of the persons detained in the Center are provided in accordance with the rules of internal discipline. At the same time, sufficient facilities and supplies are provided (free of charge) to all who stay in detention center in order to allow detainees to follow personal hygiene rules.

Foreigners placed in and leaving the centers are undergoing medical examination and the information is recorded in their medical records. At the same time, detainees who are in need of medical care are provided outside of the detention facility, whenever possible. Taking into account the special quarantine regime applied by Task Force under the Cabinet of Ministers of the Republic of Azerbaijan, the protection of social distance at the centers, regular examination of persons placed there, as well as in general compliance with sanitary norms and rules, hygiene standards are strictly monitored.

At the same time, the sanitary-epidemiological requirements applied in respect to the citizens of the Republic of Azerbaijan are also applied to foreigners who have left the Center, as well as asylum seekers during their stay in the territory of the Republic of Azerbaijan. None of detainees were infected with the COVID-19 virus.

**Reply to Question 4:**

In accordance with Part 3 of Article 25 of the Constitution of the Republic of Azerbaijan and Article 74 of the Migration Code, the State Migration Service of the Republic of Azerbaijan strictly controls the equal treatment of everyone irrespective of social and property status, race and ethnic origin, sex, language, religion, nature and type of activities and other circumstances during the application of migration legislation and any discrimination in this regard is strictly prohibited.

Furthermore, no cases of discrimination, hate speech, xenophobia and similar intolerance against foreigners and stateless persons, including refugees and asylum seekers staying and living in the territory of the Republic of Azerbaijan have been recorded neither during pandemic nor before the pandemic.



**Reply to Question 5:**

Our country has taken flexible and necessary preventive steps to prevent the spread of coronavirus from the first days and has taken urgent measures against the pandemic. Establishment of Task Force under the Cabinet of Ministers consisting of the senior officials of all relevant government agencies and institutions, including the State Migration Service allowed building proper management and communication, as well as flexible decision-making in the current situation.

Shortly after the record of the first infection case of coronavirus in the Republic of Azerbaijan on February 28, 2020, entry to and exit from the territory of the country by land and air transportation was suspended, except for cargo transportations, special quarantine measures were applied within the country and internal mobility was restricted.

From the first days of the pandemic, Azerbaijan has built its migration policy on the maximum convenience of foreigners, reduction of administrative procedures to almost zero and the widespread promotion of digitalization. During this period, temporary staying period of foreigners who did not want to go back to their countries due to various reasons was extended until opening of the borders and no additional document was required for this. In other words, no citizen of any country was forced to leave the country and no administrative procedure was applied to them in this regard.

Timely and comprehensive information about the relevant procedures related to the current situation was provided by the State Migration Service to the public.

During the pandemic, the 919 Call Center of the State Migration Service, which has been working 24/7 uninterruptedly and answering calls in 3 languages (Azerbaijani, English and Russian), operated and now operates in an intensified mode and increased its functionality to further improve the service provided. Moreover, foreigners and stateless persons can apply to the Service in different languages through the "Online Guide" service on the official website of the Service, and via the mobile application "MIGAZ" and the WhatsApp platform.

In connection with the initiative launched to prevent the spread of coronavirus the State Migration Service has addressed to foreigners staying and living in our country with a special video, as well as another video was presented to the public on the calls of representatives of the diplomatic corps and embassies with the hashtag #stayhome.

Numerous announcements and video instructions on the procedure for submission of documents electronically by foreigners and stateless persons to the State Migration Service, on simplified migration procedures during the pandemic were prepared in 3 languages and were regularly published on the official website of the State Migration Service, in social networks and the media. A video was posted on the official website of the State Migration Service and on social networks explaining the rules of obtaining permission via short message for instructing foreigners in connection with movement restrictions.

**Reply to Question 6:**

The most effective way to legalize stay and residence of foreigners in the country, in general, to render migration services under a special quarantine regime was the widespread use of electronic services. The e-services provided to foreigners by the State Migration Service from the first days of the pandemic have been adapted and updated to the existing needs, as well as all required services have been provided electronically.



Access to e-services is also possible through the MigAz mobile application, which was launched by the Service in 2018 and aims at ensuring citizens' satisfaction.

The administrative expulsion of foreigners and stateless persons irregularly staying within the territory of the Republic of Azerbaijan has not been carried out since the date of application of the special quarantine regime in the country (March 24, 2020).

Persons whose asylum applications had been rejected prior to COVID-19 were not required to leave the country. In order to legalize the residence of these persons in the country, the validity of the certificates enabling them to reside in the country has been extended. Moreover, the State Migration Service also provided online services to allow asylum seekers whose applications were rejected, to file an administrative complaint via the Service's official website or e-mail.

In order to involve refugees and asylum seekers in the activity areas which is allowed to operate during the strict quarantine regime, they were provided with personal identification numbers to conclude employment contracts with them and obtain permits from the relevant portal.

Consideration of the applications of the persons intending to obtain refugee status in Azerbaijan was not restricted during the COVID-19 pandemic. Interviews with people seeking refugee status have been postponed for a month only in April, when the strict quarantine regime was applied for the first time. However, the documentation of refugees and asylum seekers was carried out timely and completely electronically.

During the pandemic, the continuity of education of foreigners and stateless persons living in the country was ensured within the rules applied to the citizens of the Republic of Azerbaijan.

#### **Reply to Question 7:**

12 measures implemented in 4 directions to support employment and social welfare within the "Action Plan to ensure the implementation of paragraph 10.2 of the Order of President of the Republic of Azerbaijan No. 1950 dated March 19, 2020 "On a number of measures to reduce the negative impact of the coronavirus (COVID-19) pandemic and resulting sharp fluctuations in world energy and stock markets on the economy of the Republic of Azerbaijan, macroeconomic stability, employment and entrepreneurship". These efforts covered about 48% of the country's population or 4.8 million people. The Action Plan envisaged the allocation of over 3.5 billion AZN (roughly 2.2 billion US dollars) in order to reduce the negative impact of the pandemic on the economy, macroeconomic stability, employment, and business entities.

During this period, the cases of mass termination of employment contracts were investigated and necessary recommendations were given to employers in addition to daily monitoring and regular information provided. As a first pillar of the Action Plan, appropriate measures were taken to prevent unjustified dismissals and layoffs of public sector employees and to retain employee paid leave, which saved 908,000 jobs in the public sector and 800,000 in the private sector. As a result of the adopted targeted measures, the rate in the number of labor contracts continued its growth.

Since the outbreak of the pandemic 38,000 paid public jobs were created to ensure active employment of the unemployed people with special needs and those who have difficulty finding employment, as well as to support their entry into the labor market.

In order to strengthen social protection of the unemployed and informally employed, the coverage of the program of lump-sum payments in the amount of 190 AZN (roughly 115 US dollars), that equals the amount of the approved subsistence minimum in the country, was increased 3 times and covered 600,000 people paid in the period of April-May 2020. Payments



repeated 6 times in the districts (cities) where the strengthened quarantine regime is applied. 450 million AZN (roughly 265 million US dollars) was spent in this direction.

In 2020, 11,800 people were involved in self-employment, of which 3,059 women, 1704 young people under 29 years old, 1809 people with disabilities, 1,461 IDPs, 856 members of martyr families, 120 persons released from prisons and 57 people receiving targeted state social assistance.

In connection with the introduction of a special quarantine regime during the COVID-19 pandemic, the scope of the self-employment program was further expanded and around 12000 unemployed and jobseekers benefited from the program during 2020.

As a result of the program implementation a total of 12654 people applied to the self-employment program and were involved in self-employment. 11,098 jobseekers and unemployed people who successfully passed the assessment were provided with necessary assets.

With the decision of the Government of April 1, 2020 provision of targeted state social assistance (TSA) to families whose TSA term expired, was extended until July 1, 2020.

With the decision of the Government of March 31, 2020, in order to prevent the spread of the coronavirus (COVID-19) infection, a special work (labor) regime was introduced in the country, the economic zones allowed for work during a pandemic were determined and regulated in a flexible manner during the subsequent period, maintaining full amount of wages in government agencies and institutions, as well as urging and supporting employers to retain the salaries of employees employed in areas not permitted to operate.

#### **Reply to Question 8:**

Legalizing residence of irregular migrants and promoting legal migration are the two priority areas of migration management in Azerbaijan. According to the analysis, in most cases violation of migration legislation happens due to lack of information. In this regard, State Migration Service regularly holds awareness raising campaigns in places and on social and mass media channels in order to regularize foreigners who have legal grounds to reside and work in Azerbaijan. As a result of the measures taken, irregular migration rates in Azerbaijan is decreasing year by year.

Furthermore, during the COVID-19 pandemic, broad utilization of e-services proved itself as an effective ways to facilitate access to migration services. From the first days of pandemic e-services rendered to foreigners were harmonized with current demand and updated, as well as e-services in all required fields were ensured by the State Migration Service. It should be noted that it is also possible to get access to e-services via "MigAz" mobile application of the Service. Prior to COVID-19 mobile services also had been an effective tool in order to reach foreigners who live in remote areas and have limited capabilities to access public services on migration.

The Task Force established under the Cabinet of Ministers of Azerbaijan, consisting of the senior officials of all relevant government agencies, including the State Migration Service, enables proper governance, communication and coordination on any issue, including migration-related issues during the pandemic.

During the COVID-19 pandemic, international cooperation with countries of origin and destinations is further strengthened in order to ensure timely information exchange between the State Migration Service and diplomatic missions and consulates accredited in our country for application of coordinated approach towards timely, smooth and safe return of foreigners to their countries of origin.