



**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 Latter's request dated 16 May 2019, has the honour to transmit the information by the Government of the Republic of Azerbaijan for the preparation of the report by Secretary-General entitled "Human rights of migrants" to be submitted to the General Assembly and Human Rights Council at their seventy-fourth and forty-second sessions, respectively.

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.

Enclosure: 2 pages



Geneva, 3 June 2019

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

**Information on measures taken related to the provisions of
the UN General Assembly Resolution A/RES/72/179**

Although being a newly established country the Republic of Azerbaijan is recognized as a country taking significant steps towards ensuring protecting human rights including those of migrants. Besides the other international instruments existing in this area, the Republic of Azerbaijan has acceded to International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and Convention on legal status of migrant workers and members of their families of the State Parties of the Commonwealth of Independent States.

Taking into account the importance of international cooperation in migration management, the Republic of Azerbaijan has actively participated at the adoption of New-York Declaration for Refugees and Migrants, as well as acceded to Global Compact for Safe, Orderly And Regular Migration and Global Compact for Refugees.

Unless otherwise is envisaged by the Law and the international agreements which the Republic of Azerbaijan is a party to, foreigners and stateless persons enjoy equally all of the rights as the citizens of the Republic of Azerbaijan while staying in the Republic of Azerbaijan.

Foreigners and stateless persons are equal before the law and courts in the Republic of Azerbaijan regardless of their property or social conditions, race, nationality, gender, language, religion, type and character of his/her activity and other cases.

Foreigners and stateless persons can move and choose place of residence on the territory of the Republic of Azerbaijan in a way envisaged by the legislation of the Republic of Azerbaijan. National legislation does not envisage confiscation of identity documents of foreigners and stateless persons, as well as restriction on their movement within the territory of the country. According to Article 15 of the Migration Code of the Republic of Azerbaijan foreigners and stateless persons can enter to the Republic of Azerbaijan in a way envisaged by the legislation (with or without visa). Foreigners and stateless persons who obtained permit for temporary or permanent residence in the Republic of Azerbaijan can enter the Republic of Azerbaijan and return back to the Republic of Azerbaijan without a visa on the basis of their passports or other border crossing documents and the temporary or permanent residence permits.

In accordance with Article 13 of the Labour Code of the Republic of Azerbaijan, foreigners and stateless persons shall enjoy the same rights and have the same obligations as citizens of the Republic of Azerbaijan during their stay in the Republic of Azerbaijan. Moreover, excluding the cases stipulated by law restrictions on labour rights of foreigners and stateless persons, envisaged by the Labour Code and other normative-legal acts are prohibited. According to Article 61.1 of the Migration Code of the Republic of Azerbaijan every able-bodied foreigner or stateless person over 18 years old can work in the Republic of Azerbaijan after obtaining working permit through juridical persons, physical persons dealing with entrepreneurship activity without establishing juridical persons, and branches and representations of foreign juridical persons employing him/her in a way and under conditions envisaged by this Code. In this case the state fee is paid by the employers, not by the foreigners.

According to Article 42 of the Constitution of the Republic of Azerbaijan, every citizen has the right for education, especially free compulsory comprehensive education. The procedures and terms of education for the citizens of the Republic of Azerbaijan to receive education abroad and for foreigners and stateless persons to receive education in the Republic of Azerbaijan, as well as recognition (nostrification) of educational documents is regulated on the basis of procedures established by the Cabinet of Ministers of the Republic of Azerbaijan. According to the legislation children of migrants, as well as labour migrants have right to enjoy free secondary education.

In compliance with the Law of the Republic of Azerbaijan on "Protection of health of the population" stateless person permanently residing in the Republic of Azerbaijan has the same rights as the citizens of the Republic of Azerbaijan in the field of healthcare. Foreigners have the right to healthcare in compliance with the rules envisaged by international agreements to which the Republic of Azerbaijan is a party to. Examination and treatment of foreigners and stateless persons permanently residing in the Republic of Azerbaijan at oncological institutions are conducted on a paid basis, however immediate oncological aid is provided free of charge. Measures on compulsory medical check-up of children, according to Article 8.2 of the Law of the Republic of Azerbaijan "on Compulsory medical examination of children", covers citizens of the Republic of Azerbaijan, stateless persons permanently residing in the Republic of Azerbaijan and foreigners.

According to Article 3.2 of the Law of the Republic of Azerbaijan on "Labour pensions", foreigners and stateless persons permanently residing on the territory of the Republic of Azerbaijan shall be entitled to pension provision on equal terms with the citizens of the Republic of Azerbaijan in accordance with the conditions set in the legislation. This issue is regulated with bilateral agreements, as well. Foreigners are able to exercise this right.

According to Article 9 of the Law on "Non-governmental organizations (social unions and foundations)", foreigners and stateless persons permanently residing in the Republic of Azerbaijan can be founders and legal representatives of non-governmental organizations within the territory of the Republic of Azerbaijan.

Training Center of State Migration Service of the Republic of Azerbaijan organizes training courses for foreigners and stateless persons to teach Azerbaijani language, history and culture of the Republic of Azerbaijan, as well as legislation on rights and duties of foreigners and stateless persons. The trainings are free of charge.

In order to facilitate foreigners and stateless persons' access to information on migration related issues, 24-hour activity of Call Center of State Migration Service has been provided, and the official mobile application of the Service "MigAz" has been launched in order to ensure foreigners to use migration services rendered in a more convenient form.