

Information provided by the State Migration Service regarding the questions prepared in connection with the next report of the United Nations Special Rapporteur on the human rights of migrants to the 56th session of the Human Rights Council (HRC) with reference to HRC Resolution 52/20

Regarding the questions 1, 3 and 5:

According to the Migration Code of Republic of Azerbaijan, the foreigners and stateless persons who stay in the Republic of Azerbaijan enjoy all the rights equally with the citizens of the Republic of Azerbaijan unless otherwise provided by law or international treaties to which the Republic of Azerbaijan is a party. Irrespective of their social and property status, race and ethnic origin, gender, language, religion, nature and type of activities and other circumstances, foreigners and stateless persons are equal before the law and court in the Republic of Azerbaijan.

One of the significant directions of migration policy of our country is creation of favorable conditions to provide access to relevant services for foreigners and stateless persons living in the territory of the Republic of Azerbaijan, applying a whole-of-society approach to solving all aspects of migration-related issues, including encouraging the involvement of foreigners in this process. Establishment of the Migrant Council under the State Migration Service has been carried out in order to ensure more active participation of migrants residing in our country in the activities of the Service, to improve the effectiveness of the protection of their human rights and freedoms and the quality of services provided to foreigners and stateless persons, and to ensure transparency, as well as to assess the impact of the decisions taken in the sphere of migration on daily life of foreigners. Measures are taken to effectively identify and promptly eliminate existing challenges and obstacles in order to ensure full social integration of foreigners living in the territory of the Republic of Azerbaijan through the Migrant Council. Council members closely participate in the implementation of various projects implemented by the Service, organization of events and preparation of strategic documents.

Regular meetings of the Advisory Board under the State Migration Service, which unites non-governmental organizations, as well as representatives of physical and juridical persons engaged in entrepreneurial activities involving foreign labor force, are held and opinions are exchanged on the expansion of public-private cooperation in order to eliminate the possible difficulties, assess the impact of legislation in the field of migration on entrepreneurs by bringing together entrepreneurs operating in our country.

Furthermore, foreigners, living in Republic of Azerbaijan on the basis of refugee status, closely participate in regularly organized art competitions and exhibitions and sales of handicrafts.

The State Migration Service of the Republic of Azerbaijan cooperates with the central, local executive power and local government authorities, as well as with international and non-governmental organizations (NGOs), while performing its duties and exercising its rights. Thus, the involvement of NGOs in the integration of foreigners and inviting representatives of NGOs to participate in the meetings of the Collegium of the Service is established in the legislation as one of the activity directions of the State Migration Service. Taking into account the special importance of public control over the state administration, the Public Council under the State Migration Service was established to investigate problems in the field of migration and prepare proposals, improve draft legislative acts, ensure public control over activities of the Service, and study the public opinion. As a result of the expansion of the activities of the Public Council, the number of its members has increased to 9. Effective cooperation with the Public Council is currently being continued. In order to expand the rights of foreigners and stateless persons in

our country, to better protect their legal interests, to regulate and improve migration processes a number of proposals presented by the Public Council are taken into account by the Service, and the issues raised are constantly kept in center of attention. As well as, the applications received from the members of the Council regarding foreigners are investigated and processed accordingly. Foreigners living in our country are also constantly involved in various events organized by civil society institutions represented in the Council.

In addition, we would like to mention that the Service cooperates efficiently with non-governmental organizations specialized in the migration field to protect rights of foreigners and stateless persons living in the Republic of Azerbaijan, ensure their integration to our society, promote regular migration and in other directions. Thus, the State Migration Service regularly supports the implementation of activities within the projects developed by those organizations in the above-mentioned directions, as well as successful projects in grant competitions announced by Agency for State Support to NGOs of the Republic of Azerbaijan.

Moreover, information about the activities of the Public Council is regularly published on mass media, including the official website of the Service, as well as on its social media accounts and brought to the attention of the public.

Regarding the question 2:

The Republic of Azerbaijan is among the first countries that joined the “Global Compact for Safe, Orderly and Regular Migration” which is officially approved by the General Assembly of the United Nations and covers all dimensions of international migration in a holistic and comprehensive manner. In accordance with the objectives of the Global Compact, extensive information campaigns are carried out on a regular basis, calls are made, furthermore educational videos are prepared and published on the official website, social network accounts of the Service and television channels regarding irregular migration and its consequences, the dangers it poses, the importance of legalizing the residence of undocumented persons to fully enjoy their rights and duties, as well as the protective measures implemented by the Service in this direction. Moreover, for the purpose of ensuring the implementation of the issues arising from the “Global Compact for Safe, Orderly and Regular Migration” by State Migration Service, measures are taken towards ensuring all foreigners’ and stateless persons’ access to the key services regardless of their migration status, inviolability of private lives of irregular foreigners and stateless persons, avoiding any unlawful interference to their freedom and safety, and enabling them to exercise their other rights, also raising their awareness.

During 2023 State Migration Service has signed different international agreements for the purpose of protecting the rights of the citizens of the Republic of Azerbaijan living in foreign countries, also foreigners living in the Republic of Azerbaijan. This includes "Agreement between the Government of the Republic of Azerbaijan and the Government of the Republic of Uzbekistan on cooperation in the fight against irregular migration", "Memorandum of Understanding between the State Migration Service of the Republic of Azerbaijan and the National Directorate-General for Aliens Policing of Hungary on Cooperation in the Field of Migration", "Memorandum of Understanding between the State Migration Service of the Republic of Azerbaijan and the International Organization for Migration on cooperation related to the Regional Training Center on Migration (RTCM)", "Agreement between the Government of the Republic of Azerbaijan and the Government of the Republic of Serbia on the readmission of people residing without authorization".

As a result of cooperation with the relevant state bodies, information regarding the persons in need of educational, employment, residence, targeted social assistance, and other

assistance sent to the Ministry of Science and Education, the Ministry of Labor and Social Protection of the Population and "Management Union of Medical Territorial Units" public legal entity for the purpose of efficient solution of the challenges faced by the readmitted persons and effective organization of their reintegration into society, and coordinated activities are implemented in this direction.

Necessary measures have been taken to provide the public with information about each service provided by the State Migration Service and regularly update that information, expand access to services, enhance payment options, ensure timely service delivery without delays, improve capacities of the personnel, ensure transparency in service delivery, improve control mechanisms, and accelerate the digitization of services. Thus, relevant work has been taken to expand information exchange with other state bodies to broaden application of electronic services, increase their number (reached to 22 e-services), and improve their quality, and to minimize the required documents from service users. Access to electronic services is also possible through the "MigAz" mobile application for ensuring citizen satisfaction. In this regard, in order to expand information campaigns, several new functionalities have been created on the official website of the service (<https://migration.gov.az>).

Equal conditions with the citizens of the Republic of Azerbaijan have been ensured for foreigners and their family members to fully exercise all of their rights, regardless of their status to file complaints to the court when their rights are violated.

According to the Law "On Protection of Health of Population", medical services in state healthcare institutions of the Republic of Azerbaijan are provided free of charge. According to the national legislation, foreigners can use emergency and specialized medical assistance without any restrictions or discrimination. In accordance with the Law "On Compulsory Dispensation of Children" compulsory medical examination of children measures covers the citizens of the Republic of Azerbaijan, foreigners and stateless persons permanently residing in the Republic of Azerbaijan.

The Republic of Azerbaijan accepts asylum seekers from third countries, providing them with necessary conditions for safe living on its territory. All pledges taken by the Government of Azerbaijan at the first Global Refugee Forum held on December 17-18, 2019 in accordance with the directions of the Global Compact on Refugees, approved with the relevant resolution of the UN General Assembly, have been implemented. Foreigners and stateless persons who have obtained refugee status in territory of the country are provided with legal opportunities to pursue education at all stages in the Republic of Azerbaijan.

In 2023, about 2,000 foreigners and stateless persons participated courses organized by the Training Center of the State Migration Service of the Republic of Azerbaijan free of charge to ensure the sustainable integration of foreigners and stateless persons into society.

Regarding the questions 4, 6 and 7:

There are no obstacles in the legislation of the Republic of Azerbaijan and in practice for foreigners to realize their contributions. According to Article 25 of the Constitution of the Republic of Azerbaijan, regardless of race, ethnicity, religion, language, gender, origin, property status, position, belief, affiliation to political parties, associations, and other public unions, equality of everyone's rights and freedoms are guaranteed. It is forbidden to restrict human and civil rights and freedoms based on race, ethnicity, religion, language, gender, origin, belief, political and social affiliation. Everyone is completely free to define their own cultural identity and lifestyle, choose sphere of creativity, create cultural assets, and to use

cultural blessings equally. Everyone has the right to preserve their national cultural uniqueness, to define their cultural identity, to freely choose their moral, aesthetic and other values.

Unless otherwise stipulated by law or an international agreement which the Republic of Azerbaijan is party to, foreigners and stateless persons can enjoy all the rights alongside citizens of the Republic of Azerbaijan equally while they reside in the Republic of Azerbaijan. Foreigners and stateless persons can be members of non-governmental organizations operating in the Republic of Azerbaijan.

We must note that media, especially social networks, as an integral part of modern society, influencing various aspects of our lives also play a significant role in changing negative perceptions around migration. Contributions of foreigners to various sectors of society are more extensively highlighted in the media, which also has a positive effect on their integration process.

Social networks are also actively used for informing the public in a flexible and prompt manner. Currently, effective communication with service users through the "Facebook", "X" (Twitter), "Instagram", "YouTube", "Telegram" accounts of the Service is carried out. The services provided at the 919 Call Center, which is operating 24/7 in 3 languages (Azerbaijani, English and Russian), with constant availability for calls from abroad, have been improved and functional capabilities have been further extended.

Various foreign communities are active in the Republic of Azerbaijan. These communities protect the rights of citizens of their countries and act as their representatives in various state bodies. Alongside the Migrant Council and the Public Council, expanding the activities of such communities, contributes to raising awareness about migration, changing misconceptions and facilitating the integration of foreigners into society.

The Republic of Azerbaijan recognizes the primacy of human rights and is committed to the principles of universality and indivisibility of human rights and freedoms. Foreigners are not discriminated based on their status. The current initiatives focus on legalizing foreigners and stateless persons in irregular situation within the country and promoting legal migration. It should be noted that during 2023, the residence of over 5000 foreigners within the country's territory has been legalized without any discrimination.

If foreigners are informed about migration processes and legislation of the country of origin, transit and destination, they will not end up in irregular situations, and additionally, they can defend their rights and demand restoration of their violated rights. The human rights commissioner (ombudsman) in the Republic of Azerbaijan visits places where detained persons cannot leave upon their own free will, including detention centers for illegal migrants regularly or whenever deemed necessary, in order to prevent torture and other cruel, inhuman or degrading treatment or punishment.

The "<https://migrationto.az>" website has been created within the framework of an international project, which operates in Azerbaijani, English and Russian languages, with purpose of providing information to foreigners and stateless persons travelling to the Republic of Azerbaijan about services offered by relevant state institutions, including information about country's culture, history, traditions, touristic places and additionally it aims to promote Azerbaijan's tourism and investment potential.

Furthermore, informative posts are regularly placed on the official website of the Service about the rules of stay, residence, and engagement in paid labor activities in the Republic of Azerbaijan, as well as on the recent legislative changes.

Taking into account that the more vulnerable group of foreigners are refugees, the Republic of Azerbaijan, at the Global Refugee Forum held in December 2023, voluntarily

pledged to strengthen the participation and social integration of refugees in public life in our country, while also facilitating their access to various social services. It is planned to support the participation of refugee children living in the Republic of Azerbaijan in sports and cultural events (courses), as well as organizing free Azerbaijani language courses for them, and efforts are made to involve them to various sports schools and courses free of charge, as well as international competitions and tournaments held in the Republic of Azerbaijan aiming to counteract the isolation of refugees due to the challenges they face in their countries of origin, ensuring rapid and effective socio-cultural integration into Azerbaijani society, promoting peaceful coexistence, as well as efficient organization of leisure time and identification of talented youth among them, and unlock their potential.