

**Azərbaycan Respublikasının
BMT yanında Daimi
Nümayəndəliyi**



**Permanent Mission of the
Republic of Azerbaijan
to the United Nations**

633 Third Avenue, Suite 3210, New York, NY, 10017
Tel: (212) 371-2559, 371-2832 (ext. 101); Fax: (212) 371-2784, (646) 738-6143

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The Permanent Mission of the Republic of Azerbaijan to the United Nations presents its compliments to the United Nations Entity for Gender Equality and the Empowerment of Women and with reference to the Secretary-General's Note Verbale UNW/2019/003, dated 15 April 2019, has the honor to submit the national report prepared by the Government of the Republic of Azerbaijan relating to the implementation of General Assembly resolution A/RES/72/149 on "Violence against women migrant workers".

The Permanent Mission of the Republic of Azerbaijan to the United Nations avails itself of this opportunity to renew to the United Nations Entity for Gender Equality and the Empowerment of Women the assurances of its highest consideration.



New York, 17 May 2019

The United Nations Entity for Gender Equality
and the Empowerment of Women (UN-Women)
New York

**Information provided by State Migration Service regarding the
implementation of United Nations' General Assembly resolution A/RES/72/149 on
"Violence against women migrant workers"**

The Republic of Azerbaijan has ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the United Nations Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Prevent Trafficking in Persons, Especially Women and Children and Protocol against Smuggling of Migrants by Land, Sea and Air, the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, as well as the Convention for the Protection of Human Rights and Fundamental Freedoms, the Council of Europe Convention on "Action against Trafficking in Human Beings" and the Convention on "Legal status of migrant workers and members of their families of the State Parties of the Commonwealth of Independent States".

According to part three of Article 25 of the Constitution of the Republic of Azerbaijan, the state guarantees equality of rights and liberties of everyone, irrespective of race, nationality, religion, language, sex, origin, financial position, occupation, political convictions, membership in political parties, trade unions and other public organizations. Rights and liberties of a person, citizen cannot be restricted due to race, nationality, religion, language, sex, origin, conviction, political and social belonging. Provision of Article 25 of the Constitution is reflected in Article 16 of the Labor Code of the Republic of Azerbaijan (*unacceptability of discrimination in labor relations*). Thus, in accordance with that Article in labour relations, no discrimination among employees shall be permitted on the basis of factors unrelated to the professional qualifications, job performance, or professional skills of the employees, nor shall it be permitted to establish privileges and benefits or directly or indirectly limit rights on the basis of these factors.

In line with Article 75 of Migration Code of the Republic of Azerbaijan except for cases provided for in the Labor Code (*concessions for women, the handicapped, minors, and others in need of social protection*), same conditions related with employment defined by legislation for the citizens of the Republic of Azerbaijan is applied to labour migrants and payments for their labor activities are carried out in a way defined by the legislation for citizens of the Republic of Azerbaijan. In compliance with Article 13 of Labour Code foreigners and stateless persons while being in the Republic of Azerbaijan shall enjoy the same rights and have the same obligations as the citizens of the Republic of Azerbaijan.

According to amendment made on February 23, 2017 to the "Rules for reviewing application for "refugee" status", unaccompanied minors, within the territory of the country, are equal to children who lost their parents and deprived from parental care and government provides their social protection, protect their rights and interest in accordance with the legislation.

In 2018, **41030** foreigners and stateless persons are issued temporary residence permits, **3220** foreigners and stateless persons are issued permanent residence permits within the territory of the Republic of Azerbaijan, **15984** and **1831** out of them were women, respectively. At the same time, during last year, **766** work permits were issued to women out of total **6162** work permits issued to foreigners and stateless persons for carrying out paid labour activity in the Republic of Azerbaijan. Furthermore, since October 2016 the Training Centre of State Migration Service of the Republic of Azerbaijan has been organizing courses for foreigners and stateless persons free of charge for the purpose of teaching the Azerbaijani language, the history of Azerbaijan, its culture, legislation concerning the rights and obligations of foreigners and stateless persons. Thus, since the start date of the courses **2899** foreigners and stateless

persons from 47 countries, including **1387** women have attended the courses until the end of 2018.

Since 2015 a Public Council, members of which elected once in every two years, has been functioning under State Migration Service. Currently, 7 NGOs are represented at the Council (*3 of them are women*). The Public Council regularly conducts meetings with migrants, organizes migrants' receptions, hears their proposals, problems and resolves complaints in cooperation with the Service. Moreover, the Council also supports the activities of State Migration Service in raising awareness of foreigners and stateless persons regarding existing legislation, its requirements, and amendments to the legislation in the field of migration.

The information of the Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan

According to the national legislation and the Conventions ratified by the Republic of Azerbaijan, protection of labour and social rights of all migrant workers, including women migrant workers, is in the focus of attention. For this purpose, the effective protection of the rights of migrant workers is one of the main areas in the work on improving the legislation. Good examples is that the principle of equality of social and labour rights of the migrant workers with those of the citizens of the Republic of Azerbaijan is reflected in the national legislation, no form of restriction applies to their unification with the family members, as well as in respect of educational opportunities, the foreigners married to Azerbaijan citizens are employed on equal terms with citizens without the requirement of a permit. According to the legislation, any form of discrimination against migrant workers is strictly forbidden and their social and cultural rights are recognized. From this point of view, there was no case of violence or inequality recorded in any form especially against women labour migrant workers.

At the same time, together with international organizations, a series of events and seminars have been organized and awareness raising activities have been held on the protection of the rights of migrants, combating human trafficking and so on.