

# Republic of Azerbaijan

Migration Profile Light

2015



# PURPOSE OF THE REPORT AND DISCLAIMER

After the adoption of the Building Migration Partnerships Joint Declaration in Prague in April 2009, the Building Migration Partnerships initiative (BMP) started to work on establishing the BMP Knowledge Base. The Knowledge Base, nowadays known as the Prague Process Knowledge Base, consists of a set of Extended Migration Profiles<sup>1</sup> elaborated and endorsed in 2010-2011 and the interactive online map (i-Map), which visualizes the available information.

The Prague Process Targeted Initiative (PP TI) is an EU-funded project, which builds upon the BMP initiative and implements selected priorities identified in the Prague Process Action Plan endorsed in Poznan in November 2011. One of the objectives of PP TI is to maintain the Knowledge Base, keep it up-to-date and develop it further.

While continuous attention to updating and developing Extended Migration Profiles remains, the PP TI has taken into account the feedback received from the Prague Process participating states and has proposed the concept of the Migration Profile Light. In comparison to the Extended Migration Profile, which from its name indicates that the information should be of thorough and detailed nature, the Migration Profile Light should be a handy tool with a limited number of pages clearly indicating the areas of interest. The Migration Profile Light should aim at key priorities and problems, easy annual updatability and standardized data for all countries involved.

The proposed Migration Profile Light (MPL) concept has been well received by the Prague Process participating states and Germany volunteered in testing the concept by filling in the template. The MPL on Germany has been developed and the process of its establishment has led to identification of gaps in the first template, which have been covered in cooperation with the PP TI Support Team at ICMPD. At the time of publication, MPLs were prepared by Germany (2013), Hungary (2014), Republic of Armenia (2014), Czech Republic (2015), and Republic of Kazakhstan (2015).

The aim of the PP TI is to establish the Knowledge Base as a useful tool consisting of state-owned migration profiles with standard and comparable data categories. While aiming at the seven leading states of PP TI and the PP TI non-EU participating states, the interest of the Prague Process is to collect national MPLs for all 50 Prague Process participating states.

The MPL is an exercise, which targets all states, believing that this will lead to mutual understanding of the migration situation in partner states, existing migratory flows, priorities, problems and interests. The MPL should serve as an informative but also policy making tool. In case of need, methodological and expert support is planned to contribute to development of MPL in states with limited experience with such exercise.

Ownership and responsibility of the content in terms of data provided in this Migration Profile resides solely with the country elaborating the report.

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<sup>1</sup> Albania (endorsed 2010), Armenia (2011), Azerbaijan (2010), Bosnia and Herzegovina (2010), Czech Republic (2010), Georgia (2011), Hungary (2011), Kazakhstan (2010), Kyrgyzstan (2011), Poland (2010), Romania (2010), Slovakia (2010), Tajikistan (2010), Ukraine (2011). Belarus, Russia, Turkmenistan and Uzbekistan continue working on their Extended Migration Profiles.

The PP TI Support Team within the International Centre for Migration Policy Development (ICMPD) is ready to help and can be contacted at [ppti@icmpd.org](mailto:ppti@icmpd.org). The Knowledge Base of the Prague Process is accessible at [www.pragueprocess.eu](http://www.pragueprocess.eu) and [www.imap-migration.org](http://www.imap-migration.org), section Prague Process.

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# 1. Background Information on the Country



<b>Official Name</b>	Republic of Azerbaijan
<b>Capital</b>	Baku
<b>Territory</b>	86,600 sq. km (land: 82,629 sq.km, water basins: 3971 sq.km)
<b>State boundaries</b>	Length of borders: 2,646 sq.km. from South: Iran 765 km, from South-West: Turkey 15 km, from North: Russia 390 km, from North-West: Georgia 480 km, from West: Armenia 1007 km)
<b>The length of coastline</b>	713 km
<b>Population</b>	9,593,000 <sup>2</sup> (according to 2015 statistics)
<b>Ethnic composition:</b>	91,6%, Lezgian - 2,0%, Russian - 1,3%, Armenian - 1,3%, other ethnic

<sup>2</sup> Web-page of the President of the Republic of Azerbaijan. Data as of 20.03.2016. <http://www.president.az/azerbaijan/population>

groups - 3,8%.

**Official Language:** Azerbaijani  
**Government:** Republican

The state power in the Azerbaijan Republic is based on the principle of the separation of powers. Azerbaijan is a republic with presidential governance as the basis of the political system.

Muslims constitute the majority of the population. Presently, more than 380 religious communities are registered on the territory of the Republic of Azerbaijan. Of these, 31 are non-Islamic religious communities. Christianity is represented by Orthodox, Catholic and Protestant denominations, as well as various sectarian communities. There are three Jewish communities in Azerbaijan - mountainous, European and Georgian Jews.<sup>3</sup>

## 2. Migration flows and stocks of immigrants and emigrants

### 2.1. Migration flows

The first flow of migration to Azerbaijan started in 1988 with the resettlement as refugees of ethnic Azerbaijanis expelled from the Armenian SSR. Since 1988, after the events related to Nagorno-Karabakh, the Armenian SSR began to carry out mass ethnic cleansing against the Azerbaijani population and as a result more than 250 thousand of our compatriots, gradually driven out of their native land, have taken refuge in various towns and villages of Azerbaijan. On December 22, 1990 the Cabinet of Ministers of the Republic of Azerbaijan instructed the State Committee on Statistics and other authorities to collect primary statistical data on the people forced to leave their homes in the Republic of Armenia. A year later, work began on the implementation of assistance programs to these refugees.

As a result of the aggression by the Armenian military in 1991-1993, 20 percent of Azerbaijani territories - Nagorno-Karabakh and 7 adjacent regions were occupied. More than 700 thousand Azerbaijanis from these territories, as well as settlements bordering Armenia and Nagorno-Karabakh, deprived of permanent residence became IDPs and temporarily settled in 62 cities and districts of the republic – in total in more than 1,600 heavily-populated sites.

<sup>3</sup> <http://www.mfa.gov.az/content/115>

At the same time, about 50 thousand Meskhetian Turks, expelled as a result of the ethnic conflict occurred in Central Asia in 1990, also found refuge in Azerbaijan. At present, there are citizens of other countries seeking refugee status and asylum also settled in Azerbaijan.

So, in the early 90s of the last century, more than one million Azerbaijanis became refugees and IDPs.

250 thousand Azerbaijanis expelled from Armenia, and 50 thousand Meskhetian Turks who settled in the country were recognized as citizens of the Republic of Azerbaijan by the Law “On Citizenship of the Republic of Azerbaijan” dated 30 September 1998. At the same time, the law allowed 7,000 stateless persons residing in the country to adopt citizenship via simplified procedure. Despite the loss of refugee status by the persons accepting citizenship of another country under the UN Convention “On the Status of Refugees” of 1951, the law recognized their right to return home at the same time retaining all of the benefits provided to the IDPs, who were granted the citizenship of the Republic of Azerbaijan according to the provisions of the law.

On July 13, 2004 the Cabinet of Ministers approved “The Concept of the State Migration Management Policy of the Republic of Azerbaijan.”<sup>4</sup> The main objective of the concept is to assess the current situation and formulation of the migration management policy. The concept justified the assessment and management of migration processes and the creation of a legal framework to define the objectives, principles and targets of the migration regulation.

After the introduction in 2009 of the Unified Migration Information System (UMIS) of the State Migration Service of the Republic of Azerbaijan, a database for the registration of foreigners and stateless persons upon place of stay and residence, as well as their labor activities, entrepreneur activities and activities in other important sectors was created. In accordance with the Regulation on UMIS, a unified information system for the migration was integrated into inter-departmental automated information retrieval system “Entry, exit and registration” and into the State Register of the Population of the Republic of Azerbaijan. UMIS provides a comprehensive picture of the dynamics of migration processes occurring in the country and creates favorable conditions for the implementation of appropriate measures in the field of preventing illegal migration and providing security.

It should be noted that if in the first years of independence, the flow of migrants from our country was rather political and ethnic in character, then in subsequent years the main causes of emigration were economic motives. Prior to gaining independence the economy of Azerbaijan had been in close interaction with the economies of other Soviet Republics, the main partners of the Republic of Azerbaijan in the sphere of emigration became the countries of the former Soviet Union, in particular the Russian Federation, Ukraine and the Republic of Kazakhstan. Many people also left for other countries - Turkey, Germany, the Netherlands, Poland, Canada and Israel.

The main flow of migrants to the Russian Federation was made up of labour migrants, including seasonal labour migrants migrating to earn living. For the European countries people left mainly seeking permanent residence. Despite this, labour migration prevails within foreign migration in Azerbaijan. The more the economy of the country develops, the greater the number of migrants on the domestic labour market is.

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<sup>4</sup> “The Concept of the State Migration Management Policy” of the Republic of Azerbaijan. Baku, 13 July, 2004.  
<http://www.migration.gov.az/images/pdf/3aea5001888d709785dd0bef89ad5fa8.pdf>

## 2.2. Migrant stocks

If we are to review migration flows statistics of the Republic of Azerbaijan, we can see varying dynamics. The main share of immigrants come from the CIS countries. In 2005, the flow of migrants into the country reached 1,256,761 persons. The table below indicates the number of foreigners flowing into the country in recent years.

**Table 1. Foreigners' entry and exit in 2012-2015**

year	2012		2013		2014		2015	
	entry	exit	entry	exit	entry	exit	entry	exit
persons	2,459,787	2,468,574	2,468,925	2,469,319	2,269,018	2,272,543	1,976,870	1,989,487
	<b>-8787</b>		<b>-394</b>		<b>-3525</b>		<b>-12617</b>	

**Table 2. Statistical data on foreigners and stateless persons granted permanent residence permits**

No	Country	2012	2013	2014	2015
1	Federal Republic of Germany	15	8	16	12
2	The United States of America		6	7	3
3	Commonwealth of Australia		1		
4	People's Republic of Bangladesh	2	1	1	2
5	Republic of Belarus	10	21	4	5
6	United Kingdom	12	24	9	4
7	Republic of Bulgaria			1	
8	Bosnia and Herzegovina	1			
9	South African Republic	3			
10	Kingdom of Denmark			1	
11	Republic of Armenia		1		
12	Republic of Estonia	1	3		
13	Republic of the Philippines		1		
14	Republic of Finland		1		
15	French Republic	2	1	2	
16	Palestinian Territories		3		

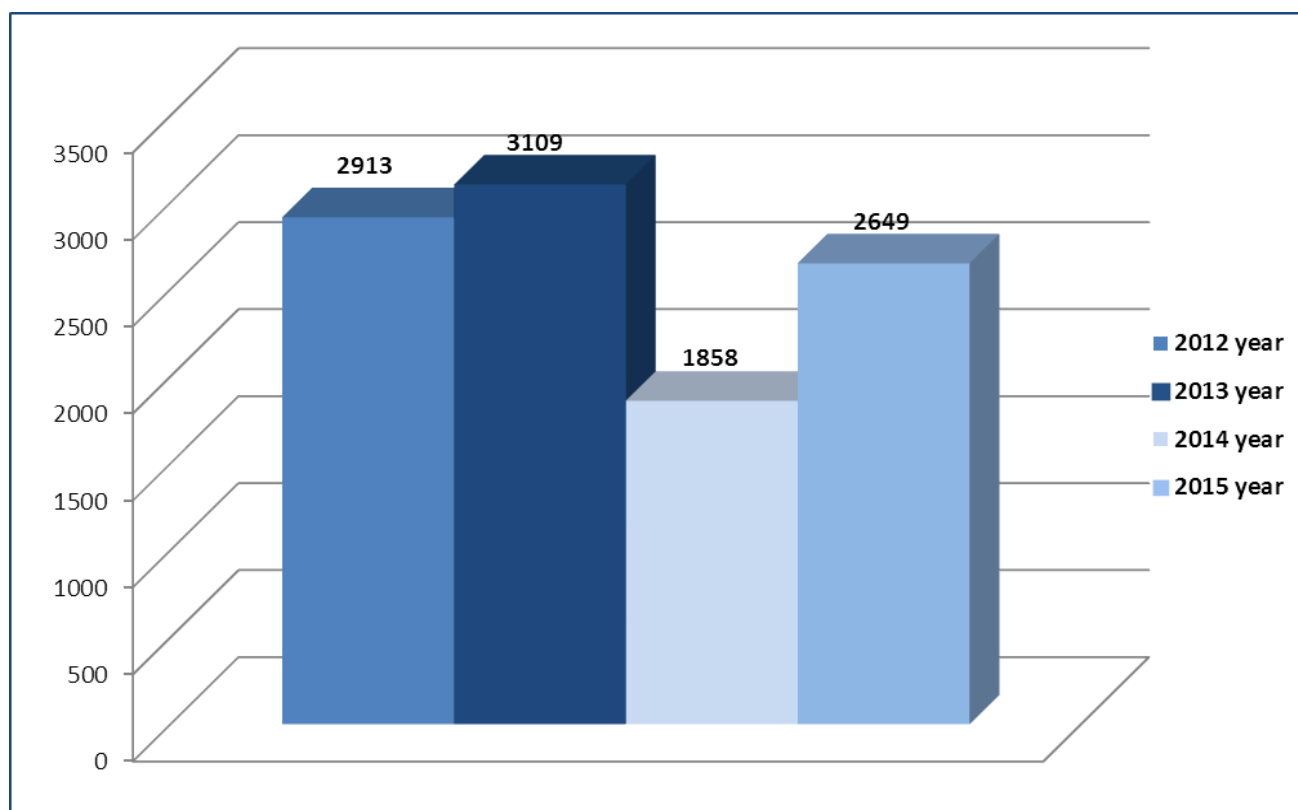


17	Georgia	818	697	490	782
18	Republic of India	5	7	4	4
19	Canada			1	
20	Republic of Congo		1		
21	Latvian Republic	3	7	2	2
22	Lithuanian Republic	5	9	2	6
23	Lebanese Republic	4		2	3
24	Libya			1	
25	Hungary	3			
26	Republic of Macedonia		2		
27	Arab Republic of Egypt	1	3	1	
28	Republic of Moldova	7	16	5	13
29	Mongolia	1			1
30	Kingdom of Morocco		2	1	
31	Unknown	7	4	3	5
32	Federal Democratic Republic of Nepal			1	
33	Kingdom of the Netherlands	2	1	1	
34	Federal Republic of Nigeria	2	2		7
35	Kingdom of Norway	4	4		
36	Islamic Republic of Pakistan	27	45	22	30
37	Republic of Poland	1	1		1
38	Portuguese Republic	1	1		
39	Republic of Kazakhstan	138	130	81	103
40	Kyrgyz Republic	62	42	16	33
41	Russian Federation	826	1,087	623	930
42	Syrian Arab Republic	2	4	1	3
43	Kingdom of Saudi Arabia			1	1
44	Republic of Tajikistan	4	4	9	8
45	Tunisian Republic		1		
46	Republic of Turkey	330	397	160	164
47	Turkmenistan	101	91	48	50
48	Ukraine	111	173	72	99
49	Socialist Republic of Vietnam			6	
50	Stateless persons	81	60	52	102
51	New Zealand		2		
52	Hellenic Republic		1		
53	Republic of Yemen	1	1		3

54	People's Republic of China	8	2	1	1
55	Republic of Uzbekistan	111	91	68	95
56	Republic of Indonesia		1		
57	Hashemite Kingdom of Jordan	5	1	3	2
58	Islamic Republic of Iran	149	118	105	144
59	Republic of Iraq			4	1
60	Republic of Ireland	3	1		1
61	State of Israel	7	6	8	3
62	Kingdom of Sweden	1	2		4
63	Italian Republic	3	2	1	
64	Islamic Republic of Afghanistan	31	18	19	19
65	Algeria	2	1	3	3
<b>Total</b>		<b>2,913</b>	<b>3,109</b>	<b>1,858</b>	<b>2,649</b>

Source: State Migration Service, the Head Department of analysis of migration processes and information systems

**Diagram 1. The diagram on foreigners and stateless persons granted permanent residence permits**



In 2015, the State Migration Service issued temporary residence permits to 53,951 foreigners and stateless persons, and permanent residence permits to 2,649 persons. Among the persons who were granted temporary residence permits 14,178 were the citizens of the Republic of Turkey, 9,019 of the Russian Federation, 8,263 of Georgia, 3,015 of the United Kingdom of Great Britain and Northern Ireland, 2,749 of the Republic of Uzbekistan, 1,786 of the Islamic Republic of Iran, 1,783 of Ukraine, 1,508 of the Republic of India, 1,050 of the people's Republic of Bangladesh, 983 of Turkmenistan, 944 of the Republic of Kazakhstan, 904 of the United States of America, 663 of the Islamic Republic of Pakistan and 625 of the People's Republic of China.

**Table 3. Statistical data on foreigners and stateless persons granted temporary residence permits**

No	Country	2012	2013	2014	2015
1	Republic of Albania	7	7	7	6
2	Federative Republic of Germany	370	279	334	256
3	United States of America	727	925	895	904
4	Principality of Andorra	1	2	4	2
5	Republic of Angola		1	1	1
6	Argentina	19	23	28	12
7	Commonwealth of Australia	91	154	189	136
8	Republic of Austria	95	75	86	66
9	Bahamas Islands			1	2
10	People's Republic of Bangladesh	282	230	353	1,050
11	Barbados		1	1	1
12	Republic of Belarus	140	153	162	177
13	Kingdom of Belgium	10	28	28	41
14	United Kingdom	2,637	2,911	3,183	3,016
15	United Republic of Tanzania	3	8	2	2
16	United Arab Emirates	2			1
17	Plurinational State of Bolivia	2	6	5	4
18	Republic of Bulgaria	67	69	88	83
19	Bosnia and Herzegovina	15	21	23	23
20	Federative Republic of Brazil	56	67	73	77
21	Kingdom of Bhutan			1	1
22	Kingdom of Bahrain			2	1
23	South African Republic	75	90	78	67
24	Kingdom of Denmark	23	35	29	28

25	Dominican Republic	6	6	6	4
26	Ethiopia	1		1	2
27	Republic of Ecuador	2	5	7	6
28	Republic of Guinea	1	1		
29	Republic of El Salvador	1	2		1
30	Republic of Estonia	12	18	30	31
31	Republic of Fiji	1			
32	Republic of Philippines	268	355	397	457
33	Republic of Finland	13	17	21	23
34	French Republic	187	172	196	199
35	Palestine	15	19	19	22
36	Georgia	3,220	5,621	7,524	8,259
37	Republic of India	843	825	946	1,508
38	Republic of Honduras	2	5	6	2
39	Kingdom of Cambodia		2		1
40	Republic Cameroon	6	6	6	8
41	Canada	168	210	235	198
42	Republic of Kenya	1	3	5	6
43	Republic of Cyprus	1	3	5	2
44	Republic of Colombia	59	72	60	73
45	Democratic Republic of Congo	4	2	3	
46	Republic of the Congo	2	4	1	
47	Republic of Korea	207	316	488	268
48	Republic of Costa Rica	2	1	3	1
49	Republic of Cuba	1	7	17	10
50	State of Kuwait	3	3	6	8
51	Lao People's Democratic Republic				1
52	Republic of Latvia	58	31	48	65
53	Republic of Lithuania	43	47	59	53
54	Lebanese Republic	26	24	34	45
55	Libya	1		4	11
56	Grand Duchy of Luxemburg		2	2	4
57	Hungary	17	17	31	30
58	Republic of Macedonia	16	24	31	20
59	Malaysia	81	153	109	211
60	Republic of Maldives		2	2	5
61	Republic of Mali	2	2	1	1

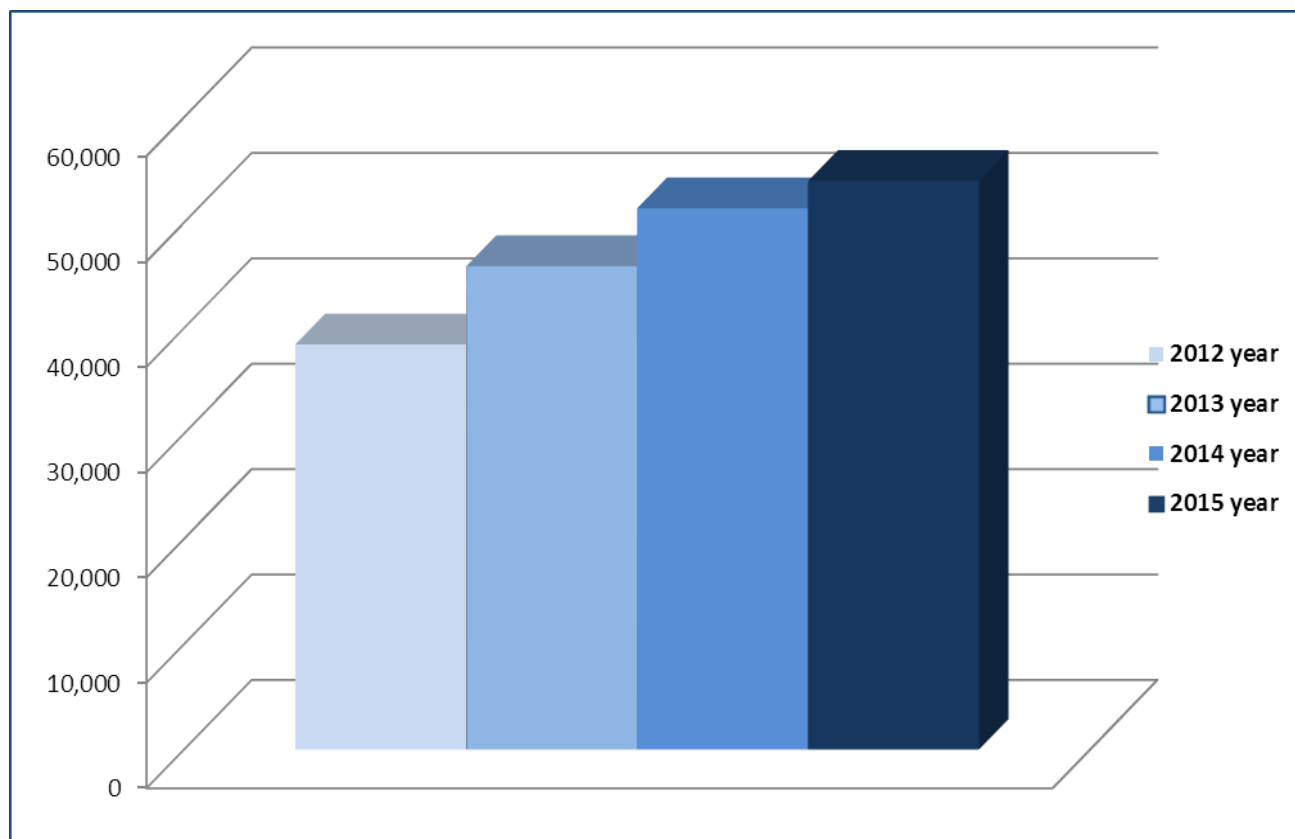
62	Republic of Malta	1	3	3	3
63	Republic of Mauritius				3
64	United Mexican States	16	7	17	18
65	Arab Republic of Egypt	138	138	107	121
66	Republic of the Union of Myanmar	7	18	12	34
67	Republic of Moldova	115	133	138	133
68	Principality of Monaco	1			
69	Mongolia			5	7
70	Republic of Mozambique	1	1	1	2
71	Kingdom of Morocco	13	13	13	19
72	Unknown/not indicated	19	36	43	49
73	Federal Democratic Republic of Nepal	54	29	51	61
74	Kingdom of the Netherlands	87	129	133	168
75	Federative Republic of Nigeria	45	53	68	63
76	Kingdom of Norway	84	75	90	98
77	Sultanate of Oman	1	8	8	8
78	Islamic Republic of Pakistan	419	476	591	663
79	Republic of Paraguay	3	4	2	5
80	Republic of Peru	1	1	4	4
81	Republic of Poland	92	226	101	87
82	Portuguese Republic	20	20	29	33
83	Gabonese Republic			13	18
84	Islamic Republic of the Gambia	1	1	2	3
85	Republic of Ghana	4	5	2	
86	State of Qatar		1	1	2
87	Republic of Kazakhstan	718	908	958	944
88	Refugee (Convention of 1951)		4	3	3
89	Republic Guatemala	2			
90	Republic of Guinea	1			
91	Kyrgyz Republic	159	216	220	217
92	Republic of Rwanda				2
93	Romania	46	81	137	115
94	Russian Federation	5,856	7,607	8,468	9,019
95	Republic of Senegal	2	5	1	
96	Federation of Saint Kitts and Nevis		1	2	1
97	Saint Vincent and the Grenadines	2	2		
98	Republic of Serbia	43	70	94	75

<b>99</b>	Republic of Seychelles	1			
<b>100</b>	Republic of Singapore	31	43	46	66
<b>101</b>	Slovak Republic	29	29	32	32
<b>102</b>	Republic of Slovenia	8	12	14	7
<b>103</b>	Federal Republic of Somalia			4	2
<b>104</b>	Republic of the Sudan	4	4	7	10
<b>105</b>	Syrian Arab Republic	105	103	115	115
<b>106</b>	Republic Sierra Leone	5	5	4	1
<b>107</b>	Kingdom of Saudi Arabia	3	7	1	2
<b>108</b>	Republic of Tajikistan	52	76	75	70
<b>109</b>	Kingdom of Thailand	61	86	41	87
<b>110</b>	Togolese Republic	1			
<b>111</b>	Republic of Trinidad and Tobago	55	71	77	62
<b>112</b>	Tunisian Republic	15	5	1	5
<b>113</b>	Republic of Turkey	14,439	14,802	15,026	14,178
<b>114</b>	Turkmenistan	613	832	913	982
<b>115</b>	Ukraine	787	985	1,395	1,783
<b>116</b>	Bolivarian Republic of Venezuela	23	26	40	48
<b>117</b>	Socialist Republic of Vietnam	42	45	40	39
<b>118</b>	Stateless persons	117	99	88	73
<b>119</b>	Republic of Croatia	66	68	65	68
<b>120</b>	Jamaica			1	3
<b>121</b>	Japan	21	22	17	20
<b>122</b>	New Zealand	36	37	36	51
<b>123</b>	Hellenic Republic	32	37	109	84
<b>124</b>	Republic of Yemen	17	23	27	36
<b>125</b>	Republic of Zambia			1	2
<b>126</b>	Republic of Zimbabwe	2	1	4	3
<b>127</b>	Republic of Chad		2	5	8
<b>128</b>	Montenegro	1	3	8	12
<b>129</b>	Czech Republic	21	21	31	21
<b>130</b>	Republic of Chile	3	13	11	6
<b>131</b>	People's Republic of China	694	1333	796	625
<b>132</b>	Republic of Uzbekistan	474	942	2,052	2,750
<b>133</b>	Republic of Indonesia	80	117	122	179
<b>134</b>	Hashemite Kingdom of Jordan	48	64	67	65
<b>135</b>	Islamic Republic of Iran	1,924	1,872	1,879	1,787

<b>136</b>	Republic of Iraq	171	201	179	206
<b>137</b>	Republic of Ireland	58	71	102	102
<b>138</b>	Republic of Iceland	1	2	3	4
<b>139</b>	Kingdom of Spain	39	91	109	135
<b>140</b>	State of Israel	114	123	124	131
<b>141</b>	Kingdom of Sweden	44	19	26	26
<b>142</b>	Swiss Confederation	16	6	8	12
<b>143</b>	Republic of Italy	153	162	244	363
<b>144</b>	Democratic Socialist Republic of Sri-Lanka	42	56	73	87
<b>145</b>	Islamic Republic of Afghanistan	119	115	122	111
<b>146</b>	People's Democratic Republic of Algeria	26	23	18	22
<b>Total</b>		<b>38,436</b>	<b>45,987</b>	<b>51,351</b>	<b>53,951</b>

Source: State Migration Service, the Head Department of analysis of migration processes and information systems

**Diagram 2. The diagram on foreigners and stateless persons obtained permanent residence permits**



## 3. Legal migration with special focus on labour migration

### 3.1. Responsible state authorities

**The State Migration Service of the Republic of Azerbaijan** (<http://migration.gov.az/>) addresses issues on temporary stay of foreigners and stateless persons in the Republic of Azerbaijan, the issuance of permits for temporary and permanent residence to foreigners and stateless persons, their registration and regulates issues on labor migration. At the same time, the State Migration Service besides providing issuance of work permits to foreigners and stateless persons to be engaged in paid labor activities, controlling validity of work permits, is also directly involved in determination of labor migration quotas.

The main tasks of the **Ministry of Internal Affairs of the Republic of Azerbaijan** (<http://www.mia.gov.az/>) related to the management of migration processes are: the issuance of identification documents (passport and ID) of the Republic of Azerbaijan, prevention of trafficking in human beings and illegal migration.

**The Ministry of Labour and Social Protection of the Population of the Republic of Azerbaijan** ([www.mlsp.gov.az](http://www.mlsp.gov.az)) prepares and implements state policy in the sphere of labor migration, as well as controls the establishment of labour migration quotas, carries out social protection of labour migrants, issues opinions for the provision of work permits and prepares agreements in the field of migration. At the same time it controls the observance of labour legislation in employment of foreigners and the regulation of labour relations between foreign companies and workers.

**Ministry of Foreign Affairs of the Republic of Azerbaijan** (<http://www.mfa.gov.az/>) participates in the preparation and conduct of state visa policy, is responsible for issuing visas to foreigners and stateless persons coming to the Republic of Azerbaijan.

### 3.2. State Policy and programs

The legal framework regulating processes on labor migration have been established in the Republic of Azerbaijan, which is periodically updated and adapted to modern systems. The documents that make up the legal framework for the regulation of labour migration are the following:

The Constitution of the Republic of Azerbaijan, the Labour Code of the Republic of Azerbaijan, the Migration Code of the Republic of Azerbaijan, the Code of Administrative Offences of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan “On Trade Unions,” the Regulations on the State Migration Service of the Republic of Azerbaijan, the Regulations on the State Service for Labour Inspection at the Ministry of Labour and Social Protection of Population and the Regulations on the determination of quotas for labour migration.



The “Contract of the Century” signed on 20 September 1994 facilitated the flow of investments into the economy of the country and attracted foreign labour. Despite this, because of the transition to a new economic system and the foreign occupation of 20 percent of the territory, one could observe the citizens of the Republic of Azerbaijan leaving for foreign countries with the aim of employment there. However, due to successfully implemented socio-economic projects noticeable positive results have been achieved in regulating the labour migration.

Since 2010, the Republic of Azerbaijan adopted 238 laws and other normative-legal acts in the field of migration. In the context of ensuring the rights and freedoms of migrants, the Republic of Azerbaijan joined the International Convention “On Protection of the Rights of All Labor Migrants and Members of Their Families,” the Convention “On Combating Transnational Organized Crime” and its additional protocols “On prevention, the elimination of trafficking in persons, especially, trafficking in women and children, and the punishment for it” and “On the counteraction to the illegal transportation of migrants by land, air or water.”

2013 was a particularly important year, as a new stage in the improvement of the migration legislation of the Republic of Azerbaijan. Thus, on July 2, 2013, the Law of the Republic of Azerbaijan “On approval and enactment of the Migration Code of the Republic of Azerbaijan and legal regulation related thereof” was adopted. It should be noted that the Migration Code is a perfect unification of the existing Azerbaijani laws in the field of migration. The main objectives of the Code are: the implementation of state policy in the sphere of migration, regulation of migration processes and relations arising in the field, as well as the establishment of norms related to the legal status of foreigners and stateless persons in the Republic of Azerbaijan.

According to the legislation of the Republic of Azerbaijani, foreigners and stateless persons should obtain work permits to carry out paid labor activity in the country.

Work permits to foreigners are issued by the State Migration Service with regard to the opinion of the Ministry of Labor and Social Protection of Population. Applications for work permits are reviewed within 20 working days. The State Migration Service of the Republic of Azerbaijan forwards information about the required documents through a unified migration information system to the Ministry of Labor and Social Protection of Population for consideration. The work permit is issued for 1 year, and in case the employment contract is for a shorter period, for a period stated therein.

In accordance with the Article 61.2 of the Migration Code, principal conditions for carrying out paid labour activity by foreigners and stateless persons are availability of vacancies which are not claimed by a citizen of the Republic of Azerbaijan who has professional skills or qualifications that meet job requirements, inability of employment services to meet employers’ need for manpower at the cost of domestic labor market.

### 3.3. Statistics

We would like to emphasize certain progress observed in the statistics of labour migrants in the Republic of Azerbaijan.

Along with foreigners and stateless persons coming to the country for the purpose of employment, the citizens of the Republic of Azerbaijan also go to other countries in search of employment. After 1996, and especially after the increase in oil revenues, the number of foreigners coming to the county for the purpose of employment has increased noticeably. Today, the main areas of employment of foreigners are the oil sector, construction business, industrial production, motor vehicles sale and maintenance, electric industry, production of gas and water, transport and communications, hotels and catering, education, finance, health care and agriculture.

Compared to previous years, there have been some changes in terms of the dynamics of the number of labour migrants. Since 2008, the number of labour migrants has increased, mainly in the construction industry and in oil production. If in 2006 the total number of migrants was 4,367, then in 2010 it was 7,091. Yet after 2015, the decline in oil prices led to a reduction in the number of the employed in oil production. At the same time after the global crisis started in 2015, the regression in the areas of construction and services also increased reductions in this area. Naturally, loss of job by migrant workers, especially by highly qualified experts forced them to leave the country, which led to a decrease in the total number of labour migrants. The principal countries of origin of migrants were Turkey, United Kingdom, Georgia and India.

**Table 4. Statistical data on foreigners granted work permits**

<i>Year</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>
<i>persons</i>	<b>9,568</b>	<b>11,970</b>	<b>11,938</b>	<b>12,000</b>	<b>11,230</b>

*Source: State Migration Service, the Head Department of analysis of migration processes and information systems*

The Code of the Migration Service of the Republic of Azerbaijan also provides for the cases where work permits are required. In accordance with Article 64 of the Migration Code the following are the persons that do not require a work permits.

- ✓ persons having a permanent residence permit in the Republic of Azerbaijan;
- ✓ persons engaged in entrepreneurial activity on the territory of the Republic of Azerbaijan;
- ✓ persons working in diplomatic missions and consulates;
- ✓ persons working in international organizations;
- ✓ heads of organizations established by international agreements, as well as their deputies;
- ✓ persons attracted to work by relevant executive authorities;
- ✓ military personnel and professionals invited to the service or work in the Republic of Azerbaijan's Armed Forces and other military formations created in accordance with the legislation of the Republic of Azerbaijan;
- ✓ media personnel accredited in the Republic of Azerbaijan;
- ✓ persons on business trips to the Republic of Azerbaijan in the fields of activities defined by relevant executive authorities for a period not exceeding 90 days a year;

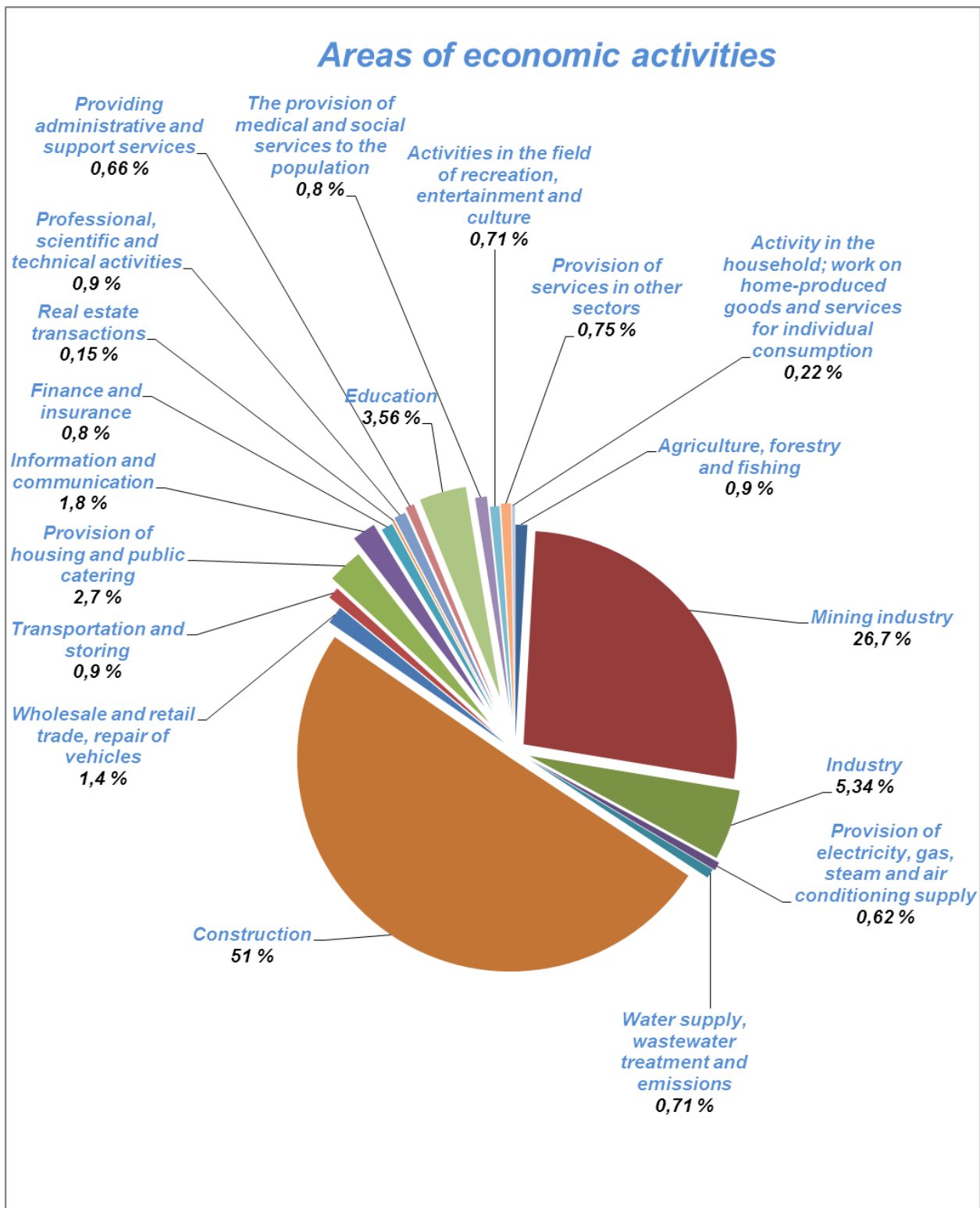
- ✓ skilled professionals in the sectors approved by relevant executive authority invited by the citizens of the Republic of Azerbaijan or legal entities established in the Republic of Azerbaijan to carry out works or services in the areas identified by the relevant executive authority;
- ✓ sailors;
- ✓ faculty members invited to lecture at universities and lecturers;
- ✓ art professionals, coaches and athletes invited by sport clubs having state registration with the relevant executive authority;
- ✓ persons engaged in professional religious activity with state registered religious institutions;
- ✓ heads and deputy heads of branches and representative offices of foreign legal persons operating in the Republic of Azerbaijan;
- ✓ heads and deputy heads of legal persons established in the Republic of Azerbaijan, the founder, or at least one of the founders of which is a foreign legal or natural person;
- ✓ persons married to citizens of the Republic of Azerbaijan, under condition that these citizens are registered upon place of residence on the territory of the Republic of Azerbaijan;
- ✓ persons applying for refugee status, or those granted refugee status or political asylum;
- ✓ persons having in custody children under 18 years of age or a disabled of I group who are citizens of the Republic of Azerbaijan;
- ✓ people attracted to work in cases established by relevant executive authorities.

**Table 5. Areas of economic activities according to the approved quota**

<i>No</i>	<i>Areas of economic activities</i>	<i>The quota for 2015, approved by the Cabinet of Ministers</i>
<b>1</b>	Agriculture, forestry and fishing	100
<b>2</b>	Mining industry	3,000
<b>3</b>	Machining Industry	600
<b>4</b>	Provision of electricity, gas, steam and air conditioning supply	70
<b>5</b>	Water supply, wastewater treatment and emissions	80
<b>6</b>	Construction	5650
<b>7</b>	Wholesale and retail trade, repair of vehicles	150
<b>8</b>	Transportation and storing	100
<b>9</b>	Provision of housing and public catering	300
<b>10</b>	Information and communication	200
<b>11</b>	Finance and insurance	100
<b>12</b>	Real estate transactions	15

<b>13</b>	Professional, scientific and technical activities	100
<b>14</b>	Providing administrative and support services	75
<b>15</b>	Education	400
<b>16</b>	The provision of medical and social services to the population	100
<b>17</b>	Activities in the field of recreation, entertainment and culture	80
<b>18</b>	Provision of services in other sectors	85
<b>19</b>	Activity in the household; work on home-produced goods and services for individual consumption	25
<b>TOTAL</b>		<b>11,230</b>

**Diagram 3. The percentage of economic spheres of activity in accordance with the approved quotas**



## 4. Illegal migration in the country

### 4.1. Responsible state authorities

The task of **the State Migration Service of the Republic of Azerbaijan** (<http://migration.gov.az/>) in fights against illegal migration is to identify foreigners and stateless persons violating requirements of migration legislation, and to take relevant decisions in their regard. Moreover, implements state control over migration processes.

**The Ministry of Internal Affairs of the Republic of Azerbaijan** (<http://www.mia.gov.az/>) jointly with the **Service of the State Security of the Republic of Azerbaijan** (<http://dtx.gov.az/>) and the **State Border Guard Service** ensure the protection of the security of state borders of the Republic of Azerbaijan, as well as engage in the prevention of illegal migration and the investigation of crimes related to human trafficking...

The tasks of **the State Border Service of the Republic of Azerbaijan** (<http://www.dsx.gov.az/>) related to the management of migration processes include state borders protection, prevention of illegal migration, human trafficking and illegal transport of migrants, border control, timely review of cases of illegal migration and crime.

### 4.2. State policy and programs

The Republic of Azerbaijan in order to prevent illegal migration, along with the improvement of the legislation, joined a number of international documents operating in the area and at the same time continues cooperation with international organizations in this direction.

In the field of combating human trafficking, Azerbaijan joined the Convention “On the rights of the child” and the Optional Protocol to that Convention on the sale of children, child prostitution and child pornography. The National Assembly (Milli Majlis) has also ratified the International Convention of the United Nations “Against Transnational Organized Crime” and its supplementary protocols “To Prevent, suppress and punish trafficking in persons, especially women and children” and “Against smuggling of migrants by land, sea and air.”<sup>5</sup> The country is cooperating in this area with a number of international organizations, including the OSCE, the European Union, the International Organization for Migration and others.

### 4.3. Statistics

The geographical location of Azerbaijan and close ties with the European institutions provide an opportunity for the citizens of other countries to use its territory as a transit zone.

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<sup>5</sup> Law of the Republic of Azerbaijan on the approval of the UN Convention “Against Transnational Organized Crime” and its additional protocols “To prevent, suppress and punish trafficking in persons, especially women and children” and “Against smuggling of migrants by land, sea and air.” Baku, May 13, 2013. <http://www.migration.gov.az/images/pdf/b6b9f093b2668222a6f6d5a0481ff5a1.pdf>

The relevant structural units of the Ministry of Internal Affairs, the State Migration Service and the State Security Service work to identify illegal migrants. Among the foreigners violating the state border of the Republic of Azerbaijan the principal share take the citizens of countries bordering Azerbaijan - Islamic Republic of Iran, Turkey, Georgia and the Russian Federation, as well as citizens of Pakistan Islamic Republic, which has no border with Azerbaijan.

During 2010-2015 appropriate measures were taken by the Ministry of Internal Affairs of the Republic of Azerbaijan in respect of 11,194 foreigners who violated the rules of stay and residence in the country. Most of the foreigners who have committed administrative offenses were the citizens of Turkey (4,650 people), the Islamic Republic of Pakistan (1,941 people), the People's Republic of China (1,637 people), Turkmenistan (932 persons) and Uzbekistan (569 people).<sup>6</sup>

Illegal migration to the Armenia-occupied territories of the Republic of Azerbaijan encouraged by the Government of Armenia has been continuing. According to the information available for 2013 alone, 135 families from the Syrian Arab Republic had illegally been resettled in the territories of the Republic of Azerbaijan bordering Armenia, particularly in Lachin and Zangilan districts as well as in the city of Khankandi.

In 2014, the State Migration Service made a decision on 27,683 persons to leave the country within 48 hours, and 19,340 persons in 2015. Moreover, decisions were also taken on administrative expulsion from the country followed by a ban on entry in respect of 6,431 persons in 2014 and 4,990 in 2015.<sup>7</sup>

The number of foreigners returned from the border was 2,141 in 2012, 2,324 in 2013, 2,605 in 2014 and 2,806 in 2015.

Azerbaijan, mainly due to its geographical location, is perceived as a preferred transit route for illegal migration. Among the foreigners using the territory of Azerbaijan for the purpose of migration to Europe are the citizens of the Islamic Republic of Afghanistan, the Islamic Republic of Iran, Republic of Iraq, the Islamic Republic of Pakistan and the People's Republic of Bangladesh.

During 2013-2015, the total number of relevant decisions adopted by the migration bodies of the Republic of Azerbaijan through comprehensive measures undertaken to strengthen migration in respect of foreigners and stateless persons who violated requirements of regulations on migration amounted to 97,406.

**Table 6. The number of third country nationals returned to the country of origin from the border control points**

<i>Country</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>
<b>Islamic Republic of Pakistan</b>	6	17	11	18
<b>People's Republic of Bangladesh</b>	0	3	0	11
<b>Republic of Turkey</b>	458	434	590	436

<sup>6</sup> On the basis of a survey requested from the Ministry of Internal Affairs of the Republic of Azerbaijan.

<sup>7</sup> The State Migration Service of the Republic of Azerbaijan. Data obtained in 2015.

Syrian Arab Republic	10	0	3	5
Islamic Republic of Afghanistan	2	7	6	7
Republic of India	11	13	6	6
Republic of Iraq	7	10	2	9
Republic of Armenia	0	2	1	0
Republic of Uzbekistan	95	147	116	94
Turkmenistan	43	39	35	36
Republic of Kazakhstan	39	37	46	21
Republic of Tajikistan	2	18	5	12
Kyrgyz Republic	7	12	5	11
People's Republic of China	22	22	13	24
<b>Total</b>	<b>702</b>	<b>761</b>	<b>839</b>	<b>690</b>

Source: State Migration Service, the Head Department of analysis of migration processes and information systems.

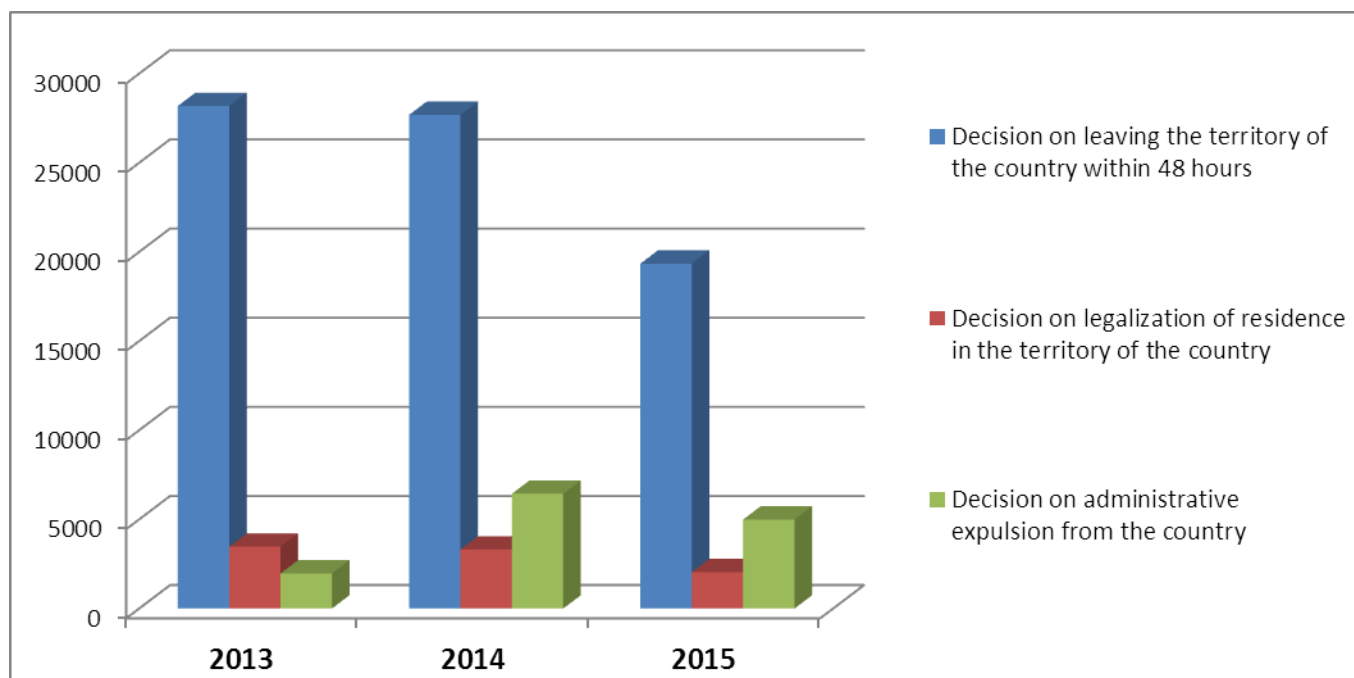
**Table 7. Administrative decisions taken by the State Migration Service in respect of persons who violated requirements of migration legislation (year)**

No	Decisions	2013		2014		2015		Total	
		number	%	number	%	number	%	number	%
1	The number of decisions on leaving the country within 48 hours	28,184	84	27,683	74	19,340	73.3	75,207	77.2
2	The number of decisions on the legalization of residence in the country	3,465	10.3	3,306	8.9	2,039	7.7	8,810	9
3	The number of decisions on administrative expulsion from the country	1,968	6	6,431	17.1	4,990	19	13,389	13.8
<b>TOTAL</b>		<b>33,617</b>	<b>100</b>	<b>37,420</b>	<b>100</b>	<b>26,369</b>	<b>100</b>	<b>97,406</b>	<b>100</b>

Source: State Migration Service, the Head Department of analysis of migration processes and information systems.



**Diagram 4. Administrative decisions taken by the State Migration Service in respect of persons who violated requirements of migration legislation (years)**



During the years 2013-2015, 77.2% of decisions connected to the violation of administrative law were made up by the provisions to leave the country within 48 hours, 14% - were the decisions on administrative expulsion followed by a ban on entry and 9.1% - the decisions on the legalization of residence in the country.

During the years 2013-2015, most of the perpetrators of administrative offenses for whom relevant decisions were taken were the citizens of the Russian Federation (30,577), the Republic of Turkey (21,098) and Georgia (17,326). The majority of illegal migrants (97,406 people), in respect of whom the relevant administrative decisions had been made, were the citizens of the following countries:

**Table 8. Illegal migrants in respect of whom the administrative decisions were taken (by nationality)**

No	Country	2013		2014		2015		Total	
		persons	%	persons	%	persons	%	persons	%
1	Russian Federation	6,726	20	14,072	37.6	9,779	37.1	30,577	31.4
2	Republic of Turkey	7,730	23	8,001	21.3	5,367	20.3	21,098	21.6

<b>3</b>	<i>Georgia</i>	8,288	24.6	5,549	15	3,489	13.2	17,326	<b>17.8</b>
<b>4</b>	<i>Ukraine</i>	698	2.1	1321	3.5	1212	4.6	3231	<b>3.3</b>
<b>5</b>	<i>United Kingdom</i>	892	2.6	847	2.3	618	2.3	2357	<b>2.4</b>
	<i>Other countries</i>	9,283	27.6	7,630	20.4	5,904	22.5	22,817	<b>23.5</b>
	<b>Total:</b>	<b>33,617</b>	<b>100</b>	<b>37,420</b>	<b>100</b>	<b>26,369</b>	<b>100</b>	<b>97,406</b>	<b>100</b>

Source: State Migration Service, the Head Department of analysis of migration processes and information systems

The analyses show that the improvement of migration legislation and regularly conducted awareness raising activities has resulted in a decrease in the cases on violations of migration legislation. If in 2014, 14,072 decisions were taken with regards to citizens of the Russian Federation, then in 2015, the number of decisions taken dropped to 9,779 (30.5% reduction). In 2014, with regard to the citizens of Turkey and Georgia 8,001 and 5,549 decisions were taken, and in 2015 – 5,367 and 3,489 decisions, respectively. This makes 33% reduction for Turkey and 37% for Georgia.

In 2013-2015, the State Migration Service in total adopted 75,207 decisions prescribing to leave the country within 48 hours, of which 13,988 with a penalty and 61,219 without penalty. 35.3% of these decisions were made in respect of the citizens of the Russian Federation, 22.1% - the citizens of the Republic of Turkey, 19.4 - the citizens of Georgia.

**Table 9. Decisions on prescription to leave the country within 48 hours (by nationality)**

<b>No</b>	<b>Country</b>	<b>2013</b>		<b>2014</b>		<b>2015</b>		<b>Total</b>	
		persons	%	persons	%	persons	%	persons	%
<b>1</b>	Russian Federation	8,203	29.1	10,622	38.3	7,736	40	<b>26,561</b>	<b>35.3</b>
<b>2</b>	Republic of Turkey	6,269	22.2	6,309	23	4,026	20.8	<b>16,604</b>	<b>22.1</b>
<b>3</b>	Georgia	7,634	27.1	4,349	15.7	2,578	13.3	<b>14,561</b>	<b>19.4</b>
<b>4</b>	Ukraine	543	2	871	3	851	4.4	<b>2,265</b>	<b>3.01</b>
<b>5</b>	United Kingdom	715	2.5	575	2.03	492	2.5	<b>1,782</b>	<b>2.3</b>
	Other countries	4,820	17.1	4,957	18	3,657	19	<b>13,434</b>	<b>18</b>
	<b>Total:</b>	<b>28,184</b>	<b>100</b>	<b>27,683</b>	<b>100</b>	<b>19,340</b>	<b>100</b>	<b>75,207</b>	<b>100</b>

Source: State Migration Service, the Head Department of analysis of migration processes and information systems

Over the years of 2013-2015, 8,810 decisions on the legalization of residence in the country were taken. 30.3% of decisions were taken in relation to the citizens of the Republic of Turkey.

**Table 10. The decision on legalization of residence in the country (by citizenship)**

<b>N</b>	<b>Country</b>	<b>2013</b>		<b>2014</b>		<b>2015</b>		<b>Всего</b>	
		persons	%	persons	%	persons	%	persons	%
<b>0</b>									

1	Republic of Turkey	1,239	36	876	26,5	531	26	2,646	30,3
2	Russian Federation	520	15	780	23,6	471	23	1,771	20,1
3	United Kingdom	171	5	258	7,8	108	5,4	537	6,7
4	Georgia	226	6,5	164	5	115	6	505	5,1
5	Ukraine	92	2,5	149	4,5	90	4,1	331	3,7
	Other countries	1,217	35	1079	32,6	724	35,5	3,020	34,2
	<b>Total</b>	<b>3,465</b>	<b>100</b>	<b>3,306</b>	<b>100</b>	<b>2,039</b>	<b>100</b>	<b>8,810</b>	<b>100</b>

Source: State Migration Service, the Head Department of analysis of migration processes and information systems

In 2013-2015, 13,389 decisions on administrative expulsion from the country with a ban on entry were taken, 35.4% of which were made in respect of the citizens of the Russian Federation. In particular, a large number of such decisions were made in 2014.

**Table 11. Decisions on administrative expulsion from the country (by nationality)**

No	Country	2013		2014		2015		Total	
		persons	%	persons	%	persons	%	persons	%
1	Russian Federation	507	25,7	2,670	41,5	1,572	31,6	4,749	35,4
2	Georgia	428	22	1,036	16,1	796	16	2,260	17
3	Republic of Turkey	222	11,2	816	12,7	810	16,2	1,848	13,68
4	Uzbekistan	208	10,5	231	3,6	363	7,2	802	6
5	Ukraine	63	3,2	301	4,7	271	5,4	635	4,67
	Other countries	540	27,4	1,377	21,4	1,178	23,6	3,095	23,61
	<b>Total:</b>	<b>1,968</b>	<b>100</b>	<b>6,431</b>	<b>100</b>	<b>4,990</b>	<b>100</b>	<b>13,389</b>	<b>100</b>

Source: State Migration Service, the Head Department of analysis of migration processes and information systems

## 5. Return, readmission and reintegration

### 5.1. Responsible state authorities

The State Migration Service  
 Ministry of Foreign Affairs (<http://www.mfa.gov.az/>)  
 Ministry of Internal Affairs (<http://www.mia.gov.az/>)  
 The State Border Service (<http://www.dsx.gov.az/>)

Ministry of Labour and Social Protection of the Population (<http://www.mlsp.gov.az/>)  
Ministry of Education (<http://edu.gov.az/>)  
Ministry of Health (<http://www.sehiyye.gov.az/>)

**The State Migration Service of the Republic of Azerbaijan** (<http://www.migration.gov.az>) participates in the formation of a unified state policy in the sphere of migration, ensures the implementation of this policy and coordinates the activities of relevant state authorities, controls and regulates migration processes and implements state control on migration processes within its competencies, engages in forecasting of migration processes, provides law enforcement activities, ensures implementation of a unified registration system in the field of migration and carries out monitoring, within its competencies participates in the implementation of international treaties to which the Republic of Azerbaijan is party of, provides fulfillment of international obligations of the Republic, and participates in the conclusion of international agreements on readmission.

By the No 973 Decece of the President of the Republic of Azerbaijan dated on December 29, 2014, changes were made to the structure of the State Migration Service, establishing the Department on Readmission issues.

## 5.2. Readmission policy and activities

The creation of a legal framework regulating the processes related to the return of persons residing without authorization was launched relatively recently. The country is interested in the signing of readmission agreements with countries of origin (including neighboring countries) of persons violating the requirements of migration legislation in the territory of the Republic of Azerbaijan.

Currently, agreements on readmission of persons residing without authorization are signed with the European Union and the Kingdom of Norway. Efforts are primarily directed at the expansion of cooperation between Azerbaijan and the European Union, with the negotiations on the Agreement on visa facilitation and projects on readmission agreement laying the foundation for a new stage.

The negotiations on the simplification of visa regime between Baku and Brussels on February 7, 2012 and July 5, 2013 created the opportunity to achieve the agreement mutually beneficial to both parties.

Within the framework of Vilnius Summit of the Eastern Partnership on 29 November 2013 an agreement on simplification of visa regime between the EU and Azerbaijan was signed. On February 28, 2014 the “Agreement between the Republic of Azerbaijan and the European Union on readmission of persons residing without authorization” was signed. The law of the Republic of Azerbaijan on the approval of the “Agreement between the Republic of Azerbaijan and the European Union on the readmission of persons residing without authorization” was signed by the President of the Republic of Azerbaijan on May 30, 2014.<sup>8</sup> This multilateral agreement covers 25 EU member states out of 28. Thus, the United Kingdom of Great Britain and Northern Ireland, the Republic of Ireland and the Kingdom of Denmark are not parts to this Agreement.

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<sup>8</sup> The agreement between the Republic of Azerbaijan and the European Union on the readmission of persons residing without authorization.  
<http://www.migration.gov.az/images/pdf/adced8d6caabc0481ea0e5769669f342.pdf>

On June 1, 2015 an “Agreement between the Republic of Azerbaijan and the Kingdom of Norway on readmission of persons residing without authorization” came into force.

The signing of the “Agreement on the facilitation of the issuance of visas” makes the acquisition of short term visas for the majority of EU countries easier and cheaper to the citizens of Azerbaijan, in particular, to those often traveling abroad. The Agreement provides the citizens of the Republic of Azerbaijan with the opportunity of extending the period of stay in the country and reduces visa fee from 60 to 35 euros. This at the same time envisages issuance of long-term visas for persons of various categories, or the abolition of visa fees altogether.

The signed readmission agreement requires strengthening control over migration processes by the Government of Azerbaijan. This has led to strengthening of the database to prevent illegal migration in the country and improved the government's attention to the improvement of the control of migration flows. If obligations arising from the Agreement guarantee passage through other possible transit states and readmission to the country of origin, Azerbaijan on the basis of a request from a party to the agreement carries out the transit of third country nationals or stateless persons (those who can not be returned directly to the country of origin).

Azerbaijan, according to this Agreement, has taken liability on accepting the citizens of the Republic of Azerbaijan, who illegally entered and reside in the EU countries, as well as citizens of other countries or stateless persons who have a visa or a residence permit in the Republic of Azerbaijan and entered the EU territory through the territory of Azerbaijan. Relevant Azerbaijan state authority must be notified in advance of the date and place of person's transfer, the exact name and location of the border crossing point and of accompanying persons. To transfer a person any kind of transport may be used without any restrictions - air, land or water.<sup>9</sup>

In addition, (on the basis of the proposals from opposite site) negotiations are held concerning the draft bilateral agreements on the readmission of the citizens of Azerbaijan residing without permits on the territories of the Swiss Confederation, the Russian Federation, the Republic of Montenegro, Republic of Moldova, Ukraine (on the basis of the proposals from the Republic of Azerbaijan), the Islamic Republic of Pakistan, the Republic of Turkey and Georgia, as well as on the projects of bilateral implementing protocols on the “Agreement between the European Union and the Republic of Azerbaijan on readmission of persons residing without authorization” (based on the proposals from opposite site) between the Republic of Azerbaijan and the countries of the Benelux (Belgium, The Netherlands, the Grand Duchy Luxembourg), the Republic of Estonia, the Republic of Latvia, the Federal Republic of Germany, the Kingdom of Sweden (on the basis of the proposals of the Azerbaijan Republic), the Republic of France.

The country's legislation does not provide for a procedure of voluntary return to the country or any benefits to people who agreed to return. That's why the implementation of any active governmental programs for voluntary returns to the country of its citizens and stateless persons has not been launched yet.

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<sup>9</sup> Agreements on visa facilitation and readmission between Azerbaijan and the European Union come into force today.  
[http://eeas.europa.eu/delegations/azerbaijan/press\\_corner/all\\_news/news/2014/20140901visa\\_facilitation\\_az.htm](http://eeas.europa.eu/delegations/azerbaijan/press_corner/all_news/news/2014/20140901visa_facilitation_az.htm)

Voluntary return programs are run by the International Organization for Migration.<sup>10</sup>

The State Migration Service undertakes relevant steps for the effective reintegration of returned citizens of the Republic of Azerbaijan into the society. For example, the returnees are surveyed and provided with legal assistance (especially the issues within the competence of the Ministry of Labour and Social Protection of Population, Ministry of Education and Health are addressed in accordance with the established procedure). Applications by these citizens are traced all the way through and analytical reports are prepared on the problems identified.

The State Migration Service, taking into account the possibility to use the tools of assistance in the field of reintegration financed by international organizations, especially by the European Union, prepared and submitted the project titled "Support to the reintegration of the migrants returning to Azerbaijani society, including people undergoing readmission under the Agreement between the Republic of Azerbaijan and the European Union (EU) on readmission of persons residing without authorization."

### 5.3. Statistics

Despite the absence of any governmental programs of assistance to citizens of the Azerbaijan Republic, third-country nationals and stateless persons who have a valid residence permit or visa are not impeded in returning to Azerbaijan.

In contrast to the beginning of the year 2000, in 2010-2011 the number of people leaving Azerbaijan for Europe in order to obtain political asylum or refugee status decreased significantly.

After the Law of the Republic of Azerbaijan on approving the "Agreement between the Republic of Azerbaijan and the European Union on readmission of persons residing without authorization," came into force on May 30, 2014, the return of identified citizens of the Republic of Azerbaijan who illegally entered, stayed or resided on the territory of the Member States of the European Union was launched. In 2014 only three persons were returned to Azerbaijan by the Government of Sweden. In 2015, Sweden returned 45 people, Germany – 18, the Kingdom of the Netherlands – 4, the Republic of Poland - 1, Finland, - 1 and the Republic of France - 1 person.<sup>11</sup>

## 6. Acquisition, restoration and revocation to the citizenship of the Republic of Azerbaijan

### 6.1. Responsible state authorities

The State Migration Service of Azerbaijan Republic (<http://www.migration.gov.az>) - accepts applications for acquisition, restoration and revocation to the citizenship of the Republic of Azerbaijan of persons

<sup>10</sup> Readmission, return and reintegration: Legislative framework in the Republic of Azerbaijan Aliyev Alovzat Explanatory Note 13/80. June 2013 [http://www.carim-east.eu/media/exno/Explanatory%20Note\\_2013-80.pdf](http://www.carim-east.eu/media/exno/Explanatory%20Note_2013-80.pdf)

<sup>11</sup> The information taken from the State Migration Service of Azerbaijan, 10.04.2016.

residing on the territory of the Republic of Azerbaijan. The documents collected in connection with these applications and rulings of the relevant authorities are then submitted for consideration to the Commission on Citizenship Issues under the President of the Republic of Azerbaijan.

## 6.2. State Policy and programs

Works continue on improving the legal framework for the naturalization of foreigners who have received permissions for temporary and permanent residence in the territory of the Republic of Azerbaijan. According to adaptation to the rules of the standards for obtaining citizenship by foreigners, in accordance with Article 14 of the Law of the Republic of Azerbaijan “On Citizenship of the Republic of Azerbaijan,” foreigner and stateless person, continuously and permanently legally residing on the territory of the Republic of Azerbaijan for the last 5 years, having a legitimate source of income, committed to complying with the Constitution and laws of Azerbaijan, as well as submitting his/her document certifying proficiency in the state language of the Republic of Azerbaijan, may be admitted to the citizenship of the Republic of Azerbaijan regardless of origin, race, nationality, sex, educational background, religion views, political or other convictions upon his/her personal application in accordance with this law.<sup>12</sup>

However, the law allows for the situations when a person having high achievements in science, technology, culture or sport, or being of special interest for the Republic of Azerbaijan or in other exceptional cases, as well as possessing special merits before the Republic of Azerbaijan, being a foreigner or a stateless person, may be adopted to the citizenship of the Republic of Azerbaijan ahead of the specified period.

In case of dual citizenship (the possession of citizenship of another country (other countries) along with the citizenship of the Republic of Azerbaijan), the citizenship of a foreign state shall not be recognized, except in cases stipulated by international treaties of the Republic of Azerbaijan or authorized in accordance with paragraph 32 of Article 109 of the Constitution of the Republic of Azerbaijan.

## 6.3. Statistics

**Table 12. Statistical data related to acquisition, restoration and revocation to the citizenship (for 2015)**

The number of persons adopted to the citizenship of the Republic of Azerbaijan	<b>270</b>
Number of restoration to the citizenship of the Republic of Azerbaijan	<b>9</b>
The number of revocation to the citizenships of the Republic of Azerbaijan	<b>218</b>

Source: State Migration Service, the Head Department of analysis of migration processes and information systems.

Of the 270 persons adopted to the citizenship of the Republic of Azerbaijan, 181 were stateless persons.

<sup>12</sup> The Law of the Republic of Azerbaijan “On Citizenship of the Republic of Azerbaijan”. Baku, 30 September 1998.

## 7. Migration and development

### 7.1. Responsible state authorities

Ministry of Internal Affairs - [www.mia.gov.az](http://www.mia.gov.az)

Ministry of Labour and Social Protection of the Population - [www.mlsp.gov.az](http://www.mlsp.gov.az)

The State Migration Service - [www.migration.gov.az](http://www.migration.gov.az)

Ministry of Economy - [www.economy.gov.az](http://www.economy.gov.az)

### 7.2. State Policy and programs

In recent years, the Republic of Azerbaijan, which faced multifaceted difficulties, in order to streamline these processes in an appropriate manner, has taken serious steps in the field of legislation and in institutional sphere for the implementation of necessary reforms. The basis of this work is the Concept of the State Migration Policy of the Republic of Azerbaijan, adopted in 2004, which defines the tasks faced by the governmental agencies.

To implement the Concept of the State Migration Policy and to achieve the set goals, the “State Migration Program of the Republic of Azerbaijan (for 2006-2008)” was approved by the №1575 Decree of the President of the Republic of Azerbaijan dated July 25, 2006. The main directions of activities envisaged by the program are developing the mechanism of migration management, improving the effectiveness of state regulation in this field, coordinating the activities of relevant government bodies in the field of migration, improving the legislative framework, applying the quotas for labour migration, implementing comprehensive measures to prevent illegal migration, as well as cooperating with migration authorities of other countries and relevant international organizations. The implementation of the State Migration Program, at the same time, aimed at creating a modern migration system in the country.

In order to implement a unified state policy in the field of migration, improve the management and coordination of the activities of relevant state authorities the State Migration Service of the Republic of Azerbaijan was established by the № 560 Decree of President of Azerbaijan dated March 19, 2007.

Up to date, more than 250 laws, regulations and normative-legal acts have been adopted in the field of migration and amendments have been made to existing legislation in the Republic of Azerbaijan. In the context of ensuring the rights and freedoms of migrants, the Republic of Azerbaijan joined the UN Convention “On protection of rights of all migrant workers and their families,” as well as other international documents on migration.

Furthermore, in order to simplify the migration processes and to prevent illegal migration significant steps have been taken on implementation of biometric identification. Thus, a special working group composed of representatives of state institutions whose activities are connected with biometric identification was set up. On the basis of proposals put forward by the group the “State program on establishing a system of biometric identification in the Republic of Azerbaijan for 2007-2012” was prepared and approved by the №1963 Decree of the President dated February 13, 2007.



Moreover, the Migration Code of the Republic of Azerbaijan approved and enacted in 2013 is the most important legal instrument adopted in the field of migration.

The main partner of the Government of the Republic of Azerbaijan in cooperation in the field of migration is the International Organization for Migration (IOM). The Republic of Azerbaijan became a member of the IOM in 2001, and various programs and technical assistance projects have been organized by the organization since 1996.

In recent years, the establishment of a national legal framework for migration policy and harmonization of the existing legislation with the requirements of modern migration processes has opened up the opportunity to achieve significant positive results in the management of migration in the Republic of Azerbaijan. In particular, in order to provide additional flexibility on migration in the country, consultations, joint meetings and discussed agreements held with the UN High Commissioner for Refugees, the International Organization for Migration, the European Union, Council of Europe and the state authorities of the CIS member states engaged in implementing migration policies in their countries, as well as discussed agreements provided serious support in improvement of these policies.

Agreement on Partnership and Cooperation between the European Union and the Republic of Azerbaijan provides the basis for cooperation. The Agreement entered into force in 1999 and the Action plan of the European Neighborhood Policy was adopted in 2006. The Action Plan reflects a wide range of issues in the field of migration, such as border management, migration management, asylum issues and the prevention of illegal migration, dialogue on readmission and reintegration of returned migrants, simplifying visa procedures and so on. In order to achieve the objectives outlined in the Action Plan, a Special Working Group composed of representatives from relevant government agencies was set up.

In 2013 Azerbaijan signed Partnership for Mobility with 8 EU member states (Bulgaria, Czech Republic, France, Lithuania, Netherlands, Poland, Slovenia and Slovakia) and Latvia was to join the declaration later. In addition, agreements on readmission and visa facilitation between Azerbaijan and EU, as well as with the Kingdom of Norway, came into force.

On 5 December 2013 in Brussels the “Joint Declaration on Mobility Partnership between the Republic of Azerbaijan and the European Union and its participating member states” was signed. It was later approved by the Decree of the President of the Republic of Azerbaijan on March 6, 2014. Within the framework of the project “Support to the implementation of the Mobility Partnership with Azerbaijan” (Partnership for Mobility MOBILAZE) 5 activity components are envisaged for 3 years.

### 7.3. Statistics

If the main concern of those who emigrated from the Republic of Azerbaijan in the period of 1990-2000 in search of work was to improve their financial situation, then the financial condition of those emigrating in the years 2000-2014 was more stable. In particular, in comparison with previous years, the relative intensity was observed in the instances of migrants employed in the CIS countries taking with them their family members, as well as in the frequency of visiting these in Azerbaijan.

In the total amount of remittances a large share falls on remittances sent by those working in the CIS countries. This money amounted to 1.5 % of Azerbaijan's budget. The volume of remittances to Azerbaijan was calculated as a result of surveys carried out mainly by independent experts and international organizations. According to research conducted by the Center for Economic and Social

Research, in recent years the number of money transfers from Russia to Azerbaijan decreased significantly. If in 2013 1 billion manat was transferred from the Russian Federation to Azerbaijan, then in 2014 this figure fell down to 600 million manat.<sup>13</sup> After the economic sanctions were introduced against Russia there was a decrease in apartment prices, which led in 2015 to lesser number of remittances to Azerbaijan. In contrast, migrants preferred to invest in real estate in Russia by selling their flats in Azerbaijan.

As in previous years, the routes of remittances to Azerbaijan remained unchanged. Among these countries there are Russian Federation, Ukraine, Belarus, Uzbekistan, Kazakhstan, Turkmenistan, Germany, The Netherlands, United Kingdom, United States and some Latin American countries.

## 8. Asylum and International Protection

### 8.1. Responsible state authorities

The activity of the State Migration Service of the Republic of Azerbaijan ([www.migration.gov.az](http://www.migration.gov.az)) in this field in accordance with the legislation includes the following: granting of refugee status (asylum seeker) and documents confirming the status; reception of asylum-seekers and their temporary accommodation; keeping their register, implementation of relevant measures to deprive of refugee status; participation in repatriation of refugees.

The principal tasks of the State Committee for Refugees and IDPs of the Republic of Azerbaijan ([www.refugees-idps-committee.gov.az](http://www.refugees-idps-committee.gov.az)) are settlement of persons who became refugees and IDPs as a result of Armenian-Azerbaijani Nagorno-Karabakh conflict, their return, ensuring their social protection, maintenance of their register, issuance of a forced migrant status, providing migrants with relevant documents. The Committee engages in the construction and repair of residential and social housing for the refugees and internally displaced persons and at the same time is involved in the preparation and implementation of state programs for refugees and internally displaced persons.

### 8.2. State policy and programs

Foreigners and stateless persons may fully enjoy all rights and obligations equally with the citizens of the Azerbaijan Republic, unless otherwise provided by the Constitution of the Republic of Azerbaijan, the laws of the Republic of Azerbaijan and international treaties joined by the Republic of Azerbaijan.

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<sup>13</sup> Based on the reply requested from the Central Bank of the Republic of Azerbaijan

Rights and liberties of foreigners and stateless persons who found asylum on the territory of the Republic of Azerbaijan may be restricted only in accordance with international law and the laws of the Republic of Azerbaijan.

According to the Constitution of the Republic of Azerbaijan and universally recognized norms of international law, the Republic of Azerbaijan provides asylum to foreigners and stateless persons.

In 1992, Azerbaijan joined the 1951 UN Convention “On the Status of Refugees” and its 1967 Protocol. On the basis of these international documents, the Law of the Republic of Azerbaijan “On the status of refugees and IDPs (internally displaced)” was adopted. In relation to the application of this law the rules of processing the applications for refugee status were set up by the relevant Decree on the “Procedure for the processing of applications for refugee status” in 2000.

The person making the request for refugee status must fill out special application form, stating the reasons for granting refugee status, indicate information on him/herself and members of his/her family (including persons in custody), information on the country of origin, place of birth, marital status and submit travel documents and identity document (passport, travel certificate) to the state Migration Service of the Republic of Azerbaijan.

Persons who have applied for refugee status and family members who come together with him before the application for refugee status is considered are voluntarily placed and kept in Detention Centers for Illegal migrants of the State Migration Service in the manner prescribed by the Migration Code of the Republic of Azerbaijan. The decision to grant refugee status is issued by the State Migration Service within 3 months from the date of registration of an application for refugee status.

The refugee is issued a travel document for travelling outside the Republic of Azerbaijan in accordance with the requirements of UN Convention “On the Status of Refugees” of 1951. A person granted refugee status and their family members are issued a refugee certificate that confirms their legal residence in the territory of the Republic of Azerbaijan.

According to the Migration Code of the Republic of Azerbaijan persons who have submitted application for refugee status or were granted refugee status or political asylum are not required to obtain work permits for paid employment.

### 8.3. Statistics

In 2004-2007, the State Committee on Refugees and IDPs granted refugee status to 63 persons (96 including family members).

In 2015, 146 people (including family members - 255) applied to the State Migration Service with applications for refugee status. 121 foreigners were refused their application and 43 refused refugee status. In general, no applicant was granted the refugee status in 2015. In 2015, 4 applicants (9 with family members) were denied refugee status.

According to the data dating to the end of 2015, there were 47 applicants from Iran Islam Republic, Afghanistan Islam Republic and Pakistan Islam Republic were registered by the State Migration Service (63 with family members) who had received refugee status.

The Azerbaijani legislation does not provide for additional custody funds, which leads to a situation when a significant number of people in need of international protection, but not quite meeting the strict requirements of the legislation of Azerbaijan, still do not have a defined legal status. It is reported that the number of these people is currently 2,000 people; most of them came from the Chechen Republic of the Russian Federation. UNHCR engaged in this kind of issues, provides these persons with a custody document. Though not formal, this document is considered generally valid and prevents the return of these migrants to their country of origin. This document provides access to labour market. These people are still dependent on humanitarian assistance from the UNHCR and other international organizations.<sup>14</sup>

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<sup>14</sup> <https://www.coe.int/t/dghl/monitoring/ecri/country-by-country/azerbaijan/AZE-CbC-IV-2011-019-AZE.pdf>



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