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Reply from Azerbaijan  
to the Questionnaire for the evaluation of the  
implementation of the Council of Europe Convention on  
Action against Trafficking in Human Beings by the Parties

Second evaluation round  
(Reply submitted on 1 July 2017)

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## Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings, GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

GRETA has decided that the second evaluation round of the Convention will start on 15 May 2014. For the second evaluation round, GRETA has adopted a questionnaire to be sent to all states parties which have undergone the first round of evaluation, following a timetable approved by GRETA. States parties are requested to transmit to GRETA a reply to this questionnaire within five months from the date it was sent.

Following a first round of monitoring, which provided an overview of the implementation of the Convention by each state party, GRETA has decided to examine during the second evaluation round the impact of legislative, policy and practical measures on the prevention of trafficking, the protection of the rights of victims of trafficking, and the prosecution of traffickers. The adoption of a human rights-based approach to action against trafficking in human beings remains at the centre of this new evaluation round. In addition, particular attention is paid to measures taken to address new trends in human trafficking and the vulnerability of children to trafficking. GRETA has selected provisions of the Convention which are mainly related to these issues.

The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. The reply to the questionnaire should contain all the relevant information on the implementation of the Convention since GRETA's first evaluation report. Particular emphasis should be put on the practice and impact of legislative and other measures taken. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's first evaluation report.

States parties should provide copies or extracts of relevant legislation, regulations and case law mentioned in the reply to the questionnaire (as an appendix to the reply). These copies/extracts should be supplied in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

**REPLY TO THE QUESTIONNAIRE**  
**FOR THE EVALUATION OF THE IMPLEMENTATION OF THE COUNCIL OF EUROPE**  
**CONVENTION ON ACTION AGAINST TRAFFICKING IN HUMAN BEINGS BY azerbaijan**  
**SECOND EVALUATION ROUND**

A. Follow-up questions

1. *Please provide information on developments since GRETA's first evaluation report on your country in the following areas:*

- *the main forms of trafficking in human beings (THB) and emerging trends observed in your country (for example, any new types or sectors of exploitation, recruitment methods, countries of origin or destination of the victims);*

The key forms of trafficking in human beings and its emergence tendencies noticed in our country are consist of forcing illegally the individual to perform a certain job (to render services) and to that end, involve the individual to sexual exploitation and forced labour by cheating and offering high secured work places in abroad, and abuse his vulnerability in order to make him the victim of human trafficking. During the period upon the observation of first monitoring, new changes weren't noticed in THB forms.

As the previous years, two forms of human trafficking, i.e. sexual exploitation and labour exploitation are considered as the THB form in the Republic of Azerbaijan. Also, strict changes weren't noted in destination countries.

In 2014, 98 facts were recorded based on Article 144.1, 4 facts were recorded based on Article 144.2, and 3 facts were recorded based on Article 144.3. In 2015, 107 facts were recorded based on Article 144.1, 9 facts were recorded based on Article 144.2, and 11 facts were recorded based on Article 144.3. In 2016, 141 facts were recorded based on Article 144.1, 6 facts were recorded based on Article 144.2 and 19 facts were recorded based on Article 144.3. In the first quarter of 2017, 66 facts were recorded based on Article 144.1, and 18 facts were recorded based on Article 144.3 of the Criminal Code of the Republic of Azerbaijan (hereinafter CC).

Destination countries - Federation of Malaysia, Republic of Turkey, United Arab Emirates, Russian Federation.

Countries of Origin – People's Republic of China, Russian Federation, Republic of Uzbekistan, Ukraine, Republic of Turkmenistan.

Methods for involvement: kidnapping by threatening the use of violence or use of violence, use of intimidation or other means of enforcement, fraud, deception, abuse from the means of influence and state of weakness, provide and obtain material and other benefits, privileges or discounts.

- *any changes in your country's laws and regulations relevant to action against THB;*

The Law of the Republic of Azerbaijan dated April 29, 2016 and No 212-VQD on "Amendments to the Law of the Republic of Azerbaijan on telecommunication" was adopted. According to the amendments, based on the request of subscribers, to ensure opportunities on the safe use of internet information resources for the protection of children from the information damaging the health and development of children were added to the duties of operators and providers.

According to the Presidential Decree of the Republic of Azerbaijan on the implementation of Law of the Republic of Azerbaijan dated April 29, 2016 and No 211-VQD on "Amendments to the Law of AR on the rights of children", Draft Law of the Republic of Azerbaijan on "protection from the information damaging the health and development of children" was discussed with the relevant bodies, and final proposals were submitted to the Cabinet of Ministers.

The changes were made to the Rule dated September 22 and No 360 of the Cabinet of Ministers of the Republic of Azerbaijan with regard to the improvement of "Rules (indicators) on identification of the victims of human trafficking" approved by the Decision of the Cabinet of Ministers dated June 25, 2015, No 246, and Decision dated September 03, 2009, No 131 on making changes to the "Rules of National Referral Mechanism on victims of human trafficking" approved by the Decision of the Cabinet of Ministers dated August 11, 2009 and No 123 for the improvements of "Rules on National Referral

Mechanism on victims of human trafficking” and “Rules (indicators) on identification of the victims of human trafficking”.

The Decision of the Cabinet of Ministers of the Republic of Azerbaijan dated October 6, 2016 and No 389 was accepted on making changes to the “Program on the elimination of social problems leading to trafficking in human beings” approved by the Decision of the Cabinet of Ministers dated May 20, 2011 and No 81 in the field of improvement of “Program on the elimination of social problems leading to trafficking in human beings”.

A draft law on “Amendments to the Criminal Procedure Code (hereinafter CPC) of the Republic of Azerbaijan” by the Ministry of Justice with regard to the legal regulation of 30 days restoration and consideration term provided to the victim of human trafficking in a procedural order for criminal prosecution was developed and agreed with the Ministry of Internal Affairs, General Prosecutor’s Office and Supreme Courts, and submitted to the Cabinet of Ministers on June 20, 2016 and adopted by the Law on “Amendments to the Criminal Procedural Code of the Republic of Azerbaijan” on September 22, 2016.

Amendments were made by the Decision dated September 22, 2016 and No 360 of the Cabinet of Ministers of the Republic of Azerbaijan for improvement of “Rules for establishment, financing, operation of special enterprises for the victims of human trafficking, as well supervision to their operation” approved by the Decision dated November 9, 2005 and No 2013 of the Cabinet of Ministers for improvement of “Rules for establishment, financing, operation of special enterprises for the victims of human trafficking, as well supervision to their operation”, “Statute on Fund of Support to the victims of human trafficking” and related other legal normative acts.

- *the institutional framework for action against THB, in particular: any changes in respect of the composition and functions of the bodies responsible for co-ordinating national action against THB, the involvement of NGOs in co-ordinating bodies, the entities specialized in combat against THB, and the establishment of a national rapporteur or other mechanism for monitoring the implementation of anti-trafficking strategies, policies and activities;*

AND

- *an overview of the current national strategy and/or action plan to combat trafficking in human beings (duration, objectives and main activities, bodies responsible for its implementation, budget, monitoring and evaluation of results).*

“National Action Plan on Combating trafficking in human beings in the Republic of Azerbaijan for 2014-2018” covering 2014-2018 was approved by the Decree dated July 24, 2014 and No 667 of the President of the Republic of Azerbaijan for provision of regularity of measures implemented in the field of Combating trafficking in human beings, improvement of normative legal base and institutional mechanisms, improvement of effectiveness of mutual activity of state bodies and provision of the implementation of international obligations of the Republic of Azerbaijan in this field.

National Action Plan defines awareness measures for improvements of legislation in the field of Combating trafficking in human beings, prevention of human trafficking and reinforcement of prophylactic measures, improvement of criminal prosecution, rehabilitation and reintegration of victims, improvement of support and defines provided to the children who were potential victims, development of cooperation on Combating trafficking in human beings.

The expenditures required for the implementation of measures specified in National Action Plan are financed by the budget of the Republic of Azerbaijan, extra-budgetary funds, grants, as well as other sources not contradicting the legislation of the Republic of Azerbaijan.

National Action Plan coordinates the activities of related all state bodies and non-governmental organizations of the Republic of Azerbaijan with regard to the combating trafficking in human beings.

According the third National Action Plan, organization changes on combating trafficking in human beings consist of definition of new executive bodies (Ministry of Transport, Communications and High Technologies, Ministry of Economy, Financial Markets Supervision Chamber, Commissions for protection minors’ affairs and rights, Civil Aviation Administration, State Maritime Administration, “Azerbaijan

Television and Radio Broadcasting" Closed Joint-Stock Company, Bar Association of the Republic of Azerbaijan, Press Council of the Republic of Azerbaijan)

The purpose of the National Action Plan is to provide the regularity of measures implemented in following directions:

- protection of individuals and the public from all forms of human trafficking;
- definition and elimination of the grounds of human trafficking and cases enabling human trafficking;
- mitigation the risk for individuals to become the victim of human trafficking, protection of social defines for the vulnerable group of people subject to human trafficking;
- detection and prevention of all forms of human trafficking, as well as elimination of its consequences;
- provision of protection, restoration of rights and social rehabilitation of victims of human trafficking;
- ensuring the necessary conditions for improvement of the quality of life to the victims and potential victims of human trafficking;

The National Action Plan envisages the key tasks (measures), participation of different organizations (executive bodies, non-governmental organizations, international partners and other organizations) in implementation of those tasks, coordination of the activities of these bodies by the National Coordinator (hereinafter shall be referred to as "National Coordinator") and other measures in the field of combating trafficking in human beings in order to achieve the specified purposes.

All organizations which combating trafficking in human beings implement the measures mentioned in the National Action Plan by taking principle the followings:

- prevention of the discrimination of victims of human trafficking in society;
- provision of the security and kind behaviour for the victims of human trafficking;
- inevitability of the punishment for human trafficking;
- implementation of legal, social, social-economic and organizational kind of preventive actions;
- involvement of non-governmental organizations to the combat with human trafficking;
- development of international cooperation in the field of Combating trafficking in human beings;
- implementation of duties based on the principle of " to have only necessary information".

During the meeting held on January 23, 2015, each representative of 14 non-governmental organizations was awarded with 1000 (thousand) Manat grant by the relevant Order of the MIA for active participation in Combating trafficking in human beings in 2014.

During the meeting held April 20, 2016, each representative of 15 NGOs was with money award by the relevant Order of the MIA for active participation in combating trafficking in human beings in 2015.

During the meeting held March 29, 2017, each representative of 15 NGOs was awarded in the sum of 500AZN grant by the relevant Order of the MIA for active participation in combating trafficking in human beings in 2016.

The measures plan on implementation of National Action Plan is carried out by the Cabinet of Ministers, Ministry of International Affairs, Ministry of Justice, Ministry of Foreign Affairs, Ministry of Economy, Ministry of Health, Ministry of Transport, Communication and High Technologies, Ministry of Education, Ministry of Labour and Social Protection of Population, Ministry of Youth and Sport, Ministry of Culture and Tourism, State Security Service, State Migration Service, State Border Service, State Customs Committee State, State Committee for Family, Women and Children Affairs, Civil Aviation Administration, State Maritime Administration, Financial Markets Supervision Authority, "Azerbaijan Television and Radio Broadcasting" Closed Stock Joint Company, local executive authorities and related non-governmental organizations.

## B. Cross-cutting questions

*Gender equality (Articles 1.1.b, 5.3 and 17)*

*2. What specific measures are taken in your country to address the gender dimension of THB and incorporate gender equality into the policies to prevent and combat THB and to protect and promote the rights of victims, including through the empowerment of women and girls?*

“Right to equality” was defined in Article 25 of the Constitution of the Republic of Azerbaijan. So that, according to the provisions of that article, everyone is equal before the law and court. Both the male and female has the same rights and freedoms.

According to the Article 11 of the Law of AR on “Combating trafficking in human beings”, prevention of human trafficking is organized on the basis of special measures system within different state programs. So that, prevention of human trafficking, especially conduction of researches on gender aspects, development and implementation of programs oriented to the solution of social problems providing conditions for the human trafficking, reinforcement of legal and social protection of women and children, involvement of potential victims of human trafficking to the socially useful labour, provision of their employment, promotion of entrepreneurs for employment of individuals suffered from human trafficking include to the measures system on prevention of human trafficking.

Paragraph 13.1.3 of NAP – In 2015, draft laws and draft decisions were developed by the State Committee for Family, Women and Children Affairs with regard to the implementation of action on reinforcement of legal and social protection of women and children belonging to the vulnerable group in order to mitigate the risk of becoming the victim of human trafficking, and they were submitted to the Cabinet of Ministers together with the feedback of the Ministry of Justice (Draft Laws on making amendments to the Labour Code, Code of Administrative Offenses, “Statute of Preschool Educational Institutions”).

The results of the survey, conducted in 2014 by the Ombudsman in cooperation with the Representative of UNICEF in Azerbaijan, which aimed at study of violence against children, were analysed in 2015. Within the project, surveys were conducted totally in 26 secondary schools, 1 child’s home and 3 boarding schools. For the survey, 30 children representing different ages were chosen from each enterprise by random case. The results of the survey were analysed and submitted to UNICEF. Furthermore, monitoring was conducted in shelters of law-enforcement agencies, as well as in shelter of “Clean World” Aid to Women Public Union.

Paragraph 13.2.8 of NAP-Inspections made by the Ministry of Economy on entrepreneurship activities was suspended for 2 years in order to involve the potential victims of human trafficking to the socially useful labour, provide their employment and promote entrepreneurs for employment of individuals suffered from human trafficking, the Boards of Appeal were established for more reliable protection of the rights of entrepreneurs, number of licenses and permissions were significantly decreased, the procedures on licensing and granting permissions were simplified, advanced mechanisms in the field of import-export operations (green corridor, e-declaration and etc.) were applied, privileges were made in favour of local products in state procurements, subsidies were envisaged for the development of traditional fields of agriculture, a decision was made on establishment of Easy Support for Family Business (“ABAD”) in order to support the small entrepreneurship, as well as family farms. Also, strategic roadmaps on national economy and main sectors of economy was approved by the Presidential Decree of the Republic of Azerbaijan dated December 6, 2016 in order to define the perspective development goals and directions of the country and provide implementation of them.

Aforementioned measures create condition for the entrepreneurship action and provision of self-employment of individuals from all categories, including potential victims of human trafficking.

In 2016, 142 trainings, workshops, roundtable meetings and other events covering 271 topics were organized by the Baku Business Education Centre under the Ministry of Economy and by its representatives for entrepreneurs in Baku and regions with the participation of foreign and local experts, (in total 142 trainings, comprised of 55 trainings in Baku and 87 trainings in regions). More than 3200 participant was involved to the said events. Also, in total 657 consultation services covering different fields were provided to entrepreneurs in Baku (22 consultation services) and regions (635 consultation services) by Baku Business Education Centres and its representatives.

Paragraph 13.4.5 of NAP – Favourable condition was established by the Ministry of Education for adoption of graduates of boarding schools and special boarding schools deprived from parental care to the higher, secondary special and primary vocational education institutions and getting education on the profession chosen in order to take actions for increasing the competitiveness of victims, as well potential victims of human trafficking in labour market, organizing the courses oriented acquisition of new profession by them, and solution of employment problem.

734 pupils were graduated from state owned children's institutions in 2015-2016 education years. 45 pupils out of them entered to universities, 35 pupils entered to secondary schools, and 130 pupils entered to first vocational education institutions.

Preparatory courses for various professions and specialties were organized on the basis of enterprises and organizations, which are the educational base of the Ministry of Education, as well as the Employment Centres. The Law of the Republic of Azerbaijan on "Provision of gender (men and women) parity" was adopted in October 10, 2016 with the aim of providing gender parity by elimination of all forms of discrimination for the sex, and ensuring equal opportunities for men and women in political, economic, social, cultural and other fields of social life.

As the other fields, legislation of the country doesn't consider any limitation for the women in the field of entrepreneurship, and they are entitled to engage in this activity on equal basis with the men. Increase of the economic initiatives of the women in Azerbaijan play an important role in terms of the social-economic development and provision of employment in our country. Women entrepreneurs operating in Azerbaijan are mainly engaged in the fields of light industry, textile industry, carpet weaving, applied arts, folk art, science and education, food industry, agriculture, forestry and fishing, trade and service. According to the statistical indicators, 164 296 out of 756 318 entrepreneurs or 21, 7% of whole country entrepreneurs were women in the first quarter of 2017.

142 training, workshop, roundtable meeting and other events (55 events in Baku and 87 events in regions) was held in 2016, and 25 training, workshop, roundtable meeting and other events (4 events in Baku, and 21 events in regions) was held in the first quarter of 2017 on the topics such as "Development of business plans and investment projects", "Corporate management", "Establishment and development of "Made in Azerbaijan" brand", "Insurance of entrepreneurship activity in agriculture", "Opportunities for the access to current and new export markets", "Logistics in agriculture", "Development of ecologically clean agriculture", "Create your business idea", "Start your business", "Marketing", "Management". Trainings, workshops, roundtable meetings and other events were held in Baku and regions by the Baku Business Education Centre of the Ministry of Economy and its representatives, together with the participation of foreign and local experts with the aim of improving the knowledge and skills of vulnerable group of people, as well women in business, supporting them to be involved to the entrepreneurship activities, involving the potential victims of human trafficking to the socially useful labour, providing employment of them. More than 3200 audiences participated in events held in 2016 (more than 900 women), and more than 600 audience participated in events held in the first half of 2017 (more than 200 women). Presentations on topics were shown and questions asked by participants were answered within the events.

Besides, Baku Business Education Centre continued its action within the "Germany-Azerbaijan joint Program on improvement of qualification of managers in Azerbaijan business society" in 2016 for acquisition of international experience and skills by the vulnerable group of people, as well women. The afore-mentioned Program is carried out by the Baku Business Education Centre together with German Society for International Cooperation (GIZ) in accordance with the Memorandum of Understanding on cooperation signed between the Ministry of Economy of the Republic of Azerbaijan and Federal Ministry of Economic Affairs and Energy of Germany in October 12, 2009 and February 28, 2013. Within the program, entrepreneurs and managers operating in different fields of Azerbaijan economy participate in professional development course on "Economic cooperation" held for a month in Germany. The necessary expenditures on professional development course (excluding the travel expenses) are paid by the state budget of Germany. The purpose of the program is to reinforce the state support for the development of small and middle entrepreneurship in Azerbaijan, increase of theoretical knowledge of entrepreneurs and managers operating in different fields of country economy, getting acquaintance with the innovative technologies and management methods in German enterprises, study of the action mechanism of enterprises, increase of the vocational training, and establishment of economic cooperation relations with German enterprises. During 2009-2016, 299 entrepreneurs and managers participated in "Economic cooperation" professional development course for a month, in Germany, within the Program. 43 of them (also, 9 of them were women entrepreneurs and managers) were sent in 2016.

Also, workshops jointly organized by Baku Business Education Centre and Human Rights Commissioner (Ombudsman) of the Republic of Azerbaijan on "Protection of Children's Rights" were held in Ganja on May 31, Sheki on October 24 and 26, and Gazakh on October 28, 2016 with the aim of



preventing the exploitation of child labour. During the events, detailed information was delivered to the participants on the basic principles and protection of civil rights and freedoms, legislation and international experience in this field, Convention on the Rights of the Child, as well as, actions carried out in country for the protection of child rights. Later, questions addressed by the participants of event were answered.

Provision of concessional loans for development of business by women, involvement of women to entrepreneurship activity at the expense of National Fund for Entrepreneurship Support of the Ministry of Economy always were at the centre of focus. Realization of concessional loan at the amount of 46,3 million AZN provided to 2079 women entrepreneurs by the National Fund for Entrepreneurship Support of the Ministry of Economy enabled the establishment of more than 3000 new enterprises, till now. Also, concessional loan at the amount of 10.4 million AZN was provided to 263 woman entrepreneurs in 2016. And in the first quarter of 2017, the state provided concessional loans at the amount of 113 000 AZN to 9 women entrepreneurs.

Discussions on the mentioned topic were made in workshop "domestic violence as one of the social problems enabling human trafficking" held with the organization of State Committee for Family, Women and Children Affairs, in April, 2016.

Also, regarding the implementation of project called "Combat against gender-based violence in Azerbaijan", the meetings were held and discussions made at the General Prosecutor's Office of the Republic of Azerbaijan with the international expert Silvia Spurek on February 15, 2017 and with international expert Pramila Patten, Member of UN Committee on elimination of all forms of discrimination against the Women, on April 19, 2017.

The status of the implementation of laws during the preliminary investigation of crimes against the sexual immunity and sexual freedom of minors, as well against the involvement of minors for prostitution or immoral acts, status of the investigation of crimes on premeditated murder committed for jealousy, and attempt to the premeditated murder were generalized and relevant actions were taken.

Azerbaijan Ombudsman Institution cooperates with UN High Commissioner for Refugees (UN HCR) since 2016 in order to provide gender parity, and works done yielded positive results. So, the project of "Empowerment of women in exile condition" is continued in current year and covers 4 regions of the country. The key purpose of the project to support relevant initiatives oriented to the empowerment of gender parity and women, as well as enhancement of their social status in Azerbaijan.

Some of print materials to be distributed in training to be held in initial phase of mentioned project were prepared, and it is expected that in total 3000 persons will participate in trainings to be organized in IDP communities, in next phase.

Also, it should be mentioned that 3083 internally displaced person were involved to the training held in regions in 2016.

### Non-discrimination (Article 3)

#### *3. What measures are taken to ensure that trafficked persons who are members of ethnic minorities have access to the rights specified in the Convention?*

The provisions of the Convention are applied equally to all citizens of the Republic of Azerbaijan. According to Article 2 of the Constitution of the Republic of Azerbaijan, the people of Azerbaijan consist of citizens of the Republic of Azerbaijan residing on the territory and outside of the Republic of Azerbaijan and subject to Azerbaijan state and its laws. And it doesn't exclude norms defined by international law.

According to the Constitution of the Republic of Azerbaijan, state warrants the equality of rights and freedoms of everyone regardless its race, ethnic origin, religion, language, sex, origin, property state, occupation, belief, membership to political parties, trade unions and other social unions. It is forbidden to restrict human and civil rights and freedoms on the basis of race, ethnicity, religion, language, sex, origin, and discretion, political or social affiliation.

According to the Article 4 of Law of the AR on "Combating trafficking in human beings", prevention of the discrimination of human trafficking victims in society is one of the basic principles of Combating trafficking in human beings at the Republic of Azerbaijan, and protection of and support of the victims of human trafficking are presented in equal level.

4. *What specific measures are taken to ensure that trafficked persons who are irregular migrants or migrant workers are identified as victims of THB and have access to the rights provided for in the Convention?*

The "Rules (indicators) on identification of the victims of human trafficking" which define the mechanisms enabling the identification of individual to be the victim human trafficking was approved by the Decision dated September 3, 2009 and No 131 of the Cabinet of Ministers of the Republic of Azerbaijan. These rules entails the topics such as the legal aspects of the determination of victims, signs of the victims, methods for determination of victims, method and survey for determination, evaluation survey and additional confirming materials.

Indicators characterizing the signs (symptoms) of victims are considered during the determination of victims. Proactive and reactive methods (measures) are used for determination of victims.

State Migration Service made investigation on individuals applied, as well as foreigners and stateless persons kept by the Service as an illegal migrant and assumed to be the victim of human trafficking. So that, excluding the possibility of the citizens of People's Republic of China to be exploited by their compatriots in 2014, the fact of being victim of human trafficking wasn't noticed in 2014-2016 on the people applied to State Migration Service, as well foreigners and stateless persons kept by the State Migration Service as an illegal migrant

Taking into consideration that illegal migrants are more vulnerable to human trafficking, importance of advocacy for foreigners and stateless persons, especially for women and children protected in centres of State Migration Service, informing them about the dangers to be faced and provided protection methods are delivered within the training courses held in Centres for the Protection of Illegal Migrants by the State Migration Service for prevention of such crimes. Also, the staff of the organization under the leadership of Ombudsman and members of National Preventive Group together visit regularly those centres, learn the state, nutrition of individuals protected there, provision of medical help, behaviour, storage condition, status of implementation of recommendations provided during previous visits, problems and then possible support provided for those persons within the authorities of Ombudsman. Furthermore, taking into consideration that migrants can face with the danger of becoming the victim of human trafficking, the rights of those people are explained during the visits and explanatory conversations are made with them.

Paragraph 13.2.5 of National Action Plan envisages the action of "prevention of illegal migration, forced labour and human trafficking, reinforcement of the activity for determination of its victims and potential victims, and conduction of monitoring together with the participation of the representatives of state bodies, determination of the cases enabling human trafficking and implementation of joint measures for elimination of such cases". Paragraph 13.2.6 of National Action Plan envisages actions for "Implementation of measures on reinforcement of control over labour migration", Paragraph 13.3.7 envisages the actions for "Reinforcement of combat against traffickers (physical or legal entities) involved in the forced labour of migrants". In this direction, the following actions were carried out in this direction:

During the 11 month of 2015, the State Migration Service revealed the fact that 1168 foreigners and stateless persons violated the rules stipulated by the legislation, while being employed in country. In total, it was defined that 24550 foreigners and stateless persons didn't follow rules for staying and living in country, as well as they violated the requirements of administrative legislation because of living based on invalid documents. As 1900 persons out of them were important ones, their living in country was legalized, and decisions were adopted for deportation of 4623 foreigners in an administrative order. Also, volunteer leave of 18027 foreigners from Azerbaijan (whose illegal residence was defined) was provided. 51 foreigners were identified, whom State Migration Service refused to issue "Refugee" status. The employees participated in a number of workshops and trainings held for making amendments and changes to the laws improving the migration issues at the Republic of Azerbaijan, providing feedback and proposals during the discussion of interstate agreements and projects, as well study of migration experience of European countries.

Main Passport, Registration and Migration Department at the Ministry of Internal Affairs fined each of 272 foreigners at the amount of 300 AZN for violation of rules of stay, living or transit passage. 44 foreigners were detained at Research Centre of Main Passport, Registration and Migration Department at the Ministry of Internal Affairs. The employees of the Research Centre took fingerprints of those

persons, checked at the dicto file cabinet of MIA and sent to Chief Operations and Statistical Information Department for inclusion to the database.

Step by step trainings and special courses were organized by the Chief Public Security Officer of the Ministry of Internal Affairs for improvement of professional training of police officer working with child, and study of modern work methods. Police officers up to 250 were involved to the events held with the participation of field specialist of UN and other international organizations. During the reporting period, 34 facts was noted on involvement of children to criminal activities, 12 fact was noted on kidnapping and the reason in 11 case out of 12 kidnapping was intention to marry. The fact of involvement in forced labour wasn't noted. The employees of Chief Officer participated in more than 40 conferences, workshops and trainings organized by the country representative of UNICEF and other international organizations in international and national level.

Upon the intervention of Sabunchu Regional Police Office, objects around the bazaar area operating as prostitute slot were closed by its owners. The information collected by Zagatala Regional Police Office on two minors was sent to the Commission for the protection minors' affairs and rights under Executive Power of district. Aghdash Regional Police Office together with the participation of public organizations conducted monitoring in 45 full secondary schools on the topics such as the essence of human trafficking problems, protection of children at education and training institutions, exploitation of child labour, protection of children from dangers and etc.

The feedback was provided on the issue of including a separate article, to the CC of the Republic of Azerbaijan for prevention of human trafficking by General Prosecutor's Office, Ministry of Justice, State Customs Committee and State Border Service. This article envisages responsibility for crossing the custom border of AR by submission of documents avoiding custom control, hiding of or providing fake documents and thus deceiving custom employees for smuggling the human and human organs, i.e., for trade of human or human organs.

In 2016, regular and joint implementation of measures envisaged in "Plan of Measures oriented to the combat with human trafficking, forced labour and prevention of such cases, as well elimination of its results (2013-2018)" dated October 10, 2013 of the Ministry of Internal Affairs, the Ministry of Labour and Social Protection of the Population, the State Migration Service was provided.

The Main Passport, Registration and Migration Office of the Ministry of Internal Affairs fined each of 67 persons at the amount of 300 AZN for violation of rules on staying in, living in or passing by transit the country (22 persons from Turkey, 21 persons from Turkmenistan, 10 persons from Republic of China People, 3 persons from Russia, 3 persons from Moldova, 2 persons from Iran, 2 persons from Georgia, 2 persons from Uzbekistan, 1 person from Afghanistan and 1 person from Italia). 41 foreigners was delivered to the State Migration Service for deportation (12 persons from Turkey, 4 persons from Pakistan, 4 persons from Uzbekistan, 4 persons from Ukraine, 3 persons from Cameroon, 3 persons from Korea, 3 persons from Georgia, 2 persons from Russia, 2 persons from Iran, 1 person from Norway, 1 person from Lebanon, 1 person from Phillipine and 1 person from Turkmenistan). 3 persons were retained and delivered to the related police organization. 9 foreigners were retained at Investigation Centre of Main Passport, Registration and Migration Office of Ministry of Internal Affairs (3 persons from Pakistan, 2 persons from Uzbekistan, 2 persons from Iran and 2 persons from Georgia). Fingerprints of those persons were taken, checked at the dicto file cabinet of MIA and sent to Chief Operations and Statistical Information Department for inclusion to the database.

State Migration Service continues its effective actions on regulation of labour migration processes and control over the labour migration. Work permissions were granted by the State Migration Service to the foreigner by taking into consideration the demand of domestic labour market and quota defined for 2015.

State Migration Service carried out 187 inspections in entrepreneurship fields until November 1, 2015 in order to control the compliance with the rules on employment of foreigners and stateless persons by the employers. Administrative violation was detected in 159 cases, and eventually, entrepreneurship fields were fined at the amount of 1.216.500 Manat.

State Migration Service granted work permissions to the foreigner by taking into consideration the demands of local labour market and quota defined for 2016. After the application of Law of the Republic of Azerbaijan dated October 20, 2015 on "Suspension of inspections performed in the field of entrepreneurship", inspections in entrepreneurship fields weren't performed by the State Migration Service. However, based on the requests entered by the Country Representative of International

Migration Organization in the field of human trafficking, on probability of involvement of foreigners to labour exploitation, State Migration Service investigated these requests and adopted relevant decisions.

In 2015, 63 victims of human trafficking were identified. 57 of them were women, and 6 were men. 9 persons out of 63 subjected to forced labour and 54 persons sexually exploited. 7 of them were foreigners (5 persons from Uzbekistan, 1 person from Turkmenistan and 1 person from Ukraine) and 56 persons were the citizens of the Republic of Azerbaijan. 2 of the persons exposed to forced labour were foreigners (1 from Turkmenistan, and 1 from Ukraine).

In 2016, 70 human trafficking victims were identified. Among them, 1 victim was subjected to forced labour. This person was the citizen of the Republic of Ukraine. Criminal case on exploitation of foreigner was sent to the Baku Grave Crimes Court on December 30, 2016, and 4 accused persons were presented to the court.

Paragraph 13.9.1 of the National Action Plan envisages "Taking measures to inform the persons entered to the country on human trafficking danger", paragraph 13.9.2 envisages " Distribution of prepared educative materials in border and customs check points for prevention of human trafficking, as well women and child trafficking, and forced labour", paragraph 13.9.7 envisages "organization of educative events for the representatives of tourism companies, distribution of different kind of educative materials to the tourism companies functioning within the Republic". The following actions were carried out in this direction:

In 2014-2015, Main Department on Combating trafficking in human beings of the MIA provided related educative booklets to the Ministry of Transport, State Border Service, State Customs Committee, Civil Aviation Administration, State Maritime Administration and specialized non-governmental organizations were involved to this work in order to raise their awareness on Combating trafficking in human beings.

In order to fulfil the right of provision of necessary information for citizens by State Migration Service, activity of Call Centre (No 919) in 3 languages –Azerbaijani Russian and English was arranged within the current year. Also, relevant works were continued with regard to the development of notifications in these languages and submission to the state border checkpoints.

In 2016, Main Department on Combating trafficking in human beings of the MIA provided related educative booklets to the Ministry of Transport, Ministry of Education, Ministry of Youth and Sport, Ministry of Culture and Tourism, Ministry of Labour and Social Protection of Population, Ministry of Health, State Border Service, State Migration Service, State Customs Committee, State Committee for Family, Women and Children Affairs, Civil Aviation Administration, State Maritime Administration and specialized non-governmental organizations were involved to this work in order to raise their awareness on Combating trafficking in human beings.

The State Border Service implements activities in raising awareness of people entering country about the danger of human trafficking through the verbal information and booklets provided by MIA. Booklets prepared in Azerbaijani, Russian and English languages and describing the human trafficking risks and places to appeal in case of facing with such dangers are distributed to the foreigners.

The employees of the State Customs Committee met with the employees of the Centre for Assistance of Victims to Human Trafficking established under the Ministry of Labour and Social Protection of Population based on the Decree of the Board of the Ministry of Labour and Social Protection of Population dated January 22, 2017 and No 1 of the, educative booklets and brochures prepared by the mentioned Centre were sent to the State Customs Committee's General Custom Department of Air Transport for distribution.

Necessary instructions were provided to the State Auto Transportation Service of the Ministry of Transportation, structural departments and their subordinated bodies of "Baku International Sea Trade Port" Closed Joint-Stock Company on enlightenment of employees working at car transportation infrastructure objects about the danger of human trafficking, as well as enlightenment of employees working at bus stations full of people, implementation of relevant promotion and enlightenment activities, as well as giving strict instructions to the drivers working in private organizations with the aim of preventing exploitation of child labour, reinforcement of enlightenment of employees by the management in all subordinated bodies for prevention of human trafficking, prohibition of usage of child labour at the works of offices, services and departments of subordinated bodies, development of business environment for teenagers which comply with the labour norms of production, distribution of visual guidelines to the employees of transport vehicles, provision of regular information to the

passengers about this threat, and provision of immediate information to the relevant law enforcement agencies regarding the suspicious cases, provision of regular information to the employees about the changes made to the legislation on combating trafficking in human beings.

During the training, drivers of the public vehicles trained on special program approved by the Ministry of Transportation were informed about the human trafficking danger at vehicles, and measures for prevention of such cases.

State Civil Aviation Administration gave necessary instructions to the civil aviation entities and its structural divisions, as well as to the relevant employees of State Civil Aviation Administration for implementation of requirements arising out of the said Decree and it controls regularly implementation of these instructions. Furthermore, in Azeri version of homepage of official web site of State Civil Aviation Administration, a section called "Combating trafficking in human beings" was developed and a number of relevant documents on combating trafficking in human beings were posted in this section.

Educative booklets submitted by the Main Department on Combating trafficking in human beings of MIA on human trafficking danger were sent to the organizations operating in the field of sea transportation, staff members of the ships were informed on this matter, video materials prepared on specified issue were demonstrated in passenger and travel ships, and also it was recommended that in case of occurrence of such matters, they can immediately call free hot line service No 152 of the Main Department on combating trafficking in human beings.

In 2015, State Committee for Family, Women and Children Affairs prepared and published educative material called "Don't become the victim of human trafficking!" Printed materials were sent to the State Customs Committee and State Migration Service of the Republic of Azerbaijan for relevant use (100 copies for each organization).

Educative materials are distributed by the State Border Service in border check points for prevention of human trafficking, particularly women and children trafficking, as well forced labour.

State Customs Committee submitted educative booklets on combating trafficking in human beings provided by the MIA to the State Customs Service of Nakhchivan Autonomous Republic, area and specialized customs offices and other relevant structural departments included to the structure of State Customs Committee of the Republic of Azerbaijan for information and instruction of personal staff.

Furthermore, taking into consideration the importance of advocacy and awareness in Combating trafficking in human beings, enlightenment of people passing customs border about the human trafficking and regular distribution of educative materials, prepared for prevention of human trafficking, especially women and children trafficking, at customs check points were arranged, employees of customs bodies were relevantly instructed.

In November of 2016, Ministry of Culture and Tourism submitted the booklets on combat against child abuse and human trafficking provided by the Main Department on Combating trafficking in human beings of MIA to the tourism companies operating in Azerbaijan.

In 2014 three foreign victims (2 were citizen of Federation of Russia, and 1 was citizen of People's Republic of China), in 2015 seven foreign victims (5 citizen from the Republic of Uzbekistan, 1 citizen from Turkmenistan and 1 citizen from Ukraine), in 2016 one foreign victim (citizen of the Ukraine), and in 2017 one foreign victim (citizen of the Federation of Russia) were identified.

*5. What measures exist to ensure that male victims of trafficking are identified and provided with assistance and protection, including safe accommodation, as provided by the Convention?*

In 2014 three, in 2015 five and in 2016 one male victims were identified.

13 normative acts which regulates directly these matters by improving the legislation adjusting the action of combat against human trafficking, also 35 normative acts containing other characteristics of combating trafficking in human beings were adopted.

When the victims stay at shelters, they get examined at "Republican Clinical Hospital", ensured with regular psychological and legal support, provided with a lawyer and a translator, their rights are protected, application is submitted to their ambassador for them and provided with ID card and seasonal clothes, provided with continued care during the time spent in shelter, watch movies, provided with books and journals to spend leisure time effectively and taken to city tours.

After identification of male victims of trafficking in human beings, they are provided shelters for temporary residence and relevant measures are taken regarding the provision of food and medicines, as well as immediate medical, psychological, social and legal assistance.

*Training of relevant professionals (Articles 10 and 29)*

6. *Please describe how the needs for training of professionals in the area of action against THB are identified and met, with an indication of the categories of staff that receive such training, whether the training is obligatory or optional, the content and focus of the training, and the funding provided for training activities. If the impact of training was assessed, please provide details.*

Provisions 8.3 and 8.5 of the Law on "Combating trafficking in human beings" states that employees of special police organization are recruited on the basis of transparency and beside the others, personal characteristics, vocational training, education level and psychological durability in terms of usefulness to work in special police organization for the combating trafficking in human beings are considered during employment. Employees recruited to work in special police organization get trained mainly on following issues:

- Acquisition of data, document and other things from the victims of human trafficking or other sources in the manner stipulated by law, analysis and submission of those data as evidence;
- Methods for identification of victims of human trafficking;
- Use of certain observation methods and technical means;
- Code of conduct with the victims of human trafficking.

Law enforcement agencies combating against the human trafficking identify its employees get trained on human trafficking and working as coordinator in order to ensure interaction with the special police organization.

Paragraph 13.2.10 of National Action Plan envisages "Organization of special study courses for the employees of state bodies, training and education institutions, as well for the representatives of civil society performing combating trafficking in human beings and social rehabilitation, and wide use of internal and external cooperation opportunities for this end".

Paragraph 13.3.2 of the National Action Plan envisages "Reinforcement of actions for improvement of professionalism level of the employees of the Main Department on combating trafficking in human beings of the Ministry of Internal Affairs of the Republic of Azerbaijan and prevention of corruption offenses in their activities". Paragraph 13.4.4 of National Action Plan envisages "Increase of the number of specialists responsible for provision of medical, psychological and other supports to the victims and potential victims in special institutions (shelters and help centres) for the victims of human trafficking and provision of special training for them". Paragraph 13.8.4 of National Action Plan envisages "Organization of international events on the topic of prevention of human trafficking crimes"

The following actions were taken in this field:

In 2015, international cooperation on combating trafficking in human beings by the Main Department on combating trafficking in human beings was enhanced, employees participated in 34 local, 11 international conferences, workshops, trainings and other events (in Russia, Turkmenistan, USA, Serbia, Ukraine, Belgium, France, Austria and UAA), made data exchange by learning the international experience.

In 2016, international cooperation on combating trafficking in human beings by the Main Department on combating trafficking in human beings was enhanced, employees participated in 31 local, 12 international conferences, workshops, trainings and other events (Netherlands, Moldova, Austria-3, France, Turkey, Germany, Poland, Switzerland, Belarus and Romania), made data exchange by learning the international experience.

For the effective organization of preventive actions carried out for the children included to risk group, as well as exposed to street life, employees of the Chief Public Security Officer of the Ministry of Internal Affairs participated in implementation of more than 40 conferences, workshops, trainings, as well as a number of projects organized by the country representative of UNICEF, and other international organizations in international and local level during the reporting period.

Main Organizational Plan of Measures of MIA prepared each year envisages implementation of necessary operational-search activities by the Internal Security Department of MIA for timely identification of employees committed crime, employees which protected groups engaged in human trafficking, drug trafficking and other kind of transnational organized crime, and employees inclined to drug and political activity.

According to the requirements of the Order of MIA dated December 26, 2015 and No 1061-001-15, courses for vocational training were provided at the Main Department on combating trafficking in human beings, in 2016. Also, employees of MIA Main Department on combating trafficking in human beings participated as an Instructor and demonstrated presentations in 13 courses held on improvement of professional skills and in other events.

According to the Decision of the Cabinet of Ministers dated June 25, 2015 and No 244 on "Amendments to the Rules on establishment, financing, operation, as well control over the activity of special institutions for the victims of human trafficking", recruitment of contract based outsourced specialist was provided for the actions on social rehabilitation of human trafficking victims by the special institution, by agreeing with the National Coordinator on combating trafficking in human beings.

The rights of the victims of human trafficking were protected and legal support was provided to the victims of human trafficking during the preliminary investigation and court hearings, based on the contract awarded with the member of Bar Association from September 1, 2015.

Based on the contract signed between the Main Department and member of Bar Association on August 26, 2015 and extended in 2016 for provision of legal support to the victims of human trafficking, 40 victims of human trafficking were provided with legal support in courts, and 11 persons were provided with legal support during the preliminary investigation of 14 criminal case performed on 18 accused persons.

The members of Bar Association provide legal support to the victims of human trafficking in the manner stipulated by law and based on the contract signed or at the expense of government budget.

Together with the "Clean World" Social Union, the Scientific-Research Institute of Obstetrics and Gynaecology under the Ministry of Health held educative meetings with the human trafficking victims in July and November of 2016, on topic called "Reproductive health".

Together with the cooperation with "Hopeful Future" Youth Organization, Public Health and Reforms Centre launched implementation of project called "Reinforcement of the role and enhancement of opportunities of health employees in identification of violence against children and provision of immediate medical-psychological support". Within the project, trainings were provided at Baku, in city polyclinic No. 22 of Balakhani settlement, city polyclinic No. 8 of Narimanov district, city polyclinic No. 2 of Ganja city and polyclinics for children No 1, 2 and 3 of Ganja city, for the persons exposed to domestic violence and victims of human trafficking on organization of activity of special institutions, provision of medical support to the victims, giving special instructions to the doctors and specialists of medical enterprises, on May 17-20, 2016. Training was organized for the "health workers assisting victims of gender-based violence, with the support of Representative of United Nations Population Fund (UNFPA) in Azerbaijan, on June 6-10, 2016. Alongside the specialists of Public Health and Innovations Centre, doctors from the Azerbaijan State Advanced Training Institute for Doctors named after A. Aliyev, Mental Health Care of the Ministry of Health, Republican Clinical Hospital named after academic Mirgasimov, Children's Clinical Hospital No. 2 named after Garayev, city out-patient hospital No 25, and women consultation centre No. 7 attended in training delivered by Turkish experts Mrs Ashe Akin, director of BUKCAM Baskent University and Mrs Ezgi Turkhceli. Two half-days workshops were organized for the employees of centre working for protection of children and youth living under socially dangerous conditions, operators of children hot line together with the Hopeful Future Youth Public Union of "social rehabilitation centre for children and youth violated law and committed crime", "Hopeful Youth" PU, methodical materials were prepared for prevention of violence, and conduction of medical-psychological work with children faced with violence, and 2 days training on provision of medical psychological support was organized for the employees of that centre and doctors selected from 4 polyclinics of Baku and Ganja cities.

The works on changing the job orientation of staff working in state children enterprises under the Ministry of Education, preparation of them as social employee and provision of relevant training for them

continued. A course on social work was included to the preparatory programs on "Psychology and Sociology" subject at higher institutions, and students graduated from that specialty were ensured with competences on combat with human trafficking. Trainings were provided for the psychologists of general education institutions, topics on combating trafficking in human beings and provision of psychological support to the victims of human trafficking were added to the training programs.

International workshop dedicated to the criminal prosecution of human trafficking and coordination issues in this direction was jointly organized by the Ministry of Internal Affairs of the Republic of Azerbaijan and Embassy of the United States of America in Baku, and held in "Khazri" Resort and Health Centre, on March 14-16, 2016.

Authorized representatives from Georgia, Kirgizstan, and Ukraine and experts from USA were invited to the international workshop, and beside the Ministry of Internal Affairs, judges from Supreme Court, Nakhchivan Autonomous Republic, Baku, Ganja, Lankaran, Sheki Court of Grave Crimes, responsible employees from General Prosecutor's Office, Ministry of Justice and Ministry of External Affairs, State Customs Committee, State Security Service, State Migration Service, State Border Service, authorized representatives from Human Rights Commissioner (Ombudsman) and attorneys from Bar Association participated in workshop within the delegation of our country.

Preliminary investigation of human trafficking and forced labour crimes, interaction among the law enforcement agencies on its judgment, provision of legal support on criminal cases, local and international experience in these directions were discussed during the international workshop.

An international conference dedicated to the topic of "July 30 – World Day against Trafficking in Persons" was held with the organization of the Ministry of Internal Affairs, United States Agency for International Development and International Migration Organization at the Business Centre of Nakhchivan Autonomous Republic, on July 29, 2016. The Main Department on combating trafficking in human beings, Head of the Country Representative of International Migration Organization, Head of the Baku Representative of United States Agency for International Development, UN Resident Coordinator in Azerbaijan, Head of the Council of Europe Office in Baku, Regional Director of International Migration Organization of South-East Europe, East Europe and Central Europe participated in this conference.

Local and international seminars, conferences, trainings, exercises, etc. are regularly conducted on the primary and judicial investigation of human trafficking offenses, the application of international treaties and national legislation, study of international experience in combating these crimes where together with the law enforcement officials, the judges also take part in the adoption of legal, impartial and objective judicial acts on the proper review of the cases and the outcome of the trial.

Improving the knowledge and skills of experts in the field of combating the trafficking in human beings is maintained in the focus of the appropriate work with international partners and is selected by priority. In this area, we actively cooperate with the International Organization for Migration and organize various trainings and seminars for the relevant government agencies and representatives of civil society organizations within the framework of the projects and programs implemented by the organization in our country. From September 2015, in cooperation with the International Organization for Migration, numerous trainings were organized about different aspects of struggle against trafficking in persons for the Ministry of Internal Affairs, Labour and Social Protection, Justice and Health, as well as State Migration and Border Services, State Customs Committee, State Committee for Family, Women and Child's Affaires, Office of the Commissioner for Human Rights, judges and prosecutors. The exercises were organized in the format of training of cascades and trainers. At the same time, with the support of the International Organization for Migration, the work was done to prepare training materials and curriculums in the field of combating trafficking in human beings for relevant government agencies in our country, and this process is still in progress.

Within the framework of the project "Strengthening the capacity of struggle against human trafficking in Azerbaijan", implemented by the International Organization for Migration, the following activities are planned to be implemented to increase the potential of law enforcement officials, prosecutors and judges:

- Preparation of Training Programs for Heavy Crimes Courts of regions, Supreme Court and General Prosecutor's Office, and for this purpose the establishment of a Working Group consisting of the Justice Academy, Prosecutor's Office, Ministry of Internal Affairs, Ombudsman Office, IOM representatives, Judges of Heavy Crimes Courts and national and international experts; the training program and the curriculum structure will include the purpose of the training on each subject, the duration and sequence



of the training, the training materials, the additional course materials, and the training materials for the trainers;

- Training of trainers and organization of series of trainings; within the training program of trainers, it is envisaged to prepare 20 trainers consisting of judges of the Heavy Crimes Court and the Prosecutor General's Office staff. The four-series training will be organized for 90 judges, prosecutors and lawyers of the regional criminal courts. Trainings will be organized by the 20 trainers, who participated at the trainings of trainers, on European and international legal basis, investigation and prosecution of offenses, access to justice for victims and protection of their rights, national referral mechanism and European case law;
- Organization of two training trips to EU member states for advanced training in combating trafficking in human beings for judges, prosecutors and lawyers (30 people, in general) involved in trainers' training program and series of trainings. The representatives of the tour, will get to know the application of the court rulings, the protection of human trafficking victims, the analysis of the legal basis of the hosted countries, and the decisions of the upper courts in combating trafficking in human beings in selected countries;
- Organizing a workshop for 30 lawyers and lawyers to simplify the access to the court for trafficked persons. The workshop will focus on providing legal advice, providing legal assistance, protecting victims' rights, and promoting networking among lawyers;
- There will be the focus on training for law enforcement officials, prosecutors and judges on sensitive behaviour with trafficked persons that suffered psychological trauma, including methodology of behaviour with victims of human trafficking, suffered psychological trauma;
- For 20 employees of the Ministry of Internal Affairs there will be a seminar on the sensitivities existing in the prevention of human trafficking and the main reasons for it.

Within the framework of the project, it is also planned to increase the capacity of the State Migration Service in the following areas:

- Preparation of textbooks, curriculum and teaching materials on the training program to combat trafficking in human beings and illegal migration based on the specific requirements of the State Migration Service Training Centre;
- Training sessions for the Training Centre students, as well as a training program for trainers of 15 trainers will be organized with the participation of teachers from the State Migration Service Training Centre and international experts;
- Trainings for 60 trainees will be organized by trained trainers.

Within the framework of the above mentioned project, two seminars are planned to be held for 30 inspectors of the Ministry of Labour and Social Protection of the Population and Internal Affairs and the State Migration Service in order to increase the potential of relevant government agencies to inspect and detect various forms of trafficking in persons (in particular, forced labour), as well as human trafficking victims. The seminars will focus on issues such as raising awareness on all forms of human trafficking, protecting victims of trafficking and protecting migrants' rights, as well as updating indicators used during inspection.

Within the framework of the project "Building Capacity for Combating Trafficking in Human Beings in Azerbaijan", it is planned to implement the following types of activities aimed at increasing the knowledge and skills of the diplomatic service personnel of the Republic of Azerbaijan in combating trafficking in human beings by paying special attention to the victims of human trafficking and the home servants as the potential victims of human trafficking:

- Preparation of the article "Combating trafficking in human beings: what should diplomats know and do?"
- Preparation of a special curriculum for the diplomatic service staff with the participation of international experts on the basis of the article "Combating trafficking in human beings: what should diplomats know and do?"
- Conducting trainings for staff of the Ministry of Foreign Affairs and ADA University on the basis of the above-mentioned article, curriculum and other training materials to be drawn up (one of the trainings is planned to be held in the format of trainers training);

- Organization of two international workshops and round tables dedicated to various aspects of trafficking, including the issue of domestic service.

At the same time, within the framework of the project "Strengthening cooperation for the effectiveness of combating trafficking in human beings through the Capacity Building and Technical Support in Azerbaijan - Phase VI" of International Organization for Migration, together with civil society institutions will continue organizing awareness raising activities among local population and migrants on the risks of illegal migration and the danger of human trafficking, and the assistance of legal, medical, voluntary repatriation, reintegration and other supportive forms will be provided to migrants who need help. Within the framework of this project, the capacity of health care providers to identify victims of human trafficking and to provide them with medical aid will be continued. Trainer's training program will be organized for medical staff, psychologists and social workers. Funds will be prepared for trainers and other relevant professionals to provide psychosocial assistance to victims of human trafficking.

Five Mental Health Centre specialists were trained in training about human trafficking, in 2016 and received a certificate of completion. These trainings are carried out annually by NGOs with the participation of the staff members from the International Organization for Migration, the American Department of State, through financial support provided by the Council of State Support to NGOs under the President of the Republic of Azerbaijan. Upon completion of the training, PSM staff organized trainings in the regions of the country (Ganja, Sumgait, Khachmaz) with the support of the International Organization for Migration. More than 50 volunteers participated in these trainings. The target audiences were medical staff. The purpose of the training was to increase the level of knowledge of medical personnel during the provision of services to victims of human trafficking.

Demand for the training of health professionals in the field of combating the trafficking in human beings is provided by giving explanations on legal procedures to victims of human trafficking, providing medical, psychological and other assistance, as well as assistance to their social rehabilitation.

According to Article 8.0.14 of the Customs Code of the Republic of Azerbaijan, measures were taken to ensure that customs officers are deeply embracing existing legislation in the field, as well as prevention of the movement of the traffickers and the victims of trafficking in human beings through the customs border in the manner prescribed by law, taking into account the fact that traffickers and victims of trafficking in human beings are included in the duties of customs authorities.

Undertaking immediate action for the identification and prevention of trafficking in human beings during the detective-search activity carried out by personnel of customs authority, the risk analysis of customs control, in the event of the commission or preparation of the offenses related to trafficking in human beings; transferring information and documents promptly without delay to the Main Department on Combating Trafficking in Human Beings, as well as providing them with necessary assistance are regularly instructed.

The training program of the four-month training courses for newly recruited employees in the customs bodies in order to increase the knowledge and skills of customs officers in the field of anti-human trafficking included lectures and seminars on the "Role of the Customs Authority in Preventing and Preventing Trafficking in Human Beings", the provision of training materials and lectures on ensuring human rights in combating trafficking in human beings.

A number of measures were undertaken by the State Migration Service regarding the implementation of the National Action Plan on Combating Trafficking in Human Beings, of the relevant provisions of the Program on eliminating social problems that create conditions for human trafficking and in this regard employees of the State Migration Service participated in seminars and trainings dedicated to combating human trafficking and forced labour in our country and abroad during the year.

The regular conduction of the lectures was continued for the staff members of the relevant structural units at the State Migration Service Training Centre on issues such as combating human trafficking, measures taken and their results, identifying trafficking victims and victims of forced labour, prevention of trafficking in persons and illicit employment. Employees of the Service also were involved in the short-term training courses on "Prevention of Illegal Migration and Reforms in this Field" and "Increasing the potential in the field of Human Rights and Readmission", as well as in the trainings on "Forms and signs of obtaining information on illegal labour activity of foreigners and stateless persons in Azerbaijan", "Victims of trafficking in persons and forced labour victims, their determination rules".

Representatives of the State Migration Service attended on January 30, 2015, the meeting within the framework of the project "Capacity Building for Migration and Border Management in Azerbaijan"; on February 26-27, 2015 the seminar on migrant smuggling, combating human trafficking and voluntary repatriation in the processes of return and readmission within the framework of the joint project "Support for the creation of effective readmission management in the South Caucasus" of the International Organization for Migration with the State Migration Service; as well as the next meeting of the GUAM Working Group on Combating Trafficking in Human Beings and Illegal Immigration held in Kyiv on 28-29 May 2015, the 15th Conference of the Alliance of Human Trafficking held in Vienna on 6-7 July 2015.

In 2016, multilateral cooperation platforms were actively used to strengthen Combating trafficking in human beings, improve the management system, and exchange experiences. Within the framework of the Budapest Process, OSCE, GUAM, UN, IOM and CIS, the Service staff took part in the trainings held in and outside of the country to discuss the prospects of cooperation in combating human trafficking and illegal migration.

In 2016, within the framework of cooperation with IOM in the State Migration Service Training Centre the lectures were carried out for the staff members of the relevant structural units on issues such as the legal aspects of migrants' return, trafficking in human beings and illegal migrants, human trafficking and forced labour victims, victim identification methods, human trafficking problem: concept, major causes and consequences, international law on combating human trafficking, including European legislation, national legislation on combating human trafficking, national referral mechanism: obligations of participant organizations, forced labour: global trends, identification of victims of human trafficking: difficulties, international standards and best practices, protection of victims of human trafficking, victim rights and assistance in accordance with international standards, interviews with victims, interview rules.

On 24<sup>th</sup> of February, 2016 the Service staff participated at the International Workshop on the Criminal Proceedings and Coordination Issues organized by the Ministry of Internal Affairs, on 14-16 March at the workshop entitled "Illegal employment and labour exploitation of migrants," on April 14-15 at the seminars within the framework of the projects "Capacity Building for identifying and assisting the potential victims of trafficking in persons and victims of trafficking in persons in Azerbaijan" of IOM, as well as "Identification of Gaps and Evaluation of Needs: Comparative Analysis of Efforts in Combating trafficking in human beings in South Caucasus Countries " of IOM, also on June 22-23, in the training on "The essence and main directions of the program on eliminating the problems of human trafficking" within the framework of joint cooperation with IOM.

In general, within the framework of the activities of the Ombudsman, wide space is allocated to the work on the training of personnel in the field of human rights. Thus, the "Private Short-Term Education Network in the Field of Human Rights", established in the institution, continues its activities. This network's program includes lectures and workshops that are organized on topics such as the basics of human rights and freedoms, as well as combating all types of human trafficking, national and international defence mechanisms in this area, rules of appeal, and so on. Effective cooperation between the Ombudsman Office and the Justice Academy of the Ministry of Justice is being continued in this direction.

*Special measures concerning children (Articles 5, 10, 11, 12, 14, 15, 16, 28 and 30)*

*7. Please describe whether and how trafficking in children is specifically addressed in your country. If there are institutions responsible for taking the lead in combating trafficking in children and a specific national referral mechanism for child victims of trafficking, please provide details.*

Since the adoption of Law of the Republic of Azerbaijan on "Combating trafficking in human beings" in 2005, only 22 out of all identified victims were children. 13 of them were the subject of sale and purchase (till April, 2013), 7 children were subject to sexual exploitation, and 2 children were the subject of forced labour.

According to the article 144-1.2.3 and article 144-2.2.3 of the CC of the Republic of Azerbaijan, if the minor is exposed to human trafficking, accused person will be punished by imprisonment from eight to twelve years (for child trafficking), and in case of forced labour, he will be punished by imprisonment from seven to ten years. According to the article 144-1.3 and article 144-2.3, if the death of victim or

any other serious consequences is caused by the human trafficking, the person will be punished by imprisonment for the forced labour from 9 years to 12 years.

As it can be seen, involvement of children to forced labour, as well as exposure to sexual exploitation is at minimum level and isn't characteristic for Azerbaijan. Taking principle the national legislation, purposeful action performed excludes wide dissemination of those illegal actions in our country.

The signs for identification of the children became victim of human trafficking were concretized in paragraph 3.1.2 of "Rules (indicators) on identification of the victims of human trafficking" approved by the Decision of the Cabinet of Ministers of the Republic of Azerbaijan dated September 3, 2009 and No 131.

While combating human trafficking, authorized state bodies (executive bodies of NAP) combat also against the child trafficking (see: paragraph 3-4 of first question for the list).

The key purpose of "National Referral Mechanism on the victims of human trafficking" approved by the Decision of the Cabinet of Ministers of the Republic of Azerbaijan dated August 11 and No 123, taken principle in combating trafficking in human beings, is establishment of efficient system to ensure the protection of the rights of victims, delivery of them to the related organizations, provision of security, repatriation, social rehabilitation for them and formation of rules in this field.

A commission comprised of the representatives from the Ministry of Internal Affairs, Ministry of Education, Ministry of Health, Ministry of Justice, Ministry of Labour and Social Protection, Ministry of Youth and Sport, Ministry of Culture and Tourism, General Prosecutor's Office, State Customs Committee, State Committee for Family, Women and Children, State Security Service, State Border Service and State Migration Service was established for the implementation of National Referral Mechanism and it operates purposefully. A meeting of the commission is held under the National Coordinator not less than once in a year, works done are analysed and discussed, and forthcoming tasks are defined.

Also, representatives of civil society institutes are invited to the relevant meetings. Trainings and workshops are organized regularly for the increase the level of professionalism and knowledge of representatives of state bodies and non-governmental organizations fulfilling National Referral Mechanism.

According to the article 11 of the Law of the Republic of Azerbaijan on "Combating trafficking in human beings", system of measures on prevention of human trafficking includes reinforcement of legal and social protection of children; establishment and efficient use of system on social, legal, pedagogic and other measures oriented to the identification and elimination of reasons and cases creating condition for the neglect and orphanage of children; detection of children deviated from education, taking measures for upbringing and education of them; establishment and implementation of special programs in other organizations and enterprises fulfilling the prevention of neglect of state institutions, children's homes, boarding schools and the neglect of minors and violation of law.

According to the law, the people who are vagrant or begging, miserable, prostitute, orphan, neglected, children deviated deliberately from education, persons who are addicted to narcotic drugs and psychotropic substances are the potential victims of human trafficking. Age, sex, demands, as well as its necessary need for shelter, education and care are taken into consideration during the implementation of social rehabilitation of children became the victim of human trafficking.

During the help to the children became victim of human trafficking, children's interests are preferred, and all measures are taken for protection of rights and legal interests of children in accordance with the Law of the Republic of Azerbaijan "Rights of a Child", UN Convention "On the Rights of a Child", as well as other laws of the Republic of Azerbaijan and international contracts supported by Azerbaijan. Shelters and support centres inform immediately guardianship and trusteeship body and commission on protection of affairs and rights of minors, about the child became victim of human trafficking. Guardianship and trusteeship body and commission on protection of affairs and rights of minors take measures for protection of rights and interests of child according to the legislation of the Republic of Azerbaijan. While adopting the person to the shelter, if it is impossible to determine the age of person, but it is supposed that he/she is under 18, then that person will be considered a child. The period for the children to live at shelters is 60 days. Period allocated for living in shelter can be extended by the application of special police office, guardianship and trusteeship body and commission on protection of affairs and rights of minors. During the settlement of children at shelters and extension of

period allocated for their living at these shelters, opinion of children over 10 years old are learned and considered. Usually, children are settled separately in shelters. Taking into consideration the best interests of a child, he/she can be settled together with parents or other persons affecting positively to the psychological state of a child (excluding the cases, where the parents are the reason of child to become victim of human trafficking).

Children settled in shelters get an opportunity to continue their education, contact and communicate with their parents (excluding the cases, where the parents are the reason of child to become victim of human trafficking). If the child who is the victim of human trafficking doesn't know the place of these parents or has deprived from parental care, state organizations combating trafficking in human beings take measure to seek for his family, or definition of guardianship and trusteeship about this child. Social protection of such children is carried out in accordance with the Law of the Republic of Azerbaijan on "Social protection of children lost their family and deprived of parental care".

Social rehabilitation of children became the victim of human trafficking is carried out based on the special organized programs and by taking principle the provisions of legislation.

Administrative deportation from the borders of the Republic of Azerbaijan is not applied to foreign or stateless children who are victims of human trafficking, as well as law on deportation from the Republic of Azerbaijan is not adopted. Repatriation of children (who are the victims of human trafficking) to their country or family is allowed only if there is probability of children to become victim of human trafficking, again. During the repatriation of children who are the victims of human trafficking, opinion of children over 10 years old is learned and considered.

According to the "National Action Plan on Combating trafficking in human beings in the Republic of Azerbaijan for 2014-2018" approved by the Decree dated July 24, 2014 and No 667 of the President of the Republic of Azerbaijan, following measures on children were envisaged:

1. Taking measures for ratification of Convention of European Council "On the protection of children against sexual exploitation and sexual abuse;
2. Preparation of proposal in the direction of reinforcement of legal and social protection of women and children included vulnerable group, in order to mitigate the risk of becoming human trafficking victim;
3. Preparation of proposal with the aim of provision of secure use of internet and mobile telephone by children;
4. Reinforcement of measures on implementation of obligations arising out of the international conventions on child labour, as well documents of International Labour Organization;
5. Reinforcement of relevant efforts for identification of victims of human trafficking and forced labour, as well as children, foreigner and stateless persons became victim of human trafficking within the Republic;
6. Protection of the rights and interests of children who are the victim or potential victim of human trafficking, and implementation of social rehabilitation of them by the guardianship and trusteeship bodies, and commissions on protection of affairs and rights of minors, in accordance with the legislation.
7. Ensuring opportunities for the children became the victims of human trafficking to continue their education, reinforcement of measures for adoption of them to the general secondary schools in a temporary place of residence;
8. Provision of social-legal and social-psychological services and social-consultation support in order to prevent the children under the protection of State to enter to the group of human trafficking risk after adulthood period.
9. Depending on the psychological-social state, organize the children living in temporary shelters to continue their education in close places, if they are rehabilitated or their security should be ensured;
10. Taking measures for prevention of discrimination against the victims of human trafficking at schools during the education period;
11. Conduction of monitoring on deviation of children from education or dilapidation, implementation of measures on rehabilitation of children deviated from education and vulnerable socially.
12. Conduction of monitoring in families of children adopted, provided with foster-care, and establishment of monitoring groups for this purpose;
13. Implementation of measures for provision of relevant documents to the children who don't have document certifying identity;
14. Implementation of relevant measures in the direction of formation of social work institution working with children;

15. Reinforcement of cooperation with relevant non-governmental organizations and international organizations on combat against negligence of minors and social rehabilitation of them;
16. Distribution of educative materials, prepared for prevention of human trafficking, especially women and children trafficking, as well prevention of forced labour, on border and custom checkpoints;
17. Continuation of awareness measures on protection of children from the threats related to the human trafficking and exploitation of child labour, at education and training institutions;
18. Conduction of relevant advocacy and awareness works in private organizations in order to avoid exploitations of child labour;

8. *What practical measures are taken to reduce children's vulnerability to trafficking and create a protective environment for them, including through:*

One of the practical steps towards the mitigation of vulnerability of children towards human trafficking is implementation of awareness campaigns and dissemination of topic-related booklets at education institutions, as well as distribution of telephone numbers of Hot Line services to the pupils, by the Main Department on Combating trafficking in human beings and members of NGO Coalition, each year. Such workshops are held in education institutions by the NGOs, through the financial support allocated by the Council of State Support to NGOs under the President of the Republic of Azerbaijan.

Data about the children included to the category mentioned above were obtained from the Ministry of Internal Affairs based on the request of State Committee for Family, Women and Children Affairs. Information on 519 children from 57 regions was sent to the Committee. Information on the children was sent to the Commissions on Protection of Affairs and Rights of Minors under the City/ Region Executive Authorities for implementation of relevant measures and submission of information to the Committee.

State Committee for Family, Women and Children Affairs pay particular attention on educative events in the field of prevention of minor's neglect, and cooperates broadly with NGOs operating in this field.

During the implementation of project called "Prevention of negligence of minors" by the "Legal World" Public Union for Legal Advocacy with the support of Ministry of Labour and Social Protection of Population with the aim of provision of social rehabilitation services to the neglected children living under socially dangerous conditions and provision of legal, social, medical and psychological support to the neglected children, the employees of the Committee participated as expert.

*a. Ensuring registration of all children at birth, in particular from socially vulnerable groups;*

According to the Article 166.1 of the Family Code of the Republic of Azerbaijan, registration of birth is made in place of birth or in a place, where the parents or one of them lives. Registration is made by the registration department, consular office and representative of executive power.

During the registration of birth, restriction of the rights of citizens in any form for the social, racial, national, religious and linguistic origin isn't allowed. So that, according to terms of paragraph 2.5, 2.6 and 2.7 of "Rule of State Registration of Acts of Citizenship" approved by the decision of the Cabinet of Ministers of AR dated October 31, 2003, if the relevant documents stipulated by the law for registration of birth are submitted, birth of children is registered by the state in all cases. If the necessary documents aren't submitted, a fact on the birth of a child is defined through the court.

It is noted that, legal support is provided for the parents (who cannot submit the necessary documents for registration of birth) to apply to the judicial authorities for the acquisition of necessary documents. If it is impossible, then legal support is provided for the parents to apply to the judicial authorities for determination of fact of birth through the court (taking necessary actions for provision of legal support to the citizens include to the tasks of managers of registration organizations).

Also, top management of the Ministry of Justice instructed to the registration departments to provide legal support for the citizens on collection of documents required for registration of birth.

Furthermore, registration departments organize regularly events in medical institutions, media, schools, executive offices and other places for improvement of issues on registration of birth and increase of information in all areas on significance of registration of birth. Also, different easy guidelines

are distributed to the people, which reflect the requirements of legislation on the state registration of birth, as well as other state registration of other civil status acts.

Besides, conduction of state registration of birth in mobile form in direct maternity houses was organized with the initiative of the Ministry of Office for provision of citizen satisfaction.

Also, taking into consideration that there is an opportunity to obtain information mentioned in those documents from relevant information systems, proposals were prepared for related amendments in legislation in order to decrease the number of documents required for submission by the citizens during the registration of birth.

Furthermore it is noted that, a joint project is carried out with the Ministry of Justice, Ministry of Health and State Agency for Public Service and Social Innovations under the President of the Republic of Azerbaijan with the aim of exact registration of population, identification of each person and immediate provision of individual identification number for the child newly born.

As a result of applying this project, citizens will not be required to obtain medical certificate and submit it to registration authority, as well as through initial registration of all children, it will be possible to disclose the exact list of unregistered persons, to take more reasonable measures to bring them to administrative responsibility and invite them to relevant authorities.

This project will also create conditions to detect possible criminal offenses related to human trafficking in time.

All new-borns are registered in the medical centres during birth, and the territorial children's polyclinics are informed about it and the medical birth certificate is given to regional Registration of Citizenship Status Acts departments.

*b. Raising awareness of THB through education:*

The Centre Assistance to Victims of Human Trafficking implemented awareness-raising activities related to the protection of children from human trafficking and child labour exploitation in educational and training institutions in order to implement the relevant paragraphs of the National Action Plan on Combating trafficking in human beings in the Republic of Azerbaijan for 2014-2018.

State Committee for Family, Women and Children Affairs held socio-psychological consultations on combating trafficking in human beings with community members, gave them educational information on the subject in Aran settlement of Yevlakh city, Mingachevir city and Topalhasanlı village of Goygol district under the National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan for 2014-2018.

The main purpose of implementing community meeting with less-educated people, teenagers and young was to educate the people on this sphere, reduce the risk of falling human trafficking. The short social films and films on the subject were shown in the events, participants were provided with educational presentations prepared by the Committee staff on the risks of human trafficking and ways to protect them from risk. Informative meeting was held with 30 children at the supportive school No.12 in Khazar district.

Two children from the risk group deviated from education in Ismayilli were reinstated in the school with the help of UADM. 33 children were involved in awareness training in the Goranboy district to avoid being included in the risk group. Awareness advice was given to 11 children from the risk group in Saatly district. Preventive educational meeting was held with 140 children in Zagatala and Suzakli and Goyam villages of the district. Awareness-raising activities were also held for 10<sup>th</sup> and 11<sup>th</sup> grade pupils and teachers in Mursally village schools of Varhan and Sabirabad districts of Saatly region. In the event held with the participation of school directors, representatives of the Executive Authority, regional education department and police department, employees of Saatly and Sabirabad Children and Families Support Centres (CFSC), the department staff made presentations on the subject, made film presentations, interactive discussions were held with schoolchildren, booklets were distributed. Seminars and meetings on strengthening family relationships were held with totally 119 people with risky families in Chukhur Gabala, Hajili and Gabala CFSC in order to increase awareness of the human trafficking in the risky families. An informative meeting was held on "Domestic Violence and Family Relationships" with 15 people from the risk group in Zardab district. A series of meetings were held at the secondary schools No 1 and No. 3 and Gelme and Yarmamedbagi villages of the region with a total of 214 people. The event called "Let's not to be the victim of human trafficking" was held with the participation of 30

people in the village of Ahmedbeyli in Saatly district. Massive educational events were held in Goygol region, booklets were distributed, as well. Informative meeting called "Who is the best parent?" was held with the participation of 21 people, "roundtable" meeting called "Don't let the children to deviate from education" with attendance of 18 people in Goygol district. Community meetings were held in Goranboy district. A series of awareness-raising events were held in the Khazar district with a total of 350 participants by Shuvelan CFSC. An educational event was held with 45 children together with Ismayilli Region Education Department. Series of 10 awareness-raising meetings were held with families from the risk groups with attendance of a total 249 people in Aghdam district. Measures on human rights were held with a total of 460 people called "Domestic Violence - Risk Factor" and Early Marriages. Informative events were held at the secondary schools No. 1 and 5 in the village of Yolchubeyli of Sabirabad district with the participation of a total 131 people. Informative conversation was held with 17 people from risky families.

The State Committee for Family, Women and Children Affairs undertook measures to protect women and children's rights.

Awareness-raising event was held on protection from dangers of human trafficking and child labour exploitation among 9-11<sup>th</sup> grade pupils of secondary school No.318 of Surakhani and secondary school No.91 of Sabail district for State Custom Committee Academy students in order to conduct the paragraph 13.9.4 (proceeding awareness-raising activities in education and training institutions to protect children from the dangers of human trafficking and child labour exploitation) of the National Action Plan on Combat against Trafficking in Human Beings in the Republic of Azerbaijan for 2014-2018.

Detailed information was given on the role of non-governmental organizations in the area of child rights protection and combating human trafficking and the prevention of domestic violence and early marriages.

Participants were informed about the legal and organizational bases of the combat events against human trafficking, their prophylaxis, the protection and assistance to victims of human trafficking. Discussions were held on the topic and participants were provided with printed educational materials.

State Committee for Family, Women and Children Affairs held an event together with Nizami District Executive Power dedicated to the International Girls Day at the secondary school No. 12 in Nizami district on October 11, 2016. In the event participants were informed about deviation of girls from education, human trafficking, reproductive health, early marriages and its consequences.

Informative television broadcasting on human trafficking (woman trafficking) was presented on ARB TV in July 2016.

From August 2014, the project called "Let's say NO to early marriage for healthy life!" is being implemented in order to educate the people, especially young people about the consequences of human trafficking, early marriages and blood relatives, and promoting healthy lifestyles. Events were held under the project on August 21, 2014 in Zardab district, on August 28, 2014 in Oguz district, on September 4, 2014 in Ismayilli district, on September 11, 2014 in Hajigabul district, on February 12, 2015 in Gobustan region, on April 2, 2015 in Garadag district, on April 3, 2015 in Saatly district, on April 9, 2015 in Djalilabad district, on April 10, 2015 in Astara district, on April 1, 2016, in Guba district, on April 6, 2016 in Masally district and on July 13, 2016 in Sumgait city. The presentation on the subject and the film presented to "Azerbaijan Family" film festival held by the Committee were demonstrated.

Representatives of relevant organizations and young people participated in the events as well. It was considered to continue events under the Project in 2017.

Large-scale awareness-raising project called "Do not be the victims of human trafficking!" was started in 2016 in order to implement the "National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan for 2014-2018" and educate the people, especially young people about human trafficking and its consequences. The events were held under the project on April 22, 2016 at Zangilan district secondary school No. 28 located in Khatai district of Baku city jointly with Zangilan district Executive Power with the participation of teachers, senior class pupils and parents and on July 26, 2016 in the Heydar Aliyev Centre in Absheron district jointly with the Absheron Executive Power with the participation of representatives of the district public. It was planned to continue events under the Project in 2017.



*c. Training professionals working with children.*

The action plan on combating trafficking in human beings that reflects the works to be implemented to provide special care to conducting awareness-raising activities among the people, studying socio-psychological aspects of this problem, identifying and eliminating the causes of trafficking, resolving the employment problem of trafficking victims, learning various professions, continuing education of children victims of human trafficking was prepared at all region (city) education departments in accordance with the "National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan for 2014-2018". Round tables on the theme "Combating trafficking in human beings" were held in most cities and regions of the country with the participation of local executive authorities, law enforcement agencies, education departments, youth and sports departments, teachers and pupils of comprehensive schools. Information was given on the concept of human trafficking, human trafficking victims, complications of human trafficking, human trafficking networks, the works being carried out in the country in the field of combating against human trafficking, subsequent fate of human trafficking victims, assistance to them, shelters created for them, international and national institutions involved in combating against human trafficking in these events.

In addition, the education departments conducted joint monitoring with the relevant authorities in respect to prevent deviation of children from education and their negligence, appropriate instructive conversations were made with parents. Psychologists of general education schools held meetings and made consultative conversations with parents for rehabilitation of the socially vulnerable children deviating from the education. Local education management bodies jointly with the Child and Family Support Centres organized "roundtable" meetings with parents, pupils, methodologists and social workers at general education schools. Social workers made appropriate explanatory work with parents and pupils on the subject, video clips were presented; booklets were distributed in the event.

In addition, seminars were organized on the theme "Let's do not become victims of human trafficking" with participation of public, representatives of relevant organizations, teachers, senior pupils, parents at the general education schools.

In the seminars lectures were listened on the theme "What is human trafficking?", "In principal, who are its victims?", "How should we protect ourselves from this danger?" etc., video clips were presented on the subject, detailed information was given to participants on protection of all forms of human trafficking of personality and public, as well as identification and elimination of human trafficking, protection of victims of human trafficking and restoration of their rights.

Law Department of Baku State University (BSU) as traditionally organized joint scientific seminars with masters and students of various law enforcement agencies. Due to the cooperation with Main Department on Combating Trafficking in Human Beings at the Ministry of Internal Affairs, extensive information was given about this Main Department, as well booklets issued on combating trafficking in human beings were distributed in the faculty.

Moreover, students were informed about contact numbers (Hot line: 152) of Main Department on Combating Trafficking in Human Beings of the Ministry of Internal Affairs.

The International Scientific-Practical Conference on "Crime in Globalizing World, international and regional problems" was jointly organized by BSU Law Faculty and the Police Academy of the Ministry of Internal Affairs in April 2016.

Awareness-raising activities were held in the boarding schools in accordance with joint Action Plan on awareness of higher education institutions, boarding schools and community representatives working in the city and regions of the republic, on the theme "the essence of human trafficking, forms, its danger and combat against it" by the collaborators of Ministry of Education, Main Department on Combating Trafficking in Human Beings of the Ministry of Internal Affairs and Human Trafficking NGO Coalition in April-May 2016.

Trainings were held for the senior pupils educating in state-run children's institutions in order to efficiently organize awareness-raising campaigns in the Combating trafficking in human beings, find public opinion and study the experience of foreign countries that made some progress in this sphere by Azerbaijan Children's Union, "Hopeful Future" Youth Organization, "Save Children", "the Foundation for Assistance to Orphans and Paediatric Children", "Towards the Unity" Care for Disabled and Homeless Children Social Union.

Awareness-raising activities are being implemented jointly with the Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan in the field of protection of children from human trafficking and child labour exploitation within the framework of "Awareness-raising campaigns against human trafficking" since March of the current year.

In accordance with the Action Plan, seminars, discussions, meetings, "roundtables" were organized related to combating trafficking in human beings and legal awareness in this field with participation of pedagogy and student staff at secondary specialized educational institutions functioning in the country.

Awareness-raising campaigns on combating trafficking in human beings were jointly organized by the Council for State Support to Non-Governmental Organizations under the President of the Republic of Azerbaijan, Main Department on Combating Trafficking in Human Beings of the Ministry of Internal Affairs' and "the Women of the XXI Century" Public Union on 21 April, 2016 at Sumgait State University, on April 26 at Ganja State University, on April 29 at Lankaran State University, on May 5 at Mingachevir State University, on May 12 at Nakhchivan State University.

Detailed information was given in the events about the essence and forms of the combating trafficking in human beings, organizational and operational search activities in this direction.

Courses on social study in staff training programs on "Psychology" and "Sociology" professions were included in higher education institutions, competences were given to those graduates to combating trafficking in human beings.

Trainings were conducted for psychologists in general education institutions, combating trafficking in human beings and psychological support for human trafficking victims was included to the training programs.

Trainings were organized for employees of district (city) education divisions (departments) by State Committee for Family, Women and Children Affiliates in order to prevent child labour exploitation and to strengthen awareness in this field.

"Key Indicators of Forced Labour" (for children and adults), "Child Trafficking," "Let's combat together against child abuse!", "Child Violence" booklets and "Methodical means for medical care providers for victims of domestic violence" were prepared and distributed by the Ministry of Health of the Republic of Azerbaijan accordingly.

A two-day training course was jointly organized by the "Hopeful Future" Youth PU (social rehabilitation centre for child and youth committed violation of law and crime) on medical and psychological support for the workers of the same centre and doctors of four selected polyclinics of Baku and Ganja cities.

A two-half-day workshop was jointly organized by "Hopeful Future" Youth PU (social rehabilitation centre for child and youth committed violation of law and crime) for the workers of the same centre, as well as children's hotline operators in order to protect the children and youth living in socially dangerous conditions and violence, labour exploitation and improving the work with young people

In collaboration with the "Hopeful Future" Youth PU, a methodological manual on the prevention of violence and the medical-psychological work with children facing violence was prepared and submitted to the Scientific-Medical Council of the Ministry of Health.

A two-day training course was jointly organized with "Hopeful Future" Youth PU (social rehabilitation centre for child and youth committed violation of law and crime) on violence, including trafficking, labour exploitation, sexual exploitation etc., medical-psychological and social assistance to children and adolescents who faced violence for the workers of the same centre and doctors of four selected out-patient hospitals of Baku and Ganja cities.

Series of regular awareness-raising seminars were held in Narimanov, Nizami, Nasimi, Sabunchu and Surakhany districts of Baku, as well as in Ganja, Mingachevir and Sheki in 2015-2016 to prevent human trafficking, violence against children, tobacco and drug addiction among pupils.

A training course and a workshop was organized on "Creating social programs and services" for experts on social work in Baku with the participation of associate professor of social work of the Dominican University Mrs Leticia Villareal Sosa in concert with Azerbaijan Social Work Social Union within the Fulbright program. Training was organized on "Assessment of interview with children exposed to violence" for social workers of the Centre for Support to Children and Families under the Committee within the program. The participants were provided certificates at the end of the session.

Leticia Villarreal Sosa, the associate professor of social work of the US Dominican University, delivered a workshop on "Social services and service assessment" at the Shuvelan Centre for Support to

Children and Families under the State Committee for Families, Women and Children Affairs to implement relevant activities in formation of the institution of social work with children. The training involved 23 participants, including experts on social work of the Centre for Support to Children and Families under the Committee and volunteers. 18 school teachers were involved in sessions on the rights and development of children in Ahmadaghaly and Sarijally villages of Aghdam district.

Regional workshops were held in 4 regions (including 36 cities and districts) on July 29 to August 19, 2016 so as to strengthen awareness measures on prevention of child labour. Regional representatives of the State Labour Inspectorate Service, police inspectors, staff of the Commissions of city/district executive powers on affairs and protection of rights of minors, psychologists and education staff attended the workshops. The attendees were informed of the existing international conventions on combat against exploitation of child labour and international best practice in removal of the problem, discussions were conducted on the theme and suggestions were sounded during the workshops. Besides, "Your Labour Rights" titled booklets issued by the Committee to raise awareness on child labour and to explain the concept of child labour that combine provisions of the legislation in this field were distributed to the attendees and a survey was conducted among them to study the current situation in the regions regarding child labour.

Investigations were carried out in 4 regions of the Republic of Azerbaijan in July to August 2016 to define the level of children's involvement in labour. The investigations mainly covered markets, auto repairing workshops, cafe-restaurants and public catering facilities. Relevant measures were taken in relation with cases revealed during the investigations and relevant city/district Executive Powers were informed of the facts. Detailed information was collected about families and education status of the children discovered as a result of the investigations, cases of involvement in labour of children under 15 years of age were immediate removed, and relevant authorities were recommended to take measures on formalization of recruitment of children over 15 years in compliance with the legislation.

*9. Please explain what methods are used to verify the age of a presumed victim of trafficking where the age is uncertain and there are reasons to believe that the person is a child. Would such a person be presumed to be a child until the age verification is completed?*

According to the provision 16.3 of the Law of the Republic of Azerbaijan on "Combating trafficking in human beings" a person is considered as a child if it is not possible to define his/her age, but supposed to be under 18 years. The attitude of children over 10 years is learn and taken into account when accommodating children in the asylum and extending the term of accommodation in the asylum and resolving the issue of returning them to their countries or parents. The issue of persons supposed to be exposed to trafficking in human beings is considered by the Forensic Medical Examination in case their age is not known and it is not possible to define whether the victim is child or not.

*10. What steps are taken in your country to ensure that the rights of the child and his/her best interests are duly taken into consideration, in particular when it comes to:*

- a. identification of child victims of trafficking;*
- b. appointing a legal guardian, organisation or authority which shall act in the best interest of unaccompanied minors identified as victims of trafficking;*
- c. locating the child's family;*
- d. ensuring that the identity or details allowing the identification of a child victim of trafficking are not made publicly known through the media or by any other means;*
- e. access to appropriate and secure accommodation, education and health care;*
- f. issuing residence permits for child victims of trafficking;*
- g. providing counselling and information in a language that the child can understand, legal assistance and free legal aid prior, during and after legal proceedings, including to claim compensation;*

- h. carrying out best interests determination, including risk assessment, prior to any decision on the return of child victims to their country of origin, and ensuring the child's safe return in accordance with the best interests of the child;*
- i. special protection measures for children.*

Response from a to i:

After the accommodation of victims of human trafficking in asylums and assistance centres, the Guardianship and Foster Care Agency and the Commission on Minors' Affairs and Protection of Rights are immediately informed of them. Those agencies take measures on protection of the rights of children in accordance with the legislation of AR. There are a Psychoneurological Children's Home and the Nursery No.1 in Baku city and a Children's Home in Ganja city for children deprived of parental care.

Children exposed to human trafficking are given the opportunity to contact and communicate with their parents during accommodation in asylums or assistance centres. In case a child does not know where his/her parents are or is deprived of parental care, state bodies combating human trafficking take measures to find the parents or to determine guardianship and patronage. Social protection of such children is fulfilled in accordance with the Law of AR on "Social protection of children who have lost their parents and were deprived of parental care".

Children are, as a rule, accommodated separately in the asylum. A child may be accommodated with the parents or other person who can positively impact on the child's psychological state taking into account the child's best interests.

Dissemination of information that is a secret of personal and family life of the child is prohibited by the legislation of AR and dissemination of such information entails liability.

Placement of 604 children in recent five years and 10 children in 2016 in state-owned child institutions was prevented as a result of improvement of welfare of families unable to show care for their children and of their children, creation of support services for children and families in regions to prevent placement of children in state-owned child institutions, implementation of systematic preventive measures among children and families at risk, elimination of encountered problems through a comprehensive approach and serious control over accommodation of children in such institutions as part of the implementation of the "State Programme for the placement of children living in state-owned child institutions in families (deinstitutionalization) and alternative care in the Republic of Azerbaijan".

4 children at 8-16 ages in the list of adopted children of the Ministry of Education were given up for adoption in 2016.

In addition, children given up for adoption, foster care and their biological families are kept under control and periodic monitoring of their situation is conducted in concert with commissions on minors' affairs and protection of rights.

Out of children trained in state-owned child institutions, 38 were provided with identity cards, 5 were provided with a birth certificate, 5 were provided with a temporary residence permit from the State Migration Service, 5 pupils were provided with initial military registration certificate from the State Service for Mobilization and Conscription, 5 children were provided with loss-of-breadwinner benefit and 1 child was provided with a registration certificate from the State Committee on Property Issues restoration of the right to housing in 2016.

The Ministry of Education submits the list of graduates of state-owned child institutions who were deprived of parental care and have no place of residence to the Ministry of Labour and Social Protection of the Population of the Republic of Azerbaijan at the end of each academic year. The list of 22 youngsters who have lost their parents or were deprived of parental care and have no place of residence among graduates (2015/2016 academic year) of state-owned child institutions was submitted in April of the current year to the Ministry of Labour and Social Protection of the Population for provision of housing in the "Graduates home" commissioned in 2016.

A small group house of family type constructed in Lankaran city by the Ministry of Education has already been commissioned.

Relevant conditions were created for admission of graduates from boarding schools and special boarding schools who were deprived of parental care to high, specialized secondary and primary vocational education institutions and their study in professions chosen by them.

734 children graduated from state-owned child institutions in the academic year 2015-2016, out of whom 45 children entered high schools, 35 children entered specialized secondary education institutions and 130 children entered primary vocational education institutions.

Education of school-aged children placed in the temporary asylum in Baku city is carried out by teachers of general education schools located nearby upon request of the asylum management to ensure their security in the asylum.

A series of events titled "Stop trafficking in human beings", "My right – my personality" were held at general education institutions. During the events, discussion were conducted on the provision of psychological, moral and other support to children exposed to human trafficking and assisting their adaptation to the society, and it was explained that such children have the same rights with all other students to prevent discrimination against them while studying in schools.

The period of accommodation of children in the asylum is 60 days. After the expiry of this period, children given to the guardianship and foster care agencies should be provided a safe place for permanent residence, education and healthcare services. After arranging examination and treatment of children exposed to trafficking in human beings at the children's polyclinic No. 20 and the Children's Clinical Hospital No. 2, provision of those children with relevant medical aid by a psychologist is kept under focus.

According to the article 20 the Law of the Republic of Azerbaijan on "Combating trafficking in human beings", administrative deportation from the Republic of Azerbaijan is not applied to children exposed to trafficking in human beings, as well as a decision on deportation from the Republic of Azerbaijan is not adopted about them. Return of children exposed to trafficking in human beings to their families or countries is allowed in cases that exclude the risk of becoming a victim of human trafficking once again. The attitude of children over 10 years who have been exposed to trafficking in human beings is learnt and considered when deciding on extradition to their countries or families.

If a victim of human trafficking desires to leave the territories of the Republic of Azerbaijan, the victim is provided relevant documents and support regarding travel and other necessary costs, recommendations on reduction of risks of becoming repeatedly a victim of human trafficking in the country that accept the victim, and if possible, contact details of law enforcement bodies, non-governmental organizations, human rights defenders and social security agencies that can help the victim in the country they will be repatriated to. In fact, it has not been necessary to issue a residence permit since no foreign or stateless children have been identified to be exposed to trafficking in human beings so far.

According to the Resolution No. 131 of the Cabinet of Ministers of the Republic of Azerbaijan on the "Rules (indicators) on the identification of victims of trafficking in human beings" dated by September 03, 2009, it is considered to perform specific security measures for children supposed to be exposed to human trafficking during interviews, to limit the interviews to clarification of biographic information in such cases, and to conduct interviews with the participation of the child's legal representative and if necessary, of a doctor, a psychologist or representative of the guardianship and foster care agency.

Children exposed to human trafficking are provided consultations and information in the language they understand, free legal assistance at all stages of court proceedings, and the damage caused to those children is covered at the expense of property of traffickers in accordance with the procedural law. If the value of property of traffickers is not enough to cover the damage caused to the victim, it is covered from the relief fund for victims of human trafficking under the decision of the court.

According to the Resolution No. 252 of the Cabinet of Ministers of the Republic of Azerbaijan on the "Rules on the repatriation of victims of trafficking in human beings" dated by September 10, 2013, assessments of the degree of risk and threat is carried out in terms of the risk of being exposed to human trafficking again and the danger of victimization by human traffickers after repatriation to their native countries, and outcomes of such assessments are taken into consideration in the process of repatriation.

Degree of risk and threat is assessed by the following criteria:

- Possibility of victims to be exposed to human trafficking repeatedly after repatriation;
- Risk of victimization by traffickers after the repatriation of victims;
- Status as an origin, transit or destination country of countries that victims will be repatriated to;
- Availability of rehabilitation and reintegration programs for victims in countries that they will be repatriated to;

- Capacities of state and non-governmental organizations that will provided social services to victims of human trafficking in countries they will be repatriated to;
- Decisiveness in Combating trafficking in human beings and capacities to provide necessary support of countries that victims will be repatriated to;
- Other specific indicators for assessment of the degree of risk and threat.

Victims are provided recommendations on reduction of the risk of being exposed to trafficking in human beings in the country that will accept them, as well as and if possible, contact details of law enforcement bodies, non-governmental organizations, human rights defenders and social security agencies that can help victims in countries that accept them.

Administrative deportation from the Republic of Azerbaijan is not applied to children exposed to trafficking in human beings and the State Migration Service of the Republic of Azerbaijan does not adopt a decision on their deportation from the Republic of Azerbaijan.

Return of children exposed to trafficking in human beings to their families or countries is allowed in cases that exclude the risk of becoming a victim of human trafficking once again. Relevant activities are implemented in identification of families or legal representatives of those children.

The attitude of children over 10 years who have been exposed to trafficking in human beings is learnt and considered when deciding on extradition to their countries or families.

If repatriation of children exposed to trafficking in human beings is considered contrary to their best interests as a result of assessment of the degree of risk and threat, those children are not returned to their countries and relevant measures are taken to ensure legal residence of those children in the country (officialization of their presence in the country, provision of necessary documents, social rehabilitation).

Implementation of activities on the provision of opportunities to benefit the right to education for and of necessary care to children exposed to human trafficking, and their acceptance by the families or relevant care agencies should be the focus of attention during repatriation.

Issue of accompanying children exposed to human trafficking in the process of repatriation is considered to ensure more effective and secure repatriation of those children.

Relevant measures are taken to protect the rights and legal interests of children exposed to trafficking in human beings in accordance with the Laws of the Republic of Azerbaijan on the "Rights of the Child" and "Prevention of negligence and violation of rights of minors", the UN Convention on the "Rights of the Child", as well as other laws of and international treaties joined by the Republic of Azerbaijan in the provision of all kinds of assistance, including their repatriation.

Safe repatriation of children exposed to trafficking in human beings is ensured through identification of the guardian in the origin country during their repatriation by the State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan, the Ministry of Internal Affairs of the Republic of Azerbaijan, the Ministry of Foreign Affairs of the Republic of Azerbaijan, guardianship and foster care agencies and commissions on minors' affairs and protection of rights.

The Ministry of Education of the Republic of Azerbaijan provides:

- Admission of children exposed to human trafficking to general secondary education institutions in their places of temporary residence;
- Organizing a special education commission under the city/district education department/division to assess knowledge and skills of a child over 10 years found avoiding education and define the school and class that this child will study in;
- Arranging study of children going through rehabilitation depending on their psychological and social situation and living in temporary asylums to ensure their security;
- Protection of confidentiality of information on the child's background by the management of education institutions to prevent discrimination against children exposed to trafficking in human beings while studying at secondary schools.

*11. What practical measures are taken in your country to identify victims of trafficking among unaccompanied foreign minors, including asylum seekers? What measures are taken to prevent their disappearance? Were there cases of non-voluntary return of child victims of trafficking?*

According to the provision 20.3 of the Law of the Republic of Azerbaijan on "Combating trafficking in human beings" dated by June 28, 2005, administrative deportation from the Republic of Azerbaijan is not applied to children exposed to trafficking in human beings, and a decision on deportation from the Republic of Azerbaijan is not adopted by the relevant executive authority. Return of children exposed to trafficking in human beings to their families or countries is allowed in cases that exclude the risk of becoming a victim of human trafficking once again. The attitude of children over 10 years who have been exposed to trafficking in human beings is learnt and considered when deciding on extradition to their countries or families.

The State Migration Service has created necessary conditions for foreigners and stateless persons, as well as children to apply for shelter taking into account the provisions specified in the Convention on the Rights of the Child, the 1951 Convention on the Status of Refugees and the Law on the "Rights of the Child".

Applications of all persons who are willing to obtain the status of "a refugee" are registered and each of them is informed of whether they are granted the status of refugee or not after relevant procedures. In review of applications, children over 15 years (as well as minors, if necessary) are separately interviewed in an absolute manner during individual interviews with parents. Gender issues are focused in interviews and female employees of the Service are interviewing female applicants. Interviews with children are conducted by more experienced and properly trained staff who should take into account the age limit, psychological and health state, needs and desires of the child.

According to the legislation, persons who apply for the refugee status (asylum seekers) are provided the right to temporary residence in the Republic of Azerbaijan, use of free translation services, free accommodation in the place of temporary residence until issuance of the refugee status, but no more than three months, temporary employment, benefiting medical support, practicing their own religion freely and contacting the UNHCR Office in Azerbaijan.

In case a person under 18 years is detected to enter the country unattended or to be left unattended after entering the country, the guardianship and foster care agencies are applied regarding that person in accordance with the "Rules on the review of litigations on issuance of the "Refugee" status" approved by the Decree of the President of the Republic of Azerbaijan dated by 13 November 2000. The guardianship and foster care agencies verify if the child entered the country unattended and/or left unattended after entry to the country or not. Then, the child applies to the State Migration Service in accordance with the Rules, if he is willing to get the status of "a refugee". The unattended child is placed in the social service institutions of the guardianship and foster care agencies until the issuance of the status of "a refugee". Unattended children are considered as equal to children who have lost their parents and were deprived of parental care in the country, and social protection of such children is ensured by the government and their rights and best interest are protected in accordance with the law.

*12. What programmes and services exist in your country for the (re)integration of child victims of trafficking? What solutions are provided if the reintegration of the child into his/her family is not in the child's best interests?*

The "Programme on social rehabilitation and reintegration into society of children who are victims of human trafficking" endorsed by the resolution No. 37 dated by February 06, 2017 of the Cabinet of Ministers of the Republic of Azerbaijan provides for the implementation of relevant activities on social rehabilitation and reintegration into society of children who are victims of human trafficking.

According to the article 8 of the "Optional Protocol on the sale of children, child prostitution and child pornography" to the United Nations Convention on the "Rights of the Child" joined by the Republic of Azerbaijan under the Law No. 285-IIQ dated by 2 April 2002 on joining the "Optional Protocol on the sale of children, child prostitution and child pornography" to the United Nations Convention on the "Rights of the Child", not only initial, but also future needs of the child who is a victim of human trafficking should be taken into consideration in social rehabilitation and reintegration into society of this child. Social and psychological rehabilitation of such children should be kept under control on the basis of an individual plan even after leaving the asylum and the assistance centre.

The restoration of the rights of children who are victims of trafficking in human beings, their social

rehabilitation and reintegration into the society are fulfilled under the applicable legislation in the Republic of Azerbaijan. The main principle and mechanisms of this activity are specified in the Law No. 958-IIQ dated by 28 June 2005 of the Republic of Azerbaijan on "Combating trafficking in human beings" and the "Rules on social rehabilitation of victims of trafficking in human beings" endorsed by the resolution No. 62 dated by 6 March 2006 of the Cabinet of Ministers of the Republic of Azerbaijan.

Age, gender and needs, including necessary shelter, education and care needs of victims of human trafficking, especially children are taken into account in social rehabilitation of victims of trafficking in human beings. Best interests of a child who is a victim of human trafficking must be preferred in provision of assistance to the child. The quality of services provided to those children depends on special training of staff of the assistance centres in admission to job and during employment, and on implementation of regular activities to improve their proficiency.

An individual social rehabilitation plan is developed by the assistance centres to perform social rehabilitation of children who are victims of trafficking in human beings. Individual social rehabilitation plans for children who are victims of trafficking in human beings are compiled in consideration of the provisions of the Law of the Republic of Azerbaijan on "Prevention of negligence of children and violation of their rights" dated by May 24, 2005.

Continuation of preventive and rehabilitation measures and ensuring security of children who are victims of human trafficking after leaving the asylum are very important for their reintegration into society in a healthy way.

Detection of gaps in the process of social rehabilitation and reintegration into society of children who are victims of human trafficking and improvement of measures implemented in this direction are topical issues in the country.

The key objectives of the Program is to improve mechanisms in social rehabilitation and reintegration into society of children who are victims of human trafficking, strengthen measures to increase effectiveness of protection of the rights of children who are victims and potential victims of trafficking in human beings, increase the quality of services provided in this field and study international best practices.

Costs relating to the implementation of the Program are covered at the funds considered for relevant executive authorities in the state budget of the Republic of Azerbaijan and other resources considered in the law.

The Action Plan for 2014-2016 on the implementation of the "Programme on social rehabilitation and reintegration into society of children who are victims of human trafficking" is attached to the document. The asylum head immediately informs the State Committee for Family, Women and Children Affairs regarding the implementation of urgent measures on the child who is a victim of trafficking in human beings under the resolution No 180 dated by 19 November 2009 of the Cabinet of Ministers of the Republic of Azerbaijan on the endorsement of "Rules on placement and accommodation in the asylum of children who are victims of trafficking in human beings", and the Committee:

- reviews the implementation of the child's individual social rehabilitation plan and makes proposals on the issue;
- carries out rehabilitation work with the child's parents (excluding cases in which the parents are supposed to expose the child to human trafficking) and files a petition before related agencies for provision of relevant support to them;
- relevant actions are taken within cooperation with related agencies to determine the future lifestyle of a child who leaves the asylum.

Hierarchic education program on children's rights has been successfully implemented at general secondary schools by the initiative of the Ombudsman within cooperation with the Ministry of Education since the academic year 2009-2010. School children are provided broad information on the essence of and dangers arising human trafficking, as well as exploitation of child labour, its complications and methods of combating trafficking in human beings.

In addition, the UN Convention on the Rights of the Child was drafted in several languages (languages understandable for children) and printed within joint cooperation of the administration of the Ombudsman, UNHCR and UNICEF, which contains information on the Hotline services of the MIA Main Department on Combating Trafficking in Human Beings (152) and the Ombudsman's Office (916) operating 24 hours a day as they face cases of abuse against children.



*C. Questions related to specific articles*  
*Definitions (Article 4)*

*13. Have any difficulties been experienced in your country in identifying and prosecuting cases on the ground of trafficking for the purpose of forced labour or services, slavery and practices similar to slavery or servitude? If so, please provide details.*

Regarding crimes of forced labour, 4 facts were detected in 2014, 7 facts in 2015 and 6 facts in 2016. As victims of those crimes, 3 persons were identified in 2014, 9 persons in 2015 and 1 person in 2016. For committing crimes of this kind, 5 persons were involved in crime responsibility in 2014, 1 person in 2015, 6 persons in 2016 and 1 person in 2017.

Crimes in the form of servitude and practices similar to servitude were not detected in the Republic of Azerbaijan.

The review shows that the coefficient of the number of victims identified in recorded crimes of human trafficking was not similar to the number of identified victims of forced labour crimes.

Nobody can be forced to work in accordance with the Article 35 of the Constitution of the Republic of Azerbaijan. Labour contracts are entered into freely. Nobody can be forced to sign a labour contract. It is allowed to involve in forced labour with conditions and durations specified with law under a court decision, cause to work in relation with fulfilment of orders of authorized persons in military service and making citizens to do the required work in a state of emergency and martial law.

It is known that the State Migration Services performs state control over compliance with the Labour Code of the Republic of Azerbaijan and other regulatory and legal acts on labour legislation (LC, Article 15). According to the requirements of the Article 17 of the Labour Code, it is prohibited to force the employee to do work (service) not included in the job description by use of force in any manner and method, as well as threatening to terminate the labour contract. Violation of requirements of the above Article brings administrative liability specified in the Code of Administrative Offences of the Republic of Azerbaijan. According to the Article 193 of the Code (Article 193), forcing the employee to do work not included in the job description), employers shall be imposed a financial penalty of one to two thousand manats due to forcing the employee to do work (service) not included in the job description. Penalties under the Article 193 of the "Code of Administrative Offences" were not imposed the State Migration Services by in recent 10 years.

*14. How does your country's law define "abuse of a position of vulnerability" and what are the criteria for evaluating the vulnerability of a person subjected to THB? Please provide any relevant examples where the means used in THB offences involved an abuse of a position of vulnerability.*

Abuse of a position of vulnerability is considered as a method of trafficking in human beings in the Article 1 of the Law of the Republic of Azerbaijan on "Combating trafficking in human beings" and the provision 144-1 of the CC of the Republic of Azerbaijan. Since the borrower is in a position of vulnerability, the lender may draw the purpose of exploitation abusing this situation in debt bondage. At the same time, the lender misuses its influence on the borrower.

*15. To what extent does your country's law recognise the relevance of forced marriage and illegal adoption to THB offences? Please provide any examples from case law where forced marriage and illegal adoption were considered in the context of THB.*

The analysis of human trafficking and forced labour crimes shows that no facts were recorded in the form of forced marriage during the past period. Cases related with exposure to human trafficking through the sale of 13 children stated in the answer to the question 7 had been recorded by the relevant amendment to the disposition of the provision 144-1 of the CC in April 19, 2013. Thus, sale of a person, as well as that of a child by the parent in mercenary purposes giving up for adoption by another person was defined as trafficking in human beings in the original text. After the amendment, such acts are defined as a crime of illegal adoption in accordance with the Article 174 of the CC as it is not committed

as human trafficking for exploitation purposes, but for the purpose of seduction. It should be noted that forcing a woman to enter into marriage draws a criminal liability and punishment in accordance with the provision 176.1 of the CC.

If an act that is not specified as a crime in the criminal law causes trafficking in human beings, it is covered by the methods of force reflected in the provision 144-1 of CC or others.

Since forced marriage and illegal adoption are specified in the CC, they exist in the order of cumulative crimes if committed for the purpose of human trafficking.

According to the provision 2.3 of the Family Code of the Republic of Azerbaijan, marriage is a voluntary association of a man and a woman registered by the relevant executive authority.

According to the provision 11.1 of the Family Code, it is necessary to submit written consent of the persons who enter into marriage, a medical examination paper in accordance with the provision 13.3 of the Code and a document on reaching the age of marriage for conclusion of marriage.

According to the article 25 of the Family Code, marriage (fake marriage) concluded without intent to marry of one or both of the sides is considered void and invalid in the judicial order. The void marriage is considered invalid from the date of conclusion. According to the article 26 of the Code, a husband (wife) with rights broken at marriage has the right to demand for annulment of the marriage if it has been concluded without a voluntary consent of one of the sides, i.e. by force, deception, a mistake or in case a person who enters the marriage has not been capable of understanding and managing his/her actions in the state registration of the marriage.

According to requirements of the article 118 of the Family Code, adoption is realized by the court on the basis of an application of the person (persons) who is willing to adopt a child. The application for adoption is reviewed at the court with the participation of the relevant executive authority in special proceedings specified in the civil procedural law.

Adoption of a child is registered in the manner specified for state registration of civil status acts.

Adoption is not acceptable under any conditions, for any period or through representatives.

According to the article 132 of the Family Code, adoption is cancelled in a judicial order if a person who adopts a child does not fulfil parental responsibilities, misuse parental rights, demonstrate a cruel treatment to the child or is a chronic alcohol and drug addict. The court may cancel adoption for other reasons taking into account the child's opinion for its best interests.

*16. Can forced begging be considered as a purpose of THB according to your country's law? Have there been any cases of child trafficking for forced begging with the involvement of the child's family or legal guardian?*

According to the "Note" section of the provision 144-1 of the CC, "human exploitation" is defined as forced labour (service), servitude and practices similar to servitude and dependency status arising from the above cases, illegal removal of human organs and tissues, conduction of illegal biomedical studies on a person, use of a women as a surrogate mother and involvement in illegal, including criminal activity.

Forced begging is considered as a type of exploitation for human trafficking purposes in cases of forced labour (service), servitude and practices similar to servitude and dependency status arising from the above cases by threats of using force or use of force, threat or other methods of force.

Human trafficking or forced labour crimes in the form of forced begging were not recorded during the past period.

*17. Can the exploitation of criminal activities be considered as a purpose of THB according to your country's law? Please provide any examples from case law.*

Forms of exploitation of people are considered as the purpose of human trafficking in the "Note" section of the provision 1.0.2 of the Law on "Trafficking in human beings" and the provision 144-1 of the CC.

*Prevention of THB (Article 5)*

*18. Is the impact of awareness-raising campaigns and other measures to prevent THB evaluated and how are the results taken into account? Please provide copies of any impact evaluation reports.*

The Ministry of Internal Affairs and the Ministry of Education conducted awareness workshops at totally 35 educational institutions, including 13 high schools in various cities of the country, 14 secondary schools and 2 boarding schools functioning in cities and districts of the country, 6 secondary schools and 2 boarding schools functioning in Baku, which involved officers of law-enforcement bodies of 54 districts of the country, youth, media representatives, representatives of executive powers and commissions on minors' affairs, medical staff, local entrepreneurs, employees of transport, education, social protection and employment centres, public representatives and non-governmental organizations. 4800 booklets were distributed to the participants by the Ministry of Internal Affairs during the reporting period.

The National Action Plan contains the paragraph 13.9.1 on "Measures on raising awareness of persons entering the country on the danger of human trafficking", the paragraph 13.9.1 on "Distribution of awareness materials at border and customs checkpoints to prevent trafficking in human beings, in particular women and children, as well as forced labour", the paragraph 13.9.3 on "Strengthening of advocacy and awareness raising activities on Combating trafficking in human beings", the paragraph 13.9.4 on "Continuation of awareness measures on the protection of children at educational and training institutions from dangers relating to human trafficking and exploitation of child labour", the paragraph 13.9.5 on "Arranging courses for members of the media on the essence and various manifestation forms of human trafficking and illegal migration, taking relevant actions on features of media coverage of such information", the paragraph 13.9.6 on "Conduction of relevant advocacy and awareness work in private entities to prevent exploitation of child labour" and the paragraph 13.9.7 on "Implementation of awareness activities for representatives of tourism companies operating in the country and distribution of various types of awareness materials among tourism companies". The following activities were implemented in this direction:

MIA MDCTHB presented awareness raising booklets to the Ministries of Transport, Education, Youth and Sport, Culture and Tourism, Labour and Social Protection of the Population and Health, the State Border and Migrations Services, the State Customs Committee, the State Committee for Family, Women and Children Affairs, the State Civil Aviation and State Maritime Administrations, and specialized non-governmental organizations were involved in those activities in 2016 to ensure awareness on combating trafficking in human beings in the direction of informing persons entering the country of the danger of human trafficking.

The State Border Service performs activities on raising awareness of persons entering the country of the danger of human trafficking in a verbal manner or by means of the booklets provided by MIA. Foreigners are provided booklets on the risks of human trafficking and contact details of proper places of application when facing risks of this kind in Azerbaijani, Russian and English languages.

The State Customs Committee's officers met with employees of the Centre for Assistance to Victims of Human Trafficking established under the Ministry of Labour and Social Protection of the Population under the Decision No. 1 dated by January 22, 2007 of the board of the ministry, and were provided booklets and brochures developed by the above centre to distribute in the General Customs Administration on Air Transport of the State Customs Committee.

The Structural units and subordinate bodies of the State Road Transport Service of the Ministry of Transport, "Baku International Sea Trade Port" Closed Joint-Stock Company were given necessary instructions on raising awareness of staff members on the danger of human trafficking in transport infrastructure facilities, including bus stations where human flow is very high, conducting relevant advocacy and awareness work, as well as giving strict instructions to carriers operating in private organizations to prevent exploitation of child labour, strengthening of awareness of employees by the managements to prevent human trafficking in all subordinate organizations, prohibiting the use of child labour in activities of agencies, services and divisions of subordinate organizations, creating working conditions compliant with labour standards in production with teenagers and young people, distribution of visual memory aids to employees of transport vehicles, constantly providing instructions to passengers on obtaining information on this risk and informing immediately law-enforcement bodies of suspicious circumstances and ensuring awareness of employees on amendments to the law on

combating trafficking in human beings on a regular basis. Drivers of public transport vehicles trained with a special program were provided comprehensive information on the danger of human trafficking in transportations and measures on prevention of such cases by the Ministry of Transport.

The State Civil Aviation Administration given necessary instructions to the civil aviation entities and their structural units, as well as related staff of the State Civil Aviation Administration on the fulfilment of requirements arising from the above Decree and performs control over the implementation of the instructions on a regular basis. Besides, a section titled "About combating trafficking in human beings" was created on the home page of the Azerbaijani version of the official website of the State Civil Aviation Administration and a number of documents on combating trafficking in human beings were placed in this section.

Booklets raising awareness on trafficking in human beings presented to the State Maritime Administration by the MIA Main Department on Combating Trafficking in Human Beings were sent to maritime transport entities, crew members of ships were informed in this field, video materials on human trafficking were screened on passenger and tour ships, as well as passengers were recommended to apply to the free "Hotline" service 152 of the MIA Main Department on Combating Trafficking in Human Beings in such cases.

Regarding the distribution at border and customs checkpoints of awareness materials prepared for prevention of trafficking in human beings, in particular women and children, as well as forced labour, the State Border Service distributed awareness materials at border checkpoints to prevent trafficking in human beings, in particular women and children, as well as forced labour.

The State Customs Committee presented MIA-provided booklets on Combating trafficking in human beings to the State Customs Committee of the Nakhchivan Autonomous Republic and territorial and specialized customs offices and other relevant structural units of the State Customs Committee of the Republic of Azerbaijan.

In addition, taking into account the importance of advocacy and awareness in Combating trafficking in human beings, persons crossing the customs border were informed of the danger of human trafficking and awareness raising materials prepared for prevention of trafficking in human beings, in particular women and children, as well as forced labour were distributed at customs checkpoints, and customs officers were instructed in this direction.

A short movie titled "No victims" and a social video titled "Exit from the Labyrinth" were made with the organization of the "Clean World" Social Union and the support of MIA MDCTHB regarding the strengthening of advocacy and awareness work on combating trafficking in human beings, preparation of various social ads and videos, short films in this field, development and demonstration of TV broadcasts, preparation and distribution among people of booklets, and additionally a short documentary titled "Body market" was made with the organization of the ANS group of companies and the support of MIA MDCTHB and demonstrated on ANS TV channel on 25 March 2016, an officer of the Main Department attended a TV broadcast named "We have to say" dedicated to the rights of children and their exposure to human trafficking and forced labour on ANS TV channel on 1 June 2016. Besides, video clips were posted on the Internet in relation with combating trafficking in human beings in 2016.

The Ministry of Internal Affairs and the Ministry of Education conducted awareness workshops at totally 35 educational institutions, including 13 high schools in various cities of the country, 14 secondary schools and 2 boarding schools functioning in cities and districts of the country, 6 secondary schools and 2 boarding schools functioning in Baku, which involved officers of law-enforcement bodies of 54 districts of the country, youth, media representatives, representatives of executive powers and commissions on minors' affairs, medical staff, local entrepreneurs, employees of transport, education, social protection and employment centres, public representatives and non-governmental organizations. 4800 booklets were distributed to the participants by the Ministry of Internal Affairs during the reporting period.

The teaching of topics such as "Key directions and regulatory legal base of combating trafficking in human beings in the Republic of Azerbaijan" and "Organizing mutual activity of related services of internal affairs bodies in prevention and revealing of human trafficking crimes" was ensured in refresher courses organized at "Khazri" Recreation and Health Centre for operation, investigation and outdoor service officers in city, district and line police authorities by the MIA Main Human Resources Department. As a result, 256 officers of city, district and line police authorities of the country, including 76 police chiefs (field inspectors), 35 chief investigators (investigators), 31 senior prosecutors (prosecutors) and

32 responsible were trained on the essence of human trafficking problem and combat against this type of crimes improving their proficiency in this field.

The Press Service of MIA strengthened awareness work on combating trafficking in human beings, informative and analytical articles were published on a number of media outlets on the awareness raising, preventive measures, seminars and training organized at secondary and high schools, pre-school education institutions in various regions of the country with the participation of representatives of the media and non-governmental organizations and officers of MDCTHB and territorial police units.

The State Committee for Families, Women and Children started a wide-range awareness campaign named "Do not become a victim of trafficking in human beings!" in 2016. An event was organized at the school No. 28 of Zangilan district located in Khatai district on April 22, 2016 together with Zangilan District Executive Power within the project. A similar event was held at Heydar Aliyev Centre of Absheron district as attended by representatives of local community jointly with Absheron District Executive Power on July, 26, 2016. A presentation titled "Do not become a victim of trafficking in human beings!" and a movie dedicated to human trafficking from the film fund "Azerbaijani family" were demonstrated for participants of the events. At the same time, awareness materials titled "Do not become a victim of trafficking in human beings!" were distributed and broad discussions were conducted around the theme.

A theatre performance "Innocent sinners" was prepared with the order of the Ministry of Youth and Sport to carry out awareness work in a contemporary and impressive way. The theatre performance was staged at the Academy of Public Administration under the President of the Republic of Azerbaijan, Baku State University, Azerbaijan State Pedagogical University, Baku Slavic University, Azerbaijan Technical University, Azerbaijan University of Languages and Azerbaijan State University of Economics in 2016.

Preventive awareness measures were taken by the Mental Health Centre of the Ministry of Health aiming at explanation of medical and psychological outcomes among people and prevention of trafficking in human beings, and booklets were distributed at workshops with this respect.

A "Health forum" was organized for school children by the "Education Centre for Youth" Social Union at Baku Modern School located in Narimanov district of Baku city on 5 May 2016 and at secondary school No. 240 located in Nasimi district of Baku city on 13 May 2016, and the main topics of discussions conducted at the forums included trafficking in human beings, early marriage, domestic violence, etc. reported by PHRC experts and awareness materials prepared and printed by PHRC were distributed to the participants. A round table on early marriage and combating trafficking in human beings and implications of domestic violence was organized jointly by PHRC and Baku city Youth and Sport Department at the Youth Support Fund on 26 April 2016 for active youth members of Students Youth Organizations of universities and non-governmental organizations in Baku city, who were provided information on the theme and awareness materials prepared and printed by PHRC. Furthermore, booklets titled "Key indicators of forced labour", "Trafficking of children", "Methodical aids for institutions providing medical assistance to persons exposed to domestic violence", "Let's fight against children abuse" and "Children abuse" were prepared and distributed to the youth.

Round tables on "Early marriage and its complications", seminar-training and a scientific-practical conference on "Early marriages – innocent victims" were organized in Lankaran city. As a result of the preventive activities implemented, the number of applications to the commission on reducing the age of marriage was minimized in 2016. Round tables on the topic of "Every child should know its rights" were organized at secondary schools No. 2, 9, 10 located in the city and those located in Luvasar, Gurunba, Shuruk, Kholmili, Laj and Ballabur villages of Lankaran, TV programs on education, labour and marriage rights of children were prepared on "Janub" (South) Regional Television on a regular basis and awareness raising articles were published on the "Lankaran" newspaper.

A round table on "Get educated and do not become a victim of human trafficking" was organized on 28.07.2016 with the participation of 50 young people on the eve of the "30 July – World Day against Trafficking in Persons" by the Siyazan District Youth and Sport Department at the Youth Centre of Siyazan District.

Awareness events were held at secondary schools of 4 villages to prevent early marriages in Salyan district. Wedding celebrations were prohibited without state registration of marriages in wedding palaces located in the district. A series of activities were implemented within the "Children's Rights Month".

Over 70,000 students of class 9-11, their parents, as well as 350 psychologists of general secondary education institutions were involved in the events organized by the MIA Main Department on Public Security with the participation of experts of central hospitals of cities and districts, medical stations of

settlements and villages aiming at the continuation of awareness activities on the protection of children from trafficking in human beings and exploitation of child labour, and questions concerning teenagers were answered at the meetings attended by more than 100 representatives of local executive powers.

Extensive information was disseminated at law department of Baku State University regarding the activity of the Main Department on Combating trafficking in human beings of the Ministry of Internal Affairs by the Ministry of Education within cooperation with the main department, booklets issued on combating trafficking in human beings were distributed to students of the law department. A scientific and practical conference on "Crime in the globalized world: international and regional problems" was jointly organized by the law department of BSU and the Police Academy. An international scientific and practical conference on the topic of "Heydar Aliyev and legal statehood in Azerbaijan" was dedicated to the 93<sup>rd</sup> anniversary of Azerbaijani National Leader Heydar Aliyev by the department of law on May 30, 2016 and reports were sounded on combating trafficking in human beings at plenary parts "International law" and "Criminal law, criminal procedure and criminalism" of the conference. Training courses were delivered to staff of district (city) education departments of by the State Committee for Families, Women and Children Affairs so as to prevent child abuse and strengthen awareness on this issue. Awareness activities were implemented at boarding schools in April to May of 2016 in accordance with the joint Work Plan of the Ministry of Education and the Ministry of Internal Affairs. Awareness activities have been implemented at 31 primary vocational training institutions regarding the protection of children from trafficking in human beings and exploitation of child labour since March of the current year jointly with the Ministry of Labour and Social Protection of the Population within the "Awareness on combating trafficking in human beings" actions.

The Ombudsman Office organized workshops at secondary schools of Baku city on 5-8 April 2016. The "Children's Rights Convention" book and the "Selected topics for staged teaching on the rights of children" textbook, as well as other legal publications and posters were utilized during the workshops. Additionally, awareness events were held in IDP settlements laid down in Baku, Fuzuli, Goygol, Ganja and Goranboy cities, which were attended by more than 4000 children and 300 teachers.

The theatre performance "Innocent sinners" was staged by the Theatre of Baku Child with the organization of Binagadi District Executive Power and Binagadi District Youth and Sport Department. Theatre performances play a special role in this field. Spectators had a chance to practically witness causes of human trafficking and circumstances leading to human trafficking.

A concert program was held for children in foster care and those from low-income families at the Heydar Aliyev Centre of Zagatala city.

An extensive consultation workshop was organized on religion radicalism, early marriages and combat against drug addiction on November 04, 2016 with the participation of students of class 9-11 of the school No. 2 under the order No. 240 of the head of Aghstafa district executive power dated by October 18, 2016.

Relevant speeches were made before students of the vocation school and upper class students of secondary schools of Zurnabad, Chaykand and Mollajalilly villages and certain preventive measures were taken to prevent forced labour, sexual exploitation, servitude, generally human trafficking in Goychay district. Training was organized by the State Committee for Families, Women and Children Affairs within the "Programme on social rehabilitation and reintegration into society of children who are victims of human trafficking" at the Centre for Support to Children and Families, the "Do not become a victim of human trafficking" posters and "No violence!" calendars were distributed to reduce the risk of becoming a victim of trafficking in human beings in the district. Besides, a meeting of unemployed women with women entrepreneurs was organized and a "Circle of life skills" was created with this respect.

Awareness activities were implemented by the Guba Regional Resource and Training Social Union within the "Organization of awareness actions within measures on Combating trafficking in human beings in the Guba-Khachmazturism region" with the financial support of the Council of State Support to Non-governmental Organizations under the Auspices of the President of the Republic of Azerbaijan on 20.10.2016 at the secondary school No. 1 and the school-lyceum No. 8 named after Academician Zarifa Aliyeva in Khachmaz district.

Conduction of advocacy and awareness work was kept under control in Sumgait city, and 168 meetings were held with students and pupils at high, secondary schools and general education institutions, 5 speeches were made on the theme through local press outlets, radio and TV channels for

this purpose. Articles of this theme were published on the "Sumgait" newspapers in totally 11 cases during 2016.

A meeting dedicated to the topic of "Protection of the rights of minors and our national and moral values" was held on 16 February 2016 at the secondary school No. 320 in Mushvigabad settlement of Garadagh district. The theatre performance "Innocent sinners" was staged by the Theatre of Baku Child at the Palace of Culture named after A. Amirov which is located in Lokbatan settlement on November 03, 2016 with the order of the Ministry of Youth and Sport and the support of Garadagh District Executive Power.

There were organized a workshop on "Role of schools in the organization of leisure time of children from disadvantaged families" with the participation of deputy directors for educational affairs of secondary schools and round tables on "Methods of individual approach to children included in the risk group in the family and at school", "We say "NO!" to exploitation of child labour", "Social and psychological complications of drug use", "Let's say "No" to drugs", "Drugs or Life" at secondary schools during the recent one year in Sabail district. 380 teenagers rested in camps aimed at the effective and memorable organization of summer holiday of school children and returned their homes with good impressions. Moreover, a group of 30 students of district schools took a tour to Nakhchivan in March of 2016 and another group of 40 students travel through the Ganja-Shamkir-Goygol route in November of the year within the educational tour-action "Let's know our country". The theatre performance "Innocent sinners" was staged by the Theatre of Baku Child in the assembly hall of the Azerbaijan State Pedagogical University on November 04, 2016 with the organization of district executive power and the order of the Ministry of Youth and Sport of the Republic of Azerbaijan, which was attended by staff of the secondary schools of the district and students of ASPU. The period of October 20 to November 20, 2016 was declared "Children's Rights Month" in the district. An awareness campaign was held to eliminate problems of human trafficking and their complications at 17 secondary education institutions of the district.

Awareness events were held at school No. 7, the Central Hospital, the education department, and the culture and tourism department in Saatly district.

"Combating trafficking in human beings" events were held by Balakan district organization of the Azerbaijan Red Crescent Society on 4-13 May 2016 at Gullar village school No.2, Tulu village school No.1, Hanifa, Talalar village school No.2, Gazbina, Shambul, Katekh and Itital village secondary schools, while in November at the humanitarian and technical lyceum, school No.1 named after Nizami, school No.2 named after Nasimi, Gabagchol and Kortala village secondary schools. Also, an event named "awareness campaign on increasing activeness in Combating trafficking in human beings and organization of legal assistance to victims" was held by the "Family World" Legal Support to Families Social Union on 12 July 2016 in the "Youth House" of the district.

An awareness event was organized at the secondary school No. 251 of Nizami district regarding the prevention of forced labour and trafficking in human beings.

Field experts of the Ministry of Labour and Social Protection of the Population, the State Committee for Families, Women and Children Affairs, the State Migration Service and the Press Council participated in the workshop organized for representatives of mass media on the essence of human trafficking and forced labour at the "Hyatt Regency" hotel Baku by MIA MDCTHB on 23 May 2016 in the direction of implementing relevant actions around organization of courses for representatives of mass media on the essence and various manifestation forms of human trafficking and illegal migration, taking relevant actions on features of media coverage of such information.

A conference titled "Media coverage of families, women and children issues: achievements and perspectives" was organized by the State Committee for Families, Women and Children Affairs on July 20, 2016. Attended by representatives of mass media, the conference featured speeches on such topics as media coverage of the topic of human trafficking and forced labour in line with families, women and children affairs. Besides, media monitoring was conducted in the protection of women and children rights, in particular prevention of trafficking in human beings during which media representatives were awarded according to the analysis and research. Awareness activities were implemented with the participation of students of class 8-11 of general secondary education institutions No. 5, 16, 160, 189, 190 (in Sabail and Nasimi districts) of Baku city on April 5-8, 2016. The training courses were attended by around 500 students. An awareness raising article titled "Prevention of woman and child abuse in Azerbaijan, preventive measures" was drafted and published on the media. Interviews of the Committee

staff on the protection of women and children rights, particularly illegal migration and prevention of this kind of crimes were posted on mass media.

Meetings and events were organized by the State Migration Service in cities and districts of the country in 2016 to raise awareness of people on the migration law. During those events, officials of the Service provided broad information to the community regarding the essence of human trafficking and its threats, as well as migrants living illegally in the country and the risk of their exposure to trafficking in human beings alongside with other issues in the field of migration.

The large-scale events held in for districts of the country were attended by the Service offices, heads of local executive authorities, entrepreneurs, public representatives, foreigners and stateless persons. Additionally, awareness events were held in 32 districts and a mobile service was organized in 10 districts of the country.

Besides, an event was organized at Baku city Centre for Detention of Illegal Migrations of the State Migration Service within the "Children's Rights Month" declared on October 20 to November 20, 2016 in relation with "20 November – Universal Children's Day". Issues related with the rights of children brought up in foreign families granted the status of a refugee have always been a focus of attentions of the State Migration Service.

Special attention was attached to media publications and press coverage on the activity of the Service and migration procedures, broadcasting of programs, video materials and movies on TV channels. Thus, 11 video instructions were prepared on online services provided by the Service. The phone number 919 of the State Migration "Call Centre" started functioning in 3 languages in 2016.

55 facts were detected regarding the employment of children under the day labour (without a labour contract) on their own will in public catering and other service sectors to meet their personal and family needs by the relevant services of the MIA Main Department on Public Security in the direction of conducting relevant advocacy and awareness work in private entities to prevent exploitation of child labour, and 52 cases were handed to local organizations of the State Labour Inspectorate Service and other related organizations.

Workshops on "protection of children rights" were held in Ganja city with the organization of the Ganja Office of Baku Business Education Centre of the Ministry of Economy and the Human Rights Commissioner (ombudsman) of the Republic of Azerbaijan on 31 May 2016, at school No. 12 of Sheki city and Gokhmug village secondary schools with the organization of the Sheki Office of the Centre on 24 and 26 October 2016 and at school No. 2 named after Samad Vurghun of Gazakh district on 28 October 2016 in order to prevent child labour in those areas. During the events, detailed information was brought to the attention of the participants on the key principles and protection of human and civil rights and freedoms, legislation and international best practices in this field, the Convention on the Rights of the Child, as well as measures taken to protect the rights of children in the country, and questions concerning them were answered in this regard.

Awareness work was carried out on children's evasion of education, inclination to crime and administrative infringements and severe complications of alcohol, tobacco and drug addiction at the events held by Baku city Main Police Department at secondary schools of all districts of the capital city, the Railway Lyceum, Taraggi Lyceum, the Academy of Arts, the Chemistry and Biology Lyceum, the Tourism and Management University, the Ecology Lyceum, the Eureka Lyceum, the European Lyceum, the Humanitarian Subjects Gymnasium, Baku Modern School, the Elite Gymnasium, the Era Turkish Lyceum, the XXI century Education Centre, the Caucasus University, the Idrak Lyceum, the Baku Economic University, the Odlar Yurdu University, the Baku Higher Oil School and the Zangi Lyceum, and a supplementary plan of measures was elaborated and enforced to prevent involvement of minors in alcoholism, drug addiction, gambling, begging and prostitution.

Regarding the organization of awareness events for employees of tourism companies operating in Azerbaijan and distribution of various kinds of awareness materials to those companies, the Ministry of Culture and Tourism distributed the booklets on combat against child violence and human trafficking provided by the MIA Main Department on Combating trafficking in human beings to tourism companies operating in the country.

Awareness campaigns on the prevention of THB:



A round table on early marriage and Combating trafficking in human beings and implications of domestic violence was organized jointly by the Public Health and Reforms Centre of the Ministry of Health (PHRC) and Baku city Youth and Sport Department at the Youth Support Fund on 26 April 2016 for active youth members of Students Youth Organizations of universities and non-governmental organizations in Baku city. At the event, employees of PHRC provided broad information of this theme as one of the main problems of public health and awareness materials prepared and printed by PHRC were distributed to young participants of the event.

A briefing was held for media representatives at PHRC in relation with the International Day for the Elimination of Violence against Women on 25 November 2016.

Activities were implemented under the motto "Let's say NO to drugs" in Mingachevir, Ganja, Sumgait and Lankaran cities with the participation of the Republican Narcological Centre to prevent illicit trafficking of drugs, psychotropic substances and their precursors and drug addiction.

Experts of the Republican Narcological Centre participated in training-workshops organized in the districts of the country (Ismayilli, Goychay, Yevlakh, Sabirabad, Hajigabul, Shirvan, Saatly, Siyazan, Khachmaz, Shabran, Guba, Lankaran, Salyan, Jalilabad, Masally) and Baku city (Yasamal, Sabunchu, Nasimi, Narimanov, Binagadi), in the boarding school located in Garadagh district, Baku Slavic University and Azerbaijan Technical University within a training of trainers to carry out awareness activities in combat against drug addiction organized by the Working Group of the State Commission on Combating Drug Abuse and Illicit Drug Trafficking.

Regarding the necessity of timely identification of teenagers and youngsters suffering from drug addiction and implementation of medical-preventive and awareness measures in relation with them, the campaign is going on under the motto "Let's say NO to drugs" in accordance with the joint action plan of the Ministry of Health and the Ministry of Education of the Republic of Azerbaijan to detect drugs and psychotropic substances addiction and use by learners. Experts of the Ministry of Health participated in the virtual lessons organized by the Ministry of Internal Affairs at 32 schools of Baku city, in the training program of the "SOS-International Clinic" and the event dedicated to special achievements in treatment of persons suffering from drug addiction at the Azerbaijan State Doctors Improvement Institute during the year of 2016. Experts of the Republican Narcological Centre participated in the events organized by the Special State Protection Service of AR and the Police Departments of Sabunchu, Nizami, Pirallahi, Sabayil districts at the Azerbaijan University, the "SOCAR" school, the Youth Creative House, the Economic College located in Khatai district, as well. Furthermore, the Centre's staff attended the event titled "Early marriage, religious radicalism and drug addiction" organized by the Ministry of Internal Affairs jointly with Gubadli and Lachin District Executive Powers in Sumgait city. Also, experts of the Republican Narcological Centre participated in the training "Combat against drugs is a healthy environment and healthy future" organized in the boarding school located in Garadagh district together with experts of the Working Group of the State Commission on Combating Drug Abuse and Illicit Drug Trafficking, events organized at penal institutions No. 5 and 14 in Salyan district, training sessions organized in Sheki, Mingachevir, Kurdamir, Zagatala, Gakh, Balakan, Aghdash, Aghsu, Shamakhi, Ujar and Zardab districts of the republic and together with experts of the Working Group of the State Commission on Combating Drug Abuse and Illicit Drug Trafficking and events held at secondary schools in Khatai, Sabail, Yasamal and Narimanov districts of Baku city. The event held at the boarding school No. 1 in Mashtaga settlement of Sabunchu district was attended by experts of the Republican Narcological Centre together with experts of the Working Group. Moreover, experts of the Republican Narcological Centre participated in the event named "Drug addiction is a scourge of the century" held at the secondary school No. 130 in Nardaran settlement by experts of Sabunchu district Executive Power and the district police department. Experts of the Republican Narcological Centre also participated in the workshops held at the penal institutions No. 1 and 11, KOICA Alumni Association. RNC experts participated as a representative in the events organized by the Working Group at the Baku Slavic University and Azerbaijani Technical University of the Ministry of Education and ADA University. RNC representatives attended the events organized by the Baku city Culture and Tourism Department and Yasamal District Executive Power in the Heydar Aliyev Centre and the Elite Gymnasium. A RNC representative attended the virtual seminar on "Contemporary drugs and behaviours of drug addicts" held at the Police Academy located in Shuvelan settlement of Khazar district.

Methodical aids were developed at PHRC with the assistance of the Centre's staff for employees of family, education, youth and sport organizations to facilitate detection of addiction to drugs and

psychotropic substances and identification of persons addicted to psychoactive substances, and presented to the Scientific Medical Board of the Ministry of Health. A magazine titled "Know the truth about drugs" putting light on various aspects of the problem regarding the implementation of primary prevention of drug addiction and anti-drug advocacy for parents and employees education, youth and sport organizations and booklets "PROTECT your children from becoming drug toy" and "Choose a healthy life without drugs" for youth were distributed by relevance, and booklets titled "Alcoholism" and "Addiction to psychoactive substances" were prepared by experts of the Republican Narcological Centre with this respect.

Experts of the centre also attended broadcasts and roundtables organized on both state and private radio and TV channels, press outlets on a regular basis together with employees of other related bodies on treatment from addiction, combat measures, destruction and removal from circulation of drugs and other activities in accordance with the Law on "Illicit trafficking of drugs, psychotropic substances and their precursors". In addition, doctors made speeches in an individual manner at programs dedicated to "Negative aspects of drug addiction and preventive measures on drug abuse" on AzTV, Public TV, Khazar, SPACE and ATV channels.

Special presentations, visual teaching aids and literature on the dangers of drugs are being issued by experts of the Republican Narcological Centre, a heading was dedicated to the danger of psychoactive substances on the "Family Doctor" magazine and articles of experts on various topics are published on the magazine every month. Also, articles of the centre's experts are published on "Medical newspaper", "Two Coasts" and "Azerbaijan" newspapers.

Advocacy campaigns are regularly conducted on the activities implemented in combat against illicit trafficking of drugs, psychotropic substances and their precursors and drug addiction and ways of avoiding this scourge on the official website of the Ministry of Health of the Republic of Azerbaijan ([www.health.gov.az](http://www.health.gov.az)), the official website of the Republican Narcological Centre ([www.rnm.az](http://www.rnm.az)), [www.saglamliq.isim.az](http://www.saglamliq.isim.az), "İnter.az" and "Media.az" online TV channels.

Visual aid (brochures, memory cards, pocket calendars, etc.) were printed in 180.000 copies and 8 varieties and disseminated to separate groups of the population, including youth (pupils/students), pregnant women, representatives of the risk group, medical staff and representatives of other groups in 2016.

Effects of awareness and other activities implemented in the prevention of trafficking in human beings allow yielding positive outcomes in the society.

A theatre performance "Innocent sinners" was prepared and premiered on the stage of Young Spectators' Theatre on 19 May 2014 with the order of the Ministry of Youth and Sport to raise awareness of youth on the problem of trafficking in human beings and its complications in a contemporary and impressive way. The theatre performance was staged in 7 cities and districts, as well as 7 higher education institutions in 2014-2016.

Relevant awareness work is carried out in the direction of preventing human trafficking and child violence among local tourism companies and hotels within the competences of the Ministry on a regular basis.

The Ministry of Transport, Communications and High Technologies is holding events on "Children's Rights on the Internet" regularly with the Ministry of Education within the "Children's Rights Month" declared in relation with the adoption of the UN Convention on the Right of the Child. The training and education centres functioning in Sumgait, Ganja (2 centres), Mingachevir, Lankaran, Berde and Gazakh joined via video conferencing the event held on 23 November 2016 at the E-Government Training and Education Centre of the Ministry of Transport, Communications and High Technologies in order to promote children's rights on the Internet and safe use of the Internet during the exercise of those rights and increase knowledge of children on information security. The event featuring interactive questions and answers sessions was attended by 150 students of class 8-10 of general secondary education institutions in both Baku city and regions.

Events are being regularly held on "Secure Internet environment for children and teenagers and protection of personal information" on the eve of the "Secure Internet Day" and "Information Protection Day" by the Ministry of Transport, Communications and High Technologies with the support of the State Committee for Families, Women and Children Affairs, the Department for Education Informatization System of the Ministry of Education, the Electronic Security Centre and the Knowledge Fund under the President of the Republic of Azerbaijan to promote safe use of Internet and advocate the necessity of

protection and confidentiality of personal information among children and youth. Presentations were made on the theme with the active participation of children and teenagers, as well as IT teachers at the E-Government Training and Education Centre of the Ministry of Transport, Communications and High Technologies and training-education centre in the regions (Sumgait, Ganja, Mingachevir, Lankaran, Berde and Gabala) via video conferencing on February 09, 2017.

"Aztelekom" LLC of the Ministry of Transport, Communications and High Technologies have been providing "Secure Internet service" in 9 districts of the Republic (Absheron, Imishly, Naftalan, Goychay, Shirvan, Lankaran, Gabala, Oghuz and Hajigabul TCHs) since 2017 to expand activities in information security and ensure safe use of Internet for users belonging to various groups of age. Allowing a wide choice, the service protects users from undesirable and harmful contents, generally Internet threats in fast information flow. Users can compile a "white list" of desirable Internet resources, at the same time they can limit use of dangerous resources including them into a "black list".

The "Baku Telephone Communication" PA of the Ministry of Transport, Communications and High Technologies is implementing activities on the application of "Secure Internet service" in Baku city.

Relevant activities are implemented by the mobile operators regarding information security in the country. The "Secure Internet" service was included into the list of services provided by "Azercell" and "Bakcell" companies. Subscribers of the corresponding mobile operators can use Internet filtered from websites that spread terrorism and violence, promote trafficking in human beings and support racial and religious discrimination on any device (mobile phone, tablet or computer).

Shuvelan, Saatly, Sabirabad, Hajigabul, Gabala, Ismayilli, Zagatala, Goygol, Goranboy, Aghdam and Zardab Centres for Support to Children and Families under the State Committee for Family, Women and Children Affairs conducted interviews with 220 people in total. The interviews were conducted with 110 men and 110 women over 18 age with secondary, vocational and higher education. According to the results of interviews in understanding of most respondents human trafficking is exploitation against one's own will. 70% of respondents mentioned unemployment among the factors affecting trafficking in human beings. Participants noted other factors, such as low levels of material security, domestic violence and ignorance.

With the view of strengthening combating against traffickers (individuals or legal entities) involved in the forced labour of migrants, taking measures on apprising people entering the country about the danger of human trafficking, and ensuring distribution of awareness materials at customs border checkpoints designated to prevent human trafficking, especially women and child trafficking, as well as forced labour, the last year a meeting was held with the staff of the Centre for Assistance to the victims of Trafficking in Human Beings under the Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan and educative booklets and brochures prepared by the stated centre were distributed among the relevant staff of Head Customs Department in Air Transport, State Customs Committee of the Republic of Azerbaijan.

Awareness brochures on combating trafficking in human beings submitted to the State Customs Committee by the Main Department on Combat against Trafficking in Human Beings at the Ministry of Internal Affairs of the Republic of Azerbaijan were submitted to the State Customs Committee of the Autonomous Republic of Nakhchivan and customs departments and other relevant structural subdivisions of the State Customs Committee of the Republic of Azerbaijan with the purpose of awareness and staff instructing.

*19. How does your country promote and fund research on THB and use its results in the development of anti-trafficking policy? Please provide examples of recent research.*

Paragraph 13.2.3, National Action Plan provides for a measure on "Conducting scientific and social research on combating trafficking in human beings, surveys for public opinion study and other measures." In order to study the public opinion the Main Department on Combat against Trafficking in Human Beings at the Ministry of Internal Affairs of the Republic of Azerbaijan arranged online survey since November 2016 through the Web site of the Head Office, afterward the results of the survey were taken into consideration.

The Ministry of Education put a topic on study of issues on combat trafficking in human beings in the list of proposed topics of graduation and master's theses of Baku State University. Various aspects of Combating trafficking in human beings are being studied in the chairs of the BSU to doctoral students

and candidates in accordance with scientific directions. Conference on "Human Rights and National Legal Systems in the Globalization Period" was held at Baku State University as well. Surveys on combat against trafficking were conducted among youth and adolescents in the state child care facilities subordinated to the Ministry of Education.

Based on the "Regulations of the Police Academy of the Ministry of Internal Affairs of the Republic of Azerbaijan" approved by the Decree of the President of the Republic of Azerbaijan No 1007, dated August 4, 2016, initiative report of the Main Department on Combating Trafficking in Human Beings at the Ministry of Internal Affairs of the Republic of Azerbaijan No 017-3579-1216, dated 11.11.2016 was provided and scientific researches on combating THB was planned in the academy.

The Letters of the International Organization for Migration (IOM), Azerbaijan Office, No IOM/178/17, dated 31 March 2017 and IOM/182/17 dated 31 March 2017 state that a project on "Capacity building on Migration and Border Management in Azerbaijan" is being realized in cooperation with MFA, SMS, ASBS, MIA, MLSPP of the Republic of Azerbaijan and financial support of European Union (EU) since 1 September, 2014.

Under the project, reports on "Standard Operational Procedures: Preventing and Monitoring of Unlawful Employment and Labour Exploitation of Labour Migrants, Combating such cases and Conducting Joint Inspections for the Protection of rights of labour migrants", "Comparative Analysis of Visa Regime of the Republic of Azerbaijan with the European Union and International Standards", "Analysis of Mechanisms for Combating Trafficking in Human Beings in the Republic of Azerbaijan", "Comparative Analysis of Current Institutional and Operational Framework of Migration Management in the Republic of Azerbaijan with European Practice", "Analysis of Gaps in Legislation and Institutional Framework for Unlawful Employment and Unfair Labour Migrants in Azerbaijan" were prepared.

During August 2015 and July 2016 a project on "Identification of Gaps and Evaluation of Needs: Comparative Analysis of Efforts for Combating trafficking in human beings in the South Caucasus" was implemented in our country with the financial support of the IOM Development Fund.

Within the project, with a view of conducting comparative analysis of needs for Combating trafficking in human beings in coordination with the Government of Azerbaijan a Rational and Comprehensive Assessment Mechanism and Study Report was developed in line with international standards can be used as a model in other countries.

*20. How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration?*

Regular works are being carried out to implement the state policy in the field of migration in the Republic of Azerbaijan, improvement of legislation in accordance with international standards and modern requirements, elimination of negative effects of illegal migration, prevention of illegal migration, including human trafficking. Since illegal migrants are more likely subjected to human trafficking, with combat against illegal migration is always under constant attention. Alongside with protection of legitimate interests of migrants by strengthening migration control system, measures against foreigners and stateless persons violating the legislation of the Republic of Azerbaijan, effective combat against illegal migration, as well as signing readmission agreements to facilitate return of persons safely to their country of origin and cooperation in this field are being continued.

The Integrated Migration Information System that includes the number of foreigners and stateless persons, their place and type of employment, and other information, was developed via which the migrants are kept under control.

Foreigners and stateless persons temporarily staying in the country over 10 days are enrolled in the place of residence (visa applicants for a period of time specified in the visa, persons without a visa - up to 90 days). Foreigners willing to stay in the country over the mentioned period must obtain a permit (temporary or permanent residence permit), grounds and conditions for obtaining residence permits are reflected in the Migration Code of the Republic of Azerbaijan.

According to Article 57.1, Migration Code of the Republic of Azerbaijan, the government regulates labour migration through applying a labour migration quota, issuing work permits, as well as issuing special permissions (licenses) for mediation activity for employment of citizens of the Republic of Azerbaijan in foreign countries. According to Article 63, Migration Code of the Republic of Azerbaijan except for cases set forth in Article 64 of this Code, juridical persons, physical persons dealing with

entrepreneurship activity without establishing juridical persons, and branches and representations of foreign juridical persons should obtain a work permit for every foreigner or stateless person whom they want to employ and conclude a labour contract in compliance with validity period of the work permit. Concluding labour contract with foreigners without obtaining work permit is not allowed.

In order to exercise the state control over the labour migration and regulation of the use of foreign labour, the State Migration Service conducted inspections in the workplaces (entrepreneurship subjects) where the labour migrant are employed to check existence of appropriate status and work permits, as a result of the inspections unlawful involvement cases of foreigners and stateless persons in labour activity without a work permit were determined and responsible persons were brought to justice and relevant decisions were made in accordance with the requirements of the law.

In addition, the State Migration Service conducts monitoring on registration of foreigners and stateless persons in a group and by the same person or at the same place of residence, on compliance of places of employment and residence to the standards set out in that area during the relevant inspections in accordance with the " Rules (indicators) on identification of the victims of human trafficking " approved by the Decree of the Cabinet of Ministers of the Republic of Azerbaijan No 131 dated September 3, 2009 to prevent risk of human trafficking against illegal migrants every moment and to exercise the state control over observance of regulations on use of foreign labour force.

Inspections in places where foreigners and stateless persons are possibly exploited, particularly in construction, industry, service, entertainment, markets, stationary and other facilities of this category, raids on "black labour exchanges", monitoring of advertising in mass media, on the internet and in other places are being carried out.

The State Migration Service attaches great importance to the development of cooperation with other government agencies and public organizations to address the problem of human trafficking sensitively. The State Migration Service as a member of Interdepartmental Commission for the Implementation of the National Referral Mechanism is closely involved in the work of Commission in accordance with "Rules of National Referral Mechanisms for Victims of Trafficking in Human Beings" approved by the Decree of the Cabinet of Ministers of the Republic of Azerbaijan No 123, dated August 11, 2009 with a view of increasing the efficiency of information exchange and ensuring implementation of anti-trafficking measures among participants of the National Action Plan on Combat against Trafficking in Human Beings in the Republic of Azerbaijan for 2014-2018.

In order to prevent cases of violations of the legislation in the area of migration in the territory of the Republic of Azerbaijan, the State Migration Service of the Republic of Azerbaijan signed Joint Action Plan separately with State Border Service of the Republic of Azerbaijan and the Ministry of Internal Affairs of the Republic of Azerbaijan in 2008, and presently implementation of appropriate actions are being regularly ensured.

At the same time, jointly implementation of actions provided for "Action Plan for the Prevention of Trafficking in Human Beings, Forced Labour and Elimination of such Incidents and their Consequences" (2013-2018) jointly prepared by the State Migration Service, the Ministry of Internal Affairs and the Ministry of Labour and Social Protection of Population is ensured as well.

The State Migration Service participates in the project on "Capacity building on Migration and Border Management in Azerbaijan" implemented by IOM as a key partner together with the State Border Service, the Ministry of Foreign Affairs, the Ministry of Internal Affairs and the Ministry of Labour and Social Protection of Population. The State Migration Service is a member of the Technical Work Group established under the project to combat trafficking in human beings.

According to the phase 6 of the program for "Capacity building on identifying and assisting victims and potential victims of human trafficking in Azerbaijan" under International Organization for Migration (IOM), trainings on medical services for above stated contingent are being conducted by a doctor-trainer of Republican AIDS Centre.

*21. Please describe the measures taken in your country to prevent THB for the purpose of the removal of organs, and in particular:*

*a. the legislation and regulations on organ transplantation and removal of organs, including requirements for the living donation procedure (information/consent, evaluation/selection, follow-up and registry) and criteria for authorising centres for living donation;*

- b. the institution(s) in charge of overseeing and monitoring the medical care and recovery of donors and recipients and managing or supervising any waiting lists for organ transplantations;*
- c. the guidance and training provided to relevant professionals to prevent this form of THB, to report cases and to identify and assist victims.*

The Law No 726-IQ, dated October 28, 1999 On "Transplantation of human Organs and (or) Tissue" has been adopted, in furtherance of the law the Decree No. 251, dated January 15, 2000 has been signed by the President of the Republic of Azerbaijan.

Under the Decree of the Cabinet of Ministers of the Republic of Azerbaijan No 168, dated September 13, 2000 the "List of Organs and (or) Tissues of Transplant Objects" has been approved.

Decision of the Cabinet of Ministers of the Republic of Azerbaijan No. 187, dated November 17, 2011 on approval of certain normative legal acts for application of the Law of the Republic of Azerbaijan on "Transplantation of Human Organs and (or) Tissues" has been approved:

- "Terms and Conditions of Human Organ and (or) Tissue Transplantation" (Annex # 1);
- "List of Specialized Healthcare Facilities Realizing Human Organ and (or) Tissue Transplantation" (Annex # 2);
- "Rules on Removal, Preparation (conservation) and Storage of Human Organs and (or) Tissues for Transplantation" (Annex # 3);
- "Procedures of Medical Decision-making on Necessity of Transplantation of Human Organs and (or) Tissues" (Annex # 4).

In case of failure to preserve human life via other medical methods or by using organs and (or) tissues of dead man, transplantation of organs and (or) tissues from the donor to the recipient is permitted.

In case when medical institutions realizing transplantation are aware of sale and purchase, as well as forced removal of human organs and (or) tissues, the relevant law enforcement authorities are immediately informed about.

According to Article 137, CC of the Republic of Azerbaijan, purchase and sale of human organs or tissues and forced removal for transplantation is punished by imprisonment for the term from three up to five years with deprivation of the right to hold certain positions or engage in certain activities for up to three years.

Article 144-1 of the CC specifies illegal removal of human organs and tissues as one of the forms of exploitation.

Measures to discourage the demand (Article 6)

*22. What preventive measures to discourage demand that fosters different forms of exploitation has your country adopted, in particular in the areas of:*

- a. educational programmes;*
- b. information campaigns and involvement of the media;*
- c. legislation (including in the areas of public procurement, disclosure requirements and anti-corruption);*
- d. involvement of the private sector.*

Under the Decree of the Cabinet of Ministers of the Republic of Azerbaijan No 81, dated May 20, 2011, the "Program for the elimination of social problems that lead to human trafficking" has been approved.

Successful socio-economic reforms in the Republic of Azerbaijan have contributed to the dynamic development of the economy and substantial improvement of the living standards of population, as well as effective use of internal potential, raising the employment level in the country is set up as the major goal.

Socio-economic reforms in the country, dynamic development of the economy have had a positive impact on solving problem of human trafficking as well. Important measures to combat human trafficking in international, regional and national levels are being taken currently.

The Republic of Azerbaijan has ratified most of international agreements against human trafficking, including UN "Convention against Transnational Organized Crime", Protocol to the Convention on the "Prevention, Suppression and Punishment of Trafficking in Persons, especially Women and Children", Optional Protocol on "Child Trafficking, Child Prostitution and Child Pornography" to the Convention on "Children's Rights", UN "Convention Against Trafficking in Persons and Prohibition of Exploitation of Prostitution by Third Party".

The purpose of the program is to eliminate social problems that create conditions for human trafficking, create the necessary conditions for the improvement of living standards of trafficking victims and potential victims, whereas tasks are to identify population groups vulnerable to trafficking, including children deprived of parental care, neglected children and adolescents, as well as to provide social protection to those who are forced to leave their homes and other alternative care facilities due to age limit.

Financing of the expenditures required for the implementation of the Program is carried out within the funds provided for the relevant executive authorities in the state budget.

The Decree of the Cabinet of Ministers of the Republic of Azerbaijan No 81, dated 20 May 2011 on approval of the "Program on Elimination of Social Problems Creating Conditions for Human Trafficking" has been amended on 14.10.2015 and 06.10.2016.

The following draft laws have been prepared and submitted for the purpose of reducing the demand for exploitation which is the aim of human trafficking.

In draft law "On Amending the CC of the Republic of Azerbaijan" it is considered to add Article 144-4 on "Use of Services of a Victim of THB" which provides that the knowingly usage of services of a victim of THB by a person who is not a trafficker is a criminal offense.

In Article 21 of the draft law "On Amendments to the Law of the Republic of Azerbaijan on Combating Trafficking in Human Beings" it is considered to add a new paragraph which stipulates recognizing the use of exploitation services of a victim of THB by a person who is not human trafficker by knowing that a person is a victim of THB causes criminal liability provided for by the legislation of the Republic of Azerbaijan.

Relevant measures on continuation of awareness-raising activities to protect children from trafficking in human beings and child labour in education and training institutions within the "National Action Plan for Combating Trafficking in Persons in the Republic of Azerbaijan for 2014-2018", awareness campaigns and awareness-raising activities particularly on prevention of child labour exploitation risks in private institutions, organization of courses for mass media with participation of field experts on the topics of nature of trafficking in human beings and illegal migration, and various forms of its manifestation, features of coverage of such information in mass media have been carried out so far.

The seminar on human trafficking and illegal migration issues organized for mass media by the Ministry of Internal Affairs on 23 May 2016 at Hyatt Regency Hotel in Baku was attended by the representatives of the Ministry of Internal Affairs, Ministry of Labour and Social Protection of Population, State Committee for Family, Women and Children Issues, State Migration Service, as well as field experts from the Press Council.

Under the requirements of Article 4.4, Law of the Republic of Azerbaijan "On Advertising" dated 15 May 2015 advertising shall not provoke people to violence, aggression, acts that may harm life and health, honour and dignity of people. Furthermore, under article 4.6 of the law, pornographic advertising is not permitted.

Labour relations in the Republic of Azerbaijan, including labour relations with employees involved in execution of public purchase procurement contracts are regulated by the Labour Code of the Republic of Azerbaijan. The State Service for Antimonopoly Policy and Consumer Protection of the Ministry of Economy has not received any information on the cases of forced labour of victims of human trafficking in execution of public purchase procurement contracts.

*23. Please describe the measures taken in your country to prevent trafficking for forced labour or services, inter alia, by means of labour inspection and labour administration, monitoring of recruitment and temporary work agencies, and monitoring of supply chains.*

See: Answer to the 20th question.

*Border measures (Article 7)*

24. *Please describe the specific measures taken in your country to strengthen the capacities of border guards to prevent and combat THB, in particular as regards:*

- a. identification of possible victims of THB in the context of border control;*
- b. identification of possible perpetrators of THB offences;*
- c. gathering of first-line information from victims and perpetrators;*
- d. identification of vulnerable persons in need of international protection among possible victims of trafficking.*

Relevant measures to identify human trafficking victims among persons crossing the state border by the military servicemen serving at border checkpoints are being carried out in accordance with the "Rules (indicators) on Identification of Victims of Trafficking in Human Beings" approved by Decree No 131 of the Cabinet of Ministers of the Republic of Azerbaijan.

The trainings conducted by the UNHCR involved relevant explanations about the differences between trafficking victims, asylum-seekers and migrant workers, as well as practical experience.

25. *What measures have been taken to ensure that the personnel employed by commercial carriers, including airline attendants and staff working on other means of transportation by land and sea, are able to detect possible victims of THB and inform relevant bodies in due course?*

See: answers to the questions 2 and 18 regarding personnel employed by commercial carriers, including airline attendants and staff working on other means of transportation by land and sea (Ministry of Transport, State Civil Aviation Administration and the State Maritime Administration), are able to detect possible victims of THB and inform relevant bodies.

26. *What measures have been taken to promote co-operation between border control agencies as regards the establishment and maintenance of direct channels of communication? How have these channels been used for detecting transnational THB? Please provide examples of cases in which these channels were used and any difficulties encountered by border control agencies in this context.*

Participation of SBS staff in the meetings of anti-trafficking working subgroup of GUAM is ensured, experience and information exchange is being carried out.

*Identification of the victims (Article 10)*

27. *Is there a national referral mechanism (NRM) or an equivalent system for identification and referral to assistance of victims of trafficking, both nationals and foreigners, for any form of exploitation? If so, please specify the bodies involved in it and their responsibilities. If an NRM existed in your country at the time of the first evaluation, please indicate any changes that have been made to it in the meantime.*

The "National Referral Mechanisms for Victims of Trafficking in Human Beings" has been approved under the decision of the Cabinet of Ministers of the Republic of Azerbaijan dated August 11, 2009. According to the rules, the main objectives of the National Referral Mechanism for Victims of Trafficking in Human Beings are the creation of an effective system to ensure the protection of victims' rights and their transfer to the relevant institutions, security, repatriation, and social rehabilitation, and formulation of rules in this field.

An Inter-agency Commission has been established to implement the National Referral Mechanisms for Victims of Trafficking in Human Beings. Inter-agency Commission involves the representatives of the Ministry of Internal Affairs, Education, Health, Justice, Foreign Affairs, Labour and Social Protection of Population, Youth and Sports, Culture and Tourism, as well as Attorney General's office, State Customs Service, Committee for Family, Women and Children Affairs, State Security, State Border and State Migration Services. The Inter-agency Commission implements the National Referral Mechanism for



Trafficking Victims. No less than once a year, a meeting of the Inter-agency Commission is held at the National Coordinator for Trafficking in Persons.

The works on implementation of the National Referral Mechanisms for Victims of Trafficking in Human Beings carried out by the inter-agency commission are analysed and discussed, prospect tasks are identified in the meeting. The representatives of non-governmental organizations working in the field of combating human trafficking, as well as representatives of international organizations, may be invited to the meetings of Inter-agency Commission. The Inter-agency Commission determines the relevant work schedule. Regular trainings aimed at capacity building of government agencies and non-governmental organizations implementing the National Referral Mechanism for Trafficking Victims are being organized.

Decision of the Cabinet of Ministers No. 246, dated June 25, 2015 "On amendments to the "Rules on the National Referral Mechanisms for Victims of Trafficking in Human Beings" approved by the Decision of the Cabinet of Ministers No 123, dated August 11, 2009, as well as Decision No. 360, dated by September 22, 2016 "On Amendments to Some Decisions of the Cabinet of Ministers of the Republic of Azerbaijan" have been approved.

With these decisions of the Cabinet of Ministers, the National Referral Mechanisms for Victims of Trafficking in Human Beings have been improved, and involvement of NGOs engaged in trafficking prevention activities to the organization of special institutions for victims, legal assistance to victims and their social rehabilitation has been provided.

*28. Are there any formalised indicators for the identification of victims of THB for different forms of exploitation and how is their use by different professionals ensured in practice in your country?*

Under the Decree of the Cabinet of Ministers of the Republic of Azerbaijan No. 131, dated September 3, 2009 "Rules (Indicators) on Identification of Victims Trafficking in Human Beings" have been approved (*Rules are attached*). The Rules specify mechanisms that enable to determine whether a person is a victim of THB or not. Victim identification is one of the key elements of a system of measures on protection of trafficking victims and is one of the key factors in ensuring their right to seek assistance, including their reintegration into society, return to their normal lifestyle, and reducing the risk of becoming victims. The purpose of these Rules is to provide facilitation of victim identification and implementing urgent measures to protect victims' rights, as well as acquisition by the staff of relevant agencies of the knowledge required for victim identification.

The Rules specifies general, child trafficking, child victims, sexual exploitation, labour exploitation, domestic servitude indicators characterizing their features during the identification of victims.

The Rules also contribute to increase the effectiveness of actions on combating against human trafficking implemented by internal affairs, national security, prosecution, customs, border and migration authorities, diplomatic representations of the Republic in foreign countries, as well as other state bodies and non-governmental organizations.

*29. What is considered as "reasonable grounds" to believe that a person is a victim of THB and which bodies have competence to identify victims upon "reasonable grounds"? Please provide examples from practice.*

According to Article 1.0.8 of the Law of the Republic of Azerbaijan "On Combating Trafficking in Persons," the victim of human trafficking is a person suffered from or is under the risk of trafficking.

Under Article 8 of the Law, with the purpose of effective implementation of the tasks set out in the National Action Plan, ensuring the safety of trafficking victims, providing them professional assistance, consolidating and protecting information on combating human trafficking in a single information centre, implementation of actions on combating against human trafficking by specially trained police officers and police agency equipped with the necessary equipment a Special Police Unit (hereinafter referred to as a Special Police Unit) has been established.

Along with identifying and protecting victims of trafficking in human beings, the Special Police Unit, implements operational search and criminal prosecution under human trafficking offenses within its powers.

Recruitment of police officers in Special Police Unit is carried out on the basis of transparency, and with account of serviceability, personal qualifications, vocational training, education level and psychological tolerance for the service in a special police structure to combat trafficking in human beings and other criteria. Officers recruited to the Special Police Unit are mainly trained on the following fields:

- Obtaining, analysing and presenting as an evidence the information, documents and other items from victims of human trafficking and other sources in accordance with legislation;
- Methods of identifying trafficking victims;
- Use of specific surveillance techniques and technical means;
- Rules of conduct with victims of trafficking.

When a person is under a risk of human trafficking, or in case of a trafficking offense commitment or preparation is discovered, a Special Police Unit should be informed promptly, relevant documents should be submitted to the institution and necessary assistance should be provided.

The "Rules on Handover of Victims of Trafficking to the Special Police Unit against Trafficking in Human Beings", approved by the Cabinet of Ministers of the Republic of Azerbaijan No. 21, dated February 1, 2008, regulates handover of trafficking victims or presumed victims to a Special Police Unit against Trafficking in Persons by state and non-governmental organizations.

According to the rules:

- Institutions that identify victims of human trafficking should firstly ensure their safety, identity anonymity and confidentiality of the information obtained.
  - In the institutions that identify the victims of trafficking in persons, the applications and appeals of victims are kept in a special journal, subject to confidentiality.
  - Institutions that have identified victims and presumed victims of human trafficking should inform them about their rights stipulated by law, provide information on the institution to which they are to be extradited, powers of that body, and subsequent possible procedural actions.
  - After identifying victims and presumed victims of human trafficking, their applications are documented in the manner prescribed by the legislation, and no later than within 24 hours immediate actions to handover the person to the Special Police Unit is taken, afterwards his/her relevant documents are submitted to the same agency and necessary assistance is provided.
  - In the process of identifying and handover of trafficking victims and presumed victims to the Special Police Unit their rights and freedoms should not be violated, the actions of honour and dignity humiliation should be avoided and each should be treated with courtesy.
  - Handover of human trafficking victims or presumed victims to another police or law enforcement agency is prohibited.
  - The relevant institution which handed over victims and presumed victims of trafficking is reported about outcomes of the investigation carried out by a Special Police Unit against human trafficking.
- "Rules on Handover of Victims of Trafficking to the Special Police Unit against Trafficking in Human Beings" approved by the Decree of the Cabinet of Ministers of the Republic of Azerbaijan No 21, dated February 1, 2008 is attached.

*30. What measures are taken in your country to encourage self-identification of victims of THB?*

The signs of trafficking victims, human trafficking threats, and essence of trafficking are explained in the awareness campaigns held annually.

See answers to questions 18, 19, 20, 21.

A "hot line" is available and serving for THB victims and potential THB victims, in addition awareness window available on the website of the Main Department on Combating Trafficking in Human Beings enables a person to identify whether he/she is a victim of THB or not.

*31. What measures are taken in your country to identify victims of THB during the examination of asylum applications and during return of persons whose applications are rejected? How is communication ensured between the authorities responsible for*

*identification of victims of trafficking and immigration and asylum authorities when there are reasonable grounds to believe that a person who is irregularly staying in the country is a victim of trafficking?*

The petitions of persons intending to obtain refugee status in the Republic of Azerbaijan are considered by the State Migration Service within the requirements of 1951 Convention on the Status of Refugees, 1967 Protocol and the Law of the Republic of Azerbaijan dated May 21, 1999 "On the Status of Refugees and Internally Displaced Persons (IDPs)" and the "Rules of Procedure for the Application for Refugee Status" approved by the Decree of the President of the Republic of Azerbaijan dated November 13, 2000.

Approval of petitions on granting refugee status by the Service, ensuring consideration process within the Law of the Republic of Azerbaijan "On the Status of Refugees and Internally Displaced Persons (IDPs)" and the "Rules of Procedure for the Application for Refugee Status", ensuring the identification of trafficking victims among asylum-seekers by specially trained, qualified and competent men or women officers, conducting admission process and interviews as soon as possible, in accordance with relevant legal acts and recommendations of related institutions is envisaged.

Special attention is attached to the identification of THB victims among asylum-seekers and consideration of their petitions during the trainings for officers on the topic of refugee status determination. The State Migration Service has actively participated in the project on "Promotion of the quality of asylum systems in Eastern Europe and South Caucasus" co-funded by the European Commission and UN High Commissioner for Refugees, and has actively attended all events held within the project.

The project focused on protection of interests of vulnerable groups, including presumed THB victims during the registration and interview with asylum seekers, as well as decision-making processes, consideration of their psychological state during interviews and ensuring their interests in the decision-making process.

See: Answer to the question 29.

Protection of private life (Article 11)

*32. What measures are taken by relevant professionals to protect the confidentiality of information and protect the personal life and identity of victims of THB, including as regards storing of their personal data? Are there any conflicts of interest between professional ethics, on the one hand, and the obligation to report an offence, on the other hand? If so, how are these conflicts resolved in practice?*

According to Articles 17 and 18 of the Law of the Republic of Azerbaijan "On Combating Trafficking in Human Beings", the following issues concerning the protection of confidentiality of victims of human trafficking are monitored:

- Release of data from information-inquiry services and information-databases about identity of trafficking victims is stopped under the relevant decisions;
- Falsified names are used to ensure anonymity of trafficked persons;
- The information that is the secret of personal and family life of trafficking victims should not be disseminated;
- information that is likely to endanger the lives and health of victims of human trafficking, their close relatives, as well as people who help combat trafficking is confidential and their dissemination is prohibited;
- According to Article 316-1 of the CC, illegal collection or dissemination of confidential information about persons who have suffered from trafficking in human beings or information on security measures applied to them is punished by imprisonment for the term up to five years.

For the protection of confidentiality, privacy and identity of trafficking victims release and dissemination of data from information-inquiry services and information-databases about identity of trafficking victims is stopped under the decision of the court or criminal prosecution authority.

In order to improve the effectiveness of the National Action Plan, including ensuring the safety of people and protecting information, execution of National Action Plan participants' responsibilities is based on the principle of "having only the necessary information". The application of this principle ensures that participants take part in the implementation of the National Action Plan only within their competence and provide effective protection against the National Action Plan participants' corruption and the ability of persons committed crimes related to human trafficking to affect participants.

Ensuring the safety of victims of THB is carried out in accordance with the Law of the Republic of Azerbaijan "On State Protection of Persons Participating in Criminal Proceedings". The officer of the criminal prosecution office should inform the victim of trafficking about the safety assurance capabilities and protection measures applied.

The protection measures applied to victims of trafficking is continued until complete elimination of danger, including the pre-trial investigation of human trafficking crimes, judicial review, and the post-trial period.

In order to ensure anonymity of trafficked persons, falsified names are used.

There is no conflict of interest between the commitments to provide information about criminal offense and professional ethics. Professional ethics includes confidentiality of information, whereas the commitment to provide information implements commitment of criminal offense disclosure.

#### *Assistance to victims (Article 12)*

*33. When assistance to victims is provided by non-state actors, how do your country's authorities ensure compliance with the obligations under Article 12 of the Convention, in particular when it comes to:*

- a. funding;*
- b. victim's safety and protection;*
- c. standards of assistance and their implementation in practice;*
- d. access to medical treatment, psychological assistance, counselling and information;*
- e. translation and interpretation, where appropriate?*

Assistance to trafficking victims is organized under the Paragraph 13.4. of the National Action Plan (Rehabilitation and Reintegration of Victims Trafficking in Human Beings).

Continue to provide medical assistance to trafficking victims and potential victims in allotted stationary and outpatient healthcare facilities, and involve qualified specialists in these institutions if necessary. An alternative form of anonymous assistance is through Trusteeship telephone line of. The in-service phone specialists provide psychological support to any needy person within 24 hours. All these processes are aimed at providing psychological support to the population available for all.

Assistance to victims of human trafficking is carried out at state-owned enterprises. For example, granting a safe asylum is carried out by the Ministry of Internal Affairs, healthcare services by the Ministry of Health, education issues by the Ministry of Education and improvement of labour and professional skills by the Ministry of Labour and Social Protection of Population. Moreover, the protection of victims' rights is exercised by the Bar Association. Rehabilitation of trafficking victims in the Centre for Assistance to Victims of Human Trafficking created by the Ministry of Labour and Social Security should be noted as well. In addition, identification of victims and referral to the medical examination by non-governmental organizations is allowable by law; NGOs involved in the rehabilitation process are guided throughout the year.

Free medical services, examination and treatment for trafficking victims is provided by 9 healthcare facilities within the implementation of the "National Action Plan on the combating against human trafficking for 2014-2018" of the Ministry of Health of the Republic of Azerbaijan. These healthcare facilities are: Republican Mental Health Centre, Republican Clinical Hospital named after M. Mirgasimov, Children's Hospital named after A. Garayev, Republican AIDS Centre, Institute of Lung Diseases, Republican Narcological Centre, Scientific Research Institute of Obstetrics and Gynaecology, Women's consultation # 7, City Polyclinic # 25. The main commitment of the Ministry of Health is to identify victims and provide their medical rehabilitation. Social rehabilitation of victims of human trafficking, including financing of aid centres for trafficking victims, is carried out at the expense of the state budget of the Republic of Azerbaijan and other sources stipulated by the legislation.

When assistance to victims is provided by non-state actors, the government agencies in each case shall ensure that measures are taken to fulfil the obligations under Article 12 of the Convention.

State-funded Centre for Assistance to Victims of THB under the Ministry of Labour and Social Protection of the Population of the Republic of Azerbaijan has been established the last year in connection with the execution of the "Rules on Establishment, Financing, Activity, and Inspection of Activity of Special Institutions for Victims of Trafficking" approved by the Cabinet of Ministers of the Republic of Azerbaijan No 203, dated November 9, 2005. Totally 253.6 thousand manat (55.9 thousand manat in 2013, 59.7 thousand manat in 2014, 44.4 thousand in 2015, 46.4 thousand in 2016 and 47.2 thousand manat in 2017) was allocated from state budget for maintenance of the Centre.

At the same time, according to the Decree of the Cabinet of Ministers of the Republic of Azerbaijan No 172, dated August 2, 2012, the amount of benefits paid to victims of human trafficking during reintegration period was increased up to 400 AZN.

Non-governmental organizations involved in combating trafficking in human beings are engaged in awareness-raising trainings for potential victims of THB and organization of special services activity for victims of THB, providing legal assistance to victims of THB and their social rehabilitation. At the same time, the Cabinet of Ministers of the Republic of Azerbaijan may determine the needs of the above mentioned objectives together with the National Coordinator and allocate grants.

In 2016, 153 thousand AZN have been spent from the budget of the Ministry of Internal Affairs for the social rehabilitation of the victims, including sheltering and granting lump sum benefits.

Only during 2014-2016, when the Third National Action Plan was implemented, 20 projects were funded by the Council for State Support to Non-Governmental Organizations and 182,000 AZN were allocated for these purposes.

Members of the Bar Association of the Republic of Azerbaijan provide legal assistance to victims of trafficking on the basis of contracts concluded in accordance with the law.

Under the Decision of the Cabinet of Ministers of the Republic of Azerbaijan No 244, dated June 25, 2015 on "Amendments to the Rules on Establishment, Financing, Activity, and Inspection of Activity of Special Institutions for Victims of Trafficking" involvement of contract based freelancer for professional legal assistance to victims of trafficking have been continued.

A lawyer from the Bar Association has provided legal assistance to 11 victims of trafficking during court hearings, and to 1 victim in the course of the investigation.

The expenditures required for the implementation of the measures set out in Article 12 of the "National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan for 2014-2018" are provided via funds provided for the relevant executive authorities in the state budget of the Republic of Azerbaijan for the respective years, extra-budgetary funds, grants, as well as other sources not contradicting the legislation of the Republic of Azerbaijan.

According to Paragraph 13.7.1 of the "National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan for 2014-2018", the requirements arising from the implementation of the National Action Plan have been identified and relevant measures have been taken, under Paragraph 13.7.2 the cooperation with donor organizations has been strengthened, under Paragraph 13.7.3 coordination of support for National Action Plan, joint use of resources from relevant state and non-governmental organizations, resources of international organizations and other partners has been realized.

Every year at the request of the National Coordinator for Combating Trafficking in Human Beings, requirements are requested from stakeholder organizations of the National Action Plan.

At the same time, in 2016 for the purpose of improvement of combating against trafficking in human beings the international experience has been studied, reports and experiences of United Nations Office on Drugs and Crime, Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA), Special Representative and Office of Organization for Security and Co-operation in Europe, International Migration and International Labour Organization, and other international and non-governmental organizations, particularly reports and experiences of Europe countries in the field of combating human trafficking have been considered, and cooperation with these donor organizations to implement the National Action Plan have been strengthened.

With a view of discussing activities in the field of combating THB in Azerbaijan, government's progress in this area, prospects and expansion of cooperation, improvement of programs and projects,

preparation of reports, mutual information and methods of our country's experience exchange, meetings were organized and for this purpose the National Coordinator for Combating Trafficking in Human Beings and the Administration of the MDCTHB at the Ministry of Internal Affairs of the Republic of Azerbaijan hosted representatives of the Azerbaijani Mission of the International Organization for Migration, the representative of the International Centre for the Development of Migration Policy, representatives of the US Department of Justice, US, Israeli state embassies in our country.

In 2016 the local and international support to the National Action Plan has been coordinated, and joint use of resources from relevant state, non-governmental, international organizations and other partners has been ensured.

See: Answer to the 32<sup>nd</sup> question about the victim's safety and protection measures.

*34. What specific measures are taken to ensure that the provision of assistance to victims of THB who have been issued a residence permit for the purpose of their co-operation in the investigation or criminal proceedings is not made conditional on their willingness to act as a witness?*

Under Article 14-1 of the law, victim of human trafficking provided with 30 days of recovery and reflection period in order to allow him/her to recover and escape the influence of the perpetrators and to take a considered decision on co-operating with the prosecution agencies. During recovery and reflection period victim of human trafficking may use services of special institutes provided in the 12th article of the Law of the Republic of Azerbaijan on combating trafficking in human beings for provision of security and protection needs as well as for recovery of physical, psychological and social status. During recovery and reflection period victim of human trafficking shall not be enforced to any expulsion by administrative means from the territory of the Republic of Azerbaijan.

According to Article 17 of the law, upon request of prosecuting authority, public authorities should, within their competence, and shelters and assistance centres, within the scope of their functions, provide assistance to victims of trafficking. During the period of reintegration victims of human trafficking receive allowance the amount of which is determined by the relevant executive authority of the Republic of Azerbaijan at the expense of the state budget and other sources in accordance with the legislation of the Republic of Azerbaijan. Upon the decision of the court or other criminal prosecution authority, release of information from information-inquiry services and information-databases about the identity of victims of human trafficking is stopped.

The dissemination of information, which is a secret of personal and family life of victims of trafficking, entails criminal liability in accordance with the legislation of the Azerbaijan Republic. Information that is likely to endanger the lives and health of victims of human trafficking, their close relatives, as well as people who help combat trafficking is confidential and their dissemination is prohibited. Illegal collection or dissemination of confidential information about persons who have suffered from trafficking in human beings or information on security measures applied to them entails liability established by the legislation of the Azerbaijan Republic.

Legal entities, transport organizations, vehicle owners or operators carrying out international transport should take measures to inform the passengers about the danger of human trafficking, as well as check passengers to have documents for entry (exit) to the territory of the relevant state, and refuse to provide transportation services if such documents are not available.

In the manner and in the cases stipulated by the legislation of the Republic of Azerbaijan the victims of human trafficking shall be exempted from civil, administrative and criminal penalties for acts committed by them as a result of being victims of human trafficking under compulsion or threat. Protection and assistance to aliens and stateless persons, who are victims of human trafficking, are provided at the same level as the citizens of the Republic of Azerbaijan.

According to Article 18 of the Law, ensuring the safety of victims of human trafficking is carried out in accordance with the Law of the Republic of Azerbaijan "On State Protection of Persons Participating in Criminal Proceedings". The officer of a criminal prosecution agency should inform the victim of trafficking about the security measures of the proceedings and remedies applied. The protection measures applied to victims of THB is continued until complete elimination of danger, including the pre-

trial investigation of THB crimes, judicial review, and the post-trial period. In order to ensure anonymity of trafficked persons, falsified names are used.

Under Article 20 of the law, If a foreigner or stateless person is considered as a person who suffered from human trafficking, deportation in administrative order from the territory of the Republic of Azerbaijan for a period of 1 year shall not be applied to them, nor shall a decision be taken by the relevant executive authority on their deportation from the Republic of Azerbaijan. When the period mentioned is over, but a foreigner or a stateless person assists the body of criminal persecution with criminal cases regarding human trafficking, deportation in administrative order from the territory of the Republic of Azerbaijan shall not be applied to them unless criminal persecution comes to an end, as well as decision on their deportation from the borders of Republic of Azerbaijan borders shall not be taken by the relevant executive authority.

*35. What accommodation is available for victims of THB (women, men and children) and how is it adapted to the victims' needs?*

Places for accommodation of THB victims (women, men, and children) are as follows:

1. Shelter (for men, women, and children) under direct subordination of Directorate General for Combating Human Trafficking of the Ministry of Internal Affairs
2. Shelter for Women under "Clean World" Public Union
3. Children's asylum in Azerbaijan Children's Union
4. Shelter for Children Charity Society "Place of Hope"
5. Shelter for Women under "Tamas" regional development public union in Ganja

Under Article 12 of the Law, the following special enterprises are established to protect victims of human trafficking:

- Temporary shelters for the victims of human trafficking;
- Assistance centres for the victims of human trafficking.

All services performed in the special institutes are free of charge. Special institutes do not provide any paid services. Establishment of special institutions, funding them, their activity as well as rules of control over their activity is determined by relevant body of executive power of the Republic of Azerbaijan.

Under Article 13 of the Law, temporary shelters for accommodating the victims of human trafficking (hereinafter "shelters") are created to provide the victims of human trafficking with decent living conditions, to ensure their security, to provide them with food and medicine, first medical aid, psychiatric, social and legal assistance. The victims of human trafficking have the opportunity to make phone calls and to use translator's services in shelters. Separate areas are allocated for confidential conversations. Anonymity of the personality of the victims of human trafficking is guaranteed in shelters and without their permission no information about them shall be passed to bodies carrying out criminal prosecution or other state bodies. A shelter is provided to the victim of human trafficking on the basis of his/her request within 30 days regardless his/her behaviour, desire to collaborate with the bodies carrying out criminal prosecution and to testify against human traffickers. The period for sheltering can be prolonged on the basis of the motion by special police agency or by petition of the victim of human trafficking. In all cases prolongation of the period of accommodating in a shelter and providing a shelter is conducted with the consent of the victim of human trafficking.

Under Article 14 of the Law, assistance centres for the victims of human trafficking (hereinafter "assistance centres") is created to give explanations to the victims on current administrative and legal procedures on protection of their rights and interests, to provide medical, psychological and other necessary assistance and to socially rehabilitate the victims of human trafficking. Anonymity of the personality of the victims of human trafficking is guaranteed in assistance centres and without their permission no information about them shall be passed to bodies carrying out criminal prosecution or other state bodies. If the victims of human trafficking are children, guardianship and trusteeship body and the Commission on issues of minors and protection of their rights is immediately informed about them. An assistance in assistance centres is provided to any individuals presenting themselves as a

victim of human trafficking on the basis of their request regardless their behaviour, desire to collaborate with the bodies carrying out criminal prosecution and to testify against human traffickers.

Subparagraphs 6.4 and 13.4.1 of the National Action Plan on Combating Trafficking in Human Beings, approved by the Presidential Decree No 667 dated July 24, 2014, Subparagraph 2.19 of the National Action Program for the Advancement of Human Rights and Freedoms in the Republic of Azerbaijan, approved by the Decree No. 1938, dated December 27, 2011 stipulate establishment of new assistance (crisis) centres for victims of human trafficking in the regions by the Ministry of Labour and Social Protection, Health, Education, Internal Affairs, State Committee on Family, Women and Children Affairs and local executive authorities, given this the issue of establishment of assistance centres were considered by the Ministry of Labour and Social Protection, Health, Education, Internal Affairs, State Committee on Family, Women and Children Affairs and local executive powers of Ganja, Lankaran, Guba district, whereupon a positive feedback was reported.

Under the Decision of the Cabinet of Ministers of the Republic of Azerbaijan No 203, dated November 9, 2005, the "Rules on the Establishment, Financing, Activity, and Inspection of Activity of Special Institutions for Victims of THB" has been approved. According to the rules, shelters and assistance centres for victims of human trafficking are established as private enterprises to provide temporary protection of victims of THB.

Shelters are being established by the Ministry of Internal Affairs and acts as entities retained by the State budget under the same jurisdiction. Maintenance of shelters are being provided at the expense of the state budget and other sources provided for by the legislation.

The assistance centres are being established by the Ministry of Labour and Social Protection of Population upon agreement of the Ministry of Finance, Internal Affairs, Health, Education, Youth and Sports and act as entities retained by the State budget under the jurisdiction of the Ministry of Labour and Social Protection of Population. Maintenance of assistance centres is provided at the expense of the state budget and other sources provided for by the legislation.

In accordance with the Decision of the Cabinet of Ministers of the Republic of Azerbaijan No 180, dated November 19, 2009, the "Rules of accommodation and sheltering children victims of human trafficking" has been approved. According to the rules, the placement and retention of children in a shelter is based on the principles of voluntariness, confidentiality, individual approach, protection of best interests of victims, security, equality, respect for victims, immediate relief, free rendering principles.

All the services and activities intended within the shelter are primarily adapted to the needs and interests of the children. No discrimination shall be imposed to any child placed in asylum, irrespective of their identity. Taking into account the age and maturity level of a child placed in the shelter, they are informed about their status, rights and services to be provided to them in the form of children's perception. Children placed in shelter are rendered medical, psychological, social assistance, and have the opportunity to continue their education. Anonymity of children's identity is ensured in the shelter. Children placed in shelters are provided with the opportunity to communicate with those who advocate their rights and interests (except for the cases when a person is likely to be an instigator of child's trafficking). When assisting children placed in shelters, their age, sex and needs are considered and a social rehabilitation program is prepared for each individual child. Children in the shelter have the opportunity to make phone calls and to use translator's services. The safety of children placed in shelters is provided in accordance with legislation.

In 2016, 28800 AZN was spent for victims of trafficking in human beings as an allowance, 7500 AZN for awarding 15 representatives of non-governmental organizations involved in the field of combating trafficking in human beings, 56,806 AZN for provision of victims of human trafficking with food and tobacco products, 3,000 AZN for acquisition of clothes, 2,700 AZN for rendering legal aid, 520 AZN for payment of shelters' electric energy.

In addition, totally AZN 153,397 was allocated by the Ministry of Internal Affairs for shelter maintenance, food, medicine, clothing, tobacco purchase and lump sum benefits etc. for victims of human trafficking. AZN 108,255 was spent during 2015 and thus increased by 45,142 AZN in 2016.

*36. What measures are taken to ensure that services are provided to victims on a consensual and informed basis?*



Under Article 15.2 of the Law of the Republic of Azerbaijan "On Combating Trafficking in Human Beings", while conducting a social rehabilitation of the victims of human trafficking it is prohibited to put any limitations to their human rights and rights of a citizen provided for by the Constitution, laws of the Republic of Azerbaijan and international treaties to which the Republic of Azerbaijan is a party, or to apply rehabilitation measures against their will.

According to Paragraph 3 of the "Rules for Implementation of Social Rehabilitation of Human Trafficking Victims" approved by the Decree of the Cabinet of Ministers of the Republic of Azerbaijan No 62, dated March 6, 2006, social rehabilitation of victims of THB is carried out upon the request of any person who presents himself as a victim of human trafficking on the basis of mutual assistance with relevant authorities by the shelters for victims of human trafficking and centres of assistance to victims of human trafficking.

Under Subparagraph 1.3 of the Rules of Repatriation of Trafficked Persons, approved by the Cabinet of Ministers of the Republic of Azerbaijan No 252, dated September 10, 2013, the repatriation of victims is carried out on the basis of voluntarism principle.

Under Articles 1.2 and 1.3 of the "Rules for Identifying Victims of Human Trafficking", approved by the Decree of the Cabinet of Ministers of the Republic of Azerbaijan No 131, dated September 3, 2009, victim identification is one of the key elements of a system of measures on protection of trafficking victims and is one of the key factors in ensuring their right to seek assistance, including their reintegration into society, return to their normal lifestyle, and reducing the risk of their revictimisation.

The following guidelines are governed by the Rules:

- In some cases, depending on the victim's psychological state, the victim does not disclose any or all of the information on situation that he or she is exposed to, and the information received from other sources is not complete. In this case, the interviewer should be informed about the average statistical psychological portrait of the victim, gather information about his / her relatives and other contacts;
- People affected by human trafficking have a distorted mentality, aggression, sleep disorders or maladaptation, high vigilance, impulsive behaviour, psychological and other states which make up its average statistical psychological portrait;
- The average statistical social portrait of the victim includes information on his / her gender and age, social background, education, specialty, marital status, employment and income level;
- The person should be treated gently and with respect for his/her rights regardless of whether a person is a victim or an illegal migrant.

At the same time, consent of THB victims is regularly taken into consideration during organization of works with trafficking victims.

So that:

Under Articles 13.2 and 14.2 of the Law, anonymity of the personality of the victims of human trafficking is guaranteed in shelters and without their permission no information about them is passed to bodies carrying out criminal persecution or other state bodies. If the victims of human trafficking are children, guardianship and trusteeship body and the Commission on issues of minors and protection of their rights is immediately informed about them.

Under Article 13.4 of the Law, the period for sheltering can be prolonged on the basis of the motion by special police agency or the victim of human trafficking. In all cases prolongation of the period of accommodating in a shelter and providing a shelter is conducted with the consent of the victim of human trafficking.

Under Article 16.3 of the Law, when accommodating children in shelters and prolonging sheltering period an opinion of children above 10 shall be asked about it and taken into account.

Under Article 14-1 of the law, victim of human trafficking provided with 30 days of recovery and reflection period in order to allow him/her to recover and escape the influence of the perpetrators and to take a considered decision on co-operating with the prosecution agencies. During recovery and reflection period victim of human trafficking may use services of special institutes provided in the 12th article of the Law of the Republic of Azerbaijan on combating trafficking in human beings for provision of security and protection needs as well as for recovery of physical, psychological and social status. During recovery and reflection period victim of human trafficking shall not be enforced to any expulsion by administrative means from the territory of the Republic of Azerbaijan.

Psychological assistance to trafficking victims and their relatives is rendered at the Mental Health Centre in accordance with the Law of the Republic of Azerbaijan "On Psychiatric Assistance". According to the rules, a written form of informed consent should be provided for psychological and psychiatric care. In the form of informed consent, civil rights, the methods of therapy, its alternatives, possible additional effects, volunteerism and other important aspects that provide the confidentiality of the services provided are described in more detail.

Service delivery and notification are available only after signing the official blank by victims. All assistance is provided by a voluntary donation of a victim for medical aid. Anonymity of the victim's identity is ensured and without the consent of the victim, the prosecuting authorities and other state authorities are not informed about.

*37. Is there any follow-up provided after the termination of assistance programmes? Can victims continue to receive assistance, where necessary and taking into account their specific needs resulting from the type of exploitation (including the removal of organs), after the termination of criminal proceedings, and if so what type of assistance?*

Under Article 15 of the Law, Social rehabilitation of the victims of human trafficking shall be conducted to reintegrate the victims of human trafficking in society, returning them to normal life style and it shall provide for legal assistance to them, continuation of their education, taking measures on psychological, medical and professional rehabilitation, providing them with job and premises to live. While conducting a social rehabilitation of the victims of human trafficking it is prohibited to put any limitations to their human rights and rights of a citizen provided for by the Constitution, laws of the Republic of Azerbaijan and international treaties to which the Republic of Azerbaijan is a party, or to apply rehabilitation measures against their will. While conducting a social rehabilitation of the victims of human trafficking, age, sex and needs of the victims, particularly children, of human trafficking including needs for shelter, education and care shall be taken into account. The social rehabilitation of the victims of human trafficking shall be funded by state budget of the Republic of Azerbaijan and other sources provided for by the legislation of the Republic of Azerbaijan. The rules of implementation of social rehabilitation of the victims of human trafficking shall be determined by relevant body of executive power of the Republic of Azerbaijan.

According to the Decree of the Cabinet of Ministers of the Republic of Azerbaijan No 62, dated March 6, 2006 the "Rules for Implementation of Social Rehabilitation of Human Trafficking Victims" has been approved. According to the rules, social rehabilitation of victims of trafficking is carried out upon the request of any person who presents himself as a victim of human trafficking by special institutions provided for by the Law of the Republic of Azerbaijan on the basis of mutual assistance with the Ministry of Internal Affairs of the Republic of Azerbaijan, Ministry of Health of the Republic of Azerbaijan, Ministry of Health, Ministry of Education of the Republic of Azerbaijan and other relevant bodies, which are envisaged in the National Action Plan on Combating Human Trafficking. For the purpose of implementing social rehabilitation of victims of THB, the centres of assistance prepare a separate social rehabilitation plan for each individual victim of THB. Preparation of individual social rehabilitation plans for child victims of human trafficking is carried out by taking into account the provisions of the Law of the Republic of Azerbaijan "On the prevention of negligence and infringement of minors".

The main directions of social rehabilitation of victims of THB are as follows:

- Provision of legal assistance to victims of human trafficking;
- Providing psychological support to victims of human trafficking and their family members to eliminate psychological trauma;
- Medical rehabilitation of victims of trafficking - Implementation of therapeutic measures aimed at restoration of broken or lost functions, their illness, elimination of consequences of injuries, complete or partial restoration of psychological, physiological and anatomical infringements;
- Implementation of vocational rehabilitation aimed at restoration of occupational skills of trafficked persons;
- Provision of vocational training, retraining and employment of trafficking victims;
- Helping trafficking victims to continue their education;
- Accommodation of victims of human trafficking.

*Recovery and reflection period (Article 13)*

38. Please specify in which cases a recovery and reflection period can be granted and who is entitled to it (nationals, foreign nationals). Please describe the procedure for granting a recovery and reflection period, the assistance and protection provided during this period, and any difficulties encountered in practice.

Under Article 14-1 of the law, victim of human trafficking provided with 30 days of recovery and reflection period in order to allow him/her to recover and escape the influence of the perpetrators and to take a considered decision on co-operating with the prosecution agencies. During recovery and reflection period victim of human trafficking may use services of special institutes provided in the 12th article of the Law of the Republic of Azerbaijan on combating trafficking in human beings for provision of security and protection needs as well as for recovery of physical, psychological and social status. During recovery and reflection period victim of human trafficking shall not be enforced to any expulsion by administrative means from the territory of the Republic of Azerbaijan.

Under Article 123-1 of the CPC, an officer of investigating body, investigator, or prosecuting attorney shall adopt a decision on granting victims of THB 30 days of recovery and reflection period to make a considered decision on restoring his/her position, avoiding the influence of criminals and co-operating with criminal prosecution authorities.

*Residence permit (Article 14)*

39. If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.

Based on the law "On Combating Trafficking in Human Beings" and "Rules of Repatriation of Trafficking Victims" approved by the Decision of the Cabinet of Ministers dated September 10, 2013, after recovery and reflection period expired the foreigners and stateless persons which are the victims of human trafficking can receive temporary residence permit for 1 (one) year at their own request.

At the same time, it should be stated that, if a foreigner or stateless person is considered as a person who suffered from human trafficking, deportation in administrative order from the territory of the Republic of Azerbaijan for a period of 1 year shall not be applied to them, as well as no decision on expulsion of them from the territory of the Republic of Azerbaijan is taken by the State Migration Service. When this period expires, but the foreigner or stateless person provides criminal proceedings against trafficking in persons for criminal trafficking, administrative deportation outside the Republic of Azerbaijan shall not be imposed until the end of the criminal proceedings against him, as well as by the State Migration Service The decision to set aside is not taken. When the provided period is over, but a foreigner or a stateless person assists the body of criminal persecution with criminal cases regarding human trafficking, deportation in administrative order from the territory of the Republic of Azerbaijan shall not be applied to them unless criminal persecution comes to an end.

According to Article 20.5 of the same Law, a foreigner or a stateless person who became victim of human trafficking in the order provided for by the relevant legislation of the Republic of Azerbaijan can address the relevant state bodies for obtaining the right to live in the Republic of Azerbaijan within the provided period. When dealing with such an address cooperation of the victim of human trafficking with the body of criminal persecution, physical and moral torments that the victim of human trafficking suffered, the period of being the victim of human trafficking as well as a risk of becoming again the victim of human trafficking once repatriated to his/her own country or persecution by human traffickers shall be taken into account.

Draft Law of the Republic of Azerbaijan on "Amendments to the Migration Code of the Republic of Azerbaijan" have been prepared regarding receive of temporary residence permit for foreigners and stateless persons who have been victims of THB or assisting prosecution agencies on criminal cases by taking into account the requirements of the Council of Europe Convention on Combating Trafficking in Human Beings.

40. When a residence permit is issued for the purpose of co-operation with the competent authorities, how is "co-operation" interpreted and what does it consist of in practice?

See: Answer to the question 39.

*41. What measures are taken to ensure that a residence permit is provided to victims of THB in compliance with the obligation under Article 12.6, which states that the assistance to a victim of trafficking should not be made conditional on his or her willingness to act as a witness?*

See: Answer to the question 39.

*Compensation and legal redress (Article 15)*

*42. Please indicate any measures taken since the first evaluation report to promote effective compensation of victims of THB, in particular when it comes to:*

- a. access to information on the relevant judicial and administrative proceedings in a language the victim can understand;*
- b. access to free legal assistance and legal aid during investigations and court proceedings;*
- c. compensation from the perpetrator;*
- d. compensation from the state;*
- e. compensation for unpaid wages to victims of trafficking.*

*Please provide examples of compensation awarded and effectively provided to victims of THB.*

The prosecuting authority shall submit the documents to the relevant persons in the language of criminal proceedings. Documents to be submitted to relevant persons who do not know the language of criminal proceedings shall be presented in their mother language or in another language they understand.

When dealing with cases in court, participation of victims of THB and persons recognized as a victim of THB during criminal prosecution in court hearings was provided and the opportunity to exercise all their right provided for by Article 87.6 of the CPC, including demanding compensation by raising civil claims was created. During the cases, trafficking victims were not subjected to criminal prosecution and punishment; these persons did not demand compensation from the state budget for damages inflicted on them under article 191 of the CPC (Article is added).

Article 191. Decision on payment of state compensation to victims

191.1. The question of the payment to a victim of compensation under the state budget of the Azerbaijan Republic for the damage caused by an act provided for in criminal law shall be resolved by a court further to an application by the victim.

191.2. When including the decision to award state compensation to a victim in its judgment convicting the accused, the court shall also state the amount which the convicted person shall contribute to the compensation.

See: Answer to the question 33 on free access to legal assistance during investigation and trial.

*43. What specific measures are taken to make available the assets of traffickers to provide compensation (for example, effective financial investigations resulting in seizure of assets of perpetrators with the view to their confiscation)?*

Under Article 22 of the Law, all the property obtained from human trafficking (real estate, financial means, securities and other property) shall be confiscated by the court decision in the order provided for by the legislation and shall be transferred to especially established assistance fund for the victims of human trafficking. Means collected at assistance fund for the victims of human trafficking shall be directed to paying out compensation for victims of human trafficking, their social rehabilitation, medical and other necessary expenses. Transparency shall be observed in administration of and spending means of assistance fund for the victims of human trafficking. Legal grounds of the activity of assistance fund

for the victims of human trafficking shall be determined by the relevant body of executive power of the Republic of Azerbaijan.

Under Article 23 of the Law, courts shall decide on issues of paying compensation for material and moral damage to persons who suffered from human trafficking. Damage to persons who suffered from human trafficking shall be paid off from the property of human traffickers in accordance with the procedural legislation. If this property would not suffice, damage, by court decision, can be paid out from assistance fund for the victims of human trafficking.

The paragraph 13.3.9 of NAP considers the strengthening of measures of combating legalization of money or other property made from THB crimes. The Financial Markets Control Chamber did not record any suspicious transactions associated with THB crimes in 2016. Besides, the "National Action Plan on combat against for legalization of money or other properties made from crimes and financing of terrorism 2017-2019" approved by the Decree of the President of the Republic of Azerbaijan dated by 18.11.2016. This document was approved on the basis of the draft national risk assessment conducted on legalization of money and financing of terrorism.

As a sectoral outcome of the national risk assessment, trafficking in human beings is considered as one of the main categories of crime committed for making income.

Taking into account that obtaining of information on financial transactions and the status of bank accounts can be realized only under the court decision in accordance with the provisions 177.3.6, 177.4 and 259.3 of the Code Criminal Procedure of the Republic of Azerbaijan and measures of combat against legalization of incomes from human trafficking crimes will ensure the strengthening of the evidence base of human trafficking crimes and the direction of such incomes to compensation of the damage caused as a result of the crime in accordance with the provisions 13.0.4 and 134.2.9 of the code, MOCD was applied in April and September of 2015 and October of 2016 for obtaining information on financial transactions and the status of bank accounts of persons accused of criminal offenses, however there was no positive feedback to the application.

*44. Is there a possibility for victims of THB to claim damages and compensation in the country of destination after their return to the country of origin? Please provide any relevant examples.*

Yes, it is possible. This point is kept under focus in the investigation of criminal facts on the exposure of citizens of the Republic of Azerbaijan to trafficking in human beings and forced labour in other countries after they return to the country of origin. However, they did not demand for compensation of damage caused by the crime at the funds of the state budget of the Republic of Azerbaijan accordance with the article 191 of CCP.

*Repatriation and return of victims (Article 16)*

*45. What steps are taken to ensure that the return of victims of THB from your country to another country is carried out preferably voluntarily and in full observance of the duty to ensure their rights, safety and dignity, including the obligation not to return a person to a country where his or her human rights are at risk of being violated (non-refoulement principle)? How is risk assessment carried out when deciding upon return and repatriation of victims of THB? What is the procedure and what are the modalities of co-operation with the authorities of the receiving state?*

According to the "Rules on repatriation of victims of trafficking in human beings" endorsed by the resolution No. 252 of the Cabinet of Ministers of the Republic of Azerbaijan dated by September 10, 2013 (Rules are attached), assessments of the degree of risk and threat is carried out in terms of the risk of being exposed to human trafficking again and the danger of victimization by human traffickers after repatriation to their native countries, and outcomes of such assessments are taken into consideration in the process of repatriation.

Degree of risk and threat is assessed by the following criteria:

- possibility of victims to be exposed to human trafficking repeatedly after repatriation;
- risk of victimization by traffickers after the repatriation of victims;
- status as an origin, transit or destination country of countries that victims will be repatriated to;

- availability of rehabilitation and reintegration programs for victims in countries that they will be repatriated to;
- capacities of state and non-governmental organizations that will provided social services to victims of human trafficking in countries they will be repatriated to;
- decisiveness in combating trafficking in human beings and capacities to provide necessary support of countries that victims will be repatriated to;
- other specific indicators for assessment of the degree of risk and threat.

Victims are provided recommendations on reduction of the risk of being exposed to trafficking in human beings in the country that will accept them, as well as and if possible, contact details of law enforcement bodies, non-governmental organizations, human rights defenders and social security agencies that can help victims in countries that accept them.

Administrative deportation from the Republic of Azerbaijan is not applied to children exposed to trafficking in human beings and the State Migration Service of the Republic of Azerbaijan does not adopt a decision on their deportation from the Republic of Azerbaijan.

Return of children exposed to trafficking in human beings to their families or countries is allowed in cases that exclude the risk of becoming a victim of human trafficking once again. Relevant activities are implemented in identification of families or legal representatives of those children.

The attitude of children over 10 years who have been exposed to trafficking in human beings is learnt and considered when deciding on extradition to their countries or families.

If repatriation of children exposed to trafficking in human beings is considered contrary to their best interests as a result of assessment of the degree of risk and threat, those children are not returned to their countries and relevant measures are taken to ensure legal residence of those children in the country (formalization of their presence in the country, provision of necessary documents, social rehabilitation).

Implementation of activities on the provision of opportunities to benefit the right to education for and of necessary care to children exposed to human trafficking, and their acceptance by the families or relevant care agencies should be the focus of attention during repatriation.

Issue of accompanying children exposed to human trafficking in the process of repatriation is considered to ensure more effective and secure repatriation of those children.

Relevant measures are taken to protect the rights and legal interests of children exposed to trafficking in human beings in accordance with the Laws of the Republic of Azerbaijan on the "Rights of the Child" and "Prevention of negligence and violation of rights of minors", the UN Convention on the "Rights of the Child", as well as other laws of and international treaties joined by the Republic of Azerbaijan in the provision of all kinds of assistance, including their repatriation.

Safe repatriation of children exposed to trafficking in human beings is ensured through identification of the guardian in the origin country during their repatriation by the State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan, the Ministry of Internal Affairs of the Republic of Azerbaijan, the Ministry of Foreign Affairs of the Republic of Azerbaijan, guardianship and foster care agencies and commissions on minors' affairs and protection of rights.

The Ministry of Education of the Republic of Azerbaijan provides:

- admission of children exposed to human trafficking to general secondary education institutions in their places of temporary residence;
- organizing a special education commission under the city/district education department/division to assess knowledge and skills of a child over 10 years found avoiding education and define the school and class that this child will study in;
- arranging study of children going through rehabilitation depending on their psychological and social situation and living in temporary asylums to ensure their security;
- protection of confidentiality of information on the child's background by the management of education institutions to prevent discrimination against children exposed to trafficking in human beings while studying at secondary schools.

*46. Has any victim of trafficking who is a citizen or permanent resident of your country been returned against their will? If yes, what steps, if any, were taken to assist them after their return?*

According to the subparagraph 1.3 of the “Rules on repatriation of victims of trafficking in human beings” endorsed by the resolution No. 252 of the Cabinet of Ministers of the Republic of Azerbaijan dated by September 10, 2013, repatriation of victims is fulfilled under the principle of voluntariness.

*Corporate liability (Article 22)*

*47. Have there been any developments in your country’s law regarding corporate liability for THB offences? Does corporate liability apply to legal persons involved in THB for the purpose of forced labour or services, including by their sub-contractors throughout the supply chain? Please provide examples of any relevant cases and the sanctions imposed.*

The article 25 of the Law of the Republic of Azerbaijan on “Combating trafficking in human beings” defines liability for legal entities due to crimes of trafficking in human beings. Moreover, the CC was amended by the Law dated by 7 March 2012 regarding the application of criminal and legal measures on legal entities. Thus, according to the provision 99-4 of the CC, criminal and legal measures apply to a legal entity for crimes committed by individuals for the benefit of the legal entity or the protection of its interests:

- a public official who is authorized to represent the legal entity;
- a public official who is authorized to make decisions on behalf of the legal entity;
- a public official who is authorized to control the activity of the legal entity;
- an employee of the legal entity as a result of non-fulfilment of control by the above-mentioned public officials.

The application of criminal and legal measures to a legal entity does not exclude criminal liability of an individual who has committed or has been involved in the commission of a crime.

Criminal and legal measures shall not apply to state, municipal and international organizations.

Criminal and legal measures apply to legal entities due to the commission of acts considered in the provisions 144-1 (THB), 144-2 (Forced labour), 144-3 (Illegal actions with documents for THB purposes), 316-1 (Dissemination of confidential information on a victims of THB) and other provisions of the CC.

In case a legal entity is restricted until the adoption of a court decision on the application of criminal and legal measures, the criminal and legal measures shall apply to the legal successor of the legal entity. It is prohibited to restructure or liquidate the legal entity by the decision of its founders (participants) or the body authorized by the charter of the legal entity until the complete execution or termination of a criminal and legal measure from the date a decision was made by the court on the application of the criminal and legal measure.

*Aggravating circumstances (Article 24)*

*48. Have there been any prosecutions and convictions for THB with the aggravating circumstance of involvement of public officials in the exercise of their functions? Please provide any relevant examples.*

Persons sentences due the cases reviewed at the court were not public officials, so no person was held liable under the provision 144-1.2.6 of CC (if committed by abuse of official position of the defendant).

*Non-punishment provision (Article 26)*

*49. Is the non-punishment provision incorporated in law and/or prosecution guidelines? If so, please provide the relevant texts. Please give details, including references to case law where relevant, of cases where the non-punishment principle has been applied and the outcome of such cases.*

According to the provision 17.7 of the Law of the Republic of Azerbaijan on “Combating trafficking in human beings”, persons exposed to trafficking in human beings are exempt from civil, administrative and criminal responsibility in the manner and cases specified with the law of the Republic of Azerbaijan for acts committed under force or threat due to being in a position of victim of trafficking in human

beings. Therefore, victims of trafficking in human beings were not subject to criminal prosecution and punishment.

Decisions were made on exemption of 12 persons from liability in accordance with the provision 17.7 of the Law.

*Ex parte and ex officio applications (Article 27 in conjunction with Article 1.1.b)*

*50. Does your country's law provide for the possibility of investigating a THB case in your country if the offence was committed on your territory, but the complaint was submitted in the country of residence of a foreign victim of THB? Please provide any relevant examples.*

The article 27 of the Law of the Republic of Azerbaijan on "Combating trafficking in human beings" defines the jurisdiction of the Republic of Azerbaijan for crimes of trafficking in human beings. Thus, citizens of the Republic of Azerbaijan, foreigners and stateless persons who have committed crimes of human trafficking shall be brought to criminal responsibility under the CC of the Republic of Azerbaijan regardless of the place of commission of the crimes.

According to the article 28 of the Law, provision of legal aid on criminal cases related with trafficking in human beings is implemented in accordance with the international treaties joined by the Republic of Azerbaijan and the legislation of the Republic of Azerbaijan on the provision of legal aid on criminal cases.

According to the article 488 of the Code of Criminal Procedure, issues of legal aid on criminal cases and extradition are regulated under the Constitution of the Republic of Azerbaijan, this Code, the Laws of the Republic of Azerbaijan on "Legal aid on criminal cases" and "Hand-over (extradition) of persons who have committed a crime", other legislative acts of the Republic of Azerbaijan and international treaties to which Azerbaijan is a party.

The provisions of this Code and the Laws of the Republic of Azerbaijan on "Legal aid on criminal cases" and "Hand-over (extradition) of persons who have committed a crime" shall apply in absence of a relevant treaty on the provision of legal aid and extradition between the Republic of Azerbaijan and a requesting foreign state or in a section on issues not regulated under a relevant treaty, which do not contradict that treaty. These provisions shall not apply to issues on cooperation with international judicial bodies.

*51. Please describe the measures taken in your country to ensure compliance with the obligation of effective investigation into THB cases, in particular as regards:*

- a. setting up specialised investigation units and the number of staff involved;*
- b. exchange of information with, and obtaining evidence from, other parties;*
- c. use of special investigative techniques (such as informants, cover agents, wire-tapping, controlled deliveries), with an indication of how their use is regulated and whether they can also be applied in cases not related to organised crime;*
- d. investigation of THB offences committed through the Internet, including the possibility of blocking websites which are used to facilitate the recruitment of trafficking victims or the dissemination of child pornography;*
- e. financial investigations to disrupt criminal money flows and ensure asset recovery;*
- f. use of joint investigation teams (JITs).*

A Special Police Unit (Main Department on Combating Trafficking in Human Beings at the Ministry of Internal Affairs of the Republic of Azerbaijan) is established to ensure the effective fulfilment of objectives set in the National Action Plan, security of victims of human trafficking, provision of professional assistance to them, collection and protection of information on combating trafficking in human beings in a single centre and initiation of combating trafficking in human beings by professional and trained police officers and a police unit equipped with the necessary equipment.

In line with identification and protection of victims of trafficking in human beings, the special police unit performs operational-search activity and criminal prosecution in criminal cases on trafficking in human beings. An integrated database is created for the register and use of data collected on criminal



cases on THB. The special police unit on combating human trafficking is directly subordinated to the National Coordinator.

Officers of the special police unit are accepted for service on the basis of transparency taking into account their eligibility to service in the special police unit on combating human trafficking in terms of professional training, education level and psychological stability alongside with other personal qualities. Persons accepted for service in the special police unit are trained on the following issues:

Obtaining, analysis and submission as evidence of data, documents and other things from victims of THB and other sources in the manner specified with law;

Methods of identifying victims of THB;

Using certain observation tools and technical means;

Rules of treatment with victims of THB.

In case a person is supposed to be a victim of trafficking in human beings, or commission or preparation of crimes relating to THB is detected by other bodies, the special police unit should be informed of the case immediately, necessary documents should be submitted to the unit and necessary assistance should be provided in this regard.

Law-enforcement bodies combating trafficking in human beings appoint officers who trained on THB as a coordinator to ensure mutual relations with the special police unit.

Besides according to the Law of the Republic of Azerbaijan on "Operational-search measures", Main Department on Combating Trafficking in Human Beings at the Ministry of Internal Affairs of the Republic of Azerbaijan has been authorized to provide following measures:

- Questioning of citizens;
- Inquiries;
- Listening to phone conversations;
- Examining posts, telegraphs and messages;
- Seizure of information from technical communication channels and other technical means;
- Checking prisoners' letters;
- Inspection of vehicles;
- Access to and inspection of buildings, including residential areas, fenced constructions, facilities and land plots;
- Surveillance of buildings, including residential areas, fenced constructions, facilities, land plots, vehicles and other objects;
- Spying on people;
- Identification of the person;
- Controlled purchase of goods;
- Investigation of goods and documents;
- Collection of samples for a comparative investigation;
- Access to criminal groups and criminogenic facilities;
- Establishment of a legal entity;
- Operative experiment, i.e. application of a behavioural pattern that imitates criminal activity.

According to the CPC of the Republic of Azerbaijan, the criminal prosecution authority can use protocols of the following investigative actions drafted in accordance with this Code as evidence:

Review; Personal examination; Recognition of a person and things; Confiscation; Search; Arrest on property; Arrest on post, telegraph and other messages; Seizure of conversations carried out via phone and other devices and information transmitted via communication and other technical means; Seizure of information constituting a personal, family, state, commercial or professional secrecy, including information on financial transactions, the status of bank accounts and payment of taxes; Removing a body from the grave (exhumation); Interrogation, confrontation and verifying testimony on the spot; Expertize or sampling for investigation; Investigation experiment.

The paragraph 13.3.9 of NAP considers the strengthening of measures of combating legalization of money or other property made from THB crimes. The Financial Markets Control Chamber did not record any suspicious transactions associated with THB crimes in 2016. Besides, the "National Action Plan on

combat against for legalization of money or other properties made from crimes and financing of terrorism 2017-2019" approved by the Decree of the President of the Republic of Azerbaijan dated by 18.11.2016. This document was approved on the basis of the draft national risk assessment conducted on legalization of money and financing of terrorism.

As a sectoral outcome of the national risk assessment, trafficking in human beings is considered as one of the main categories of crime committed for making income.

Taking into account that obtaining of information on financial transactions and the status of bank accounts can be realized only under the court decision in accordance with the provisions 177.3.6, 177.4 and 259.3 of the Criminal Procedure Code of the Republic of Azerbaijan and measures of combating legalization of incomes from human trafficking crimes will ensure the strengthening of the evidence base of human trafficking crimes and the direction of such incomes to compensation of the damage caused as a result of the crime in accordance with the provisions 13.0.4 and 134.2.9 of the CPC of the Republic of Azerbaijan.

The paragraph 13.2.9 of NAP considers the "Investigation of offers suspected to be connected with trafficking in human beings and implementation of relevant measures regularly conducting monitoring of mass media and Internet pages". The Main Information and Communication Department and Press Service of the MIA of the Republic of Azerbaijan regularly conducting monitoring of Internet contents on Azerbaijan to investigate suspicious offers that may be linked with trafficking in human beings and take relevant measures with this respect. Articles and materials connected with THB were detected, researched their essence and then operatively informed Main Department on Combating THB at the MIA of the Republic of Azerbaijan in order to take relevant measures regarding those cases.

Outcomes of successful measures implemented in combating trafficking in human beings, including those implemented by the Press Service of the MIA were posted on the official website of the ministry as well in the official website of Main Department.

The Ministry of Transport, Communications and High Technologies did not receive any application regarding offers suspected to be connected with THB.

Relevant measures were carried on in this direction by the State Security Service.

According to the CPC of the Republic of Azerbaijan, assigning preliminary investigations on a criminal case tasked to the investigation group and composition of the group has been defined.

During pre-trial proceedings in case a criminal case is defined as bears relation to several investigation authorities, then in order to ensure thorough, complete and objective implementation of the preliminary investigation on the basis of grounded decision made by the General Prosecutor of the Republic of Azerbaijan, his deputies, as well as the prosecutor implementing procedural guidance of preliminary investigation authorized by the General Prosecutor of the Republic of Azerbaijan:

- A joint investigation group is being created under the guidance of the prosecutor or the investigator of the prosecutor's office in a criminal case concerning the prosecutor's office and relevant executive authorities of the Republic of Azerbaijan;
- A joint investigation group consisting of investigators of the concerned authorities is being created and the head of the group is being appointed in a criminal case concerning several relevant executive authorities of the Republic of Azerbaijan.

*52. Have you had any cases or suspected cases of THB for the purpose of the removal of organs? How did investigations take place in such cases and what special investigation techniques were used?*

A criminal case was launched and an investigation was conducted in 2016 regarding the crimes committed by a transnational organized group consisting of Iranian and Azerbaijani citizens dealing with trafficking in human beings for the purpose of illegal removal and use of human organs and tissues, however the criminal case was terminated in May 2017.

*Protection of victims, witnesses and collaborators with the judicial authorities (Article 28)*

*53. What measures are taken to protect victims, witnesses and NGOs assisting victims during criminal proceedings from potential retaliation or intimidation during the investigation and during and after the criminal proceedings? In how many cases have*

*special protection measures been used in respect of victims and witnesses of THB? Please specify any difficulties in providing victim/witness protection and creating a safe environment for their participation in investigations and court proceedings.*

State and local self-government bodies, officials, individuals and legal entities should provide assistance to government agencies combating trafficking in human beings. When a person is expected to suffer from trafficking in human beings, or if the preparation or commission of the crime of trafficking in human beings detected by other bodies, a special police unit should be informed promptly, relevant documents should be submitted to the same institution and assisted.

Information that is likely to endanger the lives and health of those who contribute to combating human trafficking is confidential and its distribution is prohibited. Illegal collecting or deliberate dissemination of confidential information about trafficked persons (victims of trafficking in human beings, their close relatives, and any information that endangers the lives and health of those who contribute to combating trafficking in human beings), and as these acts result in grave consequences, the punishment for it should be in a form of deprivation of freedom for a term of up to five years.

The types of security measures applied to the persons protected under Article 7 of the Law of the Azerbaijan Republic "On state protection of persons participating in the criminal proceedings" of December 11, 1998, are as following:

- 1) Protection of the protected person, his apartment and property;
- 2) To give the protected person personal protection and to warn him of the danger;
- 3) Temporary placement of a protected person in a safe place;
- 4) Protect the confidentiality of information about the protected person;
- 5) Transfer of the protected person to another job, change of his / her place of work or study, transfer him / her to another place of residence;
- 6) Changing the documents of the defendant and his / her external appearance;
- 7) Holding closed court hearings in cases where the defence attorney participates in the manner prescribed by law.

Paragraph 13.3.3 of the NAP provides for measures to improve protection of witnesses and persons cooperating with criminal prosecution in the combating THB, and to continue to encourage the issuance of information useful to investigation.

**Implementation** of this measure has always been kept under attention by the MDCTHB at the Ministry of Internal Affairs.

Rights of witnesses and persons cooperating with criminal prosecution in the combating THB were guaranteed by the CPC of the Republic of Azerbaijan.

*54. What other measures are taken to promote the participation of victims and witnesses in criminal proceedings and to give testimonies which accurately reflect their experiences and assist courts in establishing the truth? Can a victim of THB be assisted by a social worker, psychologist and/or NGO representative during the investigation and court hearings?*

It was provided participation in court hearings of victims of human trafficking, also persons identified as victims of THB during prosecution, use of all their rights were ensured that was provided under Article 87.6 of the CPC of the Republic of Azerbaijan.

According to the provisions of Articles 358.1.1 and 407.1.1 of the CPC, sending sentence and other final decisions of first and appellate courts to the participants in criminal proceedings, including victims (victims of trafficking and forced labour) has been put on the courts as a duty and the analysis of cases is demonstrating that in all cases, this requirement of the law was also respected by the courts.

The Supreme Court has repeatedly referred to the Constitution of the Republic of Azerbaijan, the European Convention on Human Rights and Fundamental Freedoms, other international treaties and national legislation, as well as to the precedents of the European Court of Human Rights in decisions of this nature and other cases; these decisions were substantiated with detailed answers to all evidence of cassation complaints.

Paragraph 13.3.3 of the NAP provides for measures to improve protection of witnesses and persons cooperating with criminal prosecution in combating against trafficking, and to continue to encourage the issuance of information useful to the investigation.

Relevant activities have always been maintained by the investigation department of the MDCTHB and MDCOC of the Ministry of Internal Affairs.

Thus, with the necessary efforts in this area of interaction, the rights of trafficked persons and forced labour offenders were guaranteed by the CPC.

Psychologists, social workers, or NGO delegates assist victims of THB in proceedings and prosecutions to ensure victims and witnesses provide clear evidence in the criminal investigation process, thereby helping the court to discover the truth.

Each victim is provided with a lawyer during the trial and is accompanied by a security officer in terms of their safety.

Jurisdiction (Article 31)

*55. Please outline the measures taken by your country to establish and exercise jurisdiction over the offences set out in the Convention, in particular with regard to offences committed outside the jurisdiction of the state (including in cases where your national is a victim of THB committed abroad).*

See: answer to question 50.

At the same time, according to the Article 19 of the Law on "Combating trafficking in human beings", diplomatic missions and consulates of the Republic of Azerbaijan, within their competence and in accordance with the legislation of their country, protect the rights and interests of the citizens of the Republic of Azerbaijan who are victims of human trafficking, and help them to return to the territory of the Republic of Azerbaijan.

Diplomatic missions and consulates of the Republic of Azerbaijan in foreign countries within their competence and in accordance with legislation of that country protect rights and freedoms of citizens of the Republic of Azerbaijan, who became victims of trafficking in human beings abroad. Responsible body for implementation of this work is the Ministry of Foreign Affairs of the Republic of Azerbaijan.

*International co-operation (Article 32)*

*56. Please provide examples of international co-operation initiatives with other states in preventing and combating THB, as well as an assessment of the impact of such initiatives, including any difficulties you have experienced in this area. Please also indicate any bilateral or multilateral agreements concluded by your country concerning mutual legal assistance and how such assistance is provided in the absence of an agreement.*

See: answer to question 51 of the international cooperation section.

Azerbaijan, Turkey, Kazakhstan, Uzbekistan, Kyrgyzstan, India, Bulgaria, Moldova, Lithuania, Iran, Islamic Republic of China, as well as Turkmenistan, United Arab Emirates and Georgia have signed bilateral agreements and contracts.

Multilateral contracts on legal assistance in criminal matters include the European Convention of April 20, 1959 on Mutual Legal Assistance in Criminal Matters, of January 22, 1993, "On Legal Assistance and Legal Relations in Civil, Family and Criminal Matters", Minsk and the Chisinau Conventions of October 7, 2002, are regulated by the European Convention of 27 February 1999 of the United Nations "On Corruption" of February 27, 2004 and on "Criminal Responsibility for Corruption".

There are bilateral agreements with the following states of the Republic of Azerbaijan:

- Memorandum of Understanding on cooperation in combating trafficking in human beings between the Ministry of Internal Affairs of the Republic of Azerbaijan and the National Committee for Combating Trafficking in Human Beings of the United Arab Emirates was signed on March 21, 2011 in Abu Dhabi;
- Memorandum of Understanding on cooperation between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of the Republic of Hungary was signed on November 11, 2011 in Baku;

- "Agreement on cooperation between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of the Republic of Georgia" was signed on May 10, 1993 in Baku;
  - "Agreement on cooperation between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of the Russian Federation" was signed on April 9, 1996 in Moscow.
- At the same time, the Republic of Azerbaijan has joined to international documents listed below:
- The United Nations Convention against Transnational Organized Crime and its Comprehensive Protocols on the "Prevention, Elimination and Punishment of Trafficking in Persons, Especially Women and Children" and "Migrant's illegal crossing of land, sea and air" were signed on December 12, 2000 in Palermo;
  - Agreement on "Cooperation of States-members of the Commonwealth of Independent States in combating trafficking in human beings, human organs and tissues " signed on November 25, 2005 in Moscow;
  - Agreement on "Cooperation on combating trafficking in human beings between the Ministries of Interior of the States-members of the Commonwealth of Independent States" was signed on September 17, 2010 in the city of Sankt-Petersburg;
  - "Final Protocol to the Convention of 21 March 1950 on combating trafficking in human beings and exploitation of prostitution by third parties".

#### In 2014

Measures to strengthen cooperation with other countries, especially with relevant authorities of destination and source countries and relevant international organizations, has been continued in the framework of combating trafficking in human beings.

The Agreement on security cooperation with Qatar in 2014 regarding prosecution of trafficking in human beings was crucial in terms of the development of intergovernmental relations.

As a result of the effective functioning of our country's diplomatic missions abroad, meetings were held with the purpose of strengthening the legal framework for combating trafficking in human beings with relevant representatives of Morocco and the United Arab Emirates and representatives of the law-enforcement agencies of these countries visited our country in 2014.

During 2014, regular meetings were held with experts from the United Nations, International Migration and International Labour Organizations, OSCE Baku Project Coordinator, International Centre for Migration Policy Development, senior officials of law enforcement agencies of the United States, as well as representatives of this country and UK embassy in Azerbaijan, prospects of cooperation were discussed.

The recommendations have been performed in planned ways which are contained in the report submitted by the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) about the implementation of commitments of the Council of Europe Convention on Trafficking in Human Beings, including recommendations for criminal prosecution, victim assistance, compensation and rehabilitation.

The project "Supporting Effective Implementation of Anti-Trafficking Mechanisms in Azerbaijan", prepared by the OSCE Project Coordinator in Baku, was positively evaluated by the government and started in the second half of 2014. Within the project, the OSCE Special Representative for combating trafficking in human beings visited our country in March, 2014.

The staffs of the special police unit as well as other state agencies were involved in the exchange of experience in the format of projects implemented by international organizations in the United States, France, Austria, Poland, Lithuania, Hungary, Bosnia and Herzegovina, Russia, Belarus, and Ukraine, also participated as a trainer in some workshops.

The official reports, publications, criminal statistics and other relevant information obtained through diplomatic missions abroad and Interpol's National Central Bureau in Azerbaijan regarding Germany, France, Austria, the Netherlands, Belgium, Spain, Italy, Sweden, etc., which have a best practice in combating THB, have been learnt and taken into account in legislation, criminal prosecution and victim protection activities.

#### In 2015

Activities were continued in strengthening of cooperation in combating trafficking in human beings with other states, in particular related authorities of destination and origin countries and relevant international organizations.

The National Coordinator and the management of the special police unit held business meetings with the OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings, the OSCE Project Co-ordinator in Baku and representatives of the IMO Baku Office, the US Department of Justice and Embassy in Baku, "World Hope" Humanitarian Organization and the Ministry of Interior of the Kingdom of Morocco. Discussions were conducted on issues such as measures implemented in combating THB in the country, achievements in this field, objectives set forth, perspectives and expansion of cooperation, improvement of programs and projects, information exchange and spread of the Azerbaijani practice to other states during the meetings.

The Committee of Parties of the Council of Europe Convention on "Action against Trafficking in Human Beings" declared high-level fulfilment of the obligations assumed by the Republic of Azerbaijan under the convention within the round table held in Baku city on 10 November 2015 and attended by representatives of authorized state bodies, international and non-governmental organizations.

Employees of the special police unit and other state bodies were involved in exchange of experience and at the same time attended training courses on a variety of topics in the United States of America, France, Austria, Belgium, Serbia, United Arab Emirates, Russia and other states within projects implemented by international organizations.

Reports of the UN Office on Drugs and Crimes (UNODC), the Group of Experts on Action against Trafficking in Human Beings of the Council of Europe (GRETA), OSCE Office of the Special Representative and Coordinator for Combating Trafficking in Human Beings, the International Organization for Migration and the International Labour Organization on the related fields, as well as best practices of Germany, Poland, Belgium, Austria, Italy, Spain, France, the Netherlands and Lithuania were studied during 2015.

### In 2016

The development of international relations, one of the key elements of joining efforts and strengthening capacities of law-enforcement bodies performing combating trafficking in human beings in origin, transit and destination countries, was kept under attention.

Mutual relations in combating trafficking in human beings were more focused within bilateral and multilateral agreements, memorandums and protocols signed with the United Nations, the Council of Europe, OSCE, European Union, GUAM, the Islamic Cooperation and the International Organization for Migration, the specialized agencies of UN and the Council of Europe, as well as related state bodies of nearly 40 states in 2016.

An extensive information exchange was conducted with representatives of the International Organization for Migration, the International Centre for Migration Policy Development (ICMPD), the US Department of Justice and Embassies of the US and Israel in Baku on the political will of the government regarding solution of the problem of trafficking inhuman beings in the country, progress in this direction, perspectives of cooperation and other issues.

The intensity of information exchange was increased at the meetings held with managements of related state bodies of destination countries such as Turkey, the United Arab Emirates and the Islamic Republic of Iran. The meetings were focused on discussions on arrest and extradition of persons accused of THB, who are hiding in those countries, and other important issues.

An international workshop dedicated to criminal prosecution of THB and coordination issues was jointly organized by the Ministry of Internal Affairs of the Republic of Azerbaijan and the United States Embassy in Baku in March, 2016.

International partners were broadly informed of the status of fulfilment of international obligations assumed by our country in combating THB at the meeting dedicated to the "Human trafficking and children's rights" organized with the initiative of the Ministry of Internal Affairs and the support of the OSCE Human Dimension Committee in June,2016.

A conference dedicated to the "World Day against Trafficking in Persons" was hosted in Nakhchivan Autonomous Republic of the Republic of Azerbaijan by the Ministry of Internal Affairs, the United States Agency for International Development and the International Organization for Migration in July, 2016.

Consultations were conducted on perspectives of cooperation in combating trafficking in human beings at the 5<sup>th</sup> meeting of the EU-Azerbaijan subcommittee on Justice, Freedom, Security and Human Rights and Democracy held in Baku in October, 2016.

Reports of the UN Office on Drugs and Crimes (UNODC), the Group of Experts on Action against Trafficking in Human Beings of the Council of Europe (GRETA), OSCE Office of the Special Representative and Coordinator for Combating Trafficking in Human Beings, the International Organization for Migration and the International Labour Organization on the related field, as well as advanced practices of different European countries in combating trafficking in human beings were studied and perspectives of the application of a number of their initiatives in our country was explored during 2016.

Employees of the special police unit and other state bodies were involved in exchange of experience and at the same time attended training courses on a variety of topics in France, Germany, Austria, Switzerland, the Kingdom of the Netherlands, Poland, Romania, Turkey, Ukraine, Belarus, Moldova and other states within projects implemented by international organizations.

Cooperation was ensured within the following projects of the IMO Office in Baku that include actions against trafficking in human beings:

- IOM project on "Strengthening capacities on identification of victims and potential victims of trafficking in human beings and provision of support to them in Azerbaijan";
- IOM project on "Improving capacities in Azerbaijan and strengthening cooperation on effectiveness of combating trafficking in human beings through technical support";
- IOM project on "Strengthening capacities on Migration and Border Management in Azerbaijan";
- IOM project on "Defining gaps and assessing needs: Comparative analysis of efforts in combating trafficking in human beings in the South Caucasus countries".

*Measures related to endangered or missing persons (Article 33)*

*57. What measures are envisaged in your country to transmit information to another party concerning a victim, witness or collaborator with the judicial authorities in a THB case, who your authorities believe is in immediate danger on the territory of another party? What protection measures are envisaged for such persons, should another party to the Convention inform you about their presence on your territory? Please provide examples from practice.*

According to the CPC of the Republic of Azerbaijan, one of the sources of criminal procedure law is the international treaties joined by the Republic of Azerbaijan.

In case other distinctive procedures are defined in the international treaties joined by the Republic of Azerbaijan, the procedures of the international treaties shall apply as a rule.

Cases of application of other rules of territorial force of the criminal procedure law of the Republic of Azerbaijan with the international treaties joined by the Republic of Azerbaijan may be defined.

The application of the norms of criminal procedure law of foreign states in the Republic of Azerbaijan is acceptable if considered in the international treaties joined by the Republic of Azerbaijan and do not contradict objectives and principles of the criminal procedure law of the Republic of Azerbaijan.

Building relations in criminal prosecution with relevant authorities of foreign states and conducting proceedings regarding the fulfilment of instructions of judicial and investigative bodies of those states are included in the responsibilities of the relevant court, prosecutor and investigator defined in the law of the Republic of Azerbaijan and the international treaties joined by the Republic of Azerbaijan.

Obligation of decisions of courts and investigative authorities of foreign states in the Republic of Azerbaijan is defined by the international treaties joined by the Republic of Azerbaijan.

Courts of the Republic of Azerbaijan review the issues of enforcement of judgments or other final decisions of courts of foreign states in accordance with the provisions of this Code, criminal and other laws of the Republic of Azerbaijan, as well as the international treaties joined by the Republic of Azerbaijan.

See: answer to the question 50.

58. *Has an early warning system for missing children been introduced in your country and is the harmonised European telephone number for missing children available? What other measures are there for early signalling to other countries about endangered and/or missing children? Has your country concluded any agreements or taken any other measures to reinforce co-operation with other countries in the search for missing people, in particular children, where your authorities have reasonable grounds to believe that missing children may be victims of trafficking or are at risk of becoming victims of trafficking?*

The possibility of exposure of missing minors to trafficking in human beings is kept under attention in accordance with the Decision of the Board of the Ministry of Internal Affairs of the Republic of Azerbaijan. In this regard, outcomes of searches for missing minors and information on the risk of their exposure to THB crimes are exchanged between the Main Department on combating trafficking in human beings and other relevant agencies of MIA. Such children have not been identified as victims of human trafficking crimes so far.

At the same time, resources of the National Central Bureau of INTERPOL in the Republic of Azerbaijan are used in relation with international searches of missing persons, including children without information.

*Co-operation with civil society (Article 35)*

59. *What steps are taken by your country to encourage state authorities and public officials to co-operate with NGOs and other civil society organisations, including trade unions, so as to involve them in the elaboration and implementation of anti-trafficking policies, programmes and other initiatives to prevent THB? Please provide information on any memoranda of understanding or other agreements concluded between public bodies and NGOs in this field.*

According to the 4<sup>th</sup> article of the Law of the Republic of Azerbaijan on "Combating Trafficking in Human Beings" dated by 28.06.2005, the activity against human trafficking is based on the principle of involving non-governmental organizations in this work and according to the 10<sup>th</sup> article of the Law, state bodies are collaborating with non-governmental organizations in combating trafficking in human beings.

Representatives of 14 NGOs were awarded with 1000 (thousand) AZN under the relevant order of MIA for active participation in action against THB during 2014 at the meeting held in 23.01.2015.

Representatives of 15 NGOs were awarded with money means under the relevant order of MIA for active participation in action against THB during 2015 at the meeting held in 24.04.2016.

Representatives of 15 NGOs were awarded with 500 (hundred) AZN under the relevant order of MIA for active participation in action against THB during 2016 at the meeting held in 29.03.2017.

Combating trafficking in human beings has always been under attention in our country. So far, the Ministry of Justice has registered 516 non-governmental organizations on human rights, legal education, legal studies and cooperation with activity direction covering THB issues.

In total, the Ministry of Justice received applications for registration of grants in THB for 12 contracts in amount of 89222 AZN in 2014, 12 contracts in amount of 107000 AZN in 2015, 10 contracts in amount of 100800 AZN in 2016 and 1 contract in amount of 4661 AZN until 30 March, 2017.

It would be better to note that all the funds allocated as grants in recent 3 years (2015, 2016 and 2017) were allocated by the Council of State Support to Non-governmental Organizations under the Auspices of the President of the Republic of Azerbaijan and the Ministry of Youth and Sport compared to the previous years.

Moreover, the NGO Coalition on combating trafficking in human beings was established in 28.02.2009. The main goal of the Coalition is to coordinate activity of NGOs operating in combating THB and to improve effectiveness of activities implemented in this field. There are 47 members of the Coalition.

The first Memorandum of Understanding (for 2009-2013) was signed between the Ministry of Internal Affairs of the Republic of Azerbaijan and the NGO Coalition on combating trafficking in human beings in 2009.

As the continuation of this document, a new Memorandum of Understanding that covers the years 2013-2018 was signed between the Ministry of Internal Affairs of the Republic of Azerbaijan and the



NGO Coalition on combating trafficking in human beings in 27.07.2013. The key objective of the Memorandum of Understanding is to strengthen action against THB in the Republic of Azerbaijan and further improve cooperation with MIA in the provision of various services to victims of THB.

To strengthen actions against trafficking in human beings, the activity of NGOs, civil society organizations and trade unions are implemented in coordination with state bodies. Extensive advocacy work is carried out to involve civil society representatives in combating trafficking in human beings.

Upon request of NGOs to the National Coordinator, NGOs dealing with action against THB continuously carries out cooperation with all ministries that are members of the working group, including the Ministry of Health. All victims and potential victims who apply to the NGO that maintains shelters are provided with medical aid without any obstacles.

Since 2015, the Public Health and Reforms Centre of the Ministry of Health has launched the implementation of the project called "Reinforcement of the role and enhancement of opportunities of health employees in identification of violence against children and provision of immediate medical-psychological support" in cooperation with the "Hopeful Future" Youth Organization. The main goal of the project is to ensure early detection of violence, including domestic violence, human trafficking and negligence against children, prevention of repeated cases and acceleration of the provision of immediate medical and psychological assistance to victims at medical institutions. Within the project, trainings were provided in Baku, in city polyclinic No 22 of Balakhani settlement, city polyclinic No 8 of Narimanov district, city polyclinic No 2 of Ganja city and polyclinics for children No 1, 2 and 3 of Ganja city, for the persons exposed to domestic violence and victims of human trafficking on organization of activity of special institutions, provision of medical support to the victims, giving special instructions to the doctors and specialists of medical enterprises, on May 17-20, 2016.

PHRC, in cooperation with the "Hopeful Future" Youth Organization, organized a 3-day training in Ujar district on the "Provision of medical, psychological and social support to children and youth exposed to trafficking in human beings" in 2015. The training was attended by medical staff, social workers, law-enforcement bodies and public representatives of surrounding 7 districts who were taught relevant knowledge and skills on the provision of medical, psychological, social and legal support to persons exposed to domestic violence, sexual exploitation, labour exploitation and other forms of trafficking in children. Methodical aids prepared by PHRC were used during the training.

A "Health forum" was organized for school children jointly by PHRC and the "Education Centre for Youth" Social Union at Baku Modern School located in Narimanov district of Baku city on 5 May 2016 and at secondary school No. 240 located in Nasimi district of Baku city on 13 May 2016, and the main topics of discussions conducted at the forums included trafficking in human beings, early marriage, domestic violence, etc. reported by PHRC experts and awareness materials prepared and printed by PHRC were distributed to the participants.

Training was organized for the "Health workers assisting victims of gender-based violence" with the support of Representative of United Nations Population Fund (UNFPA) in Azerbaijan, on June 6-10, 2016. Topics such as human trafficking, child trafficking, labour exploitation, etc. were discussed in the training. In line with specialists of PHRC, doctors from the Azerbaijan State Advanced Training Institute for Doctors named after A. Aliyev, Mental Health Care of the Ministry of Health, Republican Clinical Hospital named after academic Mirgasimov, Children's Clinical Hospital No. 2 named after Garayev, city out-patient hospital No. 25, and women consultation centre No. 7 attended the training delivered by Turkish experts Mrs Ashe Akin, director of BUKCAM of Baskent University and Mrs Ezgi Turkchelik.

A representative of PHRC participated in a workshop on "Effective response to gender-based violence by multi-sectoral groups in Eastern Europe and Central Asia" organized within cooperation between the UNPFA Regional Office for Eastern Europe and Central Asia (EECARO) and the East European Institute for Reproductive Health (EEIRH) on 3-4 March, 2016 in Istanbul, Turkey.

Experts of the Republican Narcological Centre at the Ministry of Health of the Republic of Azerbaijan attended a conference on the "Protection of the rights of women and children suffering from drug addiction in the family and the society" organized by the State Committee for Family, Women and Children Affairs. Goal: raising awareness of teenagers on harmful sides and possible future complications of narcotics.

Discussion were carried out with the Public Health and Reforms Centre of the Ministry of Health, the Ministry of Internal Affairs of the Republic of Azerbaijan, the Working Group of the State Commission on

Combating Drug Abuse and Illicit Drug Trafficking and District Executive Powers, and joint actions were implemented with the above agencies. Besides, experts of the Republican Narcological Centre attended the joint workshops and practical training in Scientific and Practical Centre for Medical and Social Problems of Drug Abuse of the Ministry of Health of the Republic of Kazakhstan (Pavlodar city), Almaty city of Kazakhstan and Seoul city of South Korea for improvement of proficiency of employees of authorities dealing with rehabilitation of drug addicts and exchange of experience.

Experts of the Republican Narcological Centre participated as a representative in the "Inter-school Debate Forum 2014" project implemented by the Debate in Civil Society Social Union with the support of the Ministry of Education.

The "Testing of modern services on children's mental health for juvenile justice reform in Azerbaijan" project can be indicated as a positive example of cooperation with an NGO. The main objective of this cooperation was to prevent violations of law by juveniles with mental disorders. Multiple studies that identify whether children and teenagers are in the risk group and define the possibility of their involvement in a criminal environment including human trafficking were the driving factor in this activity. Activities on this issue are implemented within a project of European Union.

A number of project proposals were financed in various urgent issues of public life, including "Action against trafficking in human beings" within the grant competitions announced by the NGO Council in 2016. The Council allocated 81 000 (eight one thousand) AZN to the project proposals of 8 non-governmental organizations specialized in combating trafficking in human beings. Totally, 40 persons were involved in the implementation of activities implemented within the above projects and 3670 persons were direct beneficiaries of those projects. Out of them, 919 were children and teenagers, 1253 were youth and 1498 were people of other age groups. 7 training courses and 23 workshops were organized, 5 booklets were published, 1 TV program and 3 social videos were prepared within those projects.

Participation of non-governmental organizations in the implementation of the following actions is considered in the third National Action Plan:

- Conducting scientific and social research on Combating trafficking in human beings, implementing surveys and other activities to study public opinions;
- Continuing involvement of non-governmental organizations dealing with prevention of THB in the organization of activity of special institutions for victims of THB, provision of legal aid to victims and their social rehabilitation;
- Conducting monitoring on children's evasion of education and negligence, taking measures for rehabilitation of children who are evading education and socially vulnerable;
- Coordination of support to the National Action Plan, joint use of resources of relevant state and non-governmental organizations and those of international organizations and other partners;
- Inviting representatives of partner international organizations dealing with action against THB to the meetings of the interdepartmental commission established for the implementation of the National Referral Mechanism and meetings with non-governmental organizations;
- Strengthening cooperation with related non-governmental organizations and international organizations dealing with action against negligence of minors and their social rehabilitation;
- Implementing measures on awareness of persons entering the country on the risk of human trafficking;
- Distribution of awareness materials prepared for prevention of trafficking in human beings, in particular women and children, as well as forced labour at border and customs checkpoints;
- Strengthening advocacy and awareness work on Combating trafficking in human beings, preparation of various social ads and videos, short films in this field, development and demonstration of TV broadcasts, preparation and distribution among people of booklets;
- Conducting relevant advocacy and awareness work in private entities to prevent exploitation of child labour.

See: answers to the questions on NGOs

*Relationship with other international instruments (Article 40)*

*60. Please indicate any agreements concluded by your country in accordance with Article 40.2 of the Convention.*

According to Article 4.0.6 of the Law on “Combating Trafficking in Human Beings”, one of the basic principles for combating trafficking in human beings is improvement of international cooperation in combating THB;

According to Article 26 of this Law, in accordance with relevant international treaties to which it is a party, the Republic of Azerbaijan cooperates in combating trafficking in human beings with foreign countries and their law enforcement agencies, as well with international organizations which deal with combating trafficking in human beings.

There are following joint declarations signed between the Republic of Azerbaijan and other foreign countries which stipulate combating THB:

1. Law of the Republic of Azerbaijan dated by 30.09.2014 on the endorsement of the Joint Declaration on “Strategic partnership between the Republic of Azerbaijan and the Republic of Italy”
2. Law of the Republic of Azerbaijan dated by 30.09.2014 on the endorsement of the Joint Declaration of the President of the Republic of Azerbaijan and the President of the Republic of France
3. Law of the Republic of Azerbaijan dated by 16.12.2014 on the endorsement of the Joint Declaration of the President of the Republic of Azerbaijan and the President of the Republic of Tajikistan
4. Law of the Republic of Azerbaijan dated by 29.05.2015 on the endorsement of the Joint Declaration on “Strategic partnership between the Republic of Azerbaijan and the Islamic Republic of Pakistan”
5. Law of the Republic of Azerbaijan dated by 30.09.2014 on the endorsement of the Joint Declaration on “Strategic partnership between the Republic of Azerbaijan and the Republic of Bulgaria”
6. Law of the Republic of Azerbaijan dated by 18.12.2015 on the endorsement of the Joint Declaration on Strategic partnership between the Republic of Azerbaijan and the Czech Republic
7. Law of the Republic of Azerbaijan dated by 01.02.2016 on the endorsement of the Joint Declaration of the President of the Republic of Azerbaijan and the President of the Republic of Georgia
8. Law of the Republic of Azerbaijan dated by 12.02.2016 on the endorsement of the Joint Declaration of the President of the Republic of Azerbaijan and the President of the Republic of Belarus
9. Law of the Republic of Azerbaijan dated by 28.10.2016 on the endorsement of the Joint Declaration of the Presidents of the Republic of Azerbaijan, the Islamic Republic of Iran and Russian Federation

*61. Please provide details of cases where victims or possible victims of THB have been granted refugee status or subsidiary/complementary protection.*

There was no necessity for granting the status of a refugee to victims or potential victims of THB.

*62. Which bodies and organisations contributed to responding to this questionnaire?*

#### 22 state agencies

The Ministry of Internal Affairs, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Economy, the Ministry of Health, the Ministry of Transport, Communication and High Technologies, the Ministry of Education, the Ministry of Labour and Social Protection of the Population, the Ministry of Youth and Sport, the Ministry of Culture and Tourism, the Ministry of Finance, the General Prosecutor, the Ombudsman, the Supreme Court, the Bar Association, the State Security Service, the State Migration Service, the State Border Service, the Financial Markets Control Chamber, the State Customs Committee, the State Committee for Family, Women and Children Affairs, the Council of State Support to Non-governmental Organizations under the Auspices of the Republic of Azerbaijan

#### NGOs

Mehriban Zeynalova – Head of “Clean World Aid to Women” Social Union  
 Gulaya Safarova – Head of “Family World” Legal Assistance to Families Social Union  
 Mahire Amirhuseynova – Head of “XXI century Women” Social Union  
 Sudaba Mammadova – Head of “Tamas Regional Development” Social Union  
 Kamala Aghazade – Head of “Azerbaijan Children Union” Social Union

63. *Who was responsible for co-ordinating and collecting the replies to this questionnaire?*

The questionnaire was reported to the National Coordinator for combating trafficking in human beings by the Main Department on combating trafficking in human beings through Mr Ilkin Gurbanov - the contact person of the Republic of Azerbaijan to liaise with the Group of Experts on Action against Trafficking in Human Beings of the Council of Europe (GRETA) and Division Chief at the mentioned Main Department.

Then the questionnaire was translated and sent to the Cabinet of Ministers of the Republic of Azerbaijan under the letter of the National Coordinator and the agencies listed in the question 62 responded to the questionnaire accordingly.

Answers of the agencies were summarized at the Main Department on combating trafficking in human beings at the Ministry of Internal Affairs.

*E. Statistics on THB (per year, starting with 2010)*

*Number of victims identified in the sense of having been recognised by a state institution or mandated NGO as deserving any of the rights or entitlements to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).*

All of 34 victims (all women) of THB identified in 2010 are citizens of the Republic of Azerbaijan. 32 of them were sexually exploited, and 2 were regarding child buy and sell. Child buy and sell facts were internal, and the rest facts were transnational (abroad).

All of the 32 victims of THB identified in 2011 are citizens of the Republic of Azerbaijan, 31 of them women and one man. 31 of the victims (all women) were sexually exploited, and 1 was related to the buy and sell of child. Child buy and sell was internal, while other facts were transnational (abroad).

All of the 53 victims of THB identified in 2012 are citizens of the Republic of Azerbaijan, 40 women and 13 men. 39 of the victims were sexually exploited, 13 of them (all men) were subjected to forced labour and 1 was related to buy and sell of child. Child buy and sell fact was internal, while other facts were transnational (abroad).

Among 56 victims of THB identified in 2013, there were 41 women and 15 men. 53 of them are citizens of the Republic of Azerbaijan, 2 are citizens of the Republic of Uzbekistan and 1 is citizen of the Republic of the Philippines. One of the victims was underage (forced labour), age range as following: 21 between 18-25 years, 27 between 25-35 years, 7 above 35 years. 40 (all women) of them were sexually exploited and 16 (all men) subjected to forced labour. 3 victims of THB were exploited internally, 53 were transnational (abroad).

Among 54 victims of THB identified in 2014, there were 51 women and 3 men. 51 of them are citizens of the Republic of Azerbaijan, 2 are citizens of Russian Federation and 1 is citizen of the Public Republic of China. Age range as following: 15 between 18-25 years, 30 between 25-35 years, 9 above 35 years. 51 of them (all women) were sexually exploited and 3 (all men) subjected to forced labour. 3 victims of THB were exploited internally, 53 were transnational (abroad).

Among 63 victims of THB identified in 2015, there were 57 women and 6 men. 56 of them are citizens of the Republic of Azerbaijan, 5 are citizens of the Republic of Uzbekistan, 1 is citizen of Turkmenistan and 1 is citizen of Ukraine. Age range as following: 1 between 14-18 years, 19 between 18-25 years, 28 between 25-35 years, 15 above 35 years. 54 of them (all women) were sexually exploited and 9 (8 men and 1 woman) subjected to forced labour. 14 victims of THB were exploited internally, 49 were transnational (abroad).

Among 70 victims of THB identified in 2016, there were 69 women and 1 man. 69 of them are citizens of the Republic of Azerbaijan and 1 is citizen of Ukraine. Age range as following: 25 between 18-

25 years, 34 between 25-35 years, 11 above 35 years. 69 of them (all women) were sexually exploited and 1 subjected to forced labour. 1 victim of THB were exploited internally, 69 were transnational (abroad).

Among 45 victims (all women) of THB identified in the first 5 months of 2017, 44 of them are citizens of the Republic of Azerbaijan and 1 is citizen of Russian Federation. Age range as following: 9 between 18-25 years, 24 between 25-35 years, 12 above 35 years. All of them were sexually exploited. All facts were transnational (abroad).

NOTE: All of the victims mentioned above have been identified by the Main Department on Combating THB at the Ministry of Internal Affairs of the Republic of Azerbaijan.

*Number of presumed victims whom the competent authorities had "reasonable grounds" to believe were victims of THB (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them). Please clarify whether this number includes victims who were formally identified or is an additional number.*

There hadn't been any registered presumed victims who had "reasonable grounds" to believe that they were victims of THB for 2010-2013 years.

But: There were 46 in 2014, 19 in 2015, 7 in 2016 and 9 in the first 5 months of 2017.

*Number of victims granted a recovery and reflection period (if possible, disaggregated by sex, age, nationality, form of exploitation).*

Article regarding Recovery and reflection period added to the Law on Combating THB in 2013. As well article regarding application of this right amended into the Criminal Procedure Code of the Republic of Azerbaijan in 2016. As a result because of the above mentioned reasons there hasn't been registered imposed recovery and reflection right between 2010-2016 years. 5 victims of THB were granted by the relevant decision with recovery and reflection period during the first 5 months of 2017. All of them are women and citizens of the Republic of Azerbaijan. Their age range as following: 4 between 25-35 years, 1 above 35 years. All of them were supposed to be sexually exploited.

*Number of victims who received assistance (if possible, disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).*

Each of victims of THB has been granted one-time allowance (In the sum of 400 AZN) based on the relevant resolution of the Cabinet of Ministers of the Republic of Azerbaijan. All of them have been provided with medical, psychological, legal and other assistance.

*Number of victims who were granted a residence permit, with an indication of the type of the permit and its duration (if possible, disaggregated by sex, age, nationality, form of exploitation).*

Upon the application of persons the State Migration Service conducted a survey about foreigners and stateless persons detained by the Service as illegal migrants, and foreigners and stateless persons are allegedly victims of human trafficking. Thus, except for probability of exposure of citizens of People's Republic of China to exploitation by their compatriots in 1 case in 2014, no cases of alleged victims of human trafficking among the foreigners and stateless persons detained by the State Migration Service as illegal migrants and the persons applied to the State Migration Service during 2014-2016 were detected.

In 2013 2 trafficked citizens of the Republic of Uzbekistan, in 2014 1 trafficked citizen of the Republic of Philippines and in 2015 2 citizens of the Republic of Uzbekistan were granted temporary residence permits.

No appeal on granting refugee status to victims of human trafficking was received by the State Migration Service of the Republic of Azerbaijan.

*Number of victims given refugee status and subsidiary/complementary protection.*

During the above mentioned period, there haven't been any victims who had refugee status. Each of victims of THB has been granted one-time allowance (in the sum of 400 AZN) based on the relevant resolution of the Cabinet of Ministers of the Republic of Azerbaijan. All of them have been provided with medical, psychological, legal and other social assistance.

*Number of victims who claimed compensation and who received compensation (if possible, disaggregated by sex, age, nationality, form of exploitation), with an indication of whether the compensation was provided by the perpetrator or the state, and the amount awarded.*

Victims of THB have not requested compensation from the state budget of Azerbaijan for damages inflicted on a criminal offense under Article 191 of the Criminal Procedure Code of the Republic of Azerbaijan (Article is added).

Article 191. Decision on payment of state compensation to victims

191.1. The question of the payment to a victim of compensation under the state budget of the Azerbaijan Republic for the damage caused by an act provided for in criminal law shall be resolved by a court further to an application by the victim.

191.2. When including the decision to award state compensation to a victim in its judgment convicting the accused, the court shall also state the amount which the convicted person shall contribute to the compensation.

*Number of victims repatriated to your country (if possible, disaggregated by sex, age, country of destination, form of exploitation).*

There hasn't been registered any THB victim repatriated to Azerbaijan.

*Number of victims repatriated from your country to another country (if possible, disaggregated by sex, age, nationality, form of exploitation).*

In 2016, upon a letter of the Main Department on Combating Trafficking in Human Beings at the Ministry of Internal Affairs relevant decisions were taken on repatriation of 1 citizen of People's Republic of China, 1 citizen of Republic of Philippines and 1 citizen of Russian Federation to their country of origin.

*Number of investigations into THB cases.*

Criminal cases were instituted as following: 28 in 2010, 20 in 2011, 12 in 2012, 21 in 2013, 22 in 2014, 33 in 2015, 26 in 2016 and 22 in the first 6 months of 2017.

*Number of prosecutions of THB cases.*

Following criminal cases sent to the court in connection with Articles 144-1, 144-2 and 144-3 of the Criminal Code of the Republic of Azerbaijan:

27 in 2010, 17 in 2011, 19 in 2012, 15 in 2013, 22 in 2014, 26 in 2015, 30 in 2016 and 12 in the first 6 months of 2017.

NOTE: Take into account that some of the criminal cases were instituted in one year and sent to the court next years due to the investigation period.

*Number of convictions for THB resulting in penalties involving deprivation of liberty, with an indication of the duration of the penalty and whether effectively enforced or suspended.*

For committing THB crimes human traffickers were imposed different penalties ended with deprivation of liberty by the Grave Crimes Courts as following:

- ❖ 37 judgements regarding 55 persons (25 of them conditionally) in 2010;
- ❖ 14 judgements regarding 18 persons (12 of them conditionally) in 2011;
- ❖ 15 judgements regarding 19 persons (5 of them conditionally) in 2012;
- ❖ 17 judgements regarding 20 persons (11 of them conditionally) in 2013;
- ❖ 23 judgements regarding 26 persons (15 of them conditionally) in 2014;
- ❖ 28 judgements regarding 35 persons (16 of them conditionally) in 2015;
- ❖ 45 judgements regarding 51 persons (27 of them conditionally) in 2016;
- ❖ 6 judgements regarding 7 persons (5 of them conditionally) in the relevant period of 2017.

NOTE: According to the article 144-1 of the Criminal Code of the Republic of Azerbaijan, Human trafficking is punished with the deprivation of liberty for a term from 5 up to 15 years; According to the article 144-2 of the Criminal Code of the Republic of Azerbaijan, Forced labour is punished with the deprivation of liberty for a term from 4 up to 12 years; According to the article 144-3 of the Criminal Code of the Republic of Azerbaijan, Illegal acts relating to travel or identity documents with a purpose of human trafficking is punished with the deprivation of liberty for a term from 1 up to 4 years.

*Number of judgments resulting in the confiscation of assets.*

There hasn't been registered any judgment resulting in the confiscation of assets. Thus confiscation penalty has not been prescribed in the Criminal Code of the Republic of Azerbaijan as main or additional penalty.

*Number of judgments resulting in the closure of a business or an establishment which was being used to carry out THB.*

There hasn't been registered any judgment resulting in the closure of a business or an establishment. Thus, the measures envisaged by the Criminal Code regarding the liability of legal entities have not yet entered into force.

*Number of convictions for the use of services of a victim of THB.*

There hasn't been registered any conviction for the use of services of a victim of THB. Thus, the project submitted to the government for the criminalization of this act but it has not been accepted yet.

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LIST OF SOME NORMATIVE-LEGAL ACTS REGULATING  
THE ACTIVITY ON COMBATING HUMAN TRAFFICKING IN  
THE REPUBLIC OF AZERBAIJAN

1. THE LAW of the Republic of Azerbaijan on combating trafficking in human beings
2. NATIONAL ACTION PLAN for the years 2014-2018 on combating trafficking in human beings in the Republic of Azerbaijan
3. RESOLUTION of the Cabinet of Ministers of the Republic of Azerbaijan  
On the approval of the "Rules for handover of victims of human trafficking to the special police unit on combating human trafficking"
4. RESOLUTION on the approval of the "Rules of National Referral Mechanism on victims of trafficking in human beings"
5. RESOLUTION on the approval of "Rules (indicators) for identification of victims of trafficking in human beings"
6. RESOLUTION of the Cabinet of Ministers of the Republic of Azerbaijan  
On the endorsement of "Program for the elimination of social problems that lead to human trafficking"
7. ACTION PLAN for 2014-2016 on the implementation of "Program on social rehabilitation and reintegration into society of children who are victims of human trafficking"
8. LAW of the Republic of Azerbaijan on Transplantation of Human Organs and/or Tissues
9. DECREE of the President of the Republic of Azerbaijan  
On application of the Law of the Republic of Azerbaijan on Transplantation of Human Organs and/or Tissues
10. RESOLUTION of the Cabinet of Ministers of the Republic of Azerbaijan  
On approval of the List of organs and/or tissues that may be transplanted
11. TEXT of amendments made regarding Recovery and Reflection period to the Law of the Republic of Azerbaijan on combating trafficking in human beings (14-1) as well as to the Criminal Procedure Code of Azerbaijan (123-1)
12. LIST of legislation improvements for 2014-2017



## THE LAW OF THE REPUBLIC OF AZERBAIJAN on COMBATING TRAFFICKING IN HUMAN BEINGS

This law defines the prophylactics of trafficking in human beings, the legal and organizational basis for combating trafficking in human beings, the legal status of the victims of trafficking in human beings, and regulates the issues of protection and assistance to victims of trafficking in human beings.

### Chapter I. General provisions

#### Article 1. Basic concepts

1.0. The following basic concepts are used on this law:

1.0.1. Trafficking in human beings – recruitment, obtaining, keeping, harbouring, transporting, giving or receipt of a person by means of threat or use of force, intimidation or other means of coercion, abduction, fraud, deception, abuse of power [influence] or a position of vulnerability, or by giving or receiving payments or benefits, privileges or concessions to achieve the consent of a person having control over another person, for purposes of exploitation (recruitment, obtaining, keeping, harbouring, transporting, giving or receipt of a minor for purposes of exploitation shall be considered as trafficking in human beings even if the means set forth in this provision are not used);

1.0.2. Human exploitation – forced labour (servitude), sexual servitude, slavery, practices similar to slavery and related conditions of servitude, illegal pull out of human organs and tissues, illegal biomedical research on a person, use of a woman as a surrogate mother, engagement in unlawful activities (including criminal activities), and other forms of human exploitation. The consent of a victim of trafficking in human beings shall be irrelevant where any of the means set forth in the article 1.0.1 have been used;

1.0.3. Forced labour (service) – illegal coercion of a person into performing certain labour (service)

1.0.4. Sexual exploitation – coercion of a person into prostitution, sexual servitude or production of pornographic materials, or benefiting from the sexual activity of other individuals;

1.0.5. Slavery – the full or partial implementation of property rights with respect to individual;

1.0.6. Practices similar to slavery – institutions and traditions indicated on the Article 1 of the April 30, 1956 Supplementary Convention on elimination of slavery, trading in slaves, and institutions and practices similar to slavery;

1.0.7. Human trafficker – individual or legal entity, practicing any activity related to human trafficking;

1.0.8. Victims of human trafficking – a person affected, or believed to be affected by trafficking in human beings;

1.0.9. Child – a person under the age of 18;

1.0.10. Potential victims of trafficking in human beings – people practicing vagrancy or begging, persons of a morally depraved lifestyle, uncontrolled minorities and children who are abandoned and out of care (orphans), persons who intentionally evade education, and persons who are addicted to narcotics and psychotropic agents.

#### Article 2. Legislation on trafficking in human beings

The legislation of the Republic of Azerbaijan on trafficking in human beings is composed of the Constitution of the Republic of Azerbaijan, this law, and other legislative acts of the Republic of Azerbaijan and international treaties to which Azerbaijan is a party.

### Article 3. Goals in combating trafficking in persons

3.1. Goals in combating trafficking in human beings are:

- 3.1.1. Protection of individuals and society from any form of trafficking in human beings;
  - 3.1.2. Identification and prevention of trafficking in persons related activities and eliminating its results.
- 3.2. The above-indicated goals shall be achieved by:
- 3.2.1. Identifying and eliminating causes of trafficking in persons, and conditions leading to trafficking in human beings;
  - 3.2.2. Reducing the risk of individuals to become victims of trafficking in human beings;
  - 3.2.3. Restoring the rights and social rehabilitation of the victims of trafficking in human beings.

### Article 4. Basic principles for combating trafficking in persons

4.0. Combating trafficking in human beings in the Republic of Azerbaijan shall be based on the principles indicated below:

- 4.0.1. Preventing discrimination of victims of trafficking in human beings in society;
- 4.0.2. Providing safe and fair treatment of victims of trafficking in human beings;
- 4.0.3. Inevitability of punishment for trafficking in human beings;
- 4.0.4. Implementation of preventive measures of legal, political, socio-economic and organizational nature;
- 4.0.5. Involvement of non-governmental organizations in combating trafficking in human beings;
- 4.0.6. Improvement of international cooperation in combating trafficking in human beings;

## Chapter II. Organizational basis for combating trafficking in human beings

### Article 5. Assisting the state bodies combating trafficking in human beings

State and local self-governing authorities, public officials, individuals and legal entities shall assist the State bodies combating trafficking in human beings.

### Article 6. The National Action Plan on combating trafficking in human beings

6.1. The National Action Plan of the Republic of Azerbaijan on Combating Trafficking in human beings (hereinafter- National Action Plan,) which has been approved by the relevant executive body of the Republic of Azerbaijan aims to provide an effective system to ensure mutual functioning of the relevant agencies to combat trafficking in human beings.

6.2. The National Action Plan defines the basic tasks in combating trafficking in human beings, the participation of different units (executive bodies, non-governmental organizations, international partners, and other structures) in implementing these tasks, coordination of activity of these units by the National Coordinator and other measures in combating trafficking in human beings.

6.3. With the aim to increase effectiveness of the National Action Plan as well as to ensure the safety of people and to protect the information, participants of the National Action Plan shall implement their responsibilities based on the "only necessary information" principle. Implementation of this principle provides the limited participation of the parties to the National Action Plan on combating trafficking in human beings to the realm of their responsibilities and aims at ensuring effective protection of the parties to National Plan from being exposed to corruption and influence of criminals involved in trafficking in human beings.

## Article 7. National Coordinator for Combating Trafficking in Human Beings.

7.1. The National Coordinator for Combating Trafficking in Human Beings (hereinafter – National Coordinator) shall be appointed by the relevant executive agency and shall be responsible for implementation of the National Action Plan.

7.2. The National Coordinator shall coordinate activity of the participants of the National Action Plan in order to create a centralized system of cooperation and provide the exchange of information between them.

7.3. The National Coordinator shall establish necessary relations with prosecution bodies, security services, border guards, police, courts, other governmental agencies and non-governmental organizations to provide the better implementation of operational – search activities and prosecution of crimes related to trafficking in human beings.

7.4. Functions of the National Coordinator shall be defined by the National Action Plan.

7.5. The National Coordinator shall submit an annual report on combating trafficking in human beings in the Republic of Azerbaijan to the relevant state agency, Parliament and the Ombudsman of the Republic of Azerbaijan.

## Article 8. Specialized police unit for combating trafficking in persons.

8.1 A specialized police unit shall be established under the relevant executive agency in an effort to effectively execute the tasks indicated in the National Action Plan, ensure the security of victims of trafficking in human beings, provide the victims of trafficking in human beings with professional aid, summarize and store trafficking in persons related information in a single centre and to ensure that experienced and specially trained police officers and specially equipped police units combat trafficking in persons.

8.2 Along with the identification and protection of the victims of trafficking in human beings the specialized police unit shall also organize task force activity and criminal prosecution of crimes related to trafficking in persons within the limits of their responsibility. A single specialized database shall be created to register and utilize information collected during the investigation of the cases related to trafficking in human beings. The specialized police unit on combating trafficking in human beings shall be subordinated to the National Coordinator.

8.3. Recruitment of the employees of the specialized police unit on combating trafficking in human beings shall be based on transparency, personal values, professional preparedness, level of education and psychological endurance along with other values. Officers employed by the specialized police unit on combating trafficking in human beings shall be trained on the following issues:

8.3.1. Obtaining and analysing information, documents and other items from victims of trafficking in human beings and other sources, and submitting them as evidence in a manner prescribed by the legislation;

8.3.2. Means to identify victims of trafficking in human beings;

8.3.3. Use of appropriate methods of observation and special technical equipment;

8.3.4. Proper treatment of victims of trafficking in human beings;

8.4. In case if a person is believed to be a victim of trafficking in persons, or criminal act or preparation to criminal act related to trafficking in human beings are identified by other agencies, the specialized police unit shall be immediately informed about and provided with respective documentation as well as assistance if necessary;

8.5. Law enforcement agencies combating trafficking in human beings shall assign their officers with training background to coordinate the mutual cooperation between the agency and the specialized police unit.

## Article 9. Responsibilities of Government agencies combating trafficking in human beings

9.1 The relevant executive authority of the Republic of Azerbaijan shall conduct the Combating human trafficking through preventing, identifying and eliminating trafficking in human beings crimes as well as organized criminal activities related to trafficking in human beings.

9.2. The relevant executive authority of the Republic of Azerbaijan shall protect the rights and interests of its citizens who became victims of trafficking in human beings, if the victims are in abroad. Foreign diplomatic missions and consulates of the Republic of Azerbaijan shall comprehensively support the bodies combating anti-trafficking activities within their responsibilities and in compliance with the legislation of the host country.

9.3. The relevant executive authority of the Republic of Azerbaijan shall fight against trafficking in human beings by discovering relationships between transnational organized crime groups and human traffickers, and preventing, identifying and eliminating international criminal practices related to trafficking in human beings.

9.4. The relevant executive authorities of the Republic of Azerbaijan shall Combating trafficking in human beings by preventing, discovering and eliminating illegal crossings of the state and customs borders by human traffickers and victims of trafficking in human beings.

9.5. A relevant executive authority of the Republic of Azerbaijan shall propose social rehabilitation programs for the victims of trafficking in human beings and submit to the special executive authority.

9.6. The relevant executive authority of the Republic of Azerbaijan shall propose and implement programs and complex action plans on medical and psychiatric assistance for the victims of trafficking in human beings.

9.7. The relevant executive authority of the Republic of Azerbaijan shall design prophylactics and prevention courses on trafficking in human beings in the curriculum of educational institutions and prepare educational programs for training specialists in the field of combating against trafficking in human beings.

## Article 10. Cooperation with non-governmental organizations on preventing trafficking in human beings

10.1. The State agencies shall cooperate with non-governmental organizations on preventing trafficking in human beings.

10.2. Non-governmental organizations working on trafficking in human beings issues shall be involved in activities related to educating potential victims of trafficking in human beings, creating specialized units for the victims of trafficking in human beings, legal assistance and social rehabilitation of the victims of trafficking in human beings.

10.3. A relevant executive agency of the Republic of Azerbaijan may issue grants together with the National Coordinator for the purposes stipulated under the Article 10.2 of this law.

## Chapter III. Prevention of trafficking in human beings

### Article 11. Organization of prevention of trafficking in human beings.

11.1. Prevention of trafficking in human beings shall be carried out based on a system of special measures under different state programs.

11.2. The system of preventive measures against trafficking in human beings shall include:

11.2.1. Conducting research on the prevention, particularly gender aspects of trafficking in human beings;

11.2.2. Proposing and implementing programs targeting the social problems that lead to trafficking in human beings;

11.2.3. Strengthening legal and social protection of women and children;

- 11.2.4. Involving potential victims of trafficking in human beings in social activity and ensuring their employment;
- 11.2.5. Encouraging entrepreneurs to recruit potential victims of trafficking in human beings;
- 11.2.6. Establishing propaganda and educational work among the potential victims of trafficking in human beings, informing them of the dangers awaiting victims of human trafficking, on the measures of protection provided by the government, and on administrative, criminal law, and other measures on combating trafficking in human beings implemented by the government;
- 11.2.7. Creating and applying a system of social, legal, pedagogical, and other measures aimed at the identification and elimination of conditions and circumstances leading to solitude and orphanage;
- 11.2.8. Identifying minors, who evade education and taking measures on their education;
- 11.2.9. Proposing and implementing special programs for educational institutions, orphanages, boarding schools, and other bodies/units operating on the prophylactics of the juvenile offenses and desolation;
- 11.2.10. Organizing specialized educational courses for the personnel of the agencies combating trafficking in human beings.

## Chapter IV. Social rehabilitation and protection of the victims of trafficking in human beings

### Article 12. Specialized institutions for the victims of trafficking in human beings

- 12.1. Specialized institutions shall be established for the protection of the victims of trafficking in human beings including:
- 12.1.1. Interim shelters for the victims of trafficking in human beings;
- 12.1.2. Assistance Centres for victims of trafficking in human beings.
- 12.2. All services in the specialized institutions shall be performed free of charge. Specialized institutions are prohibited from performing paid services.
- 12.3. The relevant executive authority of the Republic of Azerbaijan shall define the terms for the creation and operation of the specialized units for the victims of trafficking in human beings and their funding, and shall control their activity.

### Article 13. Interim shelters for lodging the victims of trafficking in human beings

- 13.1. Interim shelters for lodging the victims of trafficking in human beings (hereinafter "shelters") shall be created to provide the victims of trafficking in human beings with acceptable living conditions, food, medicine, first medical aid, psychological, social and legal assistance and their security. The victims of trafficking in human beings shall have access to the telephone and interpretation services. Special places in the shelters shall be organized for confidential conversations.
- 13.2. The shelters shall preserve the anonymousness of the victims of human trafficking, and no information shall be referred to law enforcement and/or other governmental agencies without the victims' consent.
- 13.3. Shelters shall be offered for 30 days to victims of human traffickers upon their request, regardless of their behaviour and intention to cooperate with criminal prosecution agencies, or testify against human traffickers.
- 13.4. The shelter time can be prolonged based on the request of the specialized police unit, or the victims of trafficking in human beings. Accommodation in the shelters and prolongation of the time of sheltering shall be possible with consent of the victims of trafficking in human beings in all cases.
- 13.5. Sheltering children, who became victims of trafficking in human beings shall be implemented in compliance with the Article 16 of this Law.

## Article 14. Assistance Centres for the victims of trafficking in human beings.

14.1. Assistance Centres on assistance to victims of trafficking in human beings shall be created to give explanations to the victims on current administrative and legal procedures protecting their rights and interests, provide psychiatric and medical assistance, and to socially rehabilitate the victims of trafficking in human beings.

14.2. Anonymity is guaranteed for victims in Assistance Centres and no information about victims is released to criminal prosecution authorities or other state agencies without their prior consent. When victims of trafficking in human beings are minors, this shall be reported immediately to the Commission on Children's Affairs and Protection of Rights and guardianship and custodial authorities.

14.3. Assistance is provided to individuals considering themselves victims of trafficking in persons upon their personal request regardless their behaviour and intention to cooperate with criminal prosecution agencies, or testify against human traffickers.

14.4. If a person in the Assistance Centre is presumed to be a victim of trafficking in human beings, then necessary arrangements shall be made in compliance with the Article 13 of this Law to place that person in a shelter.

### Article 14-1. Recovery and reflection period

14-1.1. Victim of human trafficking provided with 30 days of recovery and reflection period in order to allow him/her to recover and escape the influence of the perpetrators and to take a considered decision on co-operating with the prosecution agencies.

14-1.2. During recovery and reflection period victim of human trafficking may use services of special institutes provided in the 12th article of the Law of the Republic of Azerbaijan on combating trafficking in human beings for provision of security and protection needs as well as for recovery of physical, psychological and social status.

14-1.3. During recovery and reflection period victim of human trafficking shall not be enforced to any expulsion by administrative means from the territory of the Republic of Azerbaijan.

14-1.4. If it is established that the person is not a victim of human trafficking, then recovery and reflection period will not be granted and if this period has already began then it will be terminated."

## Article 15. Social rehabilitation of the victims of trafficking in human beings

15.1. Social rehabilitation of the victims of trafficking in human beings shall be conducted to reintegrate victims of trafficking in human beings into society and return them to their normal life and provide them with legal and psychiatric assistance, medical and professional rehabilitation, employment and accommodation.

15.2. Neither any restraint of human and civil rights provided by the Constitution of the Republic of Azerbaijan, international treaties and laws, nor the application of the rehabilitation measures against the will of victims of trafficking in human beings shall be tolerated in any form during the social rehabilitation of the victims of trafficking in persons.

15.3. The age, sex and needs, as well as needs for the necessary sheltering, education and care of the victims of trafficking in human beings, especially the minorities shall be taken into consideration while the social rehabilitation of the victims is implemented.

15.4. Social rehabilitation of the victims of trafficking in human beings shall be funded from the state budget and other sources defined by the legislation of the Republic of Azerbaijan.

15.5. A special executive authority of the Republic of Azerbaijan shall define under this law the terms of implementation of social rehabilitation of victims of trafficking in human beings.

## Article 16. Assisting children who became a victim of trafficking in human beings

16.1. When assisting a child, who became a victim of trafficking in human beings, the interests of the child shall be given priority and all measures shall be taken in accordance with the Law of the Republic of Azerbaijan "On Children's Rights," the UN Convention "On Children's Rights," as well as other legislative acts of the Republic of Azerbaijan and treaties to which Azerbaijan is party.

16.2. The shelters shall immediately report a child who became a victim of trafficking in human beings to the guardianship and foster care agencies, and the Commission on Children's Affairs and Protection of Rights. The guardianship and foster care agency, and the Commission on Children's Affairs and Protection of Rights shall take the necessary measures on protection of rights and interests of the child in compliance with the legislation of the Republic of Azerbaijan.

16.3. A person shall be considered as a child if his age is impossible to identify, but is believed to be under 18, while placing him into the shelter. The limit for the sheltering of children is 60 days. The sheltering time can be prolonged based on a request of the specialized police unit, guardianship and foster care agencies or the Commission on Children's Affairs and Protection of Rights. Children's opinion shall be asked when he/she is placed in the shelter, or the sheltering time is prolonged when children are 10 years old and over.

16.4. Children shall be sheltered separately as a rule. For their best interests, children may also be placed together with their parents (except situations when it is believed that the parents are engaged in trafficking in their child) and other persons, who can positively affect the children's psychology.

16.5. Children in the shelters shall be provided with an opportunity to continue their education and communicate with their parents (except situations when the parents are engaged in trafficking in their child.)

16.6. Measures shall be taken to search for the parents or providing for guardianship and foster care if a child who became a victim of trafficking in human beings is not aware of his parents' location or is deprived of parent care. Social protection of such children is provided for in conformity with the laws of the Republic of Azerbaijan on "Social Protection of Orphans and Children Deprived of Parent's Care."

16.7. Social rehabilitation of children victims of trafficking in human beings shall be implemented based on specifically designed programs guided by provisions of the Articles 15.4 and 16.1 of this Law and of the Law of The Republic of Azerbaijan on Prevention of Neglecting Children and Violations by Minors.

## Article 17. Measures on protection and assistance to victims of trafficking in human beings

17.1. State Agencies within their responsibilities, shelters and centres of assistance within their functions shall assist the victims of trafficking in human beings on the appeals to criminal prosecution agencies or the court.

17.2. During the time of reintegration, victims of trafficking in human beings shall be paid a monthly allowance from the State Budget and other sources in an amount defined by the relevant executive authority of the Republic of Azerbaijan.

17.3. Access to information about victims of trafficking in human beings stored in information services and databases shall be terminated in accordance with a decision made by the criminal prosecution agency or court.

17.4. Disclosure of the information, which is a secret of personal and family life of the victims of trafficking in human beings shall lead to criminal responsibility under the legislation of the Republic of Azerbaijan. Information threatening the life or health of the victims of trafficking in human beings, their close relatives and persons who contribute to the Combating trafficking in human beings shall be deemed as classified and any disclosure of such information is prohibited.

17.5. Any illegal collection or disclosure of classified information related to victims of trafficking in human beings or security measures regarding the victim shall be subject to responsibility under the legislation of the Republic of Azerbaijan.

17.6. Legal entities, transportation organizations, owners or operators of transport facilities operating on international transportation of passengers shall take the necessary measures towards the awareness of

passengers about the threat of trafficking in human beings, check all passengers to identify whether they have appropriate documents for entering (exiting) certain countries and refuse to serve persons, who don't have the necessary documents.

17.7. Persons who are affected from trafficking in human beings are exempted from civil, administrative or criminal responsibility for offenses committed under coercion or intimidation while they were victims of trafficking in human beings.

17.8. Aliens and stateless persons who became victims of trafficking in human beings shall be provided with protection and assistance equal to the citizens of the Republic of Azerbaijan.

## Article 18. Provision of safety of the victims of trafficking in human beings

18.1. Safety of the victims of trafficking in human beings shall be provided in compliance with the Law of the Republic of Azerbaijan on "State Protection of Participants of Criminal Process." An officer of the agency implementing the criminal process shall notify a victim of trafficking in human beings about the possibilities for ensuring safety, and the measures of protection.

18.2. Safety measures taken with respect to the victim of trafficking in human beings shall be continued unless the threat is fully eliminated during the preliminary investigation and trial of a trafficking in human beings crime and post-trial time.

18.3. Pseudo (false) names shall be used in an effort to provide the anonymity of victims of trafficking in human beings.

## Article 19. Responsibility of diplomatic representative offices and consulates in assisting and protecting victims of trafficking in human beings

19.1. Diplomatic representative offices and consulates of the Republic of Azerbaijan abroad within their responsibilities and in conformity with the legislation of the country where they function, shall perform activity aimed at ensuring the rights and interests of Azerbaijani citizens who became victims of trafficking in human beings and return them to the territory of The Republic of Azerbaijan.

19.2. If a citizen of the Republic of Azerbaijan loses his identification document, or if it is impossible to get this document back from the human traffickers, consulate of the Republic of Azerbaijan, in conjunction with the special executive authority of the Republic of Azerbaijan, shall provide such citizens with a document to return to the Republic of Azerbaijan.

## Article 20. Repatriation of foreigners and stateless persons who became victims of trafficking in human beings.

20.1. Should a foreigner or stateless person is considered as a person who became affected from trafficking in human beings the deportation to outside of the borders of the Republic of Azerbaijan in administrative order is not applied towards him/her within 1 year period, as well as the decision on expulsion from the Republic of Azerbaijan by the relevant executive authority is not accepted.

20.2 When the term defined on the Article 20.1 is expired but the foreigner or stateless person is assisting the criminal prosecution bodies on criminal cases related to trafficking in human beings expulsion from the Republic of Azerbaijan in administrative order is not applied towards that person unless the criminal prosecution is completed, as well as the decision on expulsion from the Republic of Azerbaijan by the relevant executive authority is not accepted.

20.3. The expulsion from the Republic of Azerbaijan in administrative order is not applied regarding the children who became victims of trafficking in human beings, as well as the decision on expulsion from the Republic of Azerbaijan by the relevant executive authority is not accepted. The return of children who became victims of trafficking in human beings to their country of origin or to their parents is only acceptable if the likelihood of becoming of a child the victim of trafficking in human beings again is excluded. During the addressing the issue of return of children who became victims of trafficking in



human beings to their country of origin or to their parents the opinion of children above 10 years old is examined and taken into account.

20.4. Assistance is provided in ensuring him/her with necessary documents, covering his/her transportation and other urgent expenditures and recommendations are given on minimizing the threat of becoming of this person a victim of trafficking in the country where he/she is going to be accepted in case if the victim of trafficking in human beings has wish to leave the borders of the Republic of Azerbaijan, also he/she shall be provided with relevant information regarding law-enforcement authority, NGO, defendants, social institutions that will assist her in the country that is going to accept him/her as far as possible.

20.4-1. Relevant executive authority shall adopt the rules of repatriation of victims of human trafficking In order to coordinate the activities of the relevant public authorities on the repatriation of foreigners or stateless persons who are victims of human trafficking, and to prevent them from re-victimization. These guidelines also provide for the implementation of measures regarding provision of trafficked children with the right to education and the care necessary to take care of them, as well as the adoption by the families or the appropriate caregivers.

20.5. The foreigner or stateless person who became a victim of trafficking in human beings can apply for getting the right to live in the Republic of Azerbaijan in accordance with the rules stipulated on the corresponding Law of the Republic of Azerbaijan for the period defined in the section 20.1. The cooperation of the victim of trafficking with criminal prosecution bodies, physical and moral sufferings faced by the victim of trafficking in human beings, the term of being a victim of human trafficking as well as becoming a victim of human trafficking or facing victimization by human traffickers again after the repatriation of the person to the country of origin are taken into account while reviewing such kind of application.

## Chapter V. Specificity of the cases related to trafficking in human beings and responsibility for trafficking in human beings

### Article 21. Responsibility for participation in trafficking in human beings

21.1. Individuals participating in trafficking in human beings are taken into account under the legislation of the Republic of Azerbaijan.

21.2. Action or inaction by officials which can facilitate trafficking in human beings is prosecuted under the legislation of the Republic of Azerbaijan.

21.3. Foreigners or stateless persons allegedly participating in trafficking in human beings shall not be granted an access to the territory of the Republic of Azerbaijan and entry visas are being cancelled.

### Article 22. Confiscation and use of the property earned from trafficking in human beings

22.1. All the property earned from trafficking in human beings (real estate, funds, securities and other assets) shall be confiscated by a court decision and shall be transferred to the specially established Relief Fund for assistance to victims of trafficking in human beings as defined by the legislation.

22.2. Resources accumulated into the Relief Fund for assistance to victims of trafficking in human beings shall be spent to pay compensation to the victims of trafficking in human beings, cover their social rehabilitation, medical and other necessary expenses.

22.3. Transparency shall be provided in utilization and management of the assets of the Relief Fund for victims of trafficking in human beings. A relevant executive authority of the Republic of Azerbaijan shall define the legal basis for the functioning of the fund.

## Article 23. Reimbursement of damage caused to the victims of trafficking in human beings

23.1. The courts shall resolve the matter of material and moral damages related to the victims of trafficking in human beings.

23.2. Damage caused to the victims of trafficking in human beings shall be compensated from the assets of human traffickers, or the Relief Fund for assistance to victims of trafficking in human beings, if the assets of human traffickers are not enough for compensation.

## Article 24. Consideration of cases related to trafficking in human beings

24.1. Consideration of criminal cases on trafficking in human beings and cases for restitution of losses caused by the trafficking in human beings may be conducted in a closed court sessions upon victim's request and in accordance with the legislation of the Republic of Azerbaijan.

24.2. Special testimonial measures such as teleconferencing or use of video-taped statements can be arranged with the purpose of ensuring the safety of the victims of trafficking in human beings and preventing human traffickers from influencing them, as well as taking into consideration the victim's emotional and psychological condition.

## Article 25. Responsibility of legal entities for trafficking in human beings

25.1. A legal entity (its branch or representative) functioning in the territory of the Republic of Azerbaijan can be closed down in accordance with the legislation of the Republic of Azerbaijan for its links to trafficking in human beings.

25.2. Once a legal entity engaged in trafficking in human beings is identified and abolished, all its property shall be transferred to the Relief Fund for assistance to victims of trafficking in human beings.

## Chapter VI. International cooperation on combating trafficking in human beings

### Article 26. International cooperation in the field of trafficking in human beings

Pursuant to the relevant intergovernmental treaties to which it is a party, the Republic of Azerbaijan shall cooperate in combating trafficking in human beings with foreign countries and their law enforcement agencies, with international organizations, which deal with combating trafficking in human beings.

### Article 27. Jurisdiction of the Republic of Azerbaijan on human trafficking

Should citizens of the Republic of Azerbaijan, foreigners or stateless persons commit human or children trafficking crime, they shall be subject to criminal responsibility under the Criminal Code of the Republic of Azerbaijan regardless the place of commitment of the crime.

### Article 28. Legal assistance on the crimes related to trafficking in human beings

Legal assistance on the crimes related to trafficking in human beings shall be implemented in compliance with the international treaties to which the Republic of Azerbaijan is a party, and the Law of the Republic of Azerbaijan "On Legal Assistance on Criminal Cases."

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## Article 29. Extradition of persons committing crimes related to trafficking in human beings

Human traffickers or persons who participated in committing offenses related to trafficking in human beings may be extradited to foreign countries for criminal prosecution, or execution of the sentence, in compliance with the legislation of the Republic of Azerbaijan and the international treaties to which the Republic of Azerbaijan is a party.

## Chapter VII. Final Provisions

### Article 30. Responsibility for violation of the law

Violation of this law by individuals and legal entities shall result in criminal responsibility in accordance with the legislation of the Republic of Azerbaijan.

Ilham Aliyev  
The President of the Republic of Azerbaijan

Baku, June 28, 2005  
No. 958-IIQ

## Third national action plan (2014-2018)

### THE ORDER OF THE PRESIDENT OF AZERBAIJAN REPUBLIC

On approval of the National Action Plan for the years 2014-2018 on Combating trafficking in human beings in Azerbaijan Republic

Directing to the item 32, article 109 of the Constitution of Azerbaijan Republic, in order to ensure duration of measures taken in the field of combating trafficking in human beings, to improve normative legal base and institutional mechanisms, to increase the efficiency in mutual activities of the state authorities and to ensure execution of international obligations of Azerbaijan Republic in this field, I resolved:

1. "The National Action Plan for the years 2014-2018 on combatting trafficking in human beings in Azerbaijan Republic" to be approved (attached).
2. The Ministry of Internal Affairs of Azerbaijan Republic to ensure implementation of the measures provided for in the National Action Plan approved by this order together with the relevant executive power authorities.
3. The Cabinet of Ministers of Azerbaijan Republic to settle the issues arising out from this Order.

Ilham Aliyev,  
The President of Azerbaijan Republic

Baku city, July 24, 2014  
No 667

APPROVED by the order of the President of the Republic of Azerbaijan  
Dated by July 24, 2014, # 667

### The National Action Plan for the years 2014-2018 on combatting trafficking in human beings in Azerbaijan Republic

#### 1. Introduction

Noting that ensuring the rights and freedoms of humans and citizens, the descent living level for the citizens of the Republic is the supreme goal of the state according to the article 12 of the Constitution of Azerbaijan Republic,

As the continuation of measures taken in accordance with "the National Action Plan of Azerbaijan Republic on combating trafficking in human beings" dated February 6, 2009,

Directing to the provisions of the international agreements in the field of combating trafficking in human beings that Azerbaijan Republic is the party of,

Taking into account that the crimes of trafficking in human beings seriously endanger the human rights and freedoms, violate the human rights, they are against the freedom and dignity of the personality,

In order to provide the efficient system enabling mutual activities of relevant authorities in combating trafficking in human beings along with the goals defined in the legislation,

Stressing the necessity of publicity measures and cooperation with the civil society institutions in combating trafficking in human beings, and active participation in international events for organization of this fight in the highest level,

Supporting the initiatives implemented in the field of combating trafficking in human beings, the National Action Plan for the years 2014-2018 on combating trafficking in human beings in Azerbaijan Republic (hereinafter referred to as the National Action Plan) is adopted.

#### 2. The Goals and Principles of Implementation of the National Action Plan

2.1. The goal of the National Action Plan is to ensure duration of the measures taken in the following directions:

- 2.1.1. Protection of the personality and the society from all forms of trafficking in human beings;
- 2.1.2. Identification and prevention of reasons of trafficking in human beings, and the cases enabling possibilities for trafficking in human beings;
- 2.1.3. decrease of the risk of persons becoming the victims of trafficking in human beings, ensuring social protection of vulnerable group of population that might undergo to trafficking in human beings;
- 2.1.4. Identification and prevention of all forms of trafficking in human beings, as well as prevention of their results;
- 2.1.5. Protection of the victims of trafficking in human beings, ensuring the protection of their rights and social rehabilitation;
- 2.1.6. Creating necessary conditions for improvement of living level of the victims and potential victims of human trafficking;
- 2.2. the National Action Plan provides for the major duties in achieving the above stated goals (measures), the participation of various authorities in execution of them (executive power authorities, non-governmental organizations, international partners and other organizations), coordination of activities of these authorities by the National Coordinator for Combating trafficking in human beings (hereinafter referred to as the National Coordinator) and other measures in the field of combating trafficking in human beings.
- 2.3. All the organizations combating trafficking in human beings implement the measures defined in the National Action Plan by directing to the following principles:
  - 2.3.1. to prevent discrimination against the victims of human trafficking in the society;
  - 2.3.2. to ensure security of the victims of human trafficking and polite behaviour towards them;
  - 2.3.3. Inevitability of the punishment for the human trafficking;
  - 2.3.4. Implementation of prophylactic measures of legal, political, socio-economic and organizational character;
  - 2.3.5. Attraction of non-governmental organizations to combating trafficking in human beings;
  - 2.3.6. Development of international cooperation in the field of combating trafficking in human beings;
  - 2.3.7. Execution of the duties only by being based on the principle of having necessary information.

### 3. The legislative measures in the field of Combating trafficking in human beings

- 3.1. The legislation in the field of Combating trafficking in human beings consists of the Constitution of Azerbaijan Republic, the international agreements that Azerbaijan Republic is the party of, the law of Azerbaijan Republic on "Combating trafficking in human beings" and other legislative acts.
- 3.2. in order to fulfil the obligations arising out from the international agreements in the field of Combating trafficking in human beings that Azerbaijan Republic joined, as well as the Convention of European Council on "Combating trafficking in human beings", the relevant legislative acts will be improved by taking into account the international experiences in this field.
- 3.3. In order to ratify the Convention of European Council on "protection of children from sexual exploitation and sexual harassment" that Azerbaijan Republic joined on November 17, 2008 and to decrease the risk of persons' becoming the victim of human trafficking, relevant works will be carried out in the direction of strengthening the legal and social protection of the women and children included in the vulnerable group.
- 3.4. it is supposed to improve the Rules of National Coordination Mechanism in respect to the victims of trafficking in human beings and the Rules (Indicators) for identification of victims of human trafficking", the Rules for establishment, funding, activities and control over the activities of special institutions for the victims of human trafficking, the Regulations on the foundation for assistance to the victims of human trafficking, "the Program for prevention of social problems enabling the possibilities for human trafficking" and other related normative acts.

### 4. To prevent human trafficking and strengthen its prophylactics

- 4.1. Prevention of human trafficking is organized based on special measures system within the framework of the legislation.
- 4.2. In order to prevent the human trafficking, the publicity and propaganda works are ensured on relevant social sections, the publicity works on the danger waiting for the victims of human trafficking,

the ensured protection measures, the administrative, criminal legal and other measures executed against human trafficking are continued.

4.3. The society will be continued to informed on the "hot line" serving to the persons suffered from the crimes of human trafficking, the supposed and potential victims of human trafficking, relevant measures will be taken for provision of regular training got the operators working in the services, and for increasing the safety of such lines and the confidentiality of the persons using them, as well as the organizational technical possibilities of the services.

4.4. It is envisaged to prepare the methodic teaching materials on the essence of the problem of human trafficking, and on prevention of it, to ensure conducting scientific researches on combating trafficking in human beings and to use the obtained results for increasing the efficiency of the combating measures.

4.5. The measures on fulfilment of the obligations arising out from relevant international conventions on the child labour, also the documents of the International Labour Organization will be intensified.

4.6. In order to prevent the illegal migration, forced labour and human trafficking, and to identify its victims and potential victims, it is envisaged to conduct monitoring and inspection measures by the participation of related state authorities, to identify the cases enabling the human trafficking and to do works in the direction of prevention of such cases, to take measures for intensification of the control over labour migration.

4.7. In order to reduce the risk of being the victim of human trafficking, the necessary measures will be taken in the direction of registration of the socially vulnerable families and the persons deprived of permanent residence place by the local executive power authorities and directing them to the relevant bodies to take relevant measures, attracting the potential victims of human trafficking to socially beneficial labour, encouragement of the entrepreneurs to employ them, to employ the persons suffered from human trafficking.

4.8. It is envisaged to study the essence of the suspected suggestions that might be connected with human trafficking and taking relevant measures by conducting regular monitoring of mass media and internet sites, as well as to conduct special training for the associates of the state authorities implementing combating trafficking in human beings and social rehabilitation and the representatives of civil society by using the domestic and international cooperation possibilities.

## 5. The criminal prosecution against the crimes of human trafficking

5.1. The prosecution of the crimes of human trafficking consists of identification of those crimes, detection of human traffickers; announce accusation against them, defines of these accusations in the court, setting punishment for the human trafficker, and in the case of necessity taking obligatory procedural measures.

5.2. In order to improve the criminal prosecution against the human traffickers, relevant measures will be taken for strengthening the activities and increasing the professional level of the associates of the Head Office for Combating trafficking in human beings of the Ministry of Internal Affairs of Azerbaijan Republic (hereinafter referred to as the Head Office).

5.3. It is envisaged to improve the work of protection of the witnesses and the persons cooperating with the authorities implementing the criminal prosecution in Combating trafficking in human beings, to continue the measures of stimulating the provision of information useful for the investigation.

5.4. To improve the cooperation between the authorities combating the crime of trafficking in human beings, to ensure efficient exchange of information and experience and joint study of the problems occurring in the field of combating trafficking in human beings, to expand international cooperation on implementation of operative investigation activities and criminal prosecution.

5.5. It is envisaged to take relevant measures in the direction of identification of the relations of the trans national organized criminal groups with the human traffickers, as well as to strengthen the measures in the direction of prevention, detection of transnational organized crime connected with trafficking in human beings.

5.6. The relevant efforts will be intensified in the direction of identification of the victims of human trafficking and forced labour and as well as the children being the victims of the human trafficking within the Republic, the activities of combating human traffickers (natural or legal entities) attracting the migrants to the forced labour will be intensified, criminal prosecution of every action connected with human trafficking the exploitation indication of which is identified will be conducted, the measures for

combating legalization of money resources and other property obtained through the crime of human trafficking (any money resources, movable or immovable property, tangible and intangible property, legal documents certifying the property right directly or indirectly obtained in the result of committing human trafficking crime) will be intensified.

## 6. Rehabilitation and Reintegration of the victims of human trafficking

6.1. The social rehabilitation and reintegration of the victims of human trafficking is implemented with the purpose of returning them into normal life style and it is envisaged to provide legal assistance to the victims of human trafficking, to take measures for their continuing their education, their psychological, medical and professional rehabilitation, use of possibilities to provide those persons with employment and living area.

6.2. While conducting social rehabilitation of the victims of human trafficking, it is not allowed to restrict the human rights and rights of citizens defined in the Constitution of Azerbaijan Republic, laws and the international agreements that it is the party of and to apply rehabilitation measures against the their wills, and the sex, age and demands of the victims, especially children and as well as their needs for asylum, education and care are taken into account.

6.3. Based on the application of the authority of criminal prosecution, the state authorities within their own competencies and the asylums and assistance centres within the framework of their functions will continue to provide assistances to the victims of human trafficking.

6.4 It is envisaged to take relevant measures in the direction of establishment of social rehabilitation, social service and assistance centres for the victims of human trafficking in the regions and provision of legal, medical, psychological, social and other services to them, to take measures for study of social-psychological aspects of the problem of human trafficking in the regions, identification and prevention of the reasons creating such cases, to continue provision of medical assistances in stationary and ambulatory institutions allocated for the victims and potential victims of human trafficking, recruitment of various qualified specialists to such institutions in the case of necessity.

6.5. it was envisaged to increase the number of specialists responsible for provision of medical, psychological and other assistances to the victims in special institutions for the victims of human trafficking (asylum and assistance centres) and to conduct relevant training for them Increase of the competitiveness of the victims, also potential victims of the trafficking in human beings in the labour market, organization of the courses directed to their mastering new professions, taking measures in the direction of settlement of employment problem.

6.6. The works will be continued in the direction of attraction of non-governmental organizations to organization of special institutions for the victims of human trafficking, provision of legal assistances to the victims and their social rehabilitation.

## 7. The improvement of assistance provided to the victims and potential victims of human trafficking and their protection

7.1. The interests of the child being the victim or potential victim of human trafficking should be preferred while providing them assistance, and according to the laws of Azerbaijan Republic "on Combating trafficking in human beings" and "Child rights", the UN Convention on "Child Rights", as well as the other laws of Azerbaijan Republic and the international agreement that it is the party of, relevant measures should be taken for protection of rights and legal interests of the child. The social rehabilitation of the children being the victims of human trafficking will be implemented based on specially designed programs by directing to the provisions of the legislation on prophylaxis of negligence of underage and law violations along with these normative legal acts.

7.2. The authorities of guardianship and patronage, the commissions for affairs of the underage and protection of their rights will take relevant measures by taking close part in implementation of social rehabilitation and protection of the rights and interests of the children being the victims and potential victims of human trafficking in accordance with the legislation.

7.3. It is envisaged to take measures in respect to provision of social legal and social psychological services and social consultation assistances to the children being under patronage of the state in order to include them in the risk group of human trafficking after reaching the mature age, organization of the

education of the children living in temporary asylums in those places in order to ensure their security depending on their psychological social situations, to take measures for prevention of the children being the victims of human trafficking undergoing to discrimination during getting education in secondary educational institutions, to conduct monitoring in respect to deviation of children from education and their negligence, to take measures for rehabilitation of the socially vulnerable children deviating from the education.

7.4. Monitoring will be conducted in respect to children being adopted or given under patronage and guardianship in the families and monitoring groups will be established in the places for this purpose, measures will be taken for provision of the children not having ID cards with relevant documents, in the direction of formation of social affairs institution working with children.

## 8. Protection of the victims of trafficking in human beings

8.1. To ensure the security of the persons injured by the human trafficking until complete prevention of the danger as defined in the laws of Azerbaijan Republic on state protection of the persons who took part in the criminal process and the law on Combating trafficking in human beings.

8.2. Implementation of protection of rights and interests of the victims of human trafficking and the citizens of Azerbaijan Republic will be continued by the diplomatic representations and consulate offices of Azerbaijan Republic in foreign countries in accordance with the legislation of the country in which they are situated.

## 9. Coordination of the activities of the participants of the National Action Plan, the support and resources on combating trafficking in human beings

9.1. The goal of the National Action Plan is to ensure efficient system enabling the mutual activities of the relevant authorities in combating trafficking in human beings. The National Coordinator, as the responsible person for implementation of the National Action Plan, coordinates the general activities in order to establish the single system of mutual cooperation of the participants and to ensure exchange of information among these authorities.

9.2. The National Coordinator coordinates the support of the relevant state and non-governmental organizations for implementation of the measures provided for in the National Action Plan, and takes relevant measures for settlement by identifying the demands arising out from execution of the National Action Plan and presents the annual report on the condition of combating trafficking in human beings to the President of Azerbaijan Republic, the Milli Mejlis of Azerbaijan Republic and the Human Rights Commissioner of Azerbaijan Republic (Ombudsman) and performs other functions in the direction of execution of the duties provided for in the National Action Plan.

9.3. Implementation of the measures stated in the National Action Plan includes coordination of donor support (information, methodic, organizational, material, consultative and other support), implementation of joint use of resources of relevant state and non-governmental organizations, international organizations and other partners.

9.4. The National Coordinator will intensify the cooperation with the donor organizations in respect to implementation of the National Action Plan.

## 10. Development of cooperation in the field of combating trafficking in human beings

10.1. Azerbaijan will strengthen cooperation with other states, especially the law enforcement authorities and the other state authorities of the countries of destination and origin and relevant international organizations in order to increase the efficiency of Combating trafficking in human beings.

10.2. The representatives of international partner organizations acting in the field of combating trafficking in human beings will be invited to the meetings of interorganizational commission established for implementation of National Coordination Mechanism in respect to the victims of human trafficking and the meetings held with the non-governmental organizations.

10.3. The Working Group established with the purpose of improvement of the legislation in the field of combating trafficking in human beings will keep close cooperation with the state authorities, the representatives of civil society and international partners.



10.4. It is envisaged to study international experience and to give suggestions in order to prevent social problems enabling human trafficking, to settle the social welfare problems of the youth deprived of the patronage of the parents, obliged to leave boarding schools and alternative care institutions from the age limit.

## 11. Publicity in respect to combating trafficking in human beings

11.1. Organization of publicity and propaganda in respect to combating trafficking in human beings is included in the system of measures on prophylaxis of human trafficking.

11.2. The regular measures will be taken for publicity of persons entering the country on the danger of human trafficking and distribution of prepared publicity materials in border and customs check points in order to prevent human trafficking, especial women and child trafficking as well as forced labour, and shooting social advertisings, reels, short films, development of programs and demonstration, preparation of booklets and distribution to the population.

11.3. The publicity measures will be continued in the direction of protection of the children from the dangers connected with human trafficking and exploitation of child labour in the educational and training institutions, in particular, relevant propaganda and publicity works will be carried out in private institutions for prevention of occurrence of exploitation of the child labour.

11.4. It is planned to hold relevant events around organization of the courses for the associates of the mass media on essence of human trafficking and illegal migration and various forms of their appearance by the participation of field specialists and enlightenment of such information in mass media.

11.5. Publicity events will be conducted for the tourism companies acting in the territory of the Republic, and various publicity materials will be distributed to the tourism companies.

## 12. Determination of the National Action Plan

The costs required for execution of the measures stated in the National Action Plan are funded on account of the resources provided for the executive bodies in the state budget of Azerbaijan Republic, out of budget funds, grants and as well as other sources not contradicting the legislation of Azerbaijan Republic.

Notes on the table (item 13) which follows.

1. The General Prosecutor's Office of the Republic of Azerbaijan to be recommended to take part in implementation of the measures provided for in the items 13.1.1, 13.1.7, 13.2.5, 13.3.3-13.3.5, 13.3.7-13.3.9, 13.6.1 and 13.8.1 of this National Action Plan.
2. The Supreme Court of the Republic of Azerbaijan to be recommended to take part in implementation of the measures provided for in the items 13.1.1 and 13.1.7 of this National Action Plan.
3. The Bar Association of the Republic of Azerbaijan to be recommended to take part in the implementation of the measures provided for in the items 13.4.1 and 13.4.4 of this National Action Plan.
4. The Human Rights Commissioner of Azerbaijan Republic (Ombudsman) to be recommended to take part in the implementation of the measures provided for in the items 13.1.1 - 13.1.3, 13.2.4 and 13.8.4 this National Action Plan.

The Press Council of Azerbaijan Republic to be recommended to take part in the implementation of measures provided for in the items 13.2.9 and 13.9.5 of this National Action Plan.

## 13. THE ACTIVITY PLAN

Connected with implementation of the National Action Plan

Item	The name of activity	Executive Bodies	The execution duration (on the years)
1	2	3	4
13.1. The legislative measures in the field of Combating trafficking in human beings			
13.1.1.	According to the international agreements in the field of combating trafficking in human beings that Azerbaijan Republic is the party of, as well as taking into account the requirements arising out from the Convention of European Council on "Combating trafficking in human beings", improvement of legislation regulating the field of combating trafficking in human beings	The Cabinet of Ministers, The Ministry of Internal Affairs, The Ministry of Justice, The Ministry of Foreign Affairs, The State Committee for Family, Woman and Child Problems, The Ministry of Labour and Social Protection of Population, The State Migration Service	2014-2016
13.1.2.	Taking measures for ratification of the Convention of European Council on "protection of children from sexual exploitation and sexual harassment"	The Cabinet of Ministers, The State Committee for Family, Woman and Child Problems, The Ministry of Foreign Affairs	2016
13.1.3.	Preparation of suggestions in the direction of strengthening the legal and social protection of women and children included in the vulnerable group with the purpose of decreasing the risk of being the victim of human trafficking	The Cabinet of Ministers, The State Committee for Family, Woman and Child Problems, The Ministry of Labour and Social Protection of Population, The Ministry of Justice	2015
13.1.4.	Preparation of suggestions with the purpose of safe use of internet and mobile phones by the children	The Cabinet of Ministers, The State Committee for Family, Woman and Child Problems, The Ministry of Transport, Communication and High Technologies, The Ministry of Internal Affairs, State Security Service, The Ministry of Education	2015

13.1.5.	Improvement of the Rules of National Coordination Mechanism in respect to the victims of trafficking in human beings and the Rules (Indicators) for identification of victims of human trafficking	The Cabinet of Ministers, The Ministry of Internal Affairs	2014-2016
13.1.6.	Improvement of the Program on prevention of social problems enabling possibilities for human trafficking	The Cabinet of Ministers, The Ministry of Labour and Social Protection of Population	2014-2016
13.1.7.	Preparation of suggestions in respect to legal regulation of the 30 days period of restoration and thinking given to the victim of the human trafficking procedural order on the criminal prosecution	The Cabinet of Ministers, The Ministry of Justice, The Ministry of Internal Affairs	2015
13.1.8.	Establishment of special institution for the victims of human trafficking, funding, activities of it and as well as improvement of Rules of control over them, the regulations on the Foundation for assistance to the victims of human trafficking and other related normative legal acts	The Cabinet of Ministers, The Ministry of Internal Affairs, The Ministry of Labour and Social Protection of Population, The Ministry of Justice, The State Committee for Family, Woman and Child Problems	2015-2017
13.2. Prevention of trafficking in human beings and strengthening its prophylaxis			
13.2.1.	Increasing organizational and technical possibilities of telephone "hot lines" serving to the injured persons of human trafficking crimes and the supposed and potential victims of human trafficking	The Ministry of Internal Affairs	2015
13.2.2.	Preparation of methodical educational means and promotional materials on the essence of the problem of human trafficking and prevention of it	The Ministry of Education, The Ministry of Internal Affairs, other related state authorities	2014-2016
13.2.3.	Conducting scientific and social researches on combating trafficking in human beings, implementation of request and other measures for studying public opinion	The Ministry of Internal Affairs, higher educational institutions, by involving the related non-governmental organizations	2014-2016
13.2.4.	To strengthen measures for fulfilment of the obligations arising out from the international conventions on child labour, as well as the documents of International Labour Organization	The Ministry of Labour and Social Protection of Population, The Ministry of Foreign Affairs, The State Committee for Family, Woman and Child Problems, The Ministry of Justice	regular

13.2.5.	To take joint measures for prevention of illegal migration, forced labour and human trafficking, to strengthen activities on identification of its victims and potential victims and implementation of monitoring by the participation of the related state authorities in respect thereof, identification of the cases enabling human trafficking and prevention of such cases	The State Migration Service, The Ministry of Labour and Social Protection of Population, The Ministry of Internal Affairs, other related state authorities	regular
13.2.6.	To take measures for strengthening the control over labour migration	The Ministry of Labour and Social Protection of Population, The State Migration Service	regular
13.2.7.	In order to decrease the risk of becoming the victim of human trafficking, to direct the vulnerable families and the persons deprived of permanent residence place to relevant state authorities for being taken into registration by the local executive power authorities and taking relevant measures	Local executive power authorities, The Ministry of Labour and Social Protection of Population, The State Committee for Family, Woman and Child Problems	regular
13.2.8.	To implement relevant measures in the direction of attracting the victims of human trafficking to socially beneficial labour, ensuring their employment, encouraging the entrepreneurs for employing the persons suffered from trafficking in human beings	The Ministry of Labour and Social Protection of Population, The Ministry of Economy and Industry, local executive power authorities	regular
13.2.9.	To study the essence of the suspected suggestions that might be connected with human trafficking and taking relevant measures by conducting regular monitoring of mass media and internet sites	State Security Service, The Ministry of Internal Affairs, The Ministry of Transport, Communication and High Technologies	regular
13.2.10.	Organization of special educational courses for the associates of the state authorities combating trafficking in human beings and conducting social rehabilitation, the employees of the educational and training institutions, as well as the representatives of the civil society and use of domestic and foreign cooperation possibilities in respect thereof	The Ministry of Internal Affairs, State Security Service, The State Migration Service, The State Border Service, The State Customs Committee, The Ministry of Labour and Social Protection of Population, The State Committee for Family, Woman and Child Problems, The Ministry of Education, The Ministry of Health and other related state authorities	regular

13.3. Criminal prosecution against the crimes of human trafficking			
13.3.1.	To continue measures for improvement of activities of the Head office for Combating trafficking in human beings of the Ministry of Internal Affairs of Azerbaijan Republic, to strengthen its staffing potential, material and technical base in accordance with the international requirements	National Coordinator, The Ministry of Internal Affairs	2014-2016
13.3.2.	To strengthen the measures for increasing the professional level of the associates of the Head office for Combating trafficking in human beings of the Ministry of Internal Affairs of Azerbaijan Republic and prevention of corruption law violations in their activities	The Ministry of Internal Affairs	regular
13.3.3.	To improve the work of protection of the witnesses and the persons cooperating with the authorities implementing the criminal prosecution in Combating trafficking in human beings, to continue the measures of stimulating the provision of information useful for the investigation	The Ministry of Internal Affairs, State Security Service	regular
13.3.4.	To improve the cooperation between the authorities combating the crime of trafficking in human beings, to ensure efficient exchange of information and experience and joint study of the problems occurring in the field of combating trafficking in human beings	The Ministry of Internal Affairs, State Security Service,	regular
13.3.5.	To identify the relations of the trans national organized criminal groups with the human traffickers, as well as to strengthen the measures in the direction of prevention, detection of transnational organized crime connected with trafficking in human beings	State Security Service, The Ministry of Internal Affairs	regular
13.3.6.	To strengthen the relevant efforts in the direction of identification of the victims of human trafficking and forced labour and as well as the children being the victims of the human trafficking within the Republic	The Ministry of Internal Affairs, State Security Service, The State Migration Service, The Ministry of Labour and Social Protection of Population, The State Committee for Family, Woman and Child Problems	regular

13.3.7.	To strengthen the activities of combating human traffickers (natural or legal entities) attracting the migrants to the forced labour	The Ministry of Internal Affairs, The State Migration Service, The Ministry of Labour and Social Protection of Population	regular
13.3.8.	To strengthen the international cooperation on implementation of operative investigation activities and criminal prosecution connected with the crime of human trafficking	The Ministry of Internal Affairs, State Security Service, The Ministry of Foreign Affairs	regular
13.3.9.	To strengthen the measures of combating the legalization of money funds and other property obtained through human trafficking	The Financial Monitoring Service attached to the Central Bank, State Security Service, The Ministry of Internal Affairs	regular
13.4. Rehabilitation and reintegration of the victims of human trafficking			
13.4.1.	To take relevant measures in the direction of establishment of social rehabilitation, social service and assistance centres for the victims of human trafficking in the regions and provision of legal, medical, psychological, social and other services to them	The Ministry of Labour and Social Protection of Population, The State Committee for Family, Woman and Child Problems, The Ministry of Health, The Ministry of Internal Affairs, local executive power authorities	2014-2017
13.4.2.	To take measures for study of social-psychological aspects of the problem of human trafficking in the regions, identification and prevention of the reasons creating such cases	The Ministry of Labour and Social Protection of Population, The State Committee for Family, Woman and Child Problems, The Ministry of Education, The Ministry of Internal Affairs, the commissions for affairs of the underage and protection of their rights	2014-2016
13.4.3.	To continue provision of medical assistances in stationary and ambulatory institutions allocated for the victims and potential victims of human trafficking, recruitment of various qualified specialists to such institutions in the case of necessity	The Ministry of Health	regular

13.4.4.	To increase the number of specialists responsible for provision of medical, psychological and other assistances to the victims in special institutions for the victims of human trafficking (asylum and assistance centres) and to conduct relevant training for them	The Ministry of Labour and Social Protection of Population, The Ministry of Internal Affairs, The State Committee for Family, Woman and Child Problems, The Ministry of Health, The Ministry of Education	2014 -2017
13.4.5.	Increase of the competitiveness of the victims, also potential victims of the trafficking in human beings in the labour market, organization of the courses directed to their mastering new professions, taking measures in the direction of settlement of employment problem.	The Ministry of Labour and Social Protection of Population, The State Committee for Family, Woman and Child Problems, The Ministry of Education, The Ministry of Internal Affairs	regular
13.4.6.	To continue the works of attracting the non-governmental organizations acting in the field of prevention of human trafficking to organization of activities of special entities for the victims of human trafficking, provision of legal assistance to the victims and their social rehabilitation	The Ministry of Labour and Social Protection of Population, The State Committee for Family, Woman and Child Problems, The Ministry of Internal Affairs, The Ministry of Education, The Ministry of Health	regular
13.5. Improvement of assistances provided for the children being the victim or potential victim of the human trafficking and their protection			
13.5.1.	Protection of the rights and interests of the children being victims or potential victims of human trafficking by the authorities of guardianship and patronage and the commissions for affairs of the underage and protection of their rights, implementation of their social rehabilitation	The authorities of guardianship and patronage, the commissions for affairs of the underage and protection of their rights	regular
13.5.2.	Ensuring the possibilities to the children being the victim of the human trafficking to continue their education, to strengthen measures for their adoption to the secondary educational institutions on their place of temporary residence	The Ministry of Education, The State Committee for Family, Woman and Child Problems, The Ministry of Labour and Social Protection of Population, The Ministry of Internal Affairs	regular

13.5.3.	Provision of social legal and social psychological services and social consultation assistances to the children being under patronage of the state in order to include them in the risk group of human trafficking after reaching the mature age	The Ministry of Labour and Social Protection of Population, The State Committee for Family, Woman and Child Problems, The Ministry of Education, The Ministry of Health	regular
13.5.4.	Organization of the education of the children living in temporary asylums in those places in order to ensure their security depending of their psychological social situations	The Ministry of Education, The State Committee for Family, Woman and Child Problems, The Ministry of Labour and Social Protection of Population	regular
13.5.5.	To take measures for prevention of the children being the victims of human trafficking undergoing to discrimination during getting education in secondary educational institutions	The Ministry of Education, The State Committee for Family, Woman and Child Problems, The Ministry of Labour and Social Protection of Population	regular
13.5.6.	To conduct monitoring in respect to deviation of children from education and their negligence, to take measures for rehabilitation of the socially vulnerable children deviating from the education	The Ministry of Education, The State Committee for Family, Woman and Child Problems, The Ministry of Labour and Social Protection of Population, The Ministry of Internal Affairs, local executive power authorities, by involving the related non-governmental organizations	2014-2016
13.5.7.	To conduct monitoring of children being adopted or given under patronage and guardianship in the families and to establish monitoring groups in the places for this purpose	The State Committee for Family, Woman and Child Problems, The Ministry of Labour and Social Protection of Population, The Ministry of Education, local executive power authorities	2014-2016
13.5.8.	To take measures for provision of the children not having ID cards with relevant documents	The Ministry of Internal Affairs, The State Committee for Family, Woman and Child Problems, The Ministry of Labour and Social Protection of Population, The Ministry of Education	regular



13.5.9.	To take relevant measures in the direction of formation of social institutions working with children	The Ministry of Labour and Social Protection of Population, The Ministry of Education, The State Committee for Family, Woman and Child Problems	2014-2016
13.6. Protection of the victims of trafficking in human beings			
13.6.1.	To ensure the security of the persons injured by the human trafficking until complete prevention of the danger as defined in the laws of Azerbaijan Republic on state protection of the persons who took part in the criminal process and the law on Combating trafficking in human beings	The Ministry of Internal Affairs, State Security Service	regular
13.6.2.	Implementation of protection of rights and interests of the victims of human trafficking and the citizens of Azerbaijan Republic by the diplomatic representations and consulate offices of Azerbaijan Republic in foreign countries	The Ministry of Foreign Affairs	regular
13.7. Coordination of activities of the participants of the National Action Plan, the support and resources on combating trafficking in human beings			
13.7.1.	To take relevant measures by identifying the needs arising out from execution of the National Action Plan	National Coordinator, The Ministry of Internal Affairs	2014-2018
13.7.2.	To strengthen the cooperation with the donor organizations for implementation of the National Action Plan	National Coordinator, The Ministry of Internal Affairs	2014-2018
13.7.3.	Coordination of support provided for the National Action Plan, to implement joint use of the resources of relevant state and non-governmental organizations and the resources of international organizations and other organizations	National Coordinator, The Ministry of Internal Affairs	2014-2018

13.8. Development of cooperation in the field of Combating trafficking in human beings			
13.8.1.	To strengthen cooperation with other states, especially the related authorities the countries of destination and origin and relevant international organizations in order to increase the efficiency of Combating trafficking in human beings	The Ministry of Internal Affairs, State Security Service, The State Border Service, The State Migration Service, The Ministry of Foreign Affairs, The Ministry of Labour and Social Protection of Population	regular
13.8.2.	To invite the representatives of international partner organizations acting in the field of combating trafficking in human beings to the meetings of interorganizational commission established for implementation of National Coordination Mechanism in respect to the victims of human trafficking and the meetings held with the non-governmental organizations	The Ministry of Internal Affairs	regular
13.8.3.	To strengthen cooperation with related non-governmental organizations and international organizations in the field of combating negligence of those under mature age and their social rehabilitation	The State Committee for Family, Woman and Child Problems, The Ministry of Labour and Social Protection of Population, The Ministry of Education, The Ministry of Health, The Ministry of Internal Affairs	regular
13.8.4.	To hold international events on the subject of prevention of the crimes of human trafficking	The Ministry of Internal Affairs, The Ministry of Labour and Social Protection of Population, The State Committee for Family, Woman and Child Problems, other related state authorities	2016-2017
13.8.5.	To strengthen cooperation of the Working Group established with the purpose of improvement of the legislation in the field of combating trafficking in human beings with the state authorities, the representatives of civil society and international partners	The Ministry of Internal Affairs, The Ministry of Justice, The Ministry of Foreign Affairs, State Security Service	regular
13.8.6.	To give suggestions in order to prevent social problems enabling human trafficking, to settle the social welfare problems of the youth deprived of the patronage of the parents, obliged to leave boarding schools and alternative care institutions form the age limit	The Ministry of Labour and Social Protection of Population, The State Committee for Family, Woman and Child Problems, The Ministry of Youth and Sports, The Ministry of Foreign Affairs	2014-2016

13.9. Publicity in respect to combating trafficking in human beings			
13.9.1.	Taking measures for publicity of persons entering the country on the danger of human trafficking	By involving the Ministry of Transport, Communication and High Technologies, The State Border Service, The State Customs Committee, The Civil Aviation Administration, The State Marine Administration, the related non-governmental organizations	regular
13.9.2.	Distribution of prepared publicity materials in border and customs check points in order to prevent human trafficking, especial women and child trafficking as well as forced labour	By involving the State Border Service, The State Customs Committee, The Ministry of Internal Affairs, The Ministry of Labour and Social Protection of Population, The State Committee for Family, Woman and Child Problems, the related non-governmental organizations	regular
13.9.3.	To strengthen propaganda and publicity works on combating trafficking in human beings, shooting social advertisings, reels, short films, development of programs and demonstration, preparation of booklets and distribution to the population	The Ministry of Internal Affairs, The Ministry of Labour and Social Protection of Population, The State Committee for Family, Woman and Child Problems, The Ministry of Health, The Ministry of Youth and Sports, «Azerbaijan Television and radio Broadcasting» Closed Joint Stock Company, by involving the related non-governmental organizations	2014-2016
13.9.4.	To continue publicity measures in the direction of protection of children from threats connected with human trafficking and exploitation of child labour in instructive and educational institutions	The Ministry of Education, The State Committee for Family, Woman and Child Problems, The Ministry of Labour and Social Protection of Population, The Ministry of Youth and Sports, The Ministry of Internal Affairs	regular

13.9.5.	Organization of courses for the associates of the mass media on essence of the human trafficking and illegal migration, and various forms of their appearances, holding relevant events around the features of elucidation of such information in mass media	The Ministry of Internal Affairs, The State Migration Service, The State Committee for Family, Woman and Child Problems, The Ministry of Labour and Social Protection of Population	2014 -2016
13.9.6.	Conducting relevant propaganda and publicity works in private organizations with purpose of non-occurrence of exploitation of child labour	The Ministry of Economy and Industry, The State Committee for Family, Woman and Child Problems, The Ministry of Labour and Social Protection of Population, The Ministry of Internal Affairs, by involving the related non-governmental organizations	regular
13.9.7.	Holding publicity events for the representatives of the tourism companies acting in the territory of the Republic, distribution of various types of publicity materials to the tourism companies	The Ministry of Culture and Tourism, The Ministry of Internal Affairs	2014-2017

## Rules for handover of victims of human trafficking to the special police unit on combating human trafficking

### RESOLUTION OF THE CABINET OF MINISTERS OF THE REPUBLIC OF AZERBAIJAN

on the approval of the "Rules for handover of victims of human trafficking to the special police unit on combating human trafficking"

To ensure the implementation of the paragraph 3 of the Decree No. 208 dated by May 06, 2004 of the President of the Republic of Azerbaijan on the "Approval of the National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan", the Cabinet of Ministers of the Republic of Azerbaijan decides:

1. "Rules for handover of victims of trafficking in human beings to the special police unit on combating human trafficking" shall be endorsed (being added).
2. This decision shall enter into force upon signature.

Prime minister of the Republic of Azerbaijan A. **RASIZADE**

Baku city, 1 February 2008

№ 21

APPROVED by the resolution No. 21 dated by  
February 01, 2008 of the Cabinet of Ministers  
of the Republic of Azerbaijan

### RULES

for handover of victims of human trafficking to the special police unit on combating human trafficking

1. These Rules have been elaborated in accordance with the Law of the Republic of Azerbaijan on "Combating Trafficking in Human Beings" and provisions of the "National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan" approved by the Decree No. 208 dated by May 06, 2004 of the President of the Republic of Azerbaijan, and regulate mechanisms for handover of victims and potential victims of trafficking in human beings by governmental and non-governmental organizations to the special police unit on combating human trafficking (hereinafter – special police unit).

2. Organizations that identify victims of trafficking in human beings should, first of all, ensure their security, anonymity and confidentiality of information about them.

3. Registry of applications and appeals victims of trafficking in human beings at organizations that identify them should be carried out in a special register following the privacy procedures.

4. Organizations that identify victims and suspected victims of trafficking in human beings should explain their rights specified in law, inform them about the organization they will be handed, competences of that organization and further possible procedural actions.

5. A pedagogue or a psychologist should be involved in investigations aiming at identification of persons under the age of 16 and minors with signs of mental weakness as victims or suspected victims of trafficking in human beings.

6. If a person is supposed to be a victim of trafficking in human beings or preparation or perpetration of a human trafficking offense is detected by other organizations, the special police unit should be immediately informed of the case in order to ensure the security of victims of human trafficking, to provide professional assistance to them and to gather and preserve information on combat against human trafficking.

7. Immediate measures are taken to hand over victims and suspected victims of trafficking in human beings to the special police unit, their appeals are documented in the manner specified in law, relevant documents belonging to those persons are submitted to the police unit and they are provided necessary assistance not later than 24 hours from identification as victims and suspected victims of trafficking in human beings.

8. Rights and freedoms of victims and suspected victims of trafficking in human beings should not be violated, actions degrading their honour and dignity should not be committed and each of them should be treated tactfully in the process of their identification and handover to the special police unit.

9. Victims and suspected victims of trafficking in human beings and relevant documents belonging to them should be handed over only to the officer on duty of the special police unit.

10. It is prohibited to hand over victims and suspected victims of trafficking in human beings to another police unit or law-enforcement body.

11. Records of persons who hand over and accept victims of trafficking in human beings and their documents are taken at the special police unit.

12. The relevant organization handing over victims and suspected victims of trafficking in human beings shall be informed of the outcomes of investigations carried out by the special police unit on combat against human trafficking.

Rules of National Referral Mechanism  
on victims of trafficking in human beings

RESOLUTION

No. 123

of the CABINET of MINISTERS

The Republic of Azerbaijan

Baku, August 11, 2009

on the APPROVAL of the "Rules of National Referral Mechanism on victims of trafficking in human beings"

The Cabinet of Ministers of The Republic of Azerbaijan makes a RESOLUTION on the execution of Item 2 of "Plan of Measures (2009-2013) for carrying out the National Action Plan on combating trafficking in human beings" of the "National Action Plan (2009-2013) of the Republic of Azerbaijan on combating trafficking in human beings" approved under the Order # 133 of the President of The Republic of Azerbaijan, dated February 6, 2009:

1. To approve "Rules of National Referral Mechanism on victims of trafficking in human beings" (supplement).
2. This resolution shall enter into force as of effective date.

The Prime Minister of the  
Republic Azerbaijan:

A. Rasi-zade

Approved with the Resolution No. 123  
of the Cabinet of Ministers of the  
Republic of Azerbaijan,  
dated to August 11, 2009

## RULES

### of National Referral Mechanism on victims of trafficking in human beings

#### 1. General Provisions

1.1. These Rules were prepared according to the "National Action Plan of the Republic of Azerbaijan (2009-2013) on combating trafficking in human beings" ratified under the Order No. 133 of the President of the Republic of Azerbaijan dated to February 6, 2009 and defines the rules for implementation of national referral mechanism on victims of trafficking in human beings (hereinafter referred to as "victims").

1.2. The primary objective of the National Referral Mechanism on victims of trafficking in human beings is to create an effective system and to form rules in this field for protection of victims' rights, their handover to the relevant authorities, provision of their safety, repatriation and social rehabilitation.

1.3. The National Referral Mechanism on victims of trafficking in human beings is implemented through prioritizing the following principles:

1.3.1. provision of rights and freedoms of victims;

1.3.2. provision of confidentiality of information about victims;

1.3.3. provision of equality of victims in the application of protection and social rehabilitation measures;

1.3.4. ensuring individuality of protection and social rehabilitation measures with regard to the needs of victims;

1.3.5. ensuring mutual cooperation between state authorities and non – governmental organization;

1.3.6. ensuring the effectiveness of regional and international cooperation.

#### 2. Implementation of the National Referral Mechanism on victims of trafficking in human beings

2.1. The interagency committee is established to implement the National Referral Mechanism on victims of trafficking in human beings.

2.2. The interagency committee consists of representatives of the Ministry of Internal Affairs of the Republic of Azerbaijan, Ministry of National Security of the Republic of Azerbaijan, Ministry of Education of The Republic of Azerbaijan, Ministry of Health of the Republic of Azerbaijan, Ministry of Justice of the Republic of Azerbaijan, Ministry of Foreign Affairs of the Republic of Azerbaijan, Ministry of Labour and Social Protection of the Population of the Republic of Azerbaijan, Ministry of Youth and Sport of the Republic of Azerbaijan, Ministry of Culture and Tourism of the Republic of Azerbaijan, Prosecutor General's Office of the Republic of Azerbaijan, State Customs Committee of the Republic of Azerbaijan, Azerbaijan State Committee on Family, Women and Children Affairs, State Border Service of the Republic of Azerbaijan, State Migration Service of the Republic of Azerbaijan.

2.3. The interagency committee carries out the National Referral Mechanism on victims of trafficking in human beings.



2.4. A meeting of the interagency committee under the National Coordinator (hereinafter referred to as "National Coordinator") on combating trafficking in human beings is held at least once a year. The activities performed by the interagency committee in the field of implementation of the National Referral Mechanism on trafficking in human beings are analysed and discussed, and further duties are defined in the meeting. The representatives of non-governmental and international organizations acting in the field of combating trafficking in human beings could be invited to the meetings of interagency committee.

2.5. The interagency committee defines appropriate working regulations.

2.6. Permanent trainings are held to improve knowledge and professionalism of the representatives of state authorities and non-governmental organizations executing the National Referral Mechanism on victims of trafficking in human beings.

### 3. Protection of victims` rights

3.1. Victims are entitled to get free of charge legal assistance. Victims get information about free of charge legal assistance and organizations providing this service from proper police authorities and non-governmental organizations.

3.2. The National Coordinator may apply to the Cabinet of Ministers of the Republic of Azerbaijan for grants to finance legal assistances of victims.

3.3. Free of charge medical assistance for victims is arranged by the Ministry of Health of the Republic of Azerbaijan. Victims are examined by their own consent, except cases set forth on the legislation. Necessary health needs of victims must be completely met and they must be courteously treated during the medical assistance.

3.4. The needs of victims for psychological assistance must be met.

3.5. Collection and dissemination of confidential information about victims during medical and psychological assistance is impermissible and such cases must be considered as a criminal act.

3.6. Victims are entitled to raise civil claim to get compensation and to recover material and moral damages as a result of criminal act.

3.7. Victims are getting compensation by the Relief Fund for Victims of Trafficking in Human Beings (hereinafter referred to as – Relief Fund) established under the Ministry of Internal Affairs of the Republic of Azerbaijan under the rules set forth in the legislation. The compensation is paid regardless the fact whether the person affected from in human beings cooperated with the law – enforcement bodies.

3.8. The damages of persons affected from in human beings will be paid form the assets of the property of traffickers under the procedural legislation, and if this property is insufficient, victims will be compensated from the Relief fund.

3.9. Compensation paid from the Relief Fund will not deprive victims to claim compensation for moral and material damages as a result of criminal act.

3.10. Compensation will be paid to victims in cash or through bank on his/her sole request.

3.11. The specialized institutions established for the protection of victims of trafficking in human beings are one of the ways to ensure protection of victims` rights. The specialized institutions include relief centres and accommodations for temporary residence of victims of trafficking in human beings. The above mentioned specialized institutions function under the Law of the Republic of Azerbaijan on "Combating trafficking in human beings" and "Rules for establishment, financing and activity of the specialized institutions as well as their control" approved with the Decree No. 203 of the Cabinet of Ministers of the Republic of Azerbaijan dated to November 9, 2005.

#### 4. Handover of victims to the relevant authorities

4.1. Relevant police authorities must be immediately informed for provision of victims' safety and professional assistance, to collect information in the field of combating trafficking in human beings in the central unit if a person is supposed to be a victim of trafficking in human beings or organization and commitment of trafficking in human beings act is discovered by other bodies.

4.2. The applications of victims or suspected victims of trafficking in human beings will be officially registered after their situation is identified and their proper documents will be sent to the mentioned body and they will be assisted by taking urgent measures to handover them to the special police authority.

4.3. Rights and freedom, honour and dignity of victims or suspected victims of trafficking in human beings must not be violated and each of them must be treated politely in the process of identification and handover to the special police authority.

4.4. Victims or suspected victims of trafficking in human beings and their documents must be handed over to the assistant on – duty in the police authority only.

4.5. Handover of victims or suspected victims of trafficking in human beings to other police authority or law – enforcement bodies are prohibited.

#### 5. Provision of victims' safety

Provision of victims' safety is one of the principal objectives of the combating trafficking in human beings and it is implemented under the laws of the Republic of Azerbaijan on "Combating trafficking in human beings" and "State protection of persons participated in the criminal act".

#### 6. Victims' social rehabilitation and reintegration

6.1. Social rehabilitation of victims are implemented by the specialized institutions (shelters for temporary residence of victims, relief centres for victims) in mutual cooperation with the Ministry of Internal Affairs, Ministry of Health, Ministry of Labour and Social Protection of Population, Ministry of Education of the Republic of Azerbaijan under the Law of the Republic of Azerbaijan on "Combating trafficking in human beings" and other relevant authorities as well as non –governmental organizations specialized in this field under the "National Action Plan of the Republic of Azerbaijan on Combating Trafficking in Human Beings in force".

6.2. Relevant private plans are developed for rehabilitation of victims and their reintegration to society by the relief centres acting under the defined legislation.

6.3. The Ministry of Education, Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan prepare and implement appropriate enlightenment programs in cooperation with NGOs to provide integration of victims to the labour market.

6.4. The objective of social rehabilitation of victims is reintegration of victims to the society and provision of their normal lifestyle as well as access to legal assistance, improvement of their education, taking measures for psychological, medical and professional rehabilitation, provision of work and residence.

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6.5. Limitation of human rights and freedoms and application of rehabilitation measures against victims` own will are prohibited while implementing social rehabilitation of victims as defined on the Constitution of the Republic of Azerbaijan, laws and international treaties that Azerbaijan is a party.

6.6. Age, gender and requirements as well as necessary safe shelter, education and care needs of victims must be taken into consideration while implementing their social rehabilitation.

6.7. Social rehabilitation of victims is covered from the state budget of the Republic of Azerbaijan and other sources set forth on the legislation of the Republic of Azerbaijan.

6.8. Non – governmental organizations are being involved in organization of activity of special institutions for victims as well as provision of legal assistance to the victims and their social rehabilitation.

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RULES of National Referral Mechanism on victims of trafficking in human beings

Rules (indicators) for identification of victims of trafficking in human beings

RESOLUTION

No. 131

of the

C A B I N E T of M I N I S T E R S

of the Republic of Azerbaijan

Baku, September 3, 2009

on the approval of "Rules (indicators) for identification of victims of trafficking in human beings"

The Cabinet of Ministers of the Republic of Azerbaijan makes a DECISION on execution of the Item 3 of the "Plan of Measures (2009-2013) to carry out the National Action Plan on struggle against trafficking in human beings" of the "National Action Plan (2009-2013) of the Republic of Azerbaijan on struggle against trafficking in human beings" ratified under the Order No. 133 of the President of the Republic of Azerbaijan dated to February 6, 2009:

3. To ratify the "Rules (indicators) for identification of victims of trafficking in human beings" (supplement).
4. This decision enters into force from the date it is signed.

Prime Minister of the  
Republic of Azerbaijan:

A. Rasi-zadeh

Approved by the Decision No. 131  
of the Cabinet of Ministers of the  
Republic of Azerbaijan,  
dated to September 3, 2009

## THE RULES (indicators)

for identification of victims of trafficking in human beings

### 1. General Provisions

1.1. These Rules were prepared according to the "National Action Plan of the Republic of Azerbaijan (2009-2013) on struggle against trafficking in human beings" ratified under the Order No. 133 of the President of the Republic of Azerbaijan dated to February 6, 2009 and defines mechanisms to identify victims of trafficking in human beings (hereinafter referred to as "victims").

1.2. Identification of victims is an integral part of the system of measures over the protection of trafficked persons and ensures their right to access necessary assistance and this is one of the principal factors to provide their reintegration to the society and to their normal lifestyle as well as to reduce their likelihood of being a victim of trafficking in human beings again.

1.3. The objective of these Rules is to facilitate the disclosure of victims, implement urgent measures for protection of their rights, train the officials of competent authorities with necessary knowledge with regard to identification of victims of trafficking in human beings.

1.4. These Rules serves to increase the effectiveness of struggle against trafficking in human beings realized by the representatives of internal affairs, national security, prosecutor's office, customs, border and migration authorities as well as diplomatic representatives of the republic in foreign countries and other government bodies and NGOs.

### 2. Legal aspects of victims` identification

2.1. One of the principal methods of identification of victims is to compare the committed socially dangerous act with objective and subjective cases under the criminal legislation. This kind of identification enables to determine whether a person is a victim, to specify the actions of attraction, transport and other illegal actions and to define pressure (threat, deception etc.) and forms of exploitation (sexual, labour etc.) against them.

2.2. "Trafficking in human beings" means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other means of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability or giving or receiving payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation under the Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in human beings, especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime approved with the Law 435 – IIQ of the Republic of Azerbaijan dated to May 13, 2003. Exploitation includes at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

In accordance with the Law of the Republic of Azerbaijan on "Struggle against the trafficking in human beings" the "Trafficking in human beings" means recruitment, obtaining, keeping, harbouring, transporting, giving or receipt of a person by means of threat or use of force, intimidation or other means of coercion, abduction, fraud, deception, abuse of power or a position of vulnerability, or by giving or receiving payments or benefits, privileges or concessions to achieve the consent of a person having control over another person, for purposes of exploitation; (recruitment, obtaining, keeping, harbouring, transporting, giving or receipt of a minor for purposes of exploitation shall be considered trafficking in persons even if the means set forth in this provision are not used);

### 3. Victims` indicators

3.1. The followings are characterizing the indicators of victims will be considered during the identification of victims:

3.1.1. general indicators:

victim thinks that he/she is obliged to work against his/her own will, of impossibility of discharge;

and thinks that his/her actions are under control, has no freedom of activity or is limited;

feels fear and uncomfortable;

she/he, his/her family members, relatives are constantly or sometimes undergone to violence or threat of violence;

is affected from impacts characteristic for effective measures limiting freedom of activity, exploitation, violence;

meets with the threat of handover to the government;

doesn't have identification card or traveling documents as his/her documents are kept by others and owns forged documents;

uninformed about the address of his/her workplace and residence and doesn't know the local language;

acts under the instruction of others, works under the terms defined by them, and earns very little instead of his/her works or he/she is unpaid at all;

lives in a condition that doesn't meet general living standards;

limits to access medical and social services and get into contact with their families and other relatives;

3.1.2. a child who is victim of trafficking in human beings in most cases:

is involved in works that is not for them;

doesn't get into contact with his/her parents and protectors;

is not given a chance to contact with a strange child, to get education, to play with toys;

is separated from other children and lives in a condition that doesn't meet general living standards;

3.1.3. is a victim of sexual exploitation in most cases:

is younger than the age 30;

frequently changes the place of his/her exploitation and works in various places of work; works and acts under control;

carries tattooing and other signs on himself/herself showing his/her relation with exploiter;

is provided with a short day off or works without a break;

lives in his/her place of work;

3.1.4. a victim of labour exploitation (service exploitation) in most cases:

is exploited in the fields of agriculture, industry, service and entertainment;

lives in a group in the place of work and he/she usually has action limit;  
 his/her place of work doesn't meet proper standards and is not provided with necessary equipment and overalls;  
 he/she doesn't have labour contract, works above the planned rate, earns very little instead of his/her works or is not paid at all, faces food problems;  
 works under the control of employer and has action limit;  
 is exposed to continuous violence, threats of force, insults, indecent acts and is injured in several cases;  
 he/she has no experience on the work involved in;

3.1.5. is a victim of forced housemaid in most cases:  
 eats separately from the family members although he/she lives in the family and faces food problems;  
 goes out of the house in rare cases or doesn't go out at all, or leaves under control;  
 has not got his/her own residence, sleeps in the places under common usage which don't meet proper requirements;  
 is exposed to continuous violence, threats of force, insults, indecent acts and is injured in several cases;

#### 4. Methods for victims` identification

4.1. Sometimes a victim doesn't inform about the acts he is undergone because of his/her psychological state and the information given by other sources is not usually thorough. In this case the person conducting the interrogation must be informed about average statistical psychological portrait of a victim and collect information about his/her relatives and other contacts.

4.2. Average statistical psychological portrait of a victim includes his/her gender and age, social origin, education, profession, marital status, occupation and income level.

4.3. Scatter brain, consciousness confusion, sleep and memory disorder, high wakefulness, impulsive treatment, psychological and other factors form the average statistic psychological portrait of the persons exposed to trafficking in human beings.

4.4. The following ways (measures) are applied in identification of victims:

4.4.1. proactive ways (measures) mean important and effective measures by the government bodies to provide active operation in the immediate disclosure of victims. Preventive measures include:

strengthening measures on coordination of information exchange among the corresponding government bodies to identify victims in a short period of time;

implementation of complex measures by the law – enforcement bodies towards the identification of victims of trafficking in human beings in destination, transit and other countries.

raid in public catering institutions, entertainment entity and other places for the identification of victims suspected to be used for the sexual services;

conduct monitoring in construction sites, markets, stations and other this kind of places;

raid in "black labour exchanges" where migrants are predominantly seen;

monitor advertisements displayed on mass-media, internet and other places;

inform special police body about the information gained by the representatives of labour and social protection of the population, education and health authorities as well as non-governmental organizations in connection with a victim or suspected victim;

4.4.2. reactive ways (measures) mean passive discover of the persons affected.

In this case they apply to law-enforcement bodies on their own. The persons affected must entrust to state structures to provide the effectiveness of this method and be informed about his/her rights and address of the organization to be applied. The principal goal of information-consultation services of "Hot

line" is to assist victims of trafficking in human beings, especially women and children and the service must be used broadly. The operator of the service talks with the subscriber respectfully, carefully and favourably, elucidates the motive of appeal and directs the subscriber when she/he can't come to a decision.

Furthermore, reactive measures include the following:

to raid, investigate and take steps to discover separate crimes;

appeal of the third party (such a "party" can be non-governmental organizations, social workers, representatives of educational institutions and other organizations, legal persons etc. who were informed about the suspected victim of trafficking in human beings.)

obtain information covered on mass media.

## 5. Identification methodology

5.1. The following parameters are analysed in identification of victims;

5.1.1. age - the possibility to be a victim of trafficking in human beings decreases as he/she grows up;

5.1.2. gender – the importance of gender of a victim depends on the country of destination and kind of exploitation;

5.1.3. citizenship – the factors of poverty, material needs, racial discrimination are taken into consideration;

5.1.4 documents – the existence of identification cards, passports, temporary or permanent residence and traveling documents are the focus of attention. The geographical scale of trafficking in human beings has an influence on the use and importance of documents;

5.1.5. The place where victim is appeared for the last time – the identification of the place where a victim is appeared for the last time prior to the place of his/her discovery is important;

5.1.6. discovery cases – identification of the persons affected by the representatives of police, border and migration service within their authorities in the bawdy houses and illegal workplaces and by the representatives of border service in the borderland during the raids testifies that they are victims of trafficking in human beings;

5.1.7. indicators of physical and psychological violence – a person is examined to identify the indicators of any physical and psychological trauma;

5.1.8. preliminary information of legal and physical entity that a victim handed by must be taken into consideration as an important factor for the victim's identification method of specialist acting in the field of struggle against trafficking in human beings during the general evaluation.

## 6. Inquiry for identification

6.1. A person must be treated carefully and his/her rights must be followed during the inquiry notwithstanding that he/she is a victim or illegal migrant.

6.2. The specialized protection measures must be taken for the children suspected to be victim of trafficking in human beings. The inquiry must be limited to the extent of clarification of biographic information. A child is inquired with the participation of his legal representative, if required, doctor, psychologist, patronage or protecting bodies.

6.3. The following are recommended for the effective inquiry;

the inquiry must be based on principal of "taking important information only";

a child must be interrogated in a separate and closed room to prevent interference of other persons;



if required, the participation of a lawyer and psychologist must be provided;  
if an interrogated person doesn't know local language his/her access to interpreter will be provided;  
the use of technical means must be ceased (mobile phone, TV and radio-receiving mechanisms must be turned off.);  
if there is no separate room, the interrogator must choose an appropriate place to prevent interference of other persons.

#### 6.4. The first stage of the inquiry;

the interrogator must be certain about the comfort and safety of victims;  
the needs of the interrogated person for medical assistance is specified;  
if a victim needs medical assistance, the inquiry will be continued following the assistance;  
the questions to be asked about his/her private life will be disclosed beforehand;  
victims are given time for contemplation and cessation;  
victims who give more information will be explained about the simplicity of this or that assistance;  
a victim is explained about the possibility of asking questions and clarification whenever he/she wants;  
in this stage a victim is asked whether he/she has a question;  
the interrogated person is asked whether he/she is consent for the inquiry;

#### 6.5. The second stage of the inquiry;

a victim is explained about the objective, subject and course of inquiry;  
the personality of a victim is identified;  
the information given by a victim is compared with his/her biography;  
the information given by a victim in connection with committed act is concerned thoroughly;  
the cause of the present situation of a victim is identified, time and space indicators of the act is paid special attention, efforts are made to determine whether there are witnesses over the facts and episodes of the committed acts.

#### 6.6. The third stage of the inquiry;

a victim is informed about the possible indicators of the crimes related to trafficking in human beings;  
the speech of a victim on this indicators is carefully heard;  
guiding and checking questions arranged previously over the list are used, if required;

#### 6.7. The fourth stage of the inquiry;

a victim can be informed about the chances on alternatives after he/she is heard;  
a victim (including foreigner and stateless person) is informed about his/her rights set forth on the legislation, as well as about the body they will be handed over, powers of the bodies and the following possible procedural actions;  
other features necessary to be examined are identified and the features are interrogated;  
the future actions and measures to be implemented under the mutual agreement will be identified and specified;  
opinions of a victim on the inquiry is asked and the methods of future cooperation with him/her is determined and the inquiry is completed.

6.8. The suspected victims are provided with manuals in 3 languages (Azerbaijan, English and Russian). Such manuals are considered secondary means to have intercourse in the preliminary stage.

## 7. Questions for evaluation

- 7.1. Victims are asked about the following facts for assessment;
- 7.1.1. establishment of relations between the interrogated person and trafficker (by the trafficker or his/her relatives or through the announcements about the provision of employment abroad);
  - 7.1.2. a victim is asked whether he/she is exposed to violence when he/she is taken to a foreign country to be exploited;
  - 7.1.3. concrete residence of a victim in a foreign country (district, town, country etc.);
  - 7.1.4. a victim is asked whether he/she has applied to the local government and law-enforcement bodies or medical institutions;
  - 7.1.5. exploitation of a victim by the organized band or group and identification of their criminal relations;
  - 7.1.6. work offered to a victim in his/her motherland or abroad (his/her previous place of work is compared with the present one);
  - 7.1.7. work condition and salary offered to a victim in a country of destination;
  - 7.1.8. whether advance payment is made to the attracting person;
  - 7.1.9. payment of travel expenses (a victim of sexual exploitation is out of cash to meet travel costs in most cases);
  - 7.1.10. getting across the state border (legal or illegal, whether forged documents are used, opening visa);
  - 7.1.11. issue related to where are the of victim's documents (documents of victims are taken in most cases);
  - 7.1.12. period of residence and kind of activity of a victim in a transit country (victims are usually taken to a country of destination indirectly, they are kept in different transit countries for a period of several weeks or month or exposed to forced exploitation);
  - 7.1.13. type of activity of a victim after arrival at a country of destination;
  - 7.1.14. period of exploitation of a victim after arrival at a country of destination (definition of the exact time is of great importance. A person will be considered as a victim if he/she is exposed to a short period exploitation as the traffickers intend to make an immediate profit on victims. If a long period has passed since the residence of a person in the country, he/she can be considered as an occasional victim.);
  - 7.1.15. facts and forms of subjection to any forced activity;
  - 7.1.16. earnings of an interrogated person in the period of activity (in most cases the victims can't get their money or get just a little of their earnings);
  - 7.1.17. debt or amount paid under the force by victims to the traffickers or their accomplices;
  - 7.1.18. work condition that a victim is forced to work;
  - 7.1.19. opportunities whether a victim is provided with any free action (in most cases a victim is not entitled to act freely during the service or working hours).

## 8. Supplementary confirmative materials

The following can be used in the capacity of supplementary confirmative materials:

- documents presented by police or migration bodies;
- traveling documents or tickets;
- migration cards to be filled in during the take-off of airplane and landing;

- 
- health report about injury, biological or surgery operation;
  - labour contract or copy of announcement;
  - letters or daybooks of victims;
  - visa documents.

#### 9. Additional recommendations concerning questionnaire of victims of trafficking in human beings

9.1 Questionnaires are of great importance in the investigation and generalization of struggle against trafficking in human beings, identification and prevention of motives of trafficking in human beings, definition of factors that exert influence on its development. In this case analysis of achieved information allows the development of suggestions over the improvement of system on struggle against trafficking in human beings as well as prevention of related – crimes, protection and support of victims, bringing the accused to responsibility.

9.2 The following issues must be indicated at standard form to inquire the suspected victims of trafficking in human beings:

information about the needs of victim for the preparation of an individual rehabilitation plan;

threats as a result of explanations given against the accused, opportunities for the arrangement of safety, information about the applied defines measures;

other information about victim (his/her education, place of residence, income source, methods of criminal organization, including involvement methods, arrangement to leave country etc.).

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## RESOLUTION OF THE CABINET OF MINISTERS OF THE REPUBLIC OF AZERBAIJAN

on the endorsement of “Program for the elimination of social problems  
that  
lead to human trafficking”

To ensure the implementation of the paragraph 3 of the “Action Plan on the implementation of the National Action Plan on Combating Trafficking in Human Beings (2009-2013)” of the National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan (2009-2013)” approved by the Decree No. 133 dated by February 06, 2009 of the President of the Republic of Azerbaijan, the Cabinet of Ministers of the Republic of Azerbaijan decides:

1. “Program for the elimination of social problems that lead to human trafficking” shall be endorsed (being added).
2. This decision shall enter into force upon signature.

Prime minister of the Republic of Azerbaijan **ARTHUR RASIZADE**

Baku city, 20 May 2011  
№ 81

APPROVED by the resolution No. 81 dated by May  
20, 2011 of the Cabinet of Ministers of the Republic  
of Azerbaijan

### P R O G R A M M E

for the elimination of social problems that lead to human trafficking

#### 1. Preamble

Social and economic reforms successfully implemented in the Republic of Azerbaijan have created conditions for dynamic development of the country's economy and significant improvement of living standards of the population, as effective use of domestic resources and improvement of employment of the population have been set as the key objective with this respect.

Social and economic reforms implemented in the country and dynamic development of the economy have had a positive impact on resolving of the problem of human trafficking. Important activities are being implemented in combat at international, regional and national levels.

The Republic of Azerbaijan has joined the majority of international treaties on combating human trafficking, including the United Nations Convention against “Transnational Organized Crimes”, the Protocol to “Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children” supplementing the convention, the “Optional Protocol on the sale of children, child prostitution and child pornography” to the United Nations Convention on the “Rights of the Child” and the United Nations Convention for the “Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others”.

A legislative base comprising all aspects of combat against trafficking in human beings and effectively coordinating activities in this direction was created in the country on the basis of the "National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan" approved by the Decree No. 208 dated by May 06, 2004 of the President of the Republic of Azerbaijan, as well as the Law of the Republic of Azerbaijan on "Combating Trafficking in Human Beings" was adopted on June 28, 2005 and the "National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan (2009-2013)" was approved by the Decree No. 133 dated by February 06, 2009 of the President of the Republic of Azerbaijan.

The "Program for the elimination of social problems that lead to human trafficking" (hereinafter – Programme) was developed to ensure the implementation of the paragraph 3 of the "Action Plan on the implementation of the National Action Plan on Combating Trafficking in Human Beings (2009-2013)" of the National Action Plan on Combating Trafficking in Human Beings in the Republic of Azerbaijan (2009-2013)" approved by the Decree No. 133 dated by February 06, 2009 of the President of the Republic of Azerbaijan, and sets out a mechanism for the implementation of relevant measures in the elimination of social problems that lead to trafficking in human beings.

## 2. Goals and Objectives of the Programme

The main goal of the Programme is to eliminate social problems that lead to trafficking in human beings, create necessary conditions for improvement of living standards of victims and potential victims of trafficking in human beings, while its objective is to ensure social protection of vulnerable groups of the population who may be exposed to trafficking in human beings, including children and teenagers deprived of parental care and remained neglected and citizens who are to leave boarding houses and other alternative care facilities due to age limit.

## 3. Financing of the Programme

Financing of expenses required for realization of the Programme is implemented at the funds considered for relevant executive bodies at the state budget.

## 4. Action Plan on the implementation of the Programme

Ord. Number	Names of actions	Implementing bodies	Period of implementation (by years)
1	2	3	4
4.1. Institutional measures			
4.1.1.	Implementing joint inspections to prevent illegal migration	State Migration Service, Ministry of Internal Affairs, State Border Service, Ministry of Labour and Social Protection of the Population	regularly
4.1.2.	Strengthening measures on legalization of residence of foreigners and stateless persons who have grounds to live in the Republic of Azerbaijan in the manner specified in law	State Migration Service, Ministry of Internal Affairs	2015-2018
4.1.3.	Conducting joint monitoring and adopting relevant decisions to prevent forced labour and to identify victims and potential victims of this crime	Ministry of Labour and Social Protection of the Population, Ministry of Internal Affairs, State Migration Service	regularly
4.1.4.	Preparing proposals on improvement of legislation to strengthen protection from information damaging morality, health and development of children	State Committee for Family, Women and Children Affairs, Ministry of Justice, Ministry of Transport, Communications and High Technologies, Ministry of Education, Ministry of Youth and Sport	2016
4.1.5.	Preparing proposals on improvement of the adoption procedure	State Committee for Family, Women and Children Affairs, Ministry of Education, Ministry of Youth and Sport, Ministry of Justice	2016-2017
4.1.6.	Study of international best practice in <i>identification</i> and elimination of social problems that lead to trafficking in human beings	Ministry of Labour and Social Protection of the Population, Ministry of Foreign Affairs	regularly

4.1.7.	<i>Facilitating and expanding the opportunities of being covered by social protection measures for migrant workers who are likely to be exposed to human trafficking</i>	<i>Ministry of Labour and Social Protection of the Population, State Migration Service</i>	regularly
4.1.8.	<i>Delivery of training on combat against trafficking in human beings and the rights of victims for employees of migration, border and customs offices to improve the process of identification of victims of human trafficking among illegal migrant</i>	<i>State Migration Service, State Border Service, State Customs Committee</i>	regularly
4.2. Social, medical and other measures			
4.2.1.	Conducting relevant investigations to identify vulnerable groups of people who may be subject to trafficking in human beings	Ministry of Internal Affairs, Ministry of Labour and Social Protection of the Population, State Committee for Family, Women and Children Affairs	regularly
4.2.2.	<i>Preparing proposals on analysis and elimination of social problems leading to human trafficking</i>	<i>Ministry of Labour and Social Protection of the Population, State Committee for Family, Women and Children Affairs</i>	<i>2015-2018</i>
4.2.3.	Learning international best practice and preparing proposals on the solution to social and domestic problems of youth who are to leave boarding houses and other alternative care facilities due to age limit and have not place of residence	Ministry of Labour and Social Protection of the Population, Ministry of Foreign Affairs	<i>2015-2018</i>
4.2.4.	Taking relevant measures to prevent negligence of minors (giving to biological and foster families, <i>daytime care centres</i> or other alternative services)	Ministry of Education, State Committee for Family, Women and Children Affairs, Ministry of Labour and Social Protection of the Population, Ministry of Internal Affairs	regularly

4.2.5.	Provision of legal, psychological and medical aid to neglected children and teenagers who are surrounded by harmful environment (injection drug users, people practicing sexual promiscuity, sexual minorities, etc.) and are in risk groups of human trafficking, and their involvement in education	Ministry of Internal Affairs, Ministry of Health, Ministry of Education, State Committee for Family, Women and Children Affairs, Ministry of Labour and Social Protection of the Population, local executive authorities	regularly
4.2.6.	Organizing training for social Psychological and medical staff working with persons exposed to human trafficking <i>in accordance with international best practice</i>	Ministry of Labour and Social Protection of the Population, Ministry of Health, State Committee for Family, Women and Children Affairs	regularly
4.3. Employment measures			
4.3.1.	Informing youth who want to make earning during the holidays, <i>as well as those seeking for a job for the first time</i> about paid public and seasonal work, arranging such work for them	Ministry of Labour and Social Protection of the Population, Ministry of Education	<i>2015-2018</i>
4.3.2.	Implementing activities in increase of competitiveness in the labour market of socially vulnerable groups of the population, and in vocational training and re-qualification of those people	Ministry of Labour and Social Protection of the Population	regularly
4.3.3.	Taking relevant actions towards free education in primary vocational education institutions and employment of persons deprived of parental care and remained neglected and citizens who are to leave boarding houses and other alternative care facilities due to age limit to ensure their social protection and employment	Ministry of Education, Ministry of Labour and Social Protection of the Population, State Committee for Family, Women and Children Affairs, local executive authorities	regularly



## 4.4. Awareness and preventative measures

4.4.1.	Conducting advocacy and campaigns on combat against trafficking in human beings at educational (including orphanages and boarding schools) and penal institutions	Ministry of Education, Ministry of Justice, Ministry of Internal Affairs, State Committee for Family, Women and Children Affairs, Ministry of Labour and Social Protection of the Population	regularly
4.4.2.	Raising awareness on combat against trafficking in human beings among people, including youth in the cities and districts of the country	Ministry of Internal Affairs, Ministry of Youth and Sport, Ministry of Education, local executive authorities	regularly
4.4.3.	Strengthening awareness to reduce cases of early marriage as one of the social reasons leading to trafficking in human beings	State Committee for Family, Women and Children Affairs, Ministry of Education, Ministry of Labour and Social Protection of the Population, Ministry of Justice, Ministry of Internal Affairs	regularly
4.4.4.	Raising awareness of children and citizens of other age groups on the safe use of the Internet	Ministry of Education, Ministry of Transport, Communications and High Technologies, Ministry of Youth and Sport, State Committee for Family, Women and Children Affairs, Ministry of Internal Affairs	regularly
<del>4.4.5.</del>	<del>REMOVED</del>		
4.4.6.	Posting labour market information on the official website	Ministry of Labour and Social Protection of the Population	regularly

## Action Plan for 2014-2016 on the implementation of the Programme on social rehabilitation and reintegration into society of children who are victims of human trafficking

Approved by the Resolution No. 37 dated by February 06, 2017 of the Cabinet of Ministers of the Republic of Azerbaijan

Ordinal number	Names of actions	Implementing bodies	Period of implementation (by years)
1	2	3	4
<b>4.1. Institutional and legislative measures</b>			
4.1.1.	Preparation of proposals on improvement of the legislation in social rehabilitation and reintegration into society of children who are victims of human trafficking	Ministry of Labour and Social Protection of the Population, Ministry of Education, Ministry of Youth and Sport, State Committee for Family, Women and Children Affairs	2014-2016
4.1.2.	Study of international best practice in social rehabilitation and reintegration into society of children who are victims of human trafficking	Ministry of Labour and Social Protection of the Population, Ministry of Education, Ministry of Youth and Sport, State Committee for Family, Women and Children Affairs	2014-2016
4.1.3.	Organizing training programs for improving the professionalism of social workers, psychologists and medical staff working with children who are victims of human trafficking	Ministry of Labour and Social Protection of the Population, Ministry of Education, Ministry of Youth and Sport, State Committee for Family, Women and Children Affairs, by involving local executive authorities, relevant non-governmental organizations	regularly
4.1.4.	Strengthening of coordination and cooperation between organizations dealing with social rehabilitation and reintegration into society of children who are victims of human trafficking	Ministry of Labour and Social Protection of the Population, Ministry of Internal Affairs, State Committee for Family, Women and Children Affairs	regularly

4.1.5.	Elaboration of monitoring criteria for assessment of the situation of children who are in the process of reintegration	Ministry of Labour and Social Protection of the Population, Ministry of Education, State Committee for Family, Women and Children Affairs, by involving relevant non-governmental organizations	2014
4.2. Social, medical and other measures			
4.2.1.	Study of problems of children who are victims human trafficking and their families, and provision of necessary support	State Committee for Family, Women and Children Affairs, Ministry of Labour and Social Protection of the Population, Ministry of Education, Ministry of Health, by involving local executive authorities, relevant non-governmental organizations	regularly
4.2.2.	Implementing activities towards involvement of children who are victims human trafficking in free of charge education in primary vocational education institutions and voluntary employment of children who have reached the age of 15 in order to ensure their social protection and employment	Ministry of Labour and Social Protection of the Population, Ministry of Education	regularly
4.2.3.	Provision of necessary psychological aid to the parents of children who are victims human trafficking and delivery of training on rules of conduct with children, involvement of parents in special psychological programs	Ministry of Labour and Social Protection of the Population, State Committee for Family, Women and Children Affairs, Ministry of Health, Ministry of Education, by involving local executive authorities, relevant non-governmental organizations	regularly
4.2.4.	Investigation of reasons that cause children to become victims of human trafficking, and taking relevant security and preventive measures to prevent re-violation of their rights	State Committee for Family, Women and Children Affairs, Ministry of Internal Affairs, local executive authorities	regularly

## 4.3. Awareness and preventative measures

4.3.1.	Dissemination of information on mass media regarding the conditions created for rehabilitation and reintegration children who are victims of human trafficking	State Committee for Family, Women and Children Affairs, Ministry of Labour and Social Protection of the Population, Ministry of Education, "Azerbaijan Television and Radio Broadcasts" Closed Joint-Stock Company, relevant non-governmental organizations	regularly
4.3.2.	Preparing awareness campaigns and social reels to draw public attention to children who are victims of human trafficking and to prevent them from repeated exposure to exploitation or violence	Ministry of Labour and Social Protection of the Population, Ministry of Internal Affairs, Ministry of Education, State Committee for Family, Women and Children Affairs, by involving local executive authorities, relevant non-governmental organizations	regularly

## Law of the Republic of Azerbaijan on Transplantation of Human Organs and/or Tissues

### LAW OF THE REPUBLIC OF AZERBAIJAN

This Law regulates relations connected with transplantation of human organs and/or tissues based upon scientific achievements and medical experience.

#### I Chapter GENERAL PROVISIONS

##### Article 1. Basic definitions

As used herein, the following terms shall have the following meaning:

Human organs and/or tissues transplant (hereinafter referred to as Transplant) is a surgical replacement of missing or injured organ and/or tissue of a patient with an organ and/or tissue of a living or deceased donor for the purpose of life saving;

Human organs and/or tissues - anatomical structural unit not determining personality characteristics;

Donor – a persons transferring his (her) organ and/or tissue to a patient on a voluntary basis;

Recipient – one who receives an organ and/or tissue from a donor.

##### Article 2. List of organs and/or tissues that may be transplanted

Heart, lungs (cardiopulmonary complex), kidneys, liver, pancreatic glands and their segments, bone marrow, cornea and other organs and/or tissues a list of which may be determined from time to time by appropriate executive authorities may become an object of transplantation.

This Law doesn't cover the organs and their parts and/or tissues with reproductive functions (i.e. oocytes, sperm, ovaries, testicles and embryos) as well as blood and its components.

##### Article 3. Legislation of the Republic of Azerbaijan on Transplantation

The legislation of the Azerbaijan Republic on transplantation consists of this Law, other regulatory acts as well as of international treaties a party of which the Republic of Azerbaijan is.

In case if any provisions contained in the international treaties a party of which the Republic of Azerbaijan is contradict provisions of this Law the provisions of the international treaties will be applied.

##### Article 4. Rules and conditions of transplantation

Transplantation shall be carried out based upon a medical indication in compliance of the rules of surgical procedure.

Rules and conditions of transplantation as well as a list of specialized medical establishments shall be determined by an appropriate executive authority.

##### Article 5. Restrictions on transplantation

Transplantation of organs and/or tissues from a donor to a recipient shall be permitted if it is impossible to save a patient's life or recover his (her) health by means of other medical methods and organs and/or tissues of deceased donors.

It is prohibited to take an organ and/or tissue from a donor under 18 except for bone marrow transplant.

It is prohibited to take an organ and/or tissue from any person with a disease representing a hazard to a recipient.

It is prohibited to take an organ and/or tissue from any person subordinated to a recipient and depending on him (her) in physical, moral and material aspect or from any prisoner, war prisoner and mental patient.

Taking of organs and/or tissues from a donor is subject to approval by a council of doctors and shall be carried out in accordance with a written consent of a donor.

Any person enforcing anyone to give an organ and/or tissue for transplantation shall be held liable according to the current legislation.

#### Article 6. Medical establishments engaging in collection, preparation (conservation) and storing of organs and/or tissues

Taking, preparation (conservation) and storing of organs and/or tissues shall be carried out only by specialized state medical establishments.

A list of transfer of organs and/or tissues for the purpose of transplantation shall be made in a specialized medical institution to be determined by an executive authority.

Procedure of taking, preparation (conservation) and storing of organs and/or tissues shall be determined by an appropriate executive authority.

#### Article 7. Medical decision on transplantation

Medical decision on necessity of transplantation shall be made by a commission formed from doctors, surgeons, anaesthetists and other specialists (if necessary) of a relevant medical institution in an order determined by an appropriate executive authority.

#### Article 8. Consent of recipient

Transplantation shall be performed based upon a written consent of a recipient. Information on possible complications of such surgery shall be reported to a patient.

If a recipient is under 18 such written consent shall be given by his(her) parents or legal representative.

In exceptional cases when delay in transplantation may threaten a recipient's life, consent of the recipient, his (her) parents and legal representative will not be required.

### II chapter

#### REMOVAL OF ORGANS AND/OR TISSUES FROM A CADAVER FOR TRANSPLANTATION

#### Article 9. Removal of organs and/or tissues from a cadaver for transplantation

Removal of organs and/or tissues from a deceased person is permitted if during his (her) lifetime, a deceased person expressed his (her) consent to use of his (her) organs and/or tissues for the purpose of transplantation after his(her) death.

If, during his lifetime, a deceased person didn't express his (her) attitude to this question, removal of his (her) organs and/or tissues may be carried out on the basis of consent of his (her) close relatives or legal representatives.

Removal of organs and/or tissues from a deceased person is not permitted if during his (her) lifetime, a deceased person expressed his (her) written renunciation of donorship.

**Article 10. Determination of time for removal of organs and/or tissues from a cadaver or a dying person**

Removal of organs and/or tissues from a cadaver or a dying person for the purpose of transplantation shall be performed only if there is a conclusive evidence of biological death and brain death established by a council of doctors.

No transplantation specialist and no member of the team working in transplantology may participate in diagnosis of death.

**Article 11. Authorization to removal of organs and/or tissues from a cadaver and/or tissues**

Removal of organs and/or tissues from a cadaver and/or tissues for transplantation shall be authorized by Chief physician of the medical establishment in accordance with the requirements of Article 9&10 of this Law.

If forensic medical examination of a cadaver is required a forensic scientists may refuse permission to removal of organs and/or tissues.

**III chapter**

**REMOVAL OF ORGANS AND/OR TISSUES FROM A DONOR FOR THE PURPOSE OF TRANSPLANTATION**

**Article 12. Conditions of removal of organs and/or tissues from a donor**

The following conditions should be complied with during collection of organs and/or tissues from a donor:

donor should be aware of any complications with his (her) health that may occur in the result of transplantation;

donor shall give a written consent to removal of his (her) organs and/or tissues without exerting pressure upon him/her;

a medical conclusion on comprehensive medical examination of a donor and possibility of removal of organs and/or tissues is required;

genetic compatibility between a donor whose organs and/or tissues will be taken and a recipient shall be determined (excepting brain marrow).

**Article 13. Rights and obligations of donor**

Donor's rights include:

to obtain full and objective information about probable complications connected with the surgery planned by a medical establishment for removal of organs and/or tissues;

to exercise his/her right to free treatment and rehabilitation in connection with the surgery including provision with medicines in a medical establishment in the manner prescribed by an appropriate executive authority;

to receive a pension in accordance with the legislation in case of disability or restriction of abilities arising due to donorship.

A donor willing to transplantation of organs and/or tissues shall inform about any harmful habits and diseases known to him/her.

**Article 14. Restrictions in removal of organs and/or tissues from a donor**

It is permitted to remove only one of double organs for transplantation and to remove any only organ and/or tissue in such quantity and volume that wouldn't cause any hazard to his/her life and health or any irreversible disturbances.

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IV Chapter  
LIABILITY OF MEDICAL ESTABLISHMENTS AND HEALTH CARE  
WORKERS

Article 15. Liability for disclosure of information about donor and recipient  
Disclosure of information about transplantation by health care workers without consent of a donor or a recipient is prohibited.

Persons disclosing such information shall be liable in accordance with the legislation of the Azerbaijan Republic.

Article 16. Transplantation advertisement

Any advertisement of transplantation is permitted only when it is made by an organ of the press specializing in the field of medicine or pharmaceuticals in the manner prescribed by the legislation.

Article 17. Prohibition of trade in human organs and/or tissues

Human organ and/or tissue may not be an object of trade. Any legal or natural person engaging in trade in human organs and/or tissues shall be liable in the manner prescribed by the legislation.

These provisions of the law doesn't cover any transplantation materials or preparations made from tissue components.

Article 18. Liability of medical establishment

In accordance with the legislation a corresponding medical establishment shall be liable for any breach of the rules of removal, preparation (conservation) and storage of human organs and/or tissues during transplantation and for any damage to a donor or a recipient's health caused by such breach.

Article 19. Liability for breach of this Law

Any legal and natural person breaking this law shall be liable in the manner prescribed by the legislation of the Azerbaijan Republic.

HEYDAR ALIYEV  
President of the Republic of Azerbaijan

Baku, October 28, 1999

№ 726-IQ



## Decree n° 251 (2000) on the transplantation of human organs and/or tissues

### DECREE OF THE PRESIDENT OF THE REPUBLIC OF AZERBAIJAN

on application of the Law of the Republic of Azerbaijan on Transplantation of Human Organs and/or Tissues

In order to ensure enforcement of this Law in connection with the entry into force of the Law of the Republic of Azerbaijan on Transplantation of Human Organs and/or Tissues I hereby resolve:

1. To charge the Cabinet of Ministers of the Republic of Azerbaijan with presenting a proposal on bringing the current legislation in conformity with the Law of the Republic of Azerbaijan on Transplantation of Human Organs and/or Tissues to the President of the Azerbaijan Republic;

To ensure bringing the current legislation in conformity with the Law of the Azerbaijan Republic on Transplantation of Human Organs and/or Tissues by the Cabinet of Ministers and relevant central executive authorities with this Law and to report on this matter to the President of the Republic of Azerbaijan;

To approve a list of organs and/or tissues that may be transplanted provided for in the first chapter of Article 2 of the Law of the Republic of Azerbaijan on Transplantation of Human Organs and/or Tissues;

To approve the rules and conditions of transplantation of organs and/or tissues provided for in the second part of Article 4 of this Law as well as to approve a list of medical establishments specialized in transplantation;

To approve the rules of removal, preparation (conservation) and storage of organs and/or tissues provided for in the third part of Article 6 of this Law;

To ensure development and approval of regulatory acts on other issues covered by authority of the Cabinet of Ministers of the Republic of Azerbaijan and specified in the second paragraph of this Decree;

To decide other issues arising from the Law of the Republic of Azerbaijan on transplantation of human organs and/or tissues within their authority.

2. To determine that the Cabinet of Ministers of the Republic of Azerbaijan shall have the authority of "relevant executive body" provided for in the first part of Article 2, second part of Article 4, second and third part of Article 6 and in Article 7 of the Law of the Republic of Azerbaijan on transplantation of organs and/or tissues.

President of the Republic of Azerbaijan HEYDAR ALIYEV

Baku, January 15, 2000

№ 251

RESOLUTION OF THE CABINET OF MINISTERS  
OF THE AZERBAIJAN REPUBLIC  
on approval of the List of organs and/or tissues that may be  
transplanted

In order to ensure implementation of Decree No.251 of the President of the Azerbaijan Republic as of January 15, 2000 on enforcement of the Law of the Azerbaijan Republic on Transplantation of human organs and/or tissues the Cabinet of Ministers of the Azerbaijan Republic resolves:

1. To approve the List of organs and/or tissues that may be transplanted (the list is attached).

This Resolution enters into force from the moment of signing.

Prime Minister of the Azerbaijan Republic A. RASIZADA

Baku, September 13, 2000

№ 168

APPROVED

by Resolution #168 of the Cabinet of Ministers of the Azerbaijan Republic

as of September 13, 2000

*LIST*

of organs and/or tissues that may be transplanted

1. Heart.
2. Lungs (cardiopulmonary complex).
3. Liver.
4. Kidneys.
5. Pancreatic gland and its segments
6. Pancreatic gland together with duodenum
7. Spleen.
8. Bone marrow.
9. Cornea.

## Amendments made to the Anti-Trafficking law and the CPC regarding the recovery and reflection period

### THE LAW OF THE REPUBLIC OF AZERBAIJAN ON COMBATING TRAFFICKING IN HUMAN BEINGS

#### Article 14-1. Recovery and reflection period

14-1.1. Victim of human trafficking provided with 30 days of recovery and reflection period in order to allow him/her to recover and escape the influence of the perpetrators and to take a considered decision on co-operating with the prosecution agencies.

14-1.2. During recovery and reflection period victim of human trafficking may use services of special institutes provided in the 12th article of the Law of the Republic of Azerbaijan on combating trafficking in human beings for provision of security and protection needs as well as for recovery of physical, psychological and social status.

14-1.3. During recovery and reflection period victim of human trafficking shall not be enforced to any expulsion by administrative means from the territory of the Republic of Azerbaijan.

14-1.4. If it is established that the person is not a victim of human trafficking, then recovery and reflection period will not be granted and if this period has already begun then it will be terminated."

Ilham Aliyev

The President of the Republic of Azerbaijan

Baku, April 19, 2013

**№ 609-IVQD**

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### THE LAW OF THE REPUBLIC OF AZERBAIJAN ON AMENDMENT TO THE CRIMINAL PROCEDURE CODE OF THE REPUBLIC OF AZERBAIJAN

Guiding by 1st point of 1st part of the article 94 of the Constitution of the Republic of Azerbaijan, the National Assembly of the Republic of Azerbaijan decides:

To make following amendments to the Criminal Procedure Code of the Republic of Azerbaijan:

6. To add article 123-1 under following context:

"Article 123-1. Appointment of recovery and reflection period for the victims of trafficking in human beings

On examining information concerning an offence committed or planned, the preliminary investigator, the investigator or the prosecutor in charge of the procedural aspects of the investigation makes decision on appointment 30 days of recovery and reflection period for victim of human trafficking in order to allow him/her to recover and escape the influence of the perpetrators and to take a considered decision on co-operating with the prosecution agencies."

Ilham Aliyev

The President of the Republic of Azerbaijan

Baku, November 29, 2016

**№ 439-VQD**

## 2014-2017 Legislation improvements

#	Nº	Name of the Document	Type	Authority that approved	Date of approval	Status
1	1275	Amendments to some of the Presidential Decrees and Orders regarding establishment of State Security Service and Foreign Intelligence Service	Decree	The President of the Republic of Azerbaijan	03.03.2017	In force
2	439-VQD	Amendments to the Criminal Procedure Code of the Republic of Azerbaijan	Law	National Assembly of the Republic of Azerbaijan	29.11.2016	In force
3	364-VQ	About approval of the Declaration of the Presidents of Iran Islam Republic and Russian Federation	Law	National Assembly of the Republic of Azerbaijan	28.10.2016	In force
4	389	Amendments to the "Program for the elimination of the social problems that lead to human trafficking" approved by the Resolution No. 81 of the Cabinet of Ministers of the Republic of Azerbaijan dated by 20 May, 2011	Resolution	Cabinet of Ministers of the Republic of Azerbaijan	06.10.2016	In force
5	360	Amendments to some Resolutions of the Cabinet of Ministers of the Republic of Azerbaijan	Resolution	Cabinet of Ministers of the Republic of Azerbaijan	22.09.2016	In force
6	1033	Amendments to some Decrees and Orders of the President of the Republic of Azerbaijan regarding establishment "public legal entity" Financial Markets Supervision Chamber of the Republic of Azerbaijan	Decree	The President of the Republic of Azerbaijan	07.09.2016	In force
7	1023	Amendments and abolishment of some Decrees and Orders of the President of the Republic of Azerbaijan in accordance with change of the name of the Ministry of Economy and Industry	Decree	The President of the Republic of Azerbaijan	16.08.2016	In force
8	125-VQ	About approval of the Joint Declaration of the Presidents of the Republic of Azerbaijan and Belarus	Law	National Assembly of the Republic of Azerbaijan	12.02.2016	In force

#	№	Name of the Document	Type	Authority that approved	Date of approval	Status
9	210-VQR	Yearly Report of the National Coordinator on combating THB	Resolution	National Assembly of the Republic of Azerbaijan	29.04.2016	In force
10	112-VQ	About Approval of the Joint Declaration of the Presidents of the Republic of Azerbaijan and Georgia	Law	National Assembly of the Republic of Azerbaijan	01.02.2016	In force
11	70-VQD	About amendments to the Law of the Republic of Azerbaijan On "Committees of the National Assembly of the Republic of Azerbaijan"	Law	National Assembly of the Republic of Azerbaijan	18.12.2015	In force
12	34-VQ	About approval of the Joint Declaration regarding strategy partnership between the Republic of Azerbaijan and Czech Republic	Law	National Assembly of the Republic of Azerbaijan	18.12.2015	In force
13	330	About amendments to the "Program for the elimination of the social problems that lead to human trafficking" approved by the Resolution No. 81 of the Cabinet of Ministers of the Republic of Azerbaijan dated by 20 May, 2011	Resolution	Cabinet of Ministers of the Republic of Azerbaijan	14.10.2015	In force
14	1310-IVQ	About approval of the Joint Declaration regarding strategy partnership between the Republic of Azerbaijan and Bulgaria	Law	National Assembly of the Republic of Azerbaijan	30.09.2015	In force
15	244	Rules for "Establishment of special entities for victims of THB, their financing, activity and their monitoring" approved by the Resolution of the Cabinet of Ministers, dated by 9 November, 2005 # 203	Resolution	Cabinet of Ministers of the Republic of Azerbaijan	25.06.2015	In force
16	243	Amendments to the "Regulations on Relief Fund for victims of human trafficking" approved by Resolution No. 8 of the Cabinet of Ministers of the Republic of Azerbaijan dated by 12 January, 2006	Resolution	Cabinet of Ministers of the Republic of Azerbaijan	25.06.2015	In force

#	Nº	Name of the Document	Type	Authority that approved	Date of approval	Status
17	246	Amendments to the "Rules of National Referral Mechanism on victims of trafficking in human beings" approved by Resolution No. 123 of the Cabinet of Ministers of the Republic of Azerbaijan dated by 11 August, 2009	Resolution	Cabinet of Ministers of the Republic of Azerbaijan	25.06.2015	In force
18	245	Amendments to "Guidelines for the implementation of social rehabilitation of victims of human trafficking" approved by Resolution No. 62 of the Cabinet of Ministers of the Republic of Azerbaijan dated by 6 March, 2006	Resolution	Cabinet of Ministers of the Republic of Azerbaijan	25.06.2015	In force
19	1289-IVQ	About Approval of the Joint Declaration regarding strategy partnership between the Republic of Azerbaijan and Pakistan	Law	National Assembly of the Republic of Azerbaijan	29.05.2015	In force
20	1288-IVQ	Approval of the Joint Statement on the results of the High-Level Strategic Cooperation Council fourth meeting held on 15 January 2015, between the two countries Azerbaijan and Turkey	Law	National Assembly of the Republic of Azerbaijan	29.05.2015	In force
21	515	Amendments to some Decrees of the President of the Republic of Azerbaijan regarding implementation of the Law dated by 17, October 2014 on "Exit, Entry and Passports"	Decree	The President of the Republic of Azerbaijan	01.05.2015	In force
22	1235-IV R	Yearly Report of the National Coordinator on combating THB	Resolution	National Assembly of the Republic of Azerbaijan	03.04.2015	In force
23	1173-IVQ	About approval of the Joint Declaration regarding strategy partnership between the Republic of Azerbaijan and Hungary	Law	National Assembly of the Republic of Azerbaijan	02.02.2015	In force
24	1151-IVQ	Approval of the Agreement On "Cooperation on security issues between the Government of the State of Qatar and Government of the Republic of Azerbaijan"	Law	National Assembly of the Republic of Azerbaijan	30.12.2014	In force

#	No	Name of the Document	Type	Authority that approved	Date of approval	Status
25	1156-IVQ	About Approval of Joint Declaration of the Presidents of the Republics of Azerbaijan and Bulgaria	Law	National Assembly of the Republic of Azerbaijan	30.12.2014	In force
26	1157-IVQ	About Approval of the Joint Declaration on "Partnership and friendship relations" between the Republic of Azerbaijan and Malaysia	Law	National Assembly of the Republic of Azerbaijan	30.12.2014	In force
27	1125-IVQ	About Approval of the Joint Declaration of the Presidents of the Republics of Azerbaijan and Tajikistan	Law	National Assembly of the Republic of Azerbaijan	16.12.2014	In force
28	372	Amendment to the Decree of the President of the Republic of Azerbaijan dated by 4 August, 2014 # 272 regarding implementation of the Law of the Republic of Azerbaijan on Combating THB, dated by 17 October, 2014 # 1066-IVQD on amendments to the Law on Combating THB	Decree	The President of the Republic of Azerbaijan	21.11.2014	In force
29	100/002	Approval of the Regulation about "International Marine Trade Port" Customs Post of the Baku Main Customs Department at the State Customs Committee of the Republic of Azerbaijan	Resolution	Azərbaycan Respublikası in Dövlət Gömrük Komitəsi	03.11.2014	In force
30	1066-IVQD	About Amendments to the Law of the Republic of Azerbaijan on Combating THB	Law	National Assembly of the Republic of Azerbaijan	17.10.2014	In force
31	1018-IVQ	About Approval of the Joint Declaration of the Presidents of the Republics of Azerbaijan and France	Law	National Assembly of the Republic of Azerbaijan	30.09.2014	In force
32	1019-IVQ	About Approval of the Joint Declaration regarding strategy partnership between the Republics of Azerbaijan and Italy	Law	National Assembly of the Republic of Azerbaijan	30.09.2014	In force

#	№	Name of the Document	Type	Authority that approved	Date of approval	Status
33	1020-IVQ	Approval of the Agreement on maritime transport between Governments of the Republics of Azerbaijan and Italy	Law	National Assembly of the Republic of Azerbaijan	30.09.2014	In force
34	667	On approval of the National Action Plan for the years 2014-2018 on Combating THB in the Republic of Azerbaijan	Order	The President of the Republic of Azerbaijan	24.07.2014	In force
35	227	About General Collective Agreement for 2014-2015 concluded between Azerbaijan Trade Unions Confederation and the National Confederation of Entrepreneurs (who provide with employment) Organizations of the Republic of Azerbaijan	Resolution	Cabinet of Ministers of the Republic of Azerbaijan	10.07.2014	In force
36	164	Amendments to some of the Presidential Decrees and Orders regarding establishment of the Ministry of Economy and Industry of the Republic of Azerbaijan	Decree	The President of the Republic of Azerbaijan	14.05.2014	In force
37	133	Amendments to "The rules on the repatriation of victims of Trafficking in Human Beings" approved by Resolution No. 252 of the Cabinet of Ministers of the Republic of Azerbaijan dated by 10 September, 2013	Resolution	Cabinet of Ministers of the Republic of Azerbaijan	05.05.2014	In force
38	108	"Guaranteed amount of social services provided by the means from the state budget to a person (family) who is under hard life conditions" approved by Resolution No. 108 of the Cabinet of Ministers of the Republic of Azerbaijan dated by 22 April, 2014.	Resolution	Cabinet of Ministers of the Republic of Azerbaijan	22.04.2014	In force
39	A220-001-14	Announcement of the Resolution of the Cabinet of Ministries of the Republic of Azerbaijan, date by 26 February, 2014, # 63	Different Authorities	Ministry of Internal Affairs of the Republic of Azerbaijan	14.03.2014	In force
40	312	Approval of "European Union and its member states participating in the Joint Declaration on a Mobility Partnership" December 5, 2013, signed in Brussels	Order	The President of the Republic of Azerbaijan	06.03.2014	In force



#	Nº	Name of the Document	Type	Authority that approved	Date of approval	Status
41	901-IVQ	About Approval of the Joint Declaration of the Presidents of the Republics of Azerbaijan and Belarus	Law	National Assembly of the Republic of Azerbaijan	14.02.2014	In force
42	37	"Program on social rehabilitation of child victims of human trafficking and their reintegration into the society" approved by Resolution No. 37 of the Cabinet of Ministers of the Republic of Azerbaijan dated by 06 February, 2014;	Resolution	Cabinet of Ministers of the Republic of Azerbaijan	06.02.2014	In force
43	892-IVQ	Approval of the Agreement On "Cooperation on security issues between the Governments of the Republics of Azerbaijan and Turkey"	Law	National Assembly of the Republic of Azerbaijan	03.02.2014	In force