

Committee of the Parties
to the Council of Europe Convention
on Action against Trafficking in Human Beings



CP(2025)01

Report submitted by the authorities
of Azerbaijan
on measures taken to comply with
Committee of the Parties Recommendation
CP/Rec(2023)03 on the implementation
of the Council of Europe Convention
on Action against Trafficking in Human Beings

Third evaluation round

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Report on the Measures Taken Regarding the Recommendations Presented by the Committee of the Parties on 6 June 2023 as a Result of the Third Evaluation Round of the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Government of Azerbaijan

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- 1. Recommendation - Review the legislation in order to guarantee access to justice of victims of human trafficking by ensuring that they have access to lawyer as soon as there are reasonable grounds for believing that a person is a victim of human trafficking, before the person concerned has to decide whether or not to co-operate with the authorities and/or make an official statement (paragraph 46)**

Response – Pursuant to Article 2 of the “Rules on the Repatriation of Victims of Human Trafficking” approved by Resolution No. 252 of the Cabinet of Ministers of the Republic of Azerbaijan dated 10 September 2013, a person identified as a victim of human trafficking shall be granted a 30 (thirty) day recovery and reflection period. This period is intended to allow the individual to restore their condition, disengage from the influence of perpetrators, and make an informed decision regarding cooperation with law enforcement authorities. During the recovery and reflection period, victims of human trafficking may benefit from the services of specialized institutions as stipulated in the Law of the Republic of Azerbaijan “On Combating Trafficking in Human Beings,” which are aimed at ensuring the victim’s safety and protection, and facilitating their physical, psychological, and social recovery. In accordance with Articles 13 and 14 of the aforementioned Law, shelters are established to provide victims of human trafficking with dignified living conditions, ensure their safety, supply them with food and medical supplies, and offer urgent medical, psychological, social, and legal assistance. Shelters are required to guarantee the anonymity of victims, and no information regarding them shall be disclosed to criminal prosecution bodies or other state authorities without their consent. Assistance centers are established to inform victims of human trafficking about existing administrative and legal procedures related to the protection of their rights and interests, to provide medical, psychological, and other necessary aid, and to support their social reintegration. These centers are also obliged to ensure the confidentiality of victims’ identities, and no personal information shall be disclosed to criminal prosecution bodies or other state entities without the victims’ prior consent. Regardless of whether the individual chooses to cooperate with the criminal prosecution authority, any person identified as a potential victim of human trafficking shall be informed of their rights. A protocol shall be drawn up confirming that the rights have been explained, and the individual shall be entitled to fully exercise the rights available to cooperating victims of human trafficking. Accordingly, legal assistance (including the provision of legal counsel) and social support were extended to 7 victims of human trafficking in 2022, 8 in 2023, and 7 in 2024, despite their decision not to cooperate with the criminal prosecution authorities.

2. Adopt measures to guarantee effective access to compensation for victims of human trafficking,

Recommendation - ensuring that the collection of evidence about the harm the victim has suffered, including the financial gain from the exploitation of the victim or loss sustained by the victim, is part of the criminal investigations with a view to supporting compensation claims in court;

ensuring that victims of trafficking are systematically informed, in a language that they can understand, of the right to seek compensation in criminal and civil proceedings, and the procedures to be followed;

Response – Pursuant to Article 8.0.3 of the Criminal Procedure Code of the Republic of Azerbaijan, one of the primary duties of criminal prosecution is to conduct a comprehensive, full, and objective investigation of all circumstances relevant to the criminal case. According to Article 87 of the Code, an individual has the right to file a civil claim, and under Article 189, is entitled to receive compensation from the state budget for damages suffered as a result of a criminal offense, as provided by law. In accordance with Article 120 of the Criminal Procedure Code, the authority conducting the criminal proceedings is obligated to explain to each participant in the process their rights and duties and to ensure the exercise thereof. Regardless of whether an explanation has already been provided, the court must also explain these rights and duties to any participant appearing at a court hearing. The law further requires that explanations of rights and duties be provided with due consideration to the individual's level of development, life experience, education, native language, and other relevant circumstances. The legislation mandates the appointment of an interpreter if the individual's native language differs from the language of the proceedings. Upon the request of any such participant, the authority conducting the proceedings must repeat the explanation of their rights and duties. The courts are in compliance with these statutory requirements.

The Main Department on Combating Trafficking in Human Beings, a specialized police body, utilizes the services of a translation agency contracted by the Ministry of Internal Affairs to provide interpretation in this context. Furthermore, the organizational structure of this specialized police unit includes a designated translation position, and the individual appointed to this role participates in interviews with foreign nationals to provide interpretation services.

- **Recommendation - amending Article 9 of the Law on State Duty to provide the possibility for victims of human trafficking to be exempted from state fees required for filing a compensation claim;**

ensuring that state compensation is effectively accessible to victims of human trafficking, by applying in practice Article 191 of the Criminal Procedure Code;

Response – Article 9 of the Law of the Republic of Azerbaijan dated January 1, 2001, "On State Duty", sets forth the list of persons exempt from paying court fees for civil claims. Although vulnerable population groups, particularly children, are included in this list, victims

of human trafficking are not expressly provided for therein. Compensation for harm suffered by victims of human trafficking is carried out in accordance with the procedure established by law. Under Article 22 of the Law of the Republic of Azerbaijan "On Combating Trafficking in Human Beings", all property derived from human trafficking crimes (including immovable property, monetary assets, securities, and other valuables) is confiscated by a court decision in accordance with the law and transferred to a specially established Assistance Fund for Victims of Human Trafficking. The resources accumulated in this Fund are allocated for the compensation of damages suffered by victims of human trafficking, their social rehabilitation, and for covering medical and other essential expenses. According to the Regulation on the Assistance Fund for Victims of Human Trafficking, approved by Decision No. 12 of the Cabinet of Ministers dated January 12, 2006, the chairperson of the Fund, upon the victim's request, may enter into a legal services agreement and act as the claimant in court proceedings. Based on the court's decision, property seized from the trafficker is used to pay compensation to the victim through the Fund. Court fees related to civil claims brought by the Fund are paid from the Fund's budget (i.e., from the state budget), thereby relieving the victim of any obligation to pay fees in civil proceedings. With respect to compensation from the state budget, Article 191 of the Criminal Procedure Code provides that, upon the application of the victim, the court shall resolve the issue of awarding compensation from the state budget for damages caused by a criminal act as defined by the criminal law. If the court rules in favor of awarding compensation to the victim from the state budget, such decision shall be reflected in the judgment of conviction. The court must also specify that the amount paid in compensation be recovered from the convicted person and reimbursed to the state budget. According to specialized defense attorneys who are members of the Bar Association of the Republic of Azerbaijan and regularly represent victims of human trafficking, although such restitution is not always reflected in court judgments, in many cases, traffickers voluntarily compensate the material damage to victims. Subsequently, the victim submits a notarized statement to the court confirming that the harm has been remedied. While this does not absolve the trafficker of criminal liability, it may be taken into account by judges as a mitigating circumstance when determining the sentence.

Recommendation - further Increasing the amount of one-off payment from the State Assistance Fund for Victims of Human Trafficking;

Response – Pursuant to Decision No. 152 of the Cabinet of Ministers of the Republic of Azerbaijan dated June 17, 2006, "On Determination of the Amount of Allowance Paid During the Reintegration Period to Victims of Human Trafficking", a one-time allowance was established for victims of human trafficking during their reintegration period. The amount of this allowance was increased three times—in 2010, 2012, and 2019—and currently stands at 700 Azerbaijani manats (approximately 420 US dollars). This sum is paid from the state budget, and efforts to periodically increase the amount are ongoing.

The purpose of this allowance is not to compensate the victim for the damage suffered but rather to provide financial support aimed at facilitating the victim's social

rehabilitation, improving their material conditions, and meeting their immediate essential needs.

According to the Regulation on the Assistance Fund for Victims of Human Trafficking, approved by the Decision of the Cabinet of Ministers dated January 12, 2006, the Fund may provide financial assistance to victims of human trafficking using donations received from natural and legal persons. The amount of this assistance is determined on a case-by-case basis, taking into account the specific needs of each victim and may vary accordingly.

Recommendation- further strengthening awareness on compensation among lawyers representing victims of human trafficking, prosecutors and judges, including by introducing this topic in the training programs provided to them, and encouraging them to use all the possibilities the law offers to uphold compensation claims by victims of trafficking In human beings (paragraph 71);

Response – In the years 2022, 2023, and 2024, awareness-raising activities held with the participation of lawyers, judges, and prosecutors included presentations, discussions, and training modules addressing compensation-related issues. These topics have been integrated into educational curricula, studied in depth, and thoroughly discussed.

Each year, distance learning-based advanced training courses are organized for judges under the theme “Judicial Review of Human Trafficking and Related Criminal Cases.” During these courses, judges from appellate courts and courts handling grave crimes deliver lectures for judges of both first-instance and appellate courts, covering various aspects of judicial proceedings concerning human trafficking and related offenses.

In addition, the training curriculum for judicial candidates includes a dedicated module on “Peculiarities of Judicial Review of Human Trafficking and Related Criminal Cases,” which is taught on a regular basis..

3. Strengthen efforts to ensure that human trafficking offences for all types of exploitation are proactively investigated, prosecuted promptly and effectively, and lead to proportionate and dissuasive sanctions, in particular by :

- **Recommendation - stepping up proactive intelligence-based investigation of human trafficking cases, regardless of whether complaint about the reported crime has been submitted or not, making use of all possible evidence, including evidence gathered through special investigative measures, financial evidence, documents and digital evidence, so that there is less reliance on testimony by victims.**

Response – According to Article 4 of the “Rules (Indicators) for the Identification of Victims of Human Trafficking” approved by the Decision of the Cabinet of Ministers of the Republic of Azerbaijan dated 3 September 2009, victims of human trafficking are identified through both proactive and reactive methods. The proactive method refers to necessary and effective measures implemented by relevant state authorities aimed at the immediate identification of victims through active engagement. The reactive method, by contrast,

entails the passive identification of victims—namely, through their own reports or those submitted by their relatives to law enforcement bodies.

In accordance with Article 37 of the Criminal Procedure Code, criminal prosecution for human trafficking offenses is conducted under the rules of public prosecution. Pursuant to Article 46 of the same Code, the initiation of criminal proceedings in human trafficking cases is predicated on the existence of sufficient evidence indicating elements of a crime; therefore, the submission of a complaint by the victim is not a prerequisite for opening a criminal case. Analyses demonstrate that approximately 70–80% of human trafficking crimes identified annually are detected through proactive methods. However, even in such cases, victims of human trafficking are fully informed of all their rights, including the right to lodge a formal complaint with the competent state authority. In most instances, victims exercise this right and submit a written complaint; nonetheless, this should not be classified as identification by the reactive method. Throughout the course of criminal prosecution, investigative authorities have endeavored to collect sufficient evidence to substantiate the charges against the traffickers and have consistently maintained a firm prosecutorial stance. The courts, in turn, have tended to impose severe penalties. Specifically, in 2022, courts rendered convictions against 12 individuals, of whom 9 were sentenced to imprisonment for terms ranging from 7 to 10 years. In 2023, 14 individuals were convicted of human trafficking, 10 of whom received custodial sentences.

- **Recommendation- strengthening efforts to investigate and prosecute cases of human trafficking for the purpose of labor exploitation, including by increasing co-operation between labor inspectors and the police;**

Response – Efforts to investigate cases of labor exploitation have been strengthened, and collaborative work has been established with the State Migration Service and the State Labor Inspectorate Service under the Ministry of Labor and Social Protection of Population. As part of this initiative, over 10 materials received from these services in 2024 have been investigated by the Human Trafficking Combat Department of the Ministry of Internal Affairs. Regular information exchange has been carried out regarding the activities undertaken by the mentioned services.

During the period from 2023 to 2024, joint actions conducted by the Ministry of Internal Affairs, the State Labor Inspectorate Service, and the State Migration Service led to the identification of 12 illegal migration channels, resulting in the detention of 169 foreign nationals. During this period, information on the identified incidents was submitted to the General Prosecutor's Office of the Republic of Azerbaijan. Furthermore, information concerning 9 foreign nationals, who were suspected of being victims of human trafficking, was forwarded to the Human Trafficking Combat Department of the Ministry of Internal Affairs in 5 separate instances.

- **Recommendation- Undertaking systematic financial investigations in human trafficking cases, ensuring the confiscation of criminal assets, and implementing measures to allocate the confiscated funds toward the protection of victims.**

Response – Chapter 12 of the Criminal Procedure Code (Articles 248-254) establishes the procedures for the confiscation of property, Chapter 19 (Articles 179-188) outlines the procedure for filing a civil claim by the victim, and Chapter 20 (Articles 189-191) sets forth the rules for the compensation of the victim. Additionally, the Law of the Republic of Azerbaijan on “The Legalization of Property Obtained through Criminal Means and the Fight Against the Financing of Terrorism”, dated December 30, 2023, determines the procedures for the identification of property obtained through criminal activities. Furthermore, Chapter 15-1 of the Criminal Code of Azerbaijan addresses Special Confiscation, which outlines the procedures for confiscating property obtained through criminal means and directing the confiscated property toward compensating the damage caused to the victim.

During criminal investigations related to human trafficking offenses, inquiries are made regarding the bank accounts, bank transfers, and property of human traffickers, and investigations are carried out. Moreover, suspicious financial transactions related to human trafficking crimes, as presented by the Financial Monitoring Service of the Republic of Azerbaijan, are forwarded to the Human Trafficking Combat Department for investigation. For example, in the relevant period of 2025, investigations were conducted on 2 such cases referred by the Financial Monitoring Service.

4. Take measure to:

- **Recommendation- make full use of all measures available to protect victims and witnesses of human trafficking and to prevent retaliation, intimidation or re-traumatization during the investigation and during and after the court proceedings, including through the use of audio video equipment and other suitable means to avoid face-to-face cross-examination of victims and alleged perpetrators;**

Response – According to Article 51-2 of the Criminal Procedure Code, when there are real threats to the life and health of the victim of human trafficking or a witness, or when it becomes necessary to ensure their safety and prevent external influences, as well as when the interests of a minor need to be protected, procedural actions must be carried out via videoconferencing. This article sets forth the principles and procedures for the use of videoconferencing systems. Pursuant to Article 231 of the Code, the investigating authority may, when necessary, question the victim using audio, video, or film recordings. According to Article 123 of the Code, the investigating authority has an obligation to ensure the safety of participants in the process. The Law of the Republic of Azerbaijan on “State Protection of Participants in Criminal Proceedings”, dated December 11, 1998, defines the measures to be taken to ensure the safety of participants in criminal proceedings and the procedures for their implementation. The criminal prosecution authority continuously takes measures in this regard. It is worth noting that in 2022, 73 victims of human trafficking, in 2023 61

victims, and in 2024 52 victims were placed in the Human Trafficking Victims' Shelter of the Human Trafficking Combat Department for the purpose of ensuring their safety.

- **Recommendation- ensure the protection of the private life and identity of victims of trafficking, in line with Article 11 of the Convention, through the issuance of appropriate instructions to all relevant professionals. This should include sending all judicial acts regarding victims of human trafficking to the address indicated by them (paragraph 108);**

Response – According to Article 17 of the “Law of the Republic of Azerbaijan on Combating Human Trafficking”, by the decision of the court or another criminal prosecution authority, access to information regarding the identity of the victim of human trafficking in information query services and information databases is suspended. The disclosure of personal information, which constitutes the private and family life of victims of human trafficking, is prohibited. Additionally, information that could endanger the life and health of the victim of human trafficking, their close relatives, or individuals who assist in the fight against human trafficking, is deemed confidential, and its dissemination is prohibited. The act of disclosing confidential information about a victim of human trafficking is considered a criminal offense, and criminal liability for this act is outlined in Article 316-1 of the Criminal Code.

In practice, authorized authorities comply with specific documentation, document handling, and dispatch rules when transmitting information about victims of human trafficking. Actions such as summoning individuals to court sessions and presenting court decisions are carried out through the Ministry of Internal Affairs' Human Trafficking Combat Department, which is a specialized police unit.

According to Article 199.4 of Chapter 23 of the Criminal Procedure Code (CPC), evidence revealing personal or family secrets must be examined in a closed court session. Article 199.5 of the CPC stipulates that if the right to privacy is violated or personal or family secrets are disclosed, any damage caused to an individual must be compensated in accordance with the legislation of the Republic of Azerbaijan. As seen, the criminal procedural legislation imposes an imperative requirement for closed hearings in cases where personal or family secrets are disclosed.

Representatives of mass media are constantly informed about the confidentiality of information regarding victims of human trafficking. In media reports about these crimes, the victims are presented using pseudonyms and other anonymous data, ensuring their identification is protected.

Regarding the official transmission of court decisions in human trafficking criminal cases, participants in criminal proceedings can access all court decisions related to their cases through the e-Government Portal's electronic court system. By using their “Electronic Cabinet”, participants can personally review all court acts issued during the proceedings. Court decisions are sent to the Electronic Cabinet of human trafficking victims, and only the victim can access these decisions through their cabinet.

Moreover, court acts related to human trafficking cases are provided to the Human Trafficking Combat Department of the Ministry of Internal Affairs, a specialized police unit, ensuring that the victim, their representatives, witnesses, and other relevant individuals receive court documents with confidentiality guaranteed by this department.

5. Take measures to effectively prevent, detect and combat trafficking for the purpose of labour exploitation, taking into account Recommendation CM/Rec(2022)21 of the Committee of Ministers and GRETA's Guidance Note on combating trafficking for labour exploitation. This should include:

- **Recommendation- reintroducing workplace inspections by labour inspectors, reviewing their mandate to also cover non-registered companies, and ensuring that adequate human and financial resources are made available to them to fulfil their mandate:**

Response – According to the Law of the Republic of Azerbaijan on Amendments to the Law on Suspension of Inspections in the Field of Entrepreneurship, dated February 3, 2025, the duration of inspections for business entities in the country has been extended until January 1, 2026. However, this restriction does not apply to cases related to forced labor. Specifically, Article 2 of the Law outlines activities to which this limitation does not apply. A decree related to the implementation of this law lists the areas where such restrictions are not applicable, including the inspection of cases where individuals are involved in the performance of services without an employment contract or before it is legally valid. The responsibility for monitoring in this area has been entrusted to the Labor Relations Monitoring Center under the State Agency for Citizen Services and Social Innovations under the President of the Republic of Azerbaijan. Following the monitoring, any violations identified by this Center are investigated by the State Labor Inspectorate Service (SLS). Additionally, materials sent to the SLS by other government agencies, as well as complaints received in accordance with the Law of the Republic of Azerbaijan on Citizens' Appeals, are examined and relevant measures are taken. Serious oversight mechanisms are in place to ensure the conclusion of employment contracts in the country. The Ministry of Labor and Social Protection of the Population operates the “Labor and Employment” electronic subsystem, which is considered the most advanced electronic monitoring system. All employment contracts are automatically entered into this system upon electronic conclusion and are legally effective afterward. Furthermore, the Sustainable and Operational Social Security Agency, under the Ministry of Labor and Social Protection, has established an online communication platform through its 142 Call Center and the official website www.sosial.gov.az, offering easy access for inquiries via the “live chat” feature.

As in previous periods, the strengthening of control over migration processes has continued in 2023-2024. Complex measures have been implemented to combat unregulated migration, focusing on preventing exploitation and abuse of foreign nationals or stateless individuals by employers. The efforts to combat forced labor and human

trafficking have been intensified, and coordination among relevant state bodies has been ensured.

In 2024, during these efforts, the State Migration Service issued administrative decisions based on Articles 578.1 and 578.2 of the Administrative Offenses Code of the Republic of Azerbaijan, imposing sanctions on 787 employers involved in the illegal employment of foreign nationals. Following the complaints received from the State Migration Service, each case has been examined to determine whether a crime related to forced labor has occurred, and procedural decisions have been made by the criminal prosecution authorities.

Recommendation- training labor inspectors throughout the country as well as law enforcement officers and prosecutors, including through joint training, on human trafficking for the purpose of labor exploitation and the rights of victims;

Response – According to the action plan developed for the years 2023, 2024, and 2025, the State Labor Inspectorate Service, Ministry of Internal Affairs, Prosecutor General's Office, and State Migration Service have conducted a total of 28 joint training sessions on the topic of "Human Trafficking and Forced Labor". These sessions involved the central and regional departments of the mentioned state bodies.

Additionally, these organizations have conducted internal training programs as part of their action plans, and topics related to human trafficking have been included in the curricula of specialized higher education institutions that are part of these bodies.

In 2023 and 2024, training sessions for employees of the migration authorities were held by the Ministry of Internal Affairs of the Republic of Azerbaijan and professional specialists. Topics covered included: "Victims of Human Trafficking", "Unaccompanied and abandoned migrant children", "Protection of migrants brought through trafficking", "International Human Rights Law and its application to migrants", "Protocols on Human Trafficking and Smuggling", "States' obligation to protect migrants within their territories", "Protection of migrants from violence and exploitation – individualized approaches", "Sustainable solutions for vulnerable migrants", "Azerbaijan's international obligations in the fight against human trafficking", "Identification of victims of human trafficking and forced labor, including migrants, their protection, and the approach focused on protecting victims during investigations", "Combating Human Trafficking and Forced Labor", "Indicators for identifying victims of human trafficking", "Protection of the rights of human trafficking victims, forced labor, other forms of exploitation, gender-specific aspects of human trafficking, child-related issues", "Ensuring the right of human trafficking victims to compensation", and "Application of indicators for identifying victims of human trafficking among vulnerable populations, including migrants and children engaged in begging". In total, about 200 employees of the Service participated in these training sessions.

On June 13, 2023, employees of the State Migration Service of the Republic of Azerbaijan were trained on the topic of "Combating Human Trafficking" by an expert from the International Organization for Migration. On September 14, 2023, an expert from the State Committee for Family, Women, and Children Affairs conducted a training on "Gender Equality and Violence Against Children." On October 26-27, 2023, an expert from the

Office of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan held a session on "Protection of Children's Rights in the Migration Context: International Standards and Existing Practices." A total of approximately 60 employees of the State Migration Service participated in these training sessions.

On April 30, 2024, the State Migration Service employees were trained by an expert from the Ministry of Internal Affairs on "Identification of Victims of Human Trafficking and Forced Labor, Including Migrants, Their Protection, and Approaching Investigations with a Victim Protection Focus." On May 15, 2024, a specialist from the State Committee for Family, Women, and Children Affairs conducted a session on "Combating Domestic and Gender-Based Violence." Around 80 employees of the State Migration Service participated in these training sessions.

On December 10, 2024, an online training was held within the framework of the Regional Migration Training Center on the topic of "Protection of Migrants' Rights: International Law and Regional Frameworks," with the participation of both international and national experts. The training focused on international legal frameworks, national legislation, and defense mechanisms regarding the rights of migrant workers and vulnerable groups. The prevention of human trafficking, international best practices, and advanced approaches were also emphasized.

Furthermore, participants in the State Migration Service's "Migration School - 5" and "Migration School - 6" projects were provided with extensive information on combating human trafficking by an expert from the Ministry of Internal Affairs' Anti-Human Trafficking Department within the framework of these projects.

The State Labor Inspectorate Service is continuously focused on strengthening its human resources. Inspectors are regularly involved in training programs aimed at enhancing their skills in identifying cases of forced labor.

For example, employees working in the regional departments of the State Labor Inspectorate Service were trained by staff from the Human Trafficking Victim Assistance Center on "Human Trafficking and Forced Labor." Since 2022, the Ministry of Labor and Social Protection of Population has ensured the organization of annual online training sessions for employees from the State Labor Inspectorate Service, including staff from the central office, the Baku City Office, the Legal Department, and regional departments, covering the conventions and recommendations of the International Labor Organization.

- **Recommendation- reviewing the employment framework on migrant workers, including foreign workers seconded by foreign companies abroad to work in Azerbaijan, to reduce their vulnerability to human trafficking, exploitation and abuse;**

Response - The employment of foreign nationals in the Republic of Azerbaijan is regulated by the Migration Code of the Republic of Azerbaijan, with Chapter 4 of the Code specifically

addressing issues related to labor migration. According to Article 57 of the Code, the regulation of labor migration is carried out through the implementation of the state labor migration quota, the issuance of work permits, and the granting of special permission for intermediary activities related to the employment of Azerbaijani citizens in foreign countries. Relevant state authorities oversee the legality of foreign nationals' and stateless persons' employment in the Republic of Azerbaijan, ensure their social protection, and monitor the activities of legal and natural persons in the field of labor migration. Furthermore, in accordance with Article 13 of the Labor Code, unless otherwise provided by law or international treaties to which Azerbaijan is a party, foreign nationals may exercise all labor rights on an equal footing with Azerbaijani citizens while in the country. In accordance with Article 75 of the Migration Code, labor migrants are granted the same conditions concerning labor rights as those established for citizens of the Republic of Azerbaijan, and their remuneration for work is provided in accordance with the regulations established by Azerbaijani legislation for citizens of the Republic of Azerbaijan.

- **Recommendation- regulating and monitoring the functioning of recruitment and temporary work agencies to strengthen prevention of human trafficking and labor exploitation;**

Response – Pursuant to Article 14 of the Law of the Republic of Azerbaijan “On Employment” dated 29 June 2019, mediation in employment of jobseekers and unemployed persons in the Republic of Azerbaijan, as well as mediation in employment of citizens of the Republic of Azerbaijan abroad, shall be carried out solely by legal entities in accordance with the requirements of this Law.

The Ministry of Labor and Social Protection of Population shall maintain an electronic register of legal entities engaged in mediation in employment.

Legal entities engaged in mediation in the employment of jobseekers and unemployed persons shall submit information to the Ministry regarding the number of individuals who applied for and were provided with employment, and shall ensure electronic mutual exchange of information.

According to migration legislation, legal entities registered in the Republic of Azerbaijan may act as intermediaries in the employment of citizens of the Republic of Azerbaijan abroad.

The granting of special permission for mediation in the employment of citizens of the Republic of Azerbaijan abroad shall be carried out with due consideration of the opinion of the State Migration Service.

Legal entities that have been granted special permission entitling them to carry out mediation activities may engage citizens of the Republic of Azerbaijan in remunerated employment abroad on the basis of contracts concluded with foreign legal and natural persons, which have been approved by the relevant executive authority.

Legal entities engaged in mediation activities must ensure that a copy of the proposed employment contract is delivered to the labor migrant prior to their departure from the Republic of Azerbaijan.

Legal entities engaged in mediation activities shall not be permitted to charge labor migrants for the services rendered.

Legal entities engaged in mediation activities shall provide information to the State Migration Service on the citizens of the Republic of Azerbaijan engaged in remunerated employment abroad.

- **Recommendation- reviewing the regulatory system concerning migrants working as domestic workers to prevent and detect cases of domestic servitude (paragraph 151);**

Response – Pursuant to Article 51 of the Migration Code, the issuance of a work permit shall be carried out within the labor migration quota approved by the Cabinet of Ministers of the Republic of Azerbaijan.

The quota is applied to ensure the efficient use of local labor resources and to enhance the effectiveness of activities in the regulation of labor migration processes. The quota is determined taking into account the condition of the domestic labor market, the demand for workforce, the availability of vacant positions for which no citizen of the Republic of Azerbaijan possessing the relevant vocational training and qualifications has applied, the ability of employment service authorities to meet employers' workforce needs using local labor resources, as well as the necessity of attracting highly qualified foreign specialists.

Within the labor migration quota approved by the Cabinet of Ministers, a quota is also allocated for domestic work, which is regulated in accordance with migration and employment legislation under the same procedures as other types of labor activity and is supervised by the relevant state authorities.

According to Order No. 111s of the Cabinet of Ministers of the Republic of Azerbaijan dated 7 February 2019, household or nanny services — “Activities of households: activities related to goods and services produced by households for their own final consumption” — have been included as a type of economic activity.

Pursuant to Article 63.2 of the Migration Code of the Republic of Azerbaijan, legal entities, individuals engaged in entrepreneurial activity without forming a legal entity, as well as branches and representative offices of foreign legal entities, must obtain a work permit for each foreigner or stateless person they intend to employ, except in cases stipulated in Article 64 of this Code.

For informational purposes, we note that a work permit for the performance of remunerated labor activity by a foreigner is duly issued by the State Migration Service under the economic activity type “Activities of households: activities related to goods and services produced by households for their own final consumption.”

- **Recommendation- Regulation and monitoring of the activities of recruitment and temporary employment agencies, with a view to strengthening the prevention of human trafficking and labor exploitation.**

Response – Pursuant to Article 14 of the Law of the Republic of Azerbaijan “On Employment” dated 29 June 2019, mediation in employment of jobseekers and

unemployed persons within the territory of the Republic of Azerbaijan, as well as mediation in employment of citizens of the Republic of Azerbaijan abroad, shall be carried out exclusively by legal entities in compliance with the requirements of this Law.

The Ministry of Labor and Social Protection of Population maintains an electronic register of legal entities engaged in employment mediation activities.

Legal entities carrying out mediation activities in employment of jobseekers and unemployed persons are required to submit information to the Ministry regarding the number of individuals who have applied for employment and those who have been placed in jobs, and shall ensure mutual electronic data exchange.

In accordance with migration legislation, legal entities registered in the Republic of Azerbaijan may engage in mediation for employment of Azerbaijani citizens in foreign countries.

The issuance of special permission for mediation activities related to the employment of Azerbaijani citizens abroad is carried out with consideration of the opinion of the State Migration Service.

Legal entities that have obtained such special permission are entitled to engage Azerbaijani citizens in remunerated labor activities abroad on the basis of contracts concluded with legal and natural persons of foreign states, provided such contracts have been approved by the relevant executive authority.

Legal entities engaged in mediation activities must ensure that a copy of the proposed employment contract is delivered to the labor migrant before their departure from the Republic of Azerbaijan.

It is prohibited for legal entities engaged in mediation activities to charge labor migrants any fees for the services provided.

Legal entities engaged in mediation activities must submit information to the State Migration Service regarding Azerbaijani citizens they have engaged in remunerated labor activity abroad.

- **Recommendation- Reviewing the regulatory framework concerning migrant domestic workers and taking measures aimed at identifying and preventing instances of domestic servitude.**

Response – Pursuant to Article 51 of the Migration Code of the Republic of Azerbaijan, the issuance of a work permit is carried out within the framework of the labor migration quota approved by the Cabinet of Ministers of the Republic of Azerbaijan.

The quota is applied with the aim of ensuring the efficient use of domestic labor resources and enhancing the effectiveness of activities in the regulation of labor migration processes. The quota is determined with consideration of the state of the domestic labor market, demand for labor, the availability of vacant positions for which no citizens of the Republic of Azerbaijan with the required qualifications and vocational training are available, the capacity of the employment services to meet employers' labor needs through local labor resources, and the necessity of engaging highly qualified foreign specialists.

The labor migration quota approved by the Cabinet of Ministers includes a specific quota for domestic services, which is regulated in the same manner as other types of labour activity in accordance with the legislation on Migration and Employment, and is subject to oversight by the relevant state authorities..

6. Further improve the identification of victims of human trafficking, and in particular to::

- **Recommendation- guarantee that the identification of victims of human trafficking is dissociated from the presumed victim's co-operation in the investigation or the launch of an investigation;**

Response – As previously stated, in accordance with the requirements of the Law of the Republic of Azerbaijan “On Combating Trafficking in Human Beings,” the anonymity of an individual identified as a victim of human trafficking shall be safeguarded, and no information about them shall be disclosed to criminal prosecution authorities or other state bodies without their consent.

Assistance centers are established with the purpose of providing explanations to victims of human trafficking regarding existing administrative and legal procedures for the protection of their rights and interests, delivering medical, psychological, and other essential support, as well as assisting in their social rehabilitation. The anonymity of victims of human trafficking is guaranteed within these assistance centers, and information about them shall not be transmitted to criminal prosecution bodies or other governmental entities without their prior consent.

Regardless of whether the individual cooperates with law enforcement authorities, any person identified as a potential victim of human trafficking is informed of their rights, a formal record is drawn up regarding the explanation of these rights, and the person is entitled to fully exercise the rights afforded to victims of human trafficking who cooperate with criminal prosecution authorities.

- **Recommendation- reinforce the multi-agency involvement in victim identification by formalizing the role of specialized NGOs and involving other relevant actors, such as labor inspectors, social workers, educational staff and medical staff.**

Response – The identification of victims of human trafficking is carried out in accordance with the “Rules (Indicators) for the Identification of Victims of Human Trafficking,” approved by the Resolution of the Cabinet of Ministers of the Republic of Azerbaijan dated 3 September 2009. These Rules establish the mechanisms that allow for the determination of whether an individual is a victim of human trafficking.

The purpose of these Rules is to facilitate the timely detection of victims, ensure the implementation of urgent measures to protect their rights, and equip the staff of relevant

institutions with the necessary knowledge to identify individuals affected by human trafficking.

According to Article 4 of the Rules, when any information suggesting that an individual may be a victim or potential victim of human trafficking is obtained by bodies such as labour and social protection agencies, migration and education authorities, medical institutions, or non-governmental organizations, they must immediately report such information to the specialized police authority.

This legislative approach is based on the need for the identification process to be carried out by individuals who possess the required knowledge and professional skills, and who have received specialized training in this area, as well as on the necessity of ensuring the victim's safety.

Accordingly, although other state institutions and non-governmental organizations may participate in the detection of victims of human trafficking, the formal recognition (identification) of an individual as a victim of human trafficking is carried out exclusively by the Main Department on Combating Trafficking in Human Beings.

Recommendation - increase efforts to proactively identify victims of internal trafficking

Response – According to Article 4 of the “Rules (Indicators) for the Identification of Victims of Human Trafficking,” approved by the Resolution of the Cabinet of Ministers of the Republic of Azerbaijan dated 3 September 2009, victims of human trafficking are identified through both proactive and reactive methods.

Proactive identification refers to necessary and effective measures actively carried out by relevant state authorities aimed at the prompt detection of victims. Reactive identification refers to the passive detection of victims, such as when the victim or their relatives apply to law enforcement agencies.

According to Article 37 of the Criminal Procedure Code, criminal prosecution for human trafficking crimes is conducted in the form of public prosecution. Pursuant to Article 46 of the same Code, the initiation of a criminal case for a human trafficking offence requires sufficient evidence indicating the elements of the crime; therefore, a complaint by the victim is not a prerequisite and is not required.

Analysis shows that each year, approximately 70–80% of detected human trafficking crimes and the majority of identified victims are revealed through proactive methods. Nevertheless, in such cases, the victim of human trafficking is informed of all their rights, including the right to file a complaint with the competent state authority. In most instances, the victim exercises this right and submits a complaint, but this should not be considered a reactive method of detection.

- **Recommendation - improve the detection and identification of victims of trafficking among migrant workers, irregular migrants and asylum seekers through a proactive approach (paragraph 162);**

Response – The State Migration Service of the Republic of Azerbaijan approaches the issue of human trafficking with sensitivity and places great emphasis on strengthening awareness-raising and public education efforts in the fight against human trafficking.

Within the scope of its mandate, the State Migration Service regularly conducts preventive measures aimed at combating human trafficking, such as the preparation and dissemination of educational-methodological guides and awareness materials on the nature of human trafficking and measures to prevent it.

It should be noted that during 2023–2024, the Service maintained a strong focus on awareness and advocacy in this area. Informative brochures were prepared and distributed in Azerbaijani, Russian, English, Arabic, Persian, and Urdu to inform foreigners and stateless persons residing in the country about their rights and responsibilities, human trafficking risks, contact points for assistance, and relevant helpline numbers.

In addition, brochures on migration legislation in braille were developed for individuals with visual impairments and placed in the reception areas of regional migration departments.

The State Migration Service’s Call Center, which operates 24/7 via the 919 helpline in three languages—Azerbaijani, English, and Russian—as well as its official website, the “MigAz” mobile application’s “Online Guide” service, WhatsApp contact feature, and social media accounts, play an important role in ensuring that foreigners and stateless persons are informed of their rights and responsibilities and have access to necessary information.

Since 2016, the Training and Education Center of the State Migration Service has been organizing free courses for foreigners and stateless persons residing in Azerbaijan. These courses aim to teach the Azerbaijani language, history, and culture, as well as the legislation governing their rights and obligations. In 2023, the Center held 142 classes, and in 2024, it ensured the delivery of 147 classes as part of this initiative.

The State Migration Service regularly organizes awareness-raising events and meetings in both the capital and regions of the country to inform the public, including foreigners and stateless persons.

During 2023–2024, numerous information and awareness-raising activities on migration legislation—specifically the rights and obligations of foreigners and stateless persons residing in the country—were conducted in various “ASAN Service” centers and across many cities and regions of Azerbaijan.

As part of these activities, regional migration offices of the State Migration Service carried out legal awareness initiatives with employers operating in the regions. These sessions provided information on the risks of forced labor, the legislative framework for combating

human trafficking, key directions of anti-trafficking policy, forced labor, and irregular migration.

In addition, the Migration Council under the State Migration Service, established in 2022, plays a special role in actively engaging migrants living in the Republic of Azerbaijan in the activities of the Service. It also contributes to enhancing the effectiveness of human rights protection, improving the quality and transparency of services provided to foreigners and stateless persons, and assessing the impact of migration-related decisions on the daily lives of foreigners.

The Migration Council supports the State Migration Service's efforts to educate foreigners on existing migration laws, including legal provisions against racial discrimination and human trafficking, as well as the procedures for submitting related complaints.

The Council currently consists of 9 members who are citizens of various countries. Regular meetings are held with the participation of these members, who represent migrant communities from the Republic of Türkiye, the Islamic Republic of Pakistan, the Russian Federation, Georgia, the Federal Republic of Nigeria, the Islamic Republic of Afghanistan, the Republic of Kazakhstan, the United States of America, and Canada.

In general, throughout 2023–2024, various events aimed at strengthening awareness-raising and outreach activities in the fight against human trafficking were organized across most regions of the country. Relevant information was also shared on the official website and social media accounts of the State Migration Service.

During this period, responses were provided to individual inquiries received from private persons regarding migration-related legislation and procedural rules. These individuals were also informed about the risks of human trafficking and forced labor.

Additionally, during a meeting held at the administrative building of the State Migration Service with employers, awareness-raising discussions were conducted on preventing the risks of labor migrants becoming victims of human trafficking and forced labor.

In the same period, events were organized at various educational institutions—including Baku State University, the Azerbaijan University of Architecture and Construction, the Academy of Fine Arts, the Azerbaijan Pedagogical University, the Azerbaijan State University of Economics, and others—to educate and inform foreign students about their rights and obligations under migration legislation, the rules for employing foreign labor, and the risks of human trafficking.

Within the framework of various international projects carried out in cooperation with the International Organization for Migration, the following materials were developed such as Curriculum on Combating Human Trafficking for the State Migration Service of the Republic of Azerbaijan, Training Manual on Combating Human Trafficking for the State Migration Service of the Republic of Azerbaijan, and Model of Standard Operating Procedures for the Prevention, Monitoring, and Combatting of Irregular Employment and

Labor Exploitation of Migrant Workers, and the Protection of Their Rights through Unplanned Joint Inspections.

It should be noted that the aforementioned materials are actively utilized by the State Migration Service.

In 2023 and 2024, training sessions were conducted to enhance the knowledge and skills of Service employees in the area of combating human trafficking. These sessions included the participation of experts from the Ministry of Internal Affairs of the Republic of Azerbaijan, other relevant state institutions, and international specialists.

On June 13, 2023, employees of the State Migration Service of the Republic of Azerbaijan participated in training on the topic of “Combating Human Trafficking” conducted by an expert from the International Organization for Migration. On September 14, 2023, a training on “Gender Equality and Violence Against Children” was held by an expert from the State Committee for Family, Women, and Children's Affairs. On October 26–27, 2023, a training session on “Protection of Children’s Rights in the Context of Migration: International Standards and Existing Practices” was conducted by an expert from the Office of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan. Approximately 60 employees of the State Migration Service participated in these training sessions.

On April 30, 2024, employees of the State Migration Service participated in a training conducted by an expert from the Ministry of Internal Affairs of the Republic of Azerbaijan on the topic of “Identification of Victims of Human Trafficking and Forced Labor, including Migrants, Their Protection, and the Approach to Protecting Victims in the Investigation and Handling of Such Cases.” On May 15, 2024, a training on “Domestic and Gender-Based Violence Prevention” was held by an expert from the State Committee for Family, Women, and Children’s Affairs. Approximately 80 employees of the State Migration Service participated in these training sessions.

On December 10, 2024, an online training titled “Protection of Migrants’ Rights: International Law and Regional Frameworks” was held as part of the Migration Regional Training Center. The training focused on the international legal framework, national legislation, and protection mechanisms concerning migrant workers and vulnerable groups. Additionally, international practices and advanced approaches in the field of human trafficking prevention were discussed.

Furthermore, as part of the projects “Migration School - 5” and “Migration School - 6” implemented by the State Migration Service of the Republic of Azerbaijan, participants received extensive information on the fight against human trafficking from an expert of the Anti-Trafficking Department of the Ministry of Internal Affairs.

Within the scope of its authority, the State Migration Service has continued its cooperation with the migration agencies of foreign states, as well as with the International Organization

for Migration, the United Nations High Commissioner for Refugees, the Organization for Security and Cooperation in Europe, and other international organizations in the field of combating human trafficking. In cooperation with the International Organization for Migration, the “Support for the Establishment of a Regional Migration Training Center in Azerbaijan” project was implemented. As part of this project, a special module on human trafficking was included in the curriculum of the aforementioned Training Center. Regular training sessions have been conducted at the national and regional levels to enhance the knowledge and skills of various stakeholders (employees of state institutions from regional countries, non-governmental organizations, media, private sector representatives, youth, migrants, etc.). Additionally, in collaboration with the International Organization for Migration, an online training session on “Human Trafficking and Protection of Migrants' Rights” was held on June 13, 2023, with the participation of international experts. This training covered topics such as the international framework in this field, the protection of migrant workers' labor rights, identifying the vulnerabilities of migrants, protecting victims of human trafficking, children, and other vulnerable migrants during crises, as well as Azerbaijan's international commitments.

Furthermore, on October 26–27, 2023, a two-day training on “Protection of Children's Rights in the Context of Migration: International Standards and Existing Practices” was organized by the State Migration Service, the Office of the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan, and the UNICEF Azerbaijan Office for employees of the State Migration Service and other state institutions. On December 10, 2024, a training on “Protection of Migrants' Rights: International Law and Regional Frameworks” was held as part of the Migration Regional Training Center, in cooperation with the International Organization for Migration. The training covered topics such as the international legal framework for the rights of migrant workers, international practices, and national legislation and protection mechanisms concerning the rights of migrant workers and their family members.

Additionally, within the framework of the Budapest Process, the State Migration Service is represented in the "Community of Law Enforcement Practitioners (COLEP)." The main goal of this initiative is to strengthen the cooperation of law enforcement agencies in preventing illegal migration and related crimes (human trafficking, migrant smuggling, etc.) from the Silk Road region to Europe. On May 4, 2023, two employees of the Service participated in the online meeting of the “Community of Law Enforcement Practitioners (COLEP),” where relevant country-specific information was shared. Also, within the framework of the Budapest Process, an employee of the Service participated in the meeting on “Thematic Working Group on Legal Migration Routes: Identifying Issues, Needs, and Opportunities for the Improvement of Labor Migration” held in Istanbul, Turkey, on May 7-8, 2024.

An employee of the State Migration Service also participated in the 24th meeting of the GUAM (Organization for Democracy and Economic Development) Working Group on Human Trafficking and Illegal Migration, which was held online on July 4, 2023.

The development of international cooperation in migration, as well as the strengthening of bilateral and multilateral relations, has continued to be a focus of the Service's activities. In particular, during 2023 and 2024, agreements were signed between the Republic of Azerbaijan and the Republic of Turkey, the Republic of Uzbekistan, the Kyrgyz Republic, the Republic of Tajikistan, and the Republic of Moldova to ensure the protection of the rights of migrant workers and their family members. Additionally, Memoranda of Understanding were signed between Azerbaijan and Hungary and Moldova. These international documents, like in other fields, create new opportunities for the development of cooperation in the fight against human trafficking and forced labor, as well as the implementation of innovative initiatives and projects.

Furthermore, in 2023-2024, during legal awareness-raising activities on migration conducted by the regional migration departments of the Service in cooperation with employers operating in the regions, information was provided about the risks of forced labor, the rights of migrant workers and their families, and the importance of combating human trafficking. Meetings held with employers and representatives of higher education institutions at the Service's administrative building, as well as events with members of the Consultation Council at the Service, which includes representatives of non-governmental organizations and employers engaged in business activities involving foreign labor, focused on raising awareness about preventing the risks of migrant workers becoming victims of human trafficking and forced labor.

- 7. Step up efforts to prevent and combat the trafficking of children, identify child victims of trafficking, and provide appropriate assistance to them, and in particular to:**
 - Recommendation- strengthen the role and capacity of the child protection systems to prevent trafficking in children and detect and identify child victims of human trafficking. Particular attention should be paid to children in street situations, children forced to beg, children from rural areas at risk of child labor and, children placed in or leaving childcare institutions;.**

Response – The “Strategy for Children of the Republic of Azerbaijan for 2020-2030” aims to improve the existing legal framework on child rights in the Republic of Azerbaijan. It establishes a functioning mechanism for child protection, ensures state support for child development during early childhood, protects children in difficult life conditions, promotes their growth and education in a healthy environment, and develops a system for monitoring and evaluating actions related to children. These measures define the main objectives of child policy in Azerbaijan. The Action Plan for the Implementation of the Strategy for Children for 2020-2025 includes a range of activities such as improving the normative legal framework and institutional structure in the field of child protection, ensuring child development during early childhood, strengthening the social protection of children in difficult life situations, and ensuring equal opportunities for them, as well as promoting their cultural and aesthetic education and ensuring their development rights.

In addition, the “State Program for the Development of Social Services in the Republic of Azerbaijan for 2023-2026,” approved by the Presidential Decree dated August 28, 2023, includes a section on meeting the needs of children and the social services to be provided to them.

Currently, state control over labor legislation in the field of entrepreneurship is carried out online through the EMAS system. This system allows the identification of workplaces where children aged 15-18 work, enabling state control over labor legislation in these workplaces. By the Cabinet of Ministers’ decision No. 58, dated March 24, 2000, the “List of production environments, professions (positions), and underground work where the employment of workers under the age of 18 is prohibited” was approved, which forbids the employment of children under the age of 18 in such workplaces. According to Article 12 of the Labor Code of the Republic of Azerbaijan, employers who violate workers' rights, fail to fulfill their obligations under employment contracts, hire individuals under the age of 15, involve children in activities that may endanger their life, health, or morals, or violate the provisions of this Code, are subject to administrative responsibility under Articles 192.8 and 192.9 of the Administrative Offenses Code of the Republic of Azerbaijan.

To detect and prevent cases of child labor and child sexual abuse, as well as to strengthen inter-agency coordination, a Working Group was established by the Minister of Labor and Social Protection of the Population of Azerbaijan through the order No. 3-17/3-2-77/2024 dated April 22, 2024. This group includes representatives from the Committee for Family, Women, and Children’s Issues, the Ministry of Internal Affairs, the Ministry of Health, the Ministry of Science and Education, the Baku City Executive Authority, the National Confederation of Entrepreneurs (Employers) Organizations of Azerbaijan, the Small and Medium Business Development Agency (KOBIA), and the structural units of the Ministry of Labor and Social Protection of the Population (DOST DIC, SLIS, SSA, SEA, Public Relations and Social Security Policy Departments).

To study best practices in the field, meetings were held with the UNICEF Representative Office in Azerbaijan, as well as with UNICEF colleagues from Turkey and regional offices. At the next meeting of the Child Labor Working Group, the results of the Multi-Indicator Cluster Survey (MICS) conducted jointly with UNICEF and the State Statistical Committee of Azerbaijan were presented, along with information related to the requirements of the UN Convention on the Rights of the Child.

A meeting was held with representatives of the “Working Group on the Electronic Information Bank for the Implementation of Child Rights” created to organize and operate the electronic information bank on child rights, and discussions were held on potential areas for cooperation.

As part of the ongoing awareness-raising activities, discussions were held regarding the organization of an online webinar on the fundamental Conventions of the International Labor Organization (ILO) related to child labor, with the support of the ILO.

The Human Trafficking Victims Assistance Center operates under the Social Services Agency (SSA) of the Ministry of Labor and Social Protection of the Population (MLSP). The Center’s goal is to provide explanations regarding the existing administrative and legal procedures for the protection of the rights and interests of human trafficking victims, offer medical, psychological, and other types of support, as well as assist in the social rehabilitation of victims, their reintegration into society, and their return to a normal lifestyle.

Upon receiving information about children exposed to street life or those who are neglected, homeless, or in a socially dangerous situation (via the electronic system or directly), SSA conducts an initial assessment of the children. Based on the initial evaluation, depending on the child's best interests, decisions are made regarding keeping the child in the family, providing social support to the family, or removing the child from the family and placing them temporarily.

In 2024, the following activities were carried out in the framework of the project "Development of a mechanism for cooperation between relevant agencies in the field of working with children living in street environments" by the SSA and the Regional Development Public Union:

- ✓ Meetings were held with the participation of SSA, the Regional Development Public Union, the Ministry of Internal Affairs, the Ministry of Science and Education, the State Committee for Family, Women, and Children's Issues, Administration of Regional Medical Divisions, local executive authorities, and NGO representatives.
 - ✓ Through continuous monitoring in the streets, initial assessments were made of 100 street children identified.
 - ✓ Detailed assessments were conducted on the families of 86 children, while 14 families either did not allow detailed assessment or did not facilitate the process.
 - ✓ Individual development plans were prepared based on the needs of the families.
 - ✓ During the initial assessment, 5 children found in a neglected condition were placed in the SSA shelter, while 1 child was placed in an orphanage.
 - ✓ Local executive authorities took actions regarding the restriction of parental rights for parents who exposed their children to street life.
 - ✓ Referrals were made to the Ministry of Science and Education for the reintegration of children out of education, and to Administration of Regional Medical Divisions for addressing health issues.
 - ✓ Letters were sent to relevant executive authorities to support obtaining identity documents for 30 children.
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- **Recommendation- ensure that proper risk assessment is conducted before returning children to their parents, taking into account the best interests of the child (paragraph 178);**

Response – According to Article 116-1 of the Family Code, when the Ministry of Labor and Social Protection of the Population determines the possibility of returning a child to their family or relatives as a result of the implementation of an individual development plan, a family development plan is drawn up. After the child is returned to the family, monitoring is conducted at least once every quarter over a period of 1 (one) year to assess the child's situation within the family, as well as their mental, physical, psychological, and psychiatric health.

In accordance with the Code, if the monitoring results after the child is returned to the family reveal a direct threat to the child's health or life, the state body immediately removes the child from the family and makes a decision on the urgent placement of the child without

conducting an initial assessment. After the child is placed, an initial assessment is carried out. The state body may apply to the court within 10 (ten) working days after the child's placement to request the deprivation or limitation of parental rights.

According to Article 116.9 of the Code, during the placement of the child, their views, interests, ethnic origin, affiliation to a particular religion and culture, mother tongue, and the more favorable opportunities for their education and upbringing, as well as the safety of the placement for the child, must be considered.

According to Article 59 of the Code, if a conflict arises between the interests of the parents and the child, the local executive authorities, through the guardianship and trusteeship authority, must appoint a representative to protect the child's rights and interests.

8. Build strategic partnerships with civil society actors with the aim of achieving the purpose of the Convention (Article 35), and:

- **Recommendation- and ensure that NGOs engaged in anti-trafficking action have effective access to registration and adequate funding, including from foreign donors, and are enabled to participate in the prevention of trafficking and victim protection and assistance (paragraph 195).**

Response – The activities of non-governmental organizations (NGOs) in the Republic of Azerbaijan are carried out in accordance with the requirements of the "Law on Non-Governmental Organizations" dated June 13, 2000. According to Article 16 of the Law, NGOs are registered by the Ministry of Justice. The registration of NGOs is carried out electronically. Registration may only be refused in cases specified in the "Law on State Registration of Legal Entities" of the Republic of Azerbaijan dated December 12, 2003. NGOs can reapply after eliminating the reasons for refusal. The legislation recognizes the right of NGOs to appeal to the court in case of refusal.

In accordance with Article 24-1 of the "Law on Non-Governmental Organizations," a donation is financial assistance or other material form provided by a citizen of the Republic of Azerbaijan, a legal entity registered in the Republic of Azerbaijan, or a foreign legal entity's branch or representative office, without imposing any obligation to achieve a particular purpose, as prescribed by the Law.

An NGO, as well as a branch or representative office of a foreign state's NGO, may not directly or indirectly provide material benefits, privileges, or discounts, or make such offers or promises in exchange for donations.

An individual donating to an NGO, or a branch or representative office of a foreign state's NGO, may not demand or accept material benefits, privileges, or discounts, either directly or indirectly, for themselves or third parties, in exchange for the donation, nor may they agree to such offers or promises.

Donated funds are accepted by an NGO or a foreign state's NGO branch or representative office through bank transfers to their bank account.

The NGO, as well as a branch or representative office of a foreign state's NGO, provides information about the amount of donations received and the donors to the relevant executive authority, in accordance with the procedures established by the executive authority. Bank transactions and other operations cannot be carried out for donations for which information has not been provided. This requirement of the Law aims to prevent the legalization of proceeds from crime and financial fraud.

The granting, receiving, and use of grants is regulated by the "Grant Law" of the Republic of Azerbaijan

Recommendation- Enabling the participation of non-governmental organizations in the prevention of human trafficking, as well as in the protection and assistance of victims.

Response – One of the fundamental principles of the national legislation of the Republic of Azerbaijan in the fight against human trafficking is the implementation of this activity in cooperation with non-governmental organizations (NGOs). Within the framework of the memorandum of understanding signed between the Coalition of NGOs specialized in the fight against human trafficking and the Anti-Trafficking Department as a special police authority, NGOs actively participate in preventing human trafficking, protecting victims, and assisting in their rehabilitation and reintegration. The government provides and will continue to provide the necessary support to these organizations in this regard.

In 2022, NGOs identified 32 potential human trafficking victims, 14 in 2023, and 10 in 2024. These individuals were referred to specialized institutions for human trafficking victims, where they received social, legal, and financial assistance and were involved in employment and other programs.

In 2022, NGOs cooperated with government agencies in the social rehabilitation and reintegration of 81 human trafficking victims, in 2023, 61 victims, and in 2024, 69 victims.

B. Recommends that the Azerbaijani authorities take measures to implement the other proposals for action listed in Appendix 1 of GRETA's third evaluation report..

- **Liability of Legal Entities (Organizations)** – Chapter 15-2 of the Criminal Code of the Republic of Azerbaijan defines the criminal legal measures applicable to legal entities (organizations, institutions, companies, etc.) and the procedures for their application. During criminal prosecution related to human trafficking, the involvement of legal entities in such crimes is thoroughly investigated.

- **Principle of Non-Punishment** – Article 17.7 of the Law of the Republic of Azerbaijan on “Combating Human Trafficking” stipulates the exemption from responsibility for civil, administrative, and criminal violations committed by human trafficking victims during the period of exploitation. In 2024 alone, this provision was applied to 5 human trafficking victims, and these individuals were exempted from liability for criminal acts committed during their period of exploitation.

- **International Investigations** – The government of Azerbaijan has signed mutual legal assistance agreements with countries such as the United Arab Emirates, Turkey, the Russian Federation, Uzbekistan, etc., which are destination, source, and transit countries for human trafficking. Based on these agreements, international investigation requests sent by the criminal prosecution authority are executed by the counterparts, and necessary evidence is provided.

- **Anti-Corruption Measures** – Anti-corruption measures are determined by the Law of the Republic of Azerbaijan on “Combating Corruption” dated 2004. In line with the Presidential Decree of 2007, the “National Strategy on Increasing Transparency and Combating Corruption,” the “State Program on Combating Corruption for 2004-2006,” and the National Action Plans on Combating Corruption covering 2007-2011, 2012-2015, and 2022-2026 are implemented, encompassing various sectors, including the fight against human trafficking. The execution of these programs and plans demonstrates the government's firm determination in combating corruption.

- **Special Procedures in Criminal Prosecution Involving Children** – With the Law of the Republic of Azerbaijan dated December 22, 2022, amendments were made to several laws, including the Criminal Procedure Code, establishing special procedures for criminal prosecution involving children (Article 123-2 of the Code). According to the new legislation, children are to be interrogated in a special place, following special procedures, and by trained personnel. Measures such as ensuring the child's safety during the prosecution, preventing contact with the trafficker, holding closed hearings, providing free legal assistance, and other safeguards are stipulated.

In accordance with the Presidential Decree of the Republic of Azerbaijan dated June 2, 2020, No. 2073, the “Strategy for Children in the Republic of Azerbaijan for 2020–2030” was approved. To implement the provisions of paragraph 4.3.22 of this Strategy, as well as to execute the Action Plan for the Implementation of the Children's Strategy for 2020–2025, approved by the Presidential Decree of November 27, 2020, No. 2306, the “Rules for the Organization of Judicial Children's Rooms” were developed. Additionally, the methodological guide prepared by the United Nations Children's Fund (UNICEF) Office in Azerbaijan, regarding the interrogation of children during investigation and judicial processes, was recommended for use by the Chairman of the Supreme Court of the Republic of Azerbaijan in his letter dated June 14, 2022. The application of these rules and the consideration of the methodological guide were advised to be implemented in the appellate, district (city), and specialized courts of Azerbaijan.

- **Determining Budget Allocations** – According to the relevant provisions of the “Law on Combating Human Trafficking” and the National Action Plans in this area, the fight against human trafficking in Azerbaijan is carried out entirely with state budget funds. The fundamentals of the budget system are defined by the “Law on the Budget System” of 2002. The Unified Budget Classification of the Republic of Azerbaijan was approved by the Resolution of the Cabinet of Ministers of the Republic of Azerbaijan, No. 440, dated October 11, 2018. Since it is not possible to organize the budget classification according to the state's areas of activity, the classification was made according to functional, administrative, and program classifications. Each state institution is allocated funds based

on the specific items of the classification at the beginning of the year. Each institution reports on its expenditures in these categories and submits a forecast for the following year. For example, a lump-sum allowance for human trafficking victims is allocated under one category, clothing assistance to victims under another, food expenses under a separate item, construction and repair of special facilities for human trafficking victims under a different item, and utility expenses of these facilities under another category.

- **Employment Quotas** – Although human trafficking victims are not included in the employment quotas, a number of measures have been taken to address their employment issues. The “Law on Employment” envisages the following actions:

o Payment by the state of up to 50% of the employee’s salary for a fixed period (up to 12 months) in social employment positions (encouraging employers).

- ✓ Inclusion in individual employment programs.
- ✓ Participation in paid public works.
- ✓ Involvement in informal employment programs.
- ✓ Participation in temporary employment programs.
- ✓ Inclusion in self-employment programs.
- ✓ Payment of unemployment insurance contributions.
- ✓ Participation in vocational training, with the payment of pensions during this period.

Proposals concerning amendments to the employment quota list in the legislation, the establishment of criminal liability for the use of services provided by victims of human trafficking, the improvement of indicators for the identification of trafficking victims, and the creation of a national rapporteur institution are currently being discussed by state authorities in cooperation with specialized non-governmental organizations.