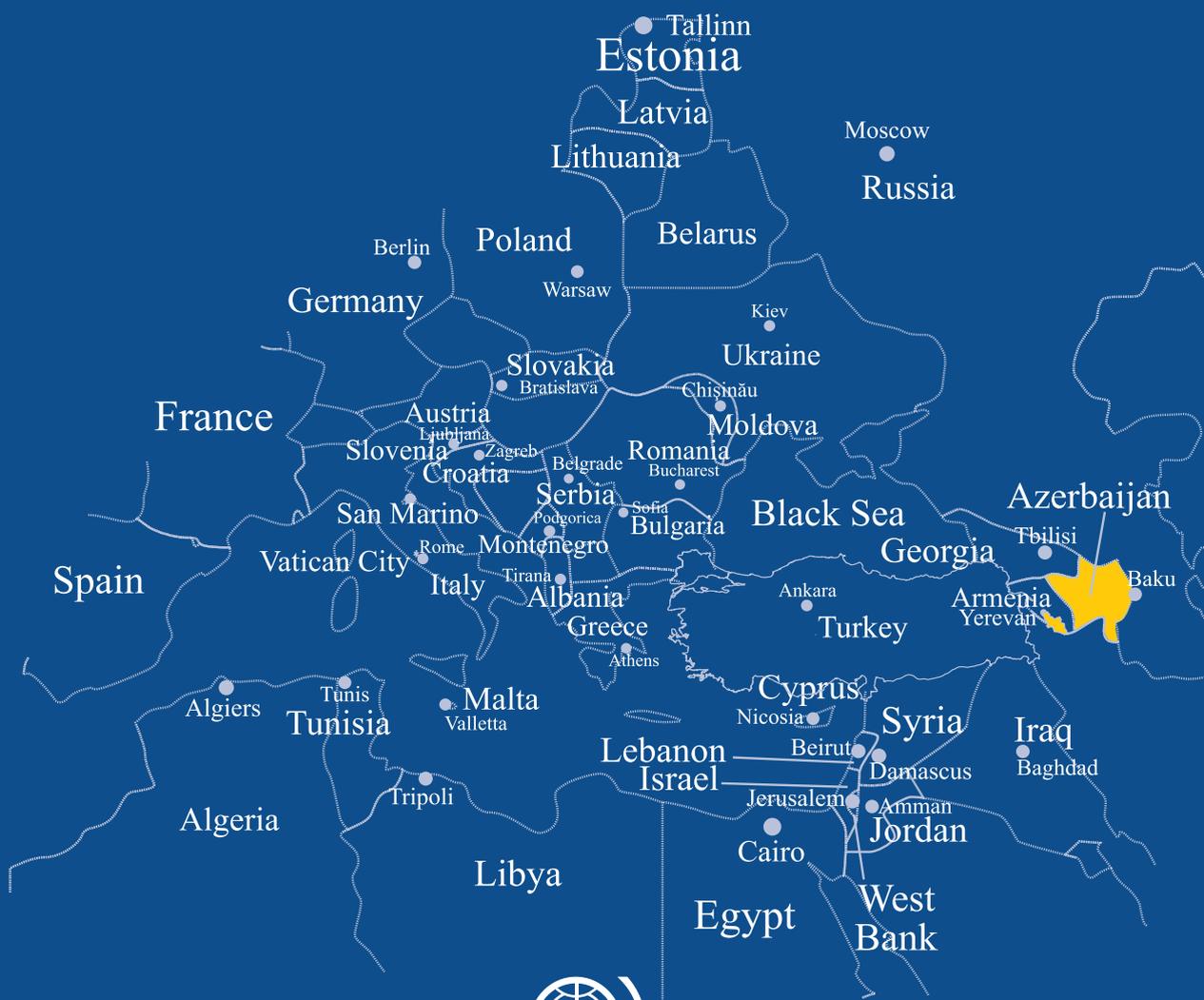


Migration in the Republic of Azerbaijan: A Country Profile 2008



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IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental organization, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and uphold the human dignity and well-being of migrants.

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Migration in the Republic of Azerbaijan: A Country Profile

October 2008



IOM International Organization for Migration

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ACRONYM LIST

BSEC	Organization of the Black Sea Economic Cooperation
CIS	Commonwealth of Independent States
IBM	Integrated Border Management
ICMPD	International Center for Migration Policy Development
IDP	Internally displaced person
ILO	International Labour Organization
IOM	International Organization for Migration
MFA	Ministry of Foreign Affairs
MIA	Ministry of Internal Affairs
NGO	Non-governmental organization
OSCE	Organization for Security and Co-operation in Europe
RCP	Regional Consultative Process
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
WGCC	Working Group on Combating Crime

FOREWORD

International migration is a prominent feature of globalization and one of the defining issues of this century. Increasingly, migration entails economic, social, demographic, cultural, security and environmental effects on both sending and receiving societies. The task of formulating effective and coherent approaches for the management of international migration poses formidable challenges and frequently has led to regional initiatives such as Regional Consultative Processes (RCPs).¹ These initiatives – which address a wide range of migration issues including migration and development, integration of migrants, smuggling of and trafficking in persons, irregular migration and so on – often reflect the different migration agendas of governments even though the challenges they face may be similar in nature.

Within this context and considering its proactive role in various RCPs, the International Organization for Migration (IOM) signed a Memorandum of Understanding with the Organization of the Black Sea Economic Cooperation (BSEC) in 2006. One of the main aims of this agreement is to enhance cooperation in addressing irregular migration and combating trafficking in persons in the Black Sea region, an area that experiences significant migration challenges as a transit, origin, and destination hub for migrants. Consequently, in 2007, IOM launched the “Black Sea Consultative Process on Migration Management”, a joint project with the BSEC’s Working Group on Combating Crime (WGCC) (Particularly its Organized Forms).

The project aimed to contribute to effective migration management in the Black Sea region as well as combating irregular migration through strengthened regional cooperation and capacity building of relevant authorities in all twelve member states of the BSEC.² Specifically, IOM has drafted national **Migration Profiles** for those countries where such documents did not exist, and has reviewed and updated existing Profiles.³

Why country Migration Profiles? A concept and tool promoted by the European Commission, the Profiles are an evidence-based approach to assess the migration situation in a country. IOM has adopted and further developed this

¹ Regional Consultative Processes bring together representatives of states, international organizations and, in some cases, non-governmental organizations (NGOs) for informal and non-binding dialogue and information exchange on migration-related issues of common interest and concern.

² Albania, Armenia, Azerbaijan, Bulgaria, Georgia, Greece, Moldova, Romania, the Russian Federation, Serbia, Turkey and Ukraine.

³ Within the framework of the Slovenian presidency of the European Union (EU), IOM prepared Migration Profiles for the Western Balkan Countries including BSEC members Albania, Serbia and Turkey.

concept and has since implemented it in various regions such as the Balkans, Western and Central Africa, and Latin America. The intention is to contribute towards greater coherence of national migration policies and enhanced regional cooperation. This requires appropriate compilation of internationally comparable data among other features such as national coordination and cooperation among involved authorities and pursuit of an active international cooperation at bilateral, regional and global levels. The Profiles, using a common template, allow for comparability despite data limitations⁴ and different national contexts.

Furthermore, to ensure the legitimacy and recognized value of the Profiles, the BSEC member states and the BSEC WGCC provided substantial feedback on the Profiles. Drafted in IOM's office in Budapest and coordinated with IOM's Research Unit at IOM Headquarters in Geneva and the respective IOM office in each of the BSEC countries – to ensure high-quality – the Profiles also offer a set of policy recommendations for effective migration management in the region. These were thoroughly discussed during an expert meeting of the BSEC's WGCC in Istanbul on 10 September 2008. Subsequently, the recommendations were approved by the BSEC's Council of Ministers of Foreign Affairs that convened in Tirana on 23 October 2008.

This set of Profiles is the result of intensive cooperation between many individuals within IOM and among IOM and other stakeholders. The input of the following people is highly appreciated: Christine Aghazarm and Verónica Escudero, Research Unit in IOM Geneva, as authors of the regional overview and for their extensive review of all the Profiles, Frank Laczko, head of the Research and Publications in IOM Geneva, for his supervision throughout the project, IOM staff in IOM offices in all the BSEC countries, and the dedicated finance and administrative colleagues in IOM Budapest. Special thanks to IOM's 1035 Facility who funded this project. Moreover, particular gratitude is warmly given to the Organization of the Black Sea Economic Organization as the associate organization in this project, especially the Permanent International Secretariat who kindly arranged the meetings related to the implementation of the project. Not least, IOM gratefully acknowledges the support of the BSEC Member States in the production of the Profiles, above all for their input to their specific country profile and the endorsement of the regional migration policy recommendations.

Argentina Szabados, Regional Representative
Alin Chindea, Project Coordinator
International Organization for Migration
Mission with Regional Functions for Central and South-Eastern Europe

⁴ For a discussion on the quality and limitations migration data, see the regional overview.



Azerbaijan – Basic facts

Population (2007)	8,532,700
Total Area	86,600 sq km
GDP per Capita PPP	USD 9,000
Human Development Index (HDI) Rank	98 of 177
Net Migration Rate	-2.25 migrants/1,000 population

Sources: Statistical Yearbook of Azerbaijan. State Statistical Committee, 2007; CIA World Factbook 2007; UN Development Programme Human Development Report, 2006

EXECUTIVE SUMMARY: GENERAL ASSESSMENT OF MIGRATION ISSUES

Since regaining its independence in 1991, Azerbaijan has faced the many challenges associated with contemporary migration. During the early post-independence years, a significant number of Azerbaijanis emigrated to other countries mainly because of the post-Soviet economic decline. This decline continued until 1996 and, along with it, various other socio-economic difficulties inherent in a transition period acted as emigration push factors. In particular, the conflict in and around the Nagorno-Karabakh region of Azerbaijan¹ led to the emergence of approximately one million refugees and internally displaced persons (IDPs). Furthermore, an estimated 300,000 jobs were lost which further triggered the emigration of Azerbaijanis abroad, mainly to the Russian Federation.

At the same time however, Azerbaijan also became host to an increasing number of foreign citizens and stateless persons. Conflicts and instability in the neighbouring regions increased transit through Azerbaijan as forced migrants left their homes in search of security and better livelihoods. Nowadays, the economic revival of the country has created favourable conditions for the reverse of migration flows. In recent years, Azerbaijan has experienced high annual GDP growth, driven by a vibrant oil and gas sector, and it is expected that Azerbaijani expatriates will return to their country. This has already affected the migration cycle as, according to official data, net migration was approximately 1,000 persons positive in 2007.

At present, as a result of rapid socio-economic progress and the realization of important projects in the fields of energy, transport and in other sectors, Azerbaijan is being transformed into an increasingly attractive destination country for labour migrants.

The Government of Azerbaijan has developed its legislation and institutions in order to advance orderly and well regulated migration. The State Migration Management Policy Concept of the Republic of Azerbaijan, adopted in 2004, forms the basis of these actions and it defines the main objectives to be achieved by the government bodies involved.

¹ Official United Nations denomination. It is recalled that this region is disputed between the two countries concerned.

1. IMMIGRANTS

1.1. Number of immigrants

..... 181,818 (2005)²
 As percentage of total population..... -- 2.2 % (2005)³
 Gender ratio.....57.8 % female (2005)⁴

Table 1. Immigration to Azerbaijan in 1995 and in the period 2000 - 2006

Countries of origin	1995	2000	2001	2002	2003	2004	2005	2006
Total	6,222	4,361	2,574	1,257	2,500	2,407	2,013	2,232
CIS countries	6,002	4,250	2,486	1,205	2,459	2,349	1,974	2,207
Russia	2,968	2,710	1,677	782	1,656	1,466	1,158	1,394
Ukraine	367	291	177	86	165	160	104	127
Belarus	51	29	7	9	19	21	10	28
Uzbekistan	336	142	82	42	109	110	80	111
Kazakhstan	341	150	107	44	96	116	78	94
Georgia	942	307	210	135	204	300	379	238
Moldova	6	2	9	4	7	7	2	12
Kirgizstan	38	35	22	9	15	5	12	12
Tajikistan	31	6	8	7	15	5	6	7
Turkmenistan	165	175	151	68	162	138	115	171
<i>Those who have not specified origin country</i>	708	386	27	16	4	6	19	13
Non-CIS	220	111	88	52	41	58	39	25
Germany	-	2	6	-	1	2	-	-
USA	-	5	7	1	-	-	1	1
Israel	6	25	9	4	1	8	5	1
Iran	31	44	30	16	12	22	13	4
Turkey	23	17	19	21	13	22	13	7
Estonia	9	-	1	1	-	-	1	1
Lithuania	5	16	1	1	-	8	5	4
Latvia	35	1	7	1	7	7	5	4
Pakistan	2	1	3	3	5	2	3	-
<i>Other countries</i>	158	17	14	7	9	2	4	3

Source: Statistical Yearbook of Azerbaijan: 2007. State Statistics Committee of the Republic of Azerbaijan.

² Source: United Nations Population Division, 2005: Trends in Total Migrant Stock: The 2005 Revision

³ Ibid.

⁴ Ibid.

Table 2. Net migration in Azerbaijan in 1995 – 2006 (thousand persons)

Years	Total population	Of which	
		Urban population	Rural population
1995	-9,8	-9,5	-0,3
1996	-7,4	-7,2	-0,2
1997	-8,2	-8,1	-0,1
1998	- 5,1	-5,0	-0,1
1999	- 4,3	-3,5	-0,8
2000	- 5,5	-5,0	-0,5
2001	- 4,7	-3,6	-1,1
2002	- 3,1	-2,0	-1,1
2003	- 1,3	-1,6	0,3
2004	- 0,4	- 0,7	0,3
2005	- 0,9	-0,6	-0,3
2006	- 0,4	-1,9	1,5

Source: Statistical Yearbook of Azerbaijan. State Statistical Committee, 2007.

According to the Azerbaijani Ministry of Labour, the net migration was -53,600 persons in 1990, -5,500 in 2000, and 1,000 in 2007.

1.2. Status of immigrants

Labour migrants

In 2005, 20,986 foreigners were issued temporary registration cards by local police divisions. In addition, 980 foreigners were granted permanent residence permits, “most of which were issued to labour migrants with legal ties to Azerbaijan, for example through marriage or real estate ownership.”⁵ Since 2001, the Ministry of Labour and Social Protection of the Population has been issuing individual permits for employment in Azerbaijan. Up until now, 8,485 foreigners have been granted such permits. However, unofficial sources mention that there might be around 60,000 labour migrants in Azerbaijan.⁶ One reason for this discrepancy between official and unofficial indicators might be the inadequacy of the registration system in the country and the slow enforcement of existing laws with regard to irregularly employed migrants.

⁵ Communication from the Embassy of Azerbaijan in Hungary as a response to the draft Migration Profile sent to them for their review. Received: 05 August 2008.

⁶ Aliyev Alovzat, “Migration to and from Azerbaijan”, in Migration Perspectives 2006, p. 29.

Foreign nationals are mainly employed in the oil sector and also in construction, transportation, the service industry, finance and insurance sectors. A large majority of foreign nationals employed in Azerbaijan are from the United Kingdom, Turkey, Georgia (mostly Georgian citizens with Azerbaijani origin) and India.⁷

Refugees/asylum-seekers:

..... 3,004 (2005)⁸
As percentage of total *immigrant* population 1.5 % (2005)⁹

1.3. Main countries of origin of immigrants

Georgia, Turkey, India, Iran, Pakistan, Russia, Turkmenistan, Uzbekistan, Kazakhstan and Ukraine, the United Kingdom.¹⁰

⁷ According to the information sent by Ministry of Labour and Social Protection for this report.

⁸ UNHCR: Statistical Yearbook 2005; Geneva 2006 . The figure refers to “Persons recognized as refugees under the 1951 UN Convention/1967 Protocol, the 1969 OAU Convention, in accordance with the UNHCR Statute, persons granted a complementary form of protection and those granted temporary protection”.

⁹ United Nations Secretariat, Department of Economic and Social Affairs, Population Division, 2005: *Trends in Total Migrant Stock: The 2005 Revision*.

¹⁰ Ministry of Internal Affairs of Azerbaijan, and Ministry of Labour, correspondence with IOM.

2. EMIGRANTS

2.1. Number of emigrants/people in diasporas

..... 1,365,004 (2005)¹¹
As percentage of total population..... -16.2% (2005)¹²

2.2. Status of emigrants

Refugees-126,068 (2006)¹³
Asylum-seekers 3,098 (2006)¹⁴

Table 3. Main countries of destination for Azerbaijani asylum-seekers in 2006¹⁵

Country	Amount
France	1,112
Netherlands	287
Germany	848
Sweden	431

Source: OECD 2006

Labour migrants

Azerbaijan is a leading exporter of labour. Statistics indicate that between 16 to 25 per cent of the total Azerbaijani population have been identified as labour migrants.¹⁶ Even though those who work in foreign countries are very diverse in terms of their profession and specialization, they mainly engage in individual entrepreneurship, trade and the service industry and the majority of them are concentrated in large industrial cities.¹⁷ However, the World Bank puts the emigration rate of tertiary educated at 2.6 per cent only.¹⁸

¹¹ Ibid.

¹² World Bank, Development Prospects Group, 2005: *Migration and Remittances Factbook*.

¹³ UNCHR [2006]: *Statistical Yearbook 2006. Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*. Figures represent end-2006 statistics. Data are provisional and subject to change. Status as at 15 June 2007. The figure refers to "Persons recognized as refugees under the 1951 UN Convention/1967 Protocol, the 1969 OAU Convention, in accordance with the UNHCR Statute, persons granted a complementary form of protection and those granted temporary protection".

¹⁴ Ibid.

¹⁵ International Migration Outlook, 2006, SOPEMI, OECD Publishing.

¹⁶ Aliyev Alovzat, "Migration to and from Azerbaijan", *Migration Perspectives 2006*, p. 27.

¹⁷ Summary of migration flows – report from the Ministry of Labour, submitted for this report.

¹⁸ World Bank, Development Prospects Group, 2007: *Migration and Remittances Factbook*.

The estimate presented by Aliyev (2006) puts the number of Azerbaijani labour emigrants abroad as high as about 2 million, out of 8.4 million Azerbaijani citizens. According to the figure of the Russian State Registry Office the number of Azerbaijani citizens living in Moscow alone in May 2003 was as high as 1.15 million, corresponding to 8.1 per cent of the population of the Russian capital.¹⁹

2.3. Main countries of destination

Russia, Ukraine, Israel, Kazakhstan, Germany, Turkey, the United Arab Emirates, the United States, Georgia, Turkmenistan and Western European countries.²⁰

¹⁹ Presented by Aliyev, citing a 2006 issue of an Azerbaijani daily *Yeni Musavat*, which in turn was citing a radio programme *Ekho Moskvi*, of the Government of Russia, on 1 June 2006).

²⁰ *Ibid.*

3. REMITTANCES

3.1. Quantitative aspects of remittances

Table 4. Amount of incoming migrant remittances to Azerbaijan²¹

Year	Remittances (Million USD)
2003	171
2004	227
2005	693
2006	812
2007 (estimate)	993

Source: World Bank 2007

Remittances as % of GDP (2006): 4%²²

3.2. Qualitative aspects of remittances

According to the figures presented by the World Bank, the amount of remittances has grown from 57 million US \$ in 2000 to reach nearly a billion dollars in 2007²³, indicating that remittances are bound to play an increasing role in the economy of the country. A majority (around 60%) of remittances are sent to rural areas in Azerbaijan.²⁴

Following a study carried out by the Asian Development Bank in 2007, 77 per cent of remittances sent to Azerbaijan are used for basic household expenses, and less than half a per cent for business investment.²⁵ The greatest parts of the 77 per cent are used by households to compensate for low income; moreover, remittance-receiving households have become dependent on these remittance flows.²⁶ Remittances also contribute indirectly to political and economic stability in Azerbaijan.²⁷

²¹ World Bank, Development Prospects Group, 2007.

²² Ibid.

²³ World Bank, Development Prospects Group, 2005: *Migration and Remittances Factbook*.

²⁴ "Sending Money Home – Worldwide Remittance Flows to Developing and Transition Countries", International Fund for Agricultural Development, 2006, available at : <http://www.ifad.org/events/remittances/maps/brochure.pdf>

²⁵ Vagif Rustamov, "A study on International Migrants' Remittances in Central and South Caucasus - Country Report on Remittances of International Migrants and Poverty in Azerbaijan", Asian Development Bank, October 2007.

²⁶ Ibid.

²⁷ Aliyev Alovzat, "Migration to and from Azerbaijan", op.cit, p. 32.

According to a survey carried out by the aforementioned study, a third of the transfers are made through official channels. The high cost and lack of guaranteed confidentiality seem to be the main reasons for avoiding the use of these official channels.²⁸ If this proportion is true, the real amount of remittances arriving to Azerbaijan would be threefold compared with the figure presented by the World Bank.

²⁸ Vagif Rustamov, *op. cit.*

4. MIGRANT COMMUNITIES/DIASPORAS

4.1. Description of relationship between diasporas and country of origin

The Azerbaijani Government attaches importance to maintaining and improving ties with Azerbaijanis abroad. To this end, the State Committee on Work with Azerbaijanis abroad was established in May 2002.²⁹ The Committee provides support to Azerbaijanis and NGO's created by them.

Although organized Diasporas of Azerbaijanis abroad is a post-soviet development and the concept is in the process of development, there are a few, but quite affluent Diaspora communities, mainly in Russia, Turkey, the United States and in some Western European countries.

4.2. Migrant communities/diasporas organizations by country of destination

(Please note the lists below do not purport to be exhaustive or representative. Some contact details may also have been changed but not updated on the Internet.)

Worldwide information
www.diaspora.az

Europe

Azerbaijani-Turkish Cultural Centre of Netherlands
URL: <http://www.turkazned.com/>

Azerbaijani Academic Union of Germany
URL: <http://www.asav.org/>

Azerbaijani Academic Union of Austria
URL: <http://www.avstriya.com/>

Azerbaijani Society of Czech Republic
URL: <http://www.diaspora.cz/>

²⁹ See also <http://www.diaspora.gov.az/>

All-Russian Congress of Azerbaijanis
URL: <http://www.vakmos.org/>

Federal, National and Cultural Autonomy of Azeris of Russia
URL: <http://www.azerros.ru/>

Estonia-Azerbaijan Cultural Centre
URL: <http://www.azeri.ee/>

Society of Latvian Azerbaijanis
URL: <http://www.azeri.lv/>

Azerbaijani Turks Community in Britain
URL: <http://azerbaijan.8m.com/>

“Caspian-Khazri” Azerbaijani School in London, UK
URL: <http://www.caspian-khazri.com/>

North America

Azerbaijan Society of America:
URL: <http://usa.azeris.org/contact/>

Mailing addresses:

ASA East
P.O. Box 69
Lodi, NJ 07644

ASA - South
P.O. Box 3881
Houston, TX 77253

ASA - West
P.O. Box 11943
Newport Beach, CA 92658

Canada-Azerbaijan Partnership Association
URL: <http://www.canadaazerbaijan.org/>
Mailing address:
482 Laurel gate drive
Waterloo ON, N2T 2R9
Tel/Fax: 519 342 2504
Email: canadaazerbaijan@rogers.com

5. IRREGULAR MIGRATION

5.1. Numbers/estimates of irregular movements

Irregular migration to Azerbaijan

Situated in the Southern Caucasus bordering the Caspian Sea, Azerbaijan is used as a transit country for irregular migration from the Middle East and Central Asia towards the North, West and East. In the following table, there are a few indicators for 2004 and 2005, cited in the 2005 International Center for Migration Policy Development (ICMPD) Yearbook, published in 2006. The 2006 Yearbook unfortunately does not cover Azerbaijan.

Table 5. Number of irregular migrants apprehended in Azerbaijan by type of misdemeanour³⁰

Type of misdemeanour	2004	2005
Irregular crossing of the state border (including Azerbaijani citizens), Total	2,904 (Women 19%) (70% while entering)	2,781 (Women 34%) (45% while entering)
By nationality:	Azerbaijan 2,099 Georgia 234 Iran 210 Russia 186 Turkey 29	Azerbaijan 1,073 Georgia 364 Russia 242 Iran 155 Turkey 45
Non-possession of valid travel documents	263	330

Source: Yearbook ICMPD 2005, p. 41 and 45.

The main routes of irregular migration to and through Azerbaijan to Europe originate from Afghanistan, Iran, Iraq, Pakistan, countries of South-East Asia, and go further via the territory of Russia, Georgia and Turkey.³¹ Along with these routes, irregular migrants are also using the route from Iran to Azerbaijan through China to Japan. According to ICMPD every year, hundreds of potential migrants from the Middle East and Central Asian countries (such as Iran, Iraq, Afghanistan and Pakistan) attempt illegal entry to Azerbaijan on the border with Iran.³²

³⁰ US Dept of State, 2007: *Trafficking in Persons Report 2007*.

³¹ "Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe", International Centre for Migration Policy Development (ICMPD), 2005, p. 41.

³² Ibid.

Main intended countries of destination for irregular migrants trying to transit through Azerbaijan:

Bulgaria, France, Sweden, Norway, Switzerland and Germany.³³

5.2. Figures and information on return migration flows

Table 6. IOM's Assisted Voluntary Returns to Azerbaijan in 2005 - 2006

Return from	2005	2006	Total
Austria	28	16	44
Belgium	16	10	26
Finland	4	1	5
Germany	249	216	465
Italy		2	2
Netherlands	45	34	79
Norway	25	7	32
Slovakia	1		1
United Kingdom	9	28	37
Russian Federation	3		3
Total	380	314	694

Source: IOM's provisory statistics on Assisted Voluntary Returns (AVR)

5.3. Figures and information on trafficking in human beings

Azerbaijan is a source and transit country for human trafficking. For the purpose of forced labour, Azerbaijani children and men are trafficked to Russia. Women and children are trafficked to Turkey, the United Arab Emirates, Iran, Pakistan and India for the purpose of sexual exploitation.³⁴ Azerbaijan serves as a transit country for victims of Uzbekistan, Kyrgyzstan and Moldova trafficked to Turkey and the United Arab Emirates for sexual exploitation.³⁵

Data on trafficked victims remains difficult to obtain. According to the ICMPD 2005 Report, 30 victims have been officially identified in 2004 (11 women and 19 minors) and only nine in 2005.³⁶ IOM's global database, which as of January 2008 contained information on 13,000 victims of trafficking that IOM has

³³ ICMPD (2005): Overview of the Migration Systems in the CIS Countries; Chapter on Azerbaijan.

³⁴ US Dept of State, 2007 : *Trafficking in Persons Report 2007*.

³⁵ Ibid.

³⁶ "Yearbook on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe", op. cit, p. 47.

assisted worldwide, had information on 16 Azerbaijani victims assisted between 2004-2007; 12 of whom were trafficked for sexual exploitation, one for sexual exploitation and forced labour and the other three unknown. Turkey was the destination country in all cases.

Table 7. Criminal statistics of trafficking and the number of identified victims of trafficking (VoTs) in Azerbaijan in 2005-2007

	Recorded criminal cases	Resulted investigations	Persons prosecuted	Identified as VoTs
2005	160	N/A	153	231
2006	211	192	207	86
2007(9 months)	233	201	233	85

Source: Report provided for this Country Profile by the Azerbaijani Ministry for Foreign Affairs, January 2008.

According to the information given by the Azerbaijani Ministry of Foreign Affairs (MFA), and presented in Table 7, there was a clear rise between 2005 and 2007 in the number of recorded criminal trafficking cases, as well in the number of resulting investigations and the subsequent number of persons prosecuted; higher in the first nine months of 2007 than in the whole of 2006. However, the number of victims of trafficking identified was much smaller in 2006 and 2007 than in 2005.

It has been found that the main destination countries for trafficking from Azerbaijan were the United Arab Emirates, Pakistan, Iran, India and Turkey.

6. ASSESSMENT AND ANALYSIS OF MIGRATION POLICIES

6.1. Government institutions responsible for migration policy

Main migration related agencies in Azerbaijan:

Ministry of National Security

Ministry of Internal Affairs (MIA)

Ministry of Foreign Affairs (MFA)

State Migration Service

State Border Service

Ministry of Labour and Social Protection of the Population

State Committee on Refugees and Internally Displaced Persons (IDPs)

According to the Decree of the President of Azerbaijan dated 19 March 2007, the State Migration Service was set up with the responsibility to implement Azerbaijan's migration policy, to manage migration processes as well as to coordinate the activities of relevant governmental bodies and with competencies in matters of international cooperation. The State Migration Service considers citizenship applications, decides on the prolongation of temporary residence permits of foreigners and stateless persons in Azerbaijan, issues permits for foreigners and stateless persons to reside temporarily in the country, grants immigrant status as well as carries out refugee status determination.

Earlier and with another Presidential Decree No. 254, dated 29 June 2005, Migration Service was created within the MIA and came into service on 16 May 2006; it is now called the Chief Passport and Registration and Migration Department.³⁷ The Passport and Registration Department is a separate structural unit within the MIA which registers Azerbaijani nationals, foreign citizens and persons without citizenship by their residence, issues identity registration documents including national passports for Azerbaijan citizens, and manages immigration issues within the competence of the Ministry. National passports may also be issued to citizens of the Republic of Azerbaijan at the regional divisions situated in the cities of Nakhchivan, Sheki, Lankaran, and Guba.

³⁷ (http://www.mia.gov.az/passportregistrationoffice_en.html) Most of the information regarding the Migration Services is taken from the Web-site Azerbaijan Ministry for Foreign Affairs.

In the Republic of Azerbaijan, the MFA has mainly the following duties in managing of migration processes.³⁸

- to process the visa applications of foreigners through embassies and consulates of the Republic of Azerbaijan which number about 50 worldwide;
- to provide consular services to Azerbaijani citizens abroad;
- to deal with questions related to the registration of Azerbaijani citizens who live in foreign countries;
- to promote and develop cooperation with international organizations and interested countries in the field of migration.

6.2. International legal framework in place relevant to migration

Selected international instruments:

- Convention on the Status of Refugees (1951) and its complementing Protocol (1967)
- Convention on the Status of Stateless Persons (1954)
- Convention on Elimination of Statelessness (1961)
- UN Convention on Combating Transnational Organized Crime
- UN Protocol “on Prevention, Elimination and Prosecution of Trafficking in Human Beings, especially that of women and children”, complementing the UN Convention on Combating Transnational Organized Crime
- UN Protocol “on Combating Smuggling of Migrants through Land, Sea and Air”, complementing the UN Convention on Combating Transnational Organized Crime
- International Convention on Protection of All Migrant Workers and their Families
- Agreement on Cooperation among the Members of the Commonwealth of Independent States (CIS) in the area of Combating Illegal Migration
- Agreement on Cooperation among the Members of the Commonwealth of Independent States (CIS) in the area of Combating Trafficking of Human Beings and Organs

³⁸ Ibid.

6.3. Migration policies in place

The National Security Concept, a document approved by the President of Azerbaijan in May 2007 indicates that “the rapid socio-economic development of Azerbaijan, the expansion of international energy and transportation communications and the geopolitical position of the country have accelerated the migration processes. This requires adaptation of migration policy and improvement of the management of migration processes to take into account the national interests aimed at development of the country and ensuring its security.”³⁹

Over the last years, the Azerbaijani authorities have pursued an active and comprehensive development of their migration policy through the programme, “The State Migration Program for 2006-2008 of the Republic of Azerbaijan” approved by Presidential Decree No. 1575, dated 25 July 2006. The State Program was preceded by the State Migration Management Policy Concept, which the Cabinet of Ministers of Azerbaijan had approved by Decision no. 94 on the 13th of July 2004, following inter-ministerial consultations and the compilation work of the Unified Migration Management Commission, in cooperation with the IOM.

The State Migration Programme for 2006 – 2008 foresees the following main direction for action:

- Improvement of management mechanisms in the field of migration;
- improvement of national legislation to meet international norms and standards;
- increased efficiency of state regulation in the field of migration;
- coordination of the activities of relevant state bodies in the field of migration;
- introduction of quotas in the field of labour migration;
- ensuring national security and promoting sustainable socio-economic and demographic development;
- making effective use of the workforce and promoting even distribution of the population throughout the country;
- benefiting from the intellectual and labour potential of migrants;
- eliminating the negative consequences of unregulated migration and preventing illegal migration and human trafficking;
- implementation of complex measures to prevent illegal migration;
- cooperation with migration services of foreign countries and international organizations.

³⁹ NATIONAL SECURITY CONCEPT OF THE REPUBLIC OF AZERBAIJAN; Approved by Instruction no. 2198 of the President of the Republic of Azerbaijan on 23 May 2007.

Relevant legislation that regulates migration processes:

- Law of the Republic of Azerbaijan on entry, exit and passports (14 June 1994 N 813).
- Law of the Republic of Azerbaijan on the state border of the Republic of Azerbaijan.
- Law of the Republic of Azerbaijan on the identity card of citizens of the Republic of Azerbaijan (14 June 1994 N 817).
- Law of the Republic of Azerbaijan on the legal status of foreigners and stateless persons. (March 13, 1996 N 41-IQ).
- Law of the Republic of Azerbaijan on registration based on residence and actual address (4 April 1996 N 55-IQ).
- Law of the Republic of Azerbaijan on the citizenship of the Republic of Azerbaijan (September 30, 1998 527 -IQ).
- Law of the Republic of Azerbaijan on Immigration (Baku, 22 December 1998 N 592-IQ).
- Law of the Republic of Azerbaijan on labour migration.

Immigrant status in the Republic of Azerbaijan is determined by the Constitution of the Republic of Azerbaijan, international conventions that Azerbaijan is a party to, the laws of the Republic of Azerbaijan “on Legal Status of Foreigners and Stateless Persons” and “Immigration,” as well as other legislative acts. Foreigners and stateless persons may enter Azerbaijan for the purpose of permanent or temporary residence only after obtaining immigrant status as determined by the Law of the Republic of Azerbaijan on Immigration and through the observance of relevant immigration quotas. Immigrants have the right to benefit from the rights and freedoms reserved for foreigners and stateless persons according to national legislation and also to uphold certain responsibilities. Immigrants receive a document certifying his/her status.⁴⁰

6.4. Labour migration issues

Brief economic background

Some economic experts divide the post-Soviet economic developments of Azerbaijan in three stages.⁴¹ Like other Eastern European states, from independence in 1991 until 1995, Azerbaijan suffered economic decline resulting in the

⁴⁰ From a note of the Azerbaijan MFA.

⁴¹ This description follows the one presented by Namig Tagiev iev and Elvin Afandi in *Caucasus & Central Asia Review*, Vol.1, No.2 July 2007; UNDP, ICEG EC, EPIN (Economic Policy Institutes Network).

collapse of the Comecon market. The conflict with Armenia in and around the Nagorno-Karabakh region of Azerbaijan also contributed to the economic instability of the country.

The GDP of Azerbaijan declined starting in 1991 reaching the lowest point in 1995. 1996 was the first year with a rising GDP. The period from 1996 to 2005 was characterized by economic reforms and stabilization, much of which with the support of international financial institutions such as the International Monetary Fund (IMF), resulted in a balanced national budget, improved production and increased integration with international economic markets.⁴²

It took however until 2005 for Azerbaijan's GDP to reach, in real terms, the level of 1990. Tagiyev and Afandi consider 2005 the first year of the third stage of Azerbaijan's economic development. Oil exports and the rising price of petroleum significantly increased the GDP in 2005 and 2006; 26.4 per cent and 34.5 per cent respectively (47.5% and 58.3% in nominal terms) according to the figures of the National Bank of Azerbaijan, cited by Tagiyev and Afandi. According to them and the data from the Azerbaijan Statistics Committee, the private/public sector ratio in the produced GDP evolved from 30/70 percent in 1995 to 80/20 in 2006.⁴³

The recent transformation of the economy and increasing oil revenues has brought additional challenges to develop other sectors such as manufacturing and services, which in turn has presented new requirements in the national education system, especially at the secondary and higher education levels.

Based on the assessment of the labour market, the number of economically active population in the country, grew in the period from 1995 to 2007 by 651,800 persons (18%). Currently, the economically active population in Azerbaijan amounts to 4,293,100 persons, of which 4,007,700 (93.3%) are employed.⁴⁴ Reflecting developments such as economic growth and mass emigration, unemployment has gradually dropped from 17.2 per cent in 1995 to 6.6 per cent in 2007.⁴⁵

Labour migration

Reports on migration in CIS countries present Azerbaijan as a major sending country of labour migrants, mainly to the Russian Federation, with the total

⁴² Tagiyev and Afandi: Ibid.

⁴³ Ibid

⁴⁴ Report provided by the Ministry of Labour for this Country Profile.

⁴⁵ Ibid.

number of Azerbaijanis in Russia surpassing one million, and the total number of expatriate Azerbaijanis exceeding 2 million. The table below shows, however, a declining trend in Azerbaijani migration to Russia over the last years.

Table 8. Migration between Azerbaijan and the Russian Federation (RF) 1997 – 2006⁴⁶

	1997	2000	2001	2002	2003	2004	2005	2006
From Azerbaijan to RF	29,878	14,906	5,587	5,635	4,277	2,584	4,600	8,900
From RF to Azerbaijan	4,302	3,187	2,170	1,704	1,771	1,336	1,274	1,366

Source: Goskomstat, Moscow

The question arises, if the Russian official figures of migration from Russia to Azerbaijan fully reflect actual “return migration” to Azerbaijan, following the strong economic growth over the last few years. It is also possible that given the very recent start of the strong economic upswing in Azerbaijan, such return has not yet begun. In addition, the large Azerbaijani community in Russia may be well rooted and integrated so that people do not return so easily.

According to Aliyev (2006) the Azerbaijan authorities have only recently started registering the number of labour migrants coming to Azerbaijan, stating that the numbers are increasing each year. A cumulative number of 20,986 labour migrants with temporary registration cards issued by 2005 is given, with an additional 980 foreign migrants granted permanent residence permits, most of them to “labour migrants with legal ties to Azerbaijan”, through marriage or real estate ownership. Furthermore, Aliyev also presents an unofficial figure of about 60,000 labour migrants in Azerbaijan⁴⁷, explaining the difference between registered and undocumented (estimate) to be due to the inadequacy of the registration system in the country and “to the non-enforcement of existing laws”.

Recent figures from the MIA in Baku point to a clearly rising labour migration trend toward Azerbaijan: during 2007 alone 48,403 foreign citizens “wishing to stay in the country for over 30 days”, were provided with temporary registration cards. By 30 June 2008, 5,740 foreigners and stateless persons were registered to reside in the country permanently, 3,786 of them were foreign citizens and 1,954 stateless persons. Turkey, Iran, Pakistan, the Russian Federation, Turkmenistan, Uzbekistan, Ukraine and Kazakhstan are the main source countries.⁴⁸

⁴⁶ http://www.gks.ru/free_doc/2007/b07_12/05-09.htm.

⁴⁷ Aliyev Alovzat, “Migration to and from Azerbaijan”, Migration Perspectives 2006.

⁴⁸ Information provided by the Azerbaijani MIA in January 2008 for this Country Profile.

As reported in section 6.3, one of the key priorities of the State Migration Programme for 2006-2008 is the introduction of quotas for labour migration, besides the general goal of improving the efficiency of state regulation in the field of migration.

Policies to develop the labour market

According to information received from the Azerbaijan Ministry of Labour and Social Protection,⁴⁹ the national priorities for developing the labour market include:

- economic encouragement of entrepreneurship, small and medium business development;
- establishment of jobs that conform to modern requirements in terms of work conditions and adequate pay and also increasing efficiency of current employers;
- development of the labour market through regulating domestic and foreign migration processes;
- development of a management system in the area of labour migration;
- step by step increase of the minimum wage dependant upon the development of the economy in order to provide better living standards for workers.

6.5. Policies to address irregular migration

Situated at the crossroads of many international routes of irregular migration, both land routes (see section 5.1) and through the Baku airport, work against irregular migration is one of the priority sectors of the State Migration Programme mentioned above in Section 6.3. According to the Azerbaijan MFA, the use of new technologies such as biometrics is being promoted. A task force with representatives of the relevant governmental bodies is active on biometrics and “the State Programme on Biometric Identification in the Republic of Azerbaijan”, drafted on the basis of proposals prepared by the aforementioned task force, has been endorsed by Presidential Decree No. 1963, dated 13 February 2007.

6.6. Policies to address trafficking in human beings

The Government of Azerbaijan works actively against trafficking. In 2004, the National Action Plan to Combat Trafficking in Human Beings was approved, and in 2005, the Law on the Fight against Trafficking in Human Beings was

⁴⁹ Information provided by the Azerbaijani Ministry of Labour and Social Protection in January 2008 for this Country Profile

adopted.⁵⁰ Efforts have been made to increase investigations, victim identification training and prosecutions (see figures presented above in Table 7).

In October 2006, the government opened and fully funded a shelter for trafficked victims, providing victims with short-term care and access to legal, medical and psychological services. However, according to the 2007 US TIP Report, the effectiveness of such a shelter is reduced by the lack of a “formal nationwide victim identification mechanism.”⁵¹ A nationwide toll-free hotline for victims of trafficking has been opened within the Department for Combating Trafficking in Human Beings of the MIA.

Recognized victims may apply for temporary residency permits for up to one year and are allowed to apply for permanent residency status. Also, victims can stay in the country if they cooperate with law enforcement.

In terms of prevention, however, little has been done so far. A campaign which distributed pamphlets was carried out in 2006, and the government has supported anti-trafficking campaigns by domestic NGOs in certain schools.⁵²

According to a report from the MFA, the following policy measures and documents have been issued by the Azerbaijan Government in the last years:

- “National Action Plan on Combating Trafficking of Human Beings” was adopted on May 6, 2004 by a Presidential Decree;
- A special unit under the MIA - Department for Combating Trafficking in Human Beings – has been established in 2004 to combat Trafficking of Human Beings;⁵³
- Law of the Republic of Azerbaijan on Combating Trafficking in Human Beings has been adopted (June 28, 2005) and a Presidential Decree has been signed by the President on Implementation of this Law (August 04, 2005);
- Decision of the Cabinet of Ministers of the Republic of Azerbaijan “on Rules of establishment, financing, functioning and monitoring of activities of Special Care Facilities for Victims of Trafficking.” (November 11, 2005);
- Decision of the Cabinet of Ministers “on Establishment of an Assistance Fund for Victims of Trafficking.” (January 12, 2006);
- “Statute of the Temporary Shelter for Victims of Trafficking” was approved by the Ministry of Interior. (February 17, 2006);

⁵⁰ US Dept of State [2007]: *Trafficking in Persons Report 2007*.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Source: http://www.mia.gov.az/ht_department_en.html.

- Decision of the Cabinet of Ministers “on Approving rules of carrying out social rehabilitation measures for Victims of Trafficking.” (March 06, 2006);
- Hotline for VoTs has been established;
- Special Care Facility was established in October 2006 which provides free of charge medical, psychological, legal and other assistance to VoTs.

6.7. Refugees, asylum seekers and internally displaced persons in the country and relevant policies in place

The Nagorno Karabakh conflict led to the displacement and/or forced migration of nearly one million and a half people, according to estimates of the Government of Azerbaijan.⁵⁴ At the same time, approximately 50,000 Meshketian Turks fled Uzbekistan and were granted asylum in Azerbaijan. The flow of ethnic Azerbaijanis from Georgia increased as well. As a result of these flows, 947,586 refugees or IDPs were residing in Azerbaijan at the end of the armed conflict in 1994.

While an estimated 300,000 ethnic Azerbaijanis left Georgia in the past 10 years, the census carried out in Georgia in the early years of 2000 recorded the presence of nearly 285,000 ethnic Azerbaijanis in the country. A law enacted by Azerbaijan in 1998 granted the Azerbaijanis that fled Georgia Azerbaijani citizenship, but those who had arrived earlier were, according to Aliyev, still living in Azerbaijan without proper documentation in 2006.⁵⁵

A total of 2,618 refugees and 686,586 IDPs were registered in the statistics of the United Nations High Commissioner for Refugees (UNHCR) by the end of 2006.⁵⁶

⁵⁴ ICMPD (2005).

⁵⁵ Aliyev Alovzat, “Migration to and from Azerbaijan”, Migration Perspectives 2006.

⁵⁶ ICMPD (2005).

Table 9. Figures on forced migration in Azerbaijan at the end of 2006

Refugees	2,618
Of whom assisted by UNHCR	2,618
Asylum seekers (pending cases)	88
Returned Refugees	1
IDPs protected/assisted by UNHCR	686,586
Returned IDPs	-
Stateless Persons	2,300
Various	395
Total population of concern	691,988

Source: UNHCR Statistical Yearbook 2006

According to the information given by the MFA in February 2008, 708 persons applied for refugee status from the Refugee Status Determination Department (part of the State Migration Service) in 2007. In 2007, 62 asylum applications were approved, with refugee status granted to 90 persons, and 570 applicants were denied refugee status.⁵⁷

Therefore, according the information from the MFA information as of February 2008, there were 989, 586 refugees, IDPs and asylum seekers in Azerbaijan – 250,000 Azerbaijanis deported from the Republic of Armenia, 50,000 Meskhetian Turks deported from Central Asia during the conflict with Armenia, up to 700,000 IDPs, and close to 3,000 asylum seekers from other countries.⁵⁸

In addition, some 8,000 ethnic Chechens with Russian citizenship, 7,500 citizens of Afghanistan and 3,000 Iranians were, according to Aliyev, seeking refuge in Azerbaijan. Additional and smaller such groups were said to be from Iraq, Turkey, Pakistan, Sudan and Kyrgyzstan.⁵⁹

According to recent estimates compiled by one of the leading global agency with IDP issues, the Geneva-based International Displacement Monitoring Centre (IDMC) the current number of IDPs in Azerbaijan could be somewhere between 579,000 (UNHCR's estimate in 2006) and 687,000 which was the estimate of the Government of Azerbaijan in March 2007.⁶⁰

⁵⁷ Information provided by the Azerbaijani Ministry for Foreign Affairs in February 2008 for this Country Profile.

⁵⁸ Ibid.

⁵⁹ Aliyev Alovzat, "Migration to and from Azerbaijan", Migration Perspectives 2006.

⁶⁰ See the Statistics section on IDMC's Website www.internal-displacement.org.

6.8. Other important migration actors within the country

International organizations:

1. International Organization for Migration, Baku Office

www.iom.az

Active programmes

Resettlement Assistance:

United States Refugee Programme (USRP) and Canadian Warrants Programme (funded by the US and Canadian governments respectively)
Movement Assistance to European Countries and New Zealand.

Emergency and Post-emergency Operations Assistance:

Food Assistance Programme for the IDPs in Western Regions of Azerbaijan (funded by the United Nations World Food Programme (UNWFP)).

Migration and Economic/Community Development:

Community Owned Sustainable Water Use and Agriculture Initiatives (COSWA) Project (funded by Swiss Development and Cooperation Agency).

Technical Cooperation on Migration Management and Capacity Building:

Integrated Border Management (IBM) Project (funded by EC);
Establishment of IBM Model at the Southern Borders of Azerbaijan.

Return Assistance to Migrants and Governments:

Assisted Voluntary Return and Reintegration (funded by IOM and other sources);

Regulating Migration/Counter Trafficking:

Return and Reception Assistance for Victims of Trafficking (funding by various sources).

Labour Migration:

Informed Migration: An Integrated Approach to Promoting Legal Migration through National Capacity Building and Inter-regional Dialogue between the South Caucasus and the European Union (AENEAS) Project (funding by EC).

2. OSCE Office in Baku (<http://www.osce.org/baku/>)

Project on antitrafficking and forced labour (jointly implemented with the International Labour Organization (ILO); funded by EC).

3. ILO office in Baku (no website)

Project on antitrafficking and forced labour (jointly implemented with OSCE; funded by EC).

Selected Local NGOs:

BAKU

Clean World

Ms Mehriban Zeynalova, Chairperson

Tel/Fax: 497 10 58

Address: Icheri Sheher, Asef Zeynalli str. 14/33, apt. 8

e-mail: meri@azintex.com

Symmetry (Azerbaijan Gender Association)

Ms Kamilla Dadasheva, Director

Tel: 493 40 56; 771 99 23; 621 08 84

Address: Bul-bul avenue 29, apt.54

e-mail: gidunit@un.azeri.com

kdsgender@yahoo.com

Women's Crisis Centre

Ms Leila Yunus, Founder

Matanat Azizova, President

Address: Shamsi Badalbayli str. 38-2

Tel: 493 14 58; 494 33 76; 332 41 78

Hayat

Mr. Azer Allahveranov, MRC Coordinator

Tel: 497 30 52/53;

Fax: 497 30 51

Address: Gulu Guliyev str.8, apt.40a

e-mail: mrc@hayat.baku.az

Centre for Legal Assistance to Migrants
Mr. Muzaffar Bakhishov, Chairperson
Tel/Fax: 498 09 72; 498 91 74
Address: Natavan str.1
e-mail: clam_az@yahoo.com

Union of Children of Azerbaijan
Ms. Kamala Agayeva, Director
Tel: 426 88 65
Fax: 447 42 87
Address: Ahmadbek Agayeva str.25, apt.22
e-mail: kagayeva@yahoo.com

Umud Yeri (Place of Hope) Charitable Society
Tel: 494 12 41; 494 40 33; 494 45 62

Psychological Centre
Ms. Svetlana Mejidova, Chairperson
Address: Hamida Sultanova str. 1, apt. 20
Tel: 438 88 95

Women Leaders
Ms. Malahat Hassanova, Chairperson
Tel: 321 14 58; (055) 794 59 91

Azerbaijan Psychologist Association
Tel: 461 94 00; 210 22 85

Society for the Defence of Women's Rights named after D. Aliyeva
Ms. Novella Jafarova, Chairperson
Tel/Fax: 497 21 08
Address: 2nd Mirza Mansurov str., apt.4-6
e-mail: n_jafarova@azeri.com

Women Consulting and Prophylactics Centre
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Lenkaran

Southern Resource Centre on Human Rights

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Gazakh

Western Resource Centre on NGOs and Human Rights

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Tel: (994 279) 5 04 32

Mobile: (994 50) 320 85 57

Nakhchivan

Resource Centre on Democracy and Developing of NGOs

Ms. Malahat Nasibova, Director

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