

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



CP(2016)13

**Report submitted by the authorities of Azerbaijan
on measures taken to comply with
Committee of the Parties Recommendation
CP(2014)10 on the implementation
of the Council of Europe Convention
on Action against Trafficking in Human Beings**

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TO

MS. PETYA NESTOROVA

**EXECUTIVE SECRETARY
SECRETARIAT OF THE COUNCIL OF
EUROPE CONVENTION ON ACTION
AGAINST TRAFFICKING IN HUMAN
BEINGS (GRETA AND COMMITTEE
OF THE PARTIES)**

Dear Ms. Nestorova,

I would like to thank you and all the GRETA members for your cooperation and showing best assistance on combating Trafficking in Human Beings.

Competent authorities of the Republic of Azerbaijan reviewed Recommendations CP(2014)10 made by GRETA on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Azerbaijan.

Hereby you can find attached country response to 30 recommendations made by GRETA regarding Azerbaijan. We welcome cooperation opportunity that we have in progress and looking forward for better developed cooperation in future.

Yours sincerely,

**First Deputy Minister,
National Coordinator on combating
Trafficking in Human Beings**


Vilayat Eyvazov

Country Response to the Recommendations CP(2014)10 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Azerbaijan

Definition of “trafficking in human beings”

1. GRETA considers that the Azerbaijani authorities should continue to inform all law enforcement officials, prosecutors and judges about the fact that internal trafficking is covered by article 144-1 of the Criminal Code.

All law enforcement bodies of the Republic of Azerbaijan as well as their employees have been officially informed that human trafficking could also occur throughout the country as mentioned in the disposition of Article 144-1 of the Criminal Code of the Republic of Azerbaijan.

Legislation acts covering field of combating human trafficking for 2014-2015 years has been improved by following amendments and addendums:

- “Programme on social rehabilitation and reintegration of children who are victims of human trafficking” approved by the Decision No. 37 dated by 06.02.2014 of the Cabinet of Ministers of the Republic of Azerbaijan;
- Amendments (Decision No. 133 dated by 05.05.2014 of the Cabinet of Ministers of the Republic of Azerbaijan) to the "Rules on the repatriation of victims of Trafficking in Human Beings" approved by Decision No. 25 dated by 10.09.2013 of the Cabinet of Ministers of the Republic of Azerbaijan;
- Amendments to the Law of the Republic of Azerbaijan on “Combatting Trafficking in Human Beings” (dated by 17.10.2014 No.1066-IVQD);
- Amendment (Decision No. 245 dated by 25.06.2015 of the Cabinet of Ministers of the Republic of Azerbaijan) to the " Implementation rules on social rehabilitation of victims of human trafficking " approved by the Decision No. 62 dated by 06.03.2016 of the Cabinet of Ministers of the Republic of Azerbaijan;
- Amendment (Decision No. 246 dated by 25.06.2015 of the Cabinet of Ministers of the Republic of Azerbaijan) to the “Rules of National Referral Mechanism on victims of trafficking in human beings” approved by the Decision No. 123 dated by 11.08.2009 of the Cabinet of Ministers of the Republic of Azerbaijan;
- Amendment (Decision No. 243 dated by 25.06.2015 of the Cabinet of Ministers of the Republic of Azerbaijan) to the “Regulations on Relief Fund for victims of human trafficking” approved by the Decision No. 8 dated by 12.01.2006 of the Cabinet of Ministers of the Republic of Azerbaijan;

- Amendment (Decision No. 244 dated by 25.06.2015 of the Cabinet of Ministers of the Republic of Azerbaijan) to the “Rules for establishment, financing, activities as well as control over their activities of Special Institutions for victims of human trafficking” approved by the Decision No. 203 dated by 09.11.2005 of the Cabinet of Ministers of the Republic of Azerbaijan;
- Amendment (Decision No. 330 dated by 14.10.2015 of the Cabinet of Ministers of the Republic of Azerbaijan) to the “Program for the elimination of social problems that lead to human trafficking” approved by the Decision No. 81 dated by 20.05.2011 of the Cabinet of Ministers of the Republic of Azerbaijan.

Comprehensive approach and co-ordination

2. GRETA considers that the Azerbaijani authorities should acknowledge the phenomenon of THB for labour exploitation and adapt their policy and practical measures to the new situation in Azerbaijan.

Forced Labor is a heavy crime according to the Article 144-2 of the Criminal Code of the Republic of Azerbaijan. Criminal cases have been instituted accordingly four in 2014, seven in 2015 and three till this period of 2016. Three accused persons on criminal cases of last years sentenced to two to four years, and five of them to seven to nine years of imprisonment. Thus it seems that unmasking of forced labor crimes and punishments of accused persons have been continued.

3. GRETA urges the Azerbaijani authorities to take further steps to ensure that the national action to combat THB is comprehensive, and in particular to:

- **Increase co-ordination of the activities of public bodies and civil society involved in the implementation of anti-trafficking measures, both at the national and at regional level;**
- **Further involve NGOs, trade unions and other members of civil society in the development and implementation of anti-trafficking policy, including evaluation of antitrafficking efforts;**
- **Reinforce the interagency and multi-disciplinary approach in designing and implementing prevention and assistance measures by involving more stakeholders with a social rather than a law-enforcement background;**
- **Strengthen action to prevent and combat THB for the purpose of labour exploitation, in particular in sectors at risk such as construction, agriculture and domestic work.**

National Action Plan (NAP) for the years 2014-2018 on Combating trafficking in human beings in Azerbaijan approved by the order of the president of Azerbaijan Republic dated by 24.07.2014, No. 667. But for that there are 14 central executive bodies as a members of Working group at the National Coordinator, 60 measures regarding legislation, prevention, prosecution, rehabilitation of victims, assistance to children who were victims or potential victims of human trafficking and protection of victims, coordination of activities of NAP stakeholders, development of cooperation, awareness campaigns considered in the above mentioned NAP have been implementing by the 27 different state bodies. At the same time it is considered to involve members of specialized civil societies as well as international organizations by intergovernmental or multilateral approach. Also all recommendations as well as proposals have been taken into consideration which made by GRETA Group of Experts on Action against Trafficking in Human Beings and mentioned in OSCE Action Plan.

It must be mentioned that 14 stakeholders of NAP are not law-enforcement bodies, vice versa socially oriented state institutions.

According to the NAP, activity of stakeholders, coordination of support and resources on combating human trafficking have been implemented by following ways:

- Finding out requirements while implementing NAP and to provide relevant measures;
- Strengthening cooperation with donor organizations for implementing NAP;
- Coordination of support;
- Joint use of resources from State, NGO, International Organizations and other partners.

Activity Plan has been approved by the Order No. 0642-001-14 dated by 04.08.2014 of the Ministry of Internal Affairs of the Republic of Azerbaijan in order to provide implementation of NAP by police in more effective way in the framework of mutual cooperation and coordination.

According to the article 10 of the Law on “Combating trafficking in human beings”, cooperation with non-governmental organizations on preventing trafficking in human beings, the State agencies cooperate with non-governmental organizations on preventing trafficking in human beings. Non-governmental organizations working on trafficking in human beings issues involved in activities related to educating potential victims of trafficking in human beings, creating specialized units for the victims of trafficking in human beings, legal assistance and social rehabilitation of the victims of trafficking in human beings. With this purpose Memorandum of Understanding (signed on 27.07.2013 between Ministry of Internal Affairs and NGO Coalition on combating trafficking in human beings covering 2013-2018 years) is of particular importance.

State Migration Service (SMS) of the Republic of Azerbaijan signed Joint Activity Plans separately with State Border Service and Ministry of Internal Affairs in 2008 with a

view of prevention of violation of legislation in the field of migration in the Republic of Azerbaijan. Implementation of measures in this direction is provided on a regular basis. According to the Decision No. 244 dated by 25.06.2015 of the Cabinet of Ministers of the Republic of Azerbaijan, Special institutions (as shelter, assistance center) for victims of human trafficking has a special authority to involve part time specialists on the contract base in order to provide social rehabilitation measures for them. Ministry of Internal Affairs signed contract with advocate, member of Bar Association with a view of implementation of issues arising from above mentioned decision. Thus it has been provided professional legal assistance during prosecution period of identified victims of human trafficking.

25 members of different NGOs have been awarded with money for active work shown in anti-trafficking activity. From them 10 during 2014 (MIA Order dated by 15.01.2015) and 15 during 2015.

According to the article 13.2.5 of National Action Plan, the State Migration Service, The Ministry of Labor and Social Protection of Population, The Ministry of Internal Affairs, other related state authorities take joint measures for prevention of illegal migration, forced labor and human trafficking, to strengthen activities on identification of its victims and potential victims and implementation of monitoring by the participation of the related state authorities in respect thereof, identification of the cases enabling human trafficking and prevention of such cases. Especially it has to be mentioned that Joint Activity Plan covering 2013-2018 years signed between State Migration Service, The Ministry of Labor and Social Protection of Population, The Ministry of Internal Affairs on "Combatting human trafficking and forced labor, as well as prevention and elimination of such kind of crimes".

Ministry of Internal Affairs continued relevant measures in this direction with a purpose of identification and prevention of forced labor in the field of industry and agriculture. Ministry of Internal Affairs together with State Labor Inspectorate at the Ministry of Labor and Social Protection of Population carried out Initial investigations of possible forced labor in stone quarries located in Garadagh, Sabunchu, Khazar districts of Baku city, as well as in plastic products enterprises and construction sites, also conducted operative-preventive measures in hothouses located in Absheron and Shamkir regions of Azerbaijan.

364 foreigners in 2014 and 272 foreigners in 2015 have been fined for illegal residence, thus without necessary documentation for staying or living permit in the area of Azerbaijan.

The powers of labor inspectors may be revised because in many cases labor inspectors are not able to provide inspections of employees such as domestic workers and etc. and check their working conditions in close areas. In order to remove such kind of obstacles, it is necessary to make amendments to the relevant legislation.

Within the year of 2015, together with municipal bodies of urban and rural areas The State Committee for Family, Women and Children Affairs have held monitorings on children labour in family farm and public-catering areas. In general, as a result of events taken place in 13 cities and regions, 35 children under the age of 15 at the markets, 38 children in autorepair services, 9 children in restaurants and cafes, 10 children in trading centers and 2 children in agricultural areas were discovered to be engaged in labour activities. All of the children were completely or partially evaded from education. It was discovered that parents of the children knew about it. Detailed information was collected on the children's social conditions and education and engaging children under the age of 15 into labour was immediately eliminated, and it was suggested that involving children over the age of 15 into labour should be conducted upon legitimacy by appropriate bodies. Also, together with proper municipal bodies, several measures were taken on bringing these children back to education.

During 2015 State Migration Service provided inspections in different entrepreneurship subjects where work lots of labor workers, also checked their statuses and working permits in order to provide State supervision to the regulation of labor migration and use of foreign worker's labor. As a result there were some cases while employers involved foreigners or stateless workers to labor without any working permit and thus they were involved to the appropriate responsibility in accordance with relevant legislation and necessary decisions were made regarding them.

During 2015 in total 157 company inspections (85 juridical, 50 individual and 22 representations) had been provided. Although 135 violations determined during these inspections, it hasn't been identified any foreigners or stateless persons.

During 2015 State Migration Service had determined 1168 violations (prescribed in our legislation) made by foreigners or stateless persons while applying for a job in Azerbaijan. In total 24550 foreigners or stateless persons violated or disobeyed either staying permit or living with expired or invalid documents. Thus 1900 of them were legalized for living in Azerbaijan and 4623 foreigners were deported in administrative way from our country. At the same time 18027 foreigners (who identified as living illegally in the country) have been provided for leaving the Republic of Azerbaijan on voluntary basis.

There were 51 foreigners who are declined to get "Refugee" status by the State Migration Service (SMS) during 2015. Officers of SMS attended at various seminars and trainings with a view of best practice in migration sphere all over the world.

There have been organized various trainings and specialized courses in order to improve professional skills of police officers allocated with service relating to children and to develop these officers' skills to modern day working methods. More than 250 police officers attended at events where experts representing UN and other international organizations participated. There were 34 facts of involving children into criminal activity, 12 facts of kidnapping of children (11 of them with a purpose of marriage)

recorded in 2015. There haven't been any criminal fact records regarding child forced labor.

According to the article 13.2.9 of the National Action Plan for the years 2014-2018 on Combating trafficking in human beings in Azerbaijan Republic, the Ministry of Internal Affairs, the Ministry of Communication and High Technologies and the State Security Service are responsible for providing study the essence of the suspected suggestions that might be connected with human trafficking and taking relevant measures by conducting regular monitoring of mass media and internet sites. Thus Main Information and Communication Department as well as Press Service at the MIA of Azerbaijan are responsible for study of suspicious offers regarding possible human trafficking and conducting montiorings in the internet area context of Azerbaijan. In case of necessity to provide relevant measures all appropriate bodies of the MIA informed immediately in order to take necessary steps.

According to the article 13.5.6 of the National Action Plan for the years 2014-2018 on Combating trafficking in human beings in Azerbaijan Republic, the Ministry of Education, the State Commiittee for Family, Women and Children Affairs, the Ministry of Labor and Social Protection of Population, the Ministry of Internal Affairs, local executive power authorities, by involving the related non governmental organizations conducts monitoring in respect to deviation of children from education and their negligence, to take measures for rehabilitation of the socially vulnerable children deviating from education.

In 2014, a total of 529 children evaded from education, and that's why preventive work had been carried out regarding them, their parents were invited and informed and finally children were handed over to their parents and school administrators.

Ministry of Internal Affairs provided legal and psychological assistance to 70 minors in 2014 and 120 minors in 2015 that had a conflict with law, as well as to their parents in following NGOs: "Children Rights Clinic" and "Children and youth social rehabilitation center"

Besides in 5 districts of Baku city it has been created "Children Police Room"s on community base and 60 minors in 2014 and 65 minors in 2015 (who were in registration for illegal acts) provided with all necessary legal assistance and children were assisted at court on 92 civil cases.

Local educational institutions annually presents reports to the Ministry of Education regarding attendance of pupil at lessons as well as evading from education. All presented information analized in the database of the Ministry of Education. Thus reasons of pupils' evading from education are being investigated and reached results have been spread to all local educational institutions and schools for taking appropriate measures.

During 2014 Ministry of Education conducted monitorings on evading from education on early marriage cases. Pupils and their parents involved to awareness campaigns in order to prevent such kind of circumstances.

During raids conducted by the area police bodies, it had been identified 502 minors in 2014 and 450 minors in 2015 who were living street life (idleness), begging and involved into illegal working conditions. As a result of conducted monitorings it was found out that they are neither victims of human trafficking nor forced labor. But in 2014 more than 220 parents and in 2015 more than 200 were involved into administrative responsibility for not complying with the tasks related to the training of their children as well as for involving them to illegal acts.

Ministry of Education together with relevant educational institutions provided joint monitorings as well awareness events for parents with a purpose of preventing children's evading from education in different cities and regions of country. Psychologists working at schools made special meetings and speeches with parents for rehabilitation of socially sensitive children. Also round tables organized by Educational Institutions and Family Support Centres by the attendance of parents, pupils, methodists and social workers.

According to the "Prevention of exploitation of child labor" Joint Activity Plan (2013-2015) signed between the State Committee for Family, Women and Children Affairs and Ministry of Labor and Social Protection of Population, it had been provided monitoring of child labor situation in the Republic of Azerbaijan. For this purpose during 2015 together with executive powers of cities and regions there had been conducted joint monitorings in public enterprises and family farms.

As a result of conducted measures in total in 13 cities and regions, 35 children under age of 15 in markets, 38 in autorepairing workshops, 9 in restaurants, 10 in trade centers and 2 in agriculture sector found as involved to the labor. All of the found children fully or partially evaded from education. It was revealed that parents of the above mentioned children had information about that. All necessary information had been gathered regarding those children's (under age of 15) education, family status and their involvement to labor immediately stopped. Responsible bodies were informed regarding necessity of providing working conditions of those who were over 15 in the framework of relevant legislation. At the same time relevant executive powers recommended to provide necessary monitorings for elimination of this problem.

Survey (inquiry) conducted among people living in different districts of Baku city and regions of country and awareness campaigns organized in schools and other educational institutions with a purpose of conducting monitoring in respect to deviation of children from education and their negligence, to take measures for rehabilitation of the socially vulnerable children deviating from education.

In 2015 The State Committee for Family, Women and Children Affairs provided trainings in different regions (Shaki, Gakh, Zagatala, Ismayilli, Balakan, Oghuz and Gabala) of country for instruction of monitoring teams.

According to the article 13.5.7 of NAP, The State Committee for Family, Women and Children Affairs, Ministry of Labor and Social Protection of Population, Ministry of Education, local executive power authorities conduct monitoring of children being adopted or given under patronage and guardianship in the families and to establish monitoring groups in the places for this purpose.

Thus 33 in 2014 and 37 in 2015 were returned to the patronage of biological families or close relatives by the order of local executive powers. 10 children were adopted in 2015. Organization of monitoring of children being adopted or given under patronage and guardianship in the families as well as their periodical monitoring provided together with Commission for the protection of issues and rights of minors.

Totally 272 children in 2014 and 347 children in 2015 were adopted or given under patronage and guardianship in the families. Local executive powers periodically conducted monitorings in those families. Also it must be underlined that Mass Media and NGO representatives were also involved to those monitorings.

Living conditions of those families kept under control by visiting those families' apartments in order to oversee the implementation of tasks by guardian-patron in accordance with the laws in force.

4. Further, GRETA considers that the Azerbaijani authorities should introduce an independent evaluation of the implementation of the National Action Plan on Combating THB as a tool for assessing the impact of the activities and for planning future policies and measures to combat THB. GRETA also invites the authorities to consider the establishment of an independent National Rapporteur or designate another independent mechanism for monitoring the antitrafficking activities of State institutions (see Article 29, paragraph 4, of the Convention and paragraph 298 of the Explanatory Report).

The issue related with the National Coordinator has been reviewed to control struggle against trafficking in human beings and fulfillment of the requirements of legislation in this field in compliance with the paragraph 4 of the article 29 of the Council of Europe Convention.

According to the Law "On combating trafficking in human beings" of the Republic of Azerbaijan, the National Coordinator is expected to submit an annual report on struggle against trafficking in human beings in the Republic of Azerbaijan to the President of the Republic of Azerbaijan, the Milli Majlis (Parliament) of the Republic of Azerbaijan and the Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan.

The annual report contains information on improvement of the legislative framework, prevention and awareness activities, training, international partnership, criminal investigation and victims' affairs, in particular the implementation of the National Action Plan and work done by governmental and non-governmental organizations, which is disclosed to the broad society via mass media.

Besides, the status of combat activities is discussed, as well as opinions and proposals are considered at the meetings of the Working Group on combating trafficking in human beings and Interdepartmental Commission and with international and non-governmental organizations.

Based on the above mentioned, it is not necessary to establish a mechanism for independent evaluation of struggle against trafficking in human beings.

Training for relevant experts

5. GRETA urges the Azerbaijani authorities to take further steps to improve the knowledge and sensitivity of relevant professionals, in particular police officers, prosecutors and judges, about the complex nature of THB and the rights of victims. Future training programmes should be designed for specific target groups with a view to improving the knowledge and skills of relevant professionals, which enable them to identify victims of trafficking, to assist and protect them, to facilitate compensation for victims and to secure convictions of traffickers. Training programmes should be tailored to fit the specific role in combating THB of each group of professionals. Particular attention should be paid to THB for the purpose of labour exploitation.

According to article 8.3 of the Law on Combating Trafficking in Human Beings, Recruitment of the employees of the specialized police unit on combating trafficking in human beings based on transparency, personal values, professional preparedness, level of education and psychological endurance along with other values. Officers employed by the specialized police unit on combating trafficking in human beings trained on the following issues:

- Obtaining and analyzing information, documents and other items from victims of trafficking in human beings and other sources, and submitting them as evidence in a manner prescribed by the legislation;
- Means to identify victims of trafficking in human beings;
- Use of appropriate methods of observation and special technical equipment;
- Proper treatment to victims of trafficking in human beings;

According to the article 4.3 of NAP, the society will be continued to informed on the “hot line” serving to the persons suffered from the crimes of human trafficking, the supposed and potential victims of human trafficking, relevant measures will be taken for provision of regular training got the operators working in the services, and for increasing the safety of such lines and the confidentiality of the persons using them, as well as the organizational technical possibilities of the services. According to the article 13.2.10, Organization of special educational courses for the associates of the state authorities combating trafficking in human beings and conducting social rehabilitation, the employees of the educational and training institutions, as well as the representatives of the civil society and use of domestic and foreign cooperation possibilities in respect thereof. According to the article 13.4.4, it is considered to increase the number of specialists responsible for provision of medical, psychological and other assistances to the victims in special institutions for the victims of human trafficking (asylum and assistance centers) and to conduct relevant training for them.

Anti-trafficking actors were involved in projects implemented by various international and foreign organizations, as well as 39 (2014) and 34 (2015) seminars, conferences, training, roundtables, bilateral and multi-lateral meetings organized by the initiative of local organizations. They also took part in events hosted in foreign countries (USA, Austria, Belarus, Bosnia and Herzegovina, Lithuania, Ukraine, France, Poland, Russia, Hungary, Turkmenistan, Serbia, Belgium and UAE).

According to the provision 13.9.5 of the National Action Plan, a seminar was arranged for media representatives on the essence and different forms of human trafficking and illegal migration and characteristics of disclosure of such information on media in Baku on May 23, 2016.

The seminar was attended by field experts from the Ministry of Internal Affairs and the Ministry Labor and Social Protection of the Population and 20 media representatives selected by the Press Council.

The Ministry of Internal Affairs of the Republic of Azerbaijan and the International Organization for Migration’s Baku office conducted training sessions for NGO and media representatives in Mingachevir, Guba, Lankaran, Terter cities and districts, and seminars for employees of embassies and consulates of foreign states in our country, labor inspectors and members of trade unions in January to May, 2014.

There were organized training sessions for employees of city and district executive authorities, housing units and municipalities, police and district inspectors, a seminar on trafficking in human beings and forced labor and a course on «International migration law» with the participation of representatives of the private sector at the Academy of Public Administration under the President of the Republic of Azerbaijan, as well. 95 psychologists were involved in special training by Azerbaijan Teachers Institute to improve proficiency in the field of working with victims and potential victims of trafficking in human beings.

The “Forced labor and trafficking in human beings - a guide book for labor inspectors”, prepared and translated into Azerbaijani by the International Labor Organization in 2010, has played a significant role in awareness of inspectors.

The participants were provided information on the provisions in human trafficking law and international acts within the seminars organized by the Office of the Ombudsman to improve knowledge and skills in human rights of employees of migration agencies.

It should be noted that the training courses arranged at SMS (State Migration Center) detention centers for illegal migrants vividly demonstrate the importance of conducting awareness work with expatriates and stateless persons, in particular women and children detained at those centers and informing them of perils waiting for victims of trafficking in human beings and methods of protection provided to prevent crimes of this kind taking into account that paperless people are subject to trafficking in human beings most.

The employees of the State Security Service (SSS) of the Republic of Azerbaijan took part in 10 (ten) international events in 2014-2016.

The United Nations High Commissioner for Refugees (UNHCR) explained differences between victims of trafficking in human beings, persons seeking for asylum and economic migrants and brought examples of practical experience in training; SSS military servants and listeners of SSS Academy attend training courses on the rights of victims of trafficking in human beings in the learning process; they also took part in a meeting with the UN experts on combating trafficking in human beings within the project titled “Strengthening migration and border management capacities in Azerbaijan” (implemented since 2014) organized by the support of European Union in the International Organization for Migration (IOM) Baku office in 05-06.04.2016 and a seminar on “Combating trafficking in human beings” organized by IOM on April 25, 2016.

Employees of the General Prosecutor's Office participated in the training below:

- Training for prosecutors, judges and judge candidates on January 26 to 28, 2016 within a four-phase project named “Improving capacities and strengthening partnership for effectiveness of struggle against trafficking in human beings through technical support in Azerbaijan”;

- Seminar on “Defining gaps and assessing needs: comparative analysis of efforts in combating trafficking in human beings in the South Caucasus countries” on April 25, 2016.

Employees of the State Migration Service were taught the international legal norms governing the issues of combating trafficking in human beings and illegal employment, the national legislative acts and tactical basis of the discovery of such criminal acts

upon a special program in 2014. Training courses were organized for new employees of customs authorities on the “Prevention of trafficking in human beings and role of customs authorities in this process”. The State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan organized training sessions within the “Program on social rehabilitation and reintegration to the society of children subject to trafficking in human beings” at Goygol district Child and Family Support Center, as well as the Ministry of Culture and Tourism conducted targeted training for employees of tourism companies and hotels and distributed brochures.

The rules for defining victims of trafficking in human beings and forced labor were taught on the basis of a separate program at the education and training center of the State Migration Service. Similar events were attended actively by employees of the State Border Service and the State Customs Committee.

Data collection and research

6. GRETA considers that, for the purpose of preparing, monitoring and evaluating antitrafficking policies, the Azerbaijani authorities should continue their efforts in developing and maintaining a comprehensive and coherent statistical system on trafficking in human beings by compiling reliable statistical information from all main actors and allowing disaggregation (concerning sex, age, type of exploitation, country of origin and/or destination, etc.). This should be accompanied by all the necessary measures to respect the right of data subjects to personal data protection, including when NGOs working with victims of trafficking are asked to provide information for the national database.

According to the Law “On combating trafficking in human beings”, an integrated database has been at the MIA Main Department on Combating Trafficking in Human Beings for the record and use of data collected during the investigation of criminal cases related with trafficking in human beings. Data collected from investigations are classified according to human traffickers, sex, age and other features of social portrait of victims, crime, type of exploitation, origin, transit and destination country, etc. when summarizing in the integrated database. Statistical data and reports on the implemented activities are periodically posted on the website of the Main Department “humantrafficking.gov.az, insanalveri.gov.az”. In this regard, the requests of by the Ministry of Internal Affairs are responded appropriately by governmental and non-governmental organizations. The participants of the National Action Plan submit to the National Coordinator an annual report on the work done.

In case a person is assumed to be a victim of trafficking in human beings or a governmental and/or a non-governmental organization detects facts proving that human trafficking crimes have been committed or are being prepared, the special police

organization (MIA Main Department on Combating Trafficking in Human Beings) is immediately informed of the case, relevant documents are submitted to this organization and necessary support is provided in accordance with the provision 8.4 of the law.

7. GRETA considers that the Azerbaijani authorities should conduct and support research on THB-related issues as an important source of information for the evaluation of current programmes and for planning future policy measures. Areas where research may shed more light on the extent of the problem of THB include trafficking for the purpose of labour exploitation, trafficking in children, trafficking for the purpose of the removal of organs and internal trafficking (i.e. within Azerbaijan).

According to the articles 13.2.2 and 13.2.3 of NAP, preparation of methodical educational means and promotional materials on the essence of the problem of human trafficking and prevention of it Conducting scientific and social researches on combating trafficking in human beings, implementation of request and other measures for studying public opinion.

Students and listeners have been taught qualitative and quantitative indicators, reasons and conditions of crimes of human trafficking, criminological features of personalities of perpetrators of these crimes, administrative and legal methods of combating social and negatives cases and administrative offences leading to the development of this kind of crimes, conduction of initial inspection measures, characteristics of instituting criminal proceedings, characteristics of investigative actions conducted at the initial stage of the investigation, tasks assigned for taking operative and investigative measures in this direction, operative-tactical characteristics of human trafficking crimes, provisions on the application of initial and subsequent measures related with prevention and detection of these crimes, including grounds for the application initial inspection actions and coercive procedural measures upon receipt of information about human trafficking and other necessary information on the implementation of relevant investigative procedures for collection of evidences, and the composition of human trafficking crimes has been analyzed, gaps and controversial provisions existing in legislation in this direction have been investigated and possible solutions and advance experience of other countries have been studied under 5 subjects delivered at 5 departments of MIA Police Academy since 2015.

The methodical and educational material prepared by the Police Academy with the title of “Operative and investigative measures in combating trafficking in human beings and use of their outcomes” were sent to district-city police departments for teaching at vocational training classes by relevant services.

The Ministry of Education created a working group consisting of experts specialized in the preparation of methodical and educational manuals and campaign

materials on the essence and elimination of the human trafficking problem in 2014. The campaign materials were prepared at the level of education institutions, and disseminated to students, teachers and parents. There were organized awareness activities, including “roundtables” on combating trafficking in human beings at the state childcare facilities subordinated to the Ministry of Education. Youth and teenagers were involved in a survey on struggle against trafficking in human beings and articles were posted on media in relation with the activities implemented.

Various problematic issues of combating trafficking in human beings are studied under 3 different subjects in 3 specialties at the master’s level. The study of issues of combating trafficking in human beings has been included in the list of topics offered for bachelor’s and master’s thesis at Baku State University. At the same time, the study of various aspects of combating trafficking in human beings (according to scientific directions of the departments) is offered to doctoral students and dissertants as a topic of PhD thesis at the departments of Criminal law and Criminology, Criminal proceedings, Criminalistics and Forensic examination, International law and Human rights.

Employees of the Office of the Ombudsman, in concert with civil society representatives, conducted relevant analysis on trafficking in human beings among people residing in the regions, remote districts and villages of the country. Based on the outcomes of the analysis, proposals were made on the improvement of legislative acts related with all types of human trafficking pursuant to the international treaties supported by our country, expansion of cooperation with relevant state agencies and international organizations in the direction of strengthening preventive measures, preparation of special legal publications and other issues of this kind. The proposals include conduction of monitoring in all regions of the republic to strengthen struggle against child labor, improvement of the existing mechanisms in the study of the situation of children returned to families, etc.

International co-operation

8. GRETA considers that the Azerbaijani authorities should further develop international cooperation on criminal matters, in particular through the conclusion of agreements on parallel investigations and/or joint investigative teams concerning THB offences. Further, the Azerbaijani authorities should seek to remove existing difficulties in international co-operation with countries of destination of victims of trafficking.

According to the articles 4 and 26 of the Law on Combating Trafficking in Human Beings:

(4) Improvement of international cooperation in combating trafficking in human beings;

(26) Pursuant to the relevant intergovernmental treaties to which it is a party, the Republic of Azerbaijan shall cooperate in combating trafficking in human beings with foreign countries and their law enforcement agencies, with international organizations, which deal with combating trafficking in human beings.

According to the articles 27 and 28 of the Law on Combating Trafficking in Human Beings:

(27) In case if citizens of the Republic of Azerbaijan, foreigners or stateless persons commit human trafficking crime, they shall be subject to criminal responsibility under the Criminal Code of the Republic of Azerbaijan regardless the place of commitment of the crime;

(28) Legal assistance on the crimes related to trafficking in human beings shall be implemented in compliance with the international treaties to which the Republic of Azerbaijan is a party, and the Law of the Republic of Azerbaijan "On Legal Assistance on Criminal Cases."

During 2014 and 2015 there had been lots of meetings with experts of UN, IOM and ILO, representatives of OSCE Project Coordinator in Baku and ICMPD, officials of law-enforcement agencies of USA as well as representatives of USA and UK embassies in the Republic of Azerbaijan. During provided meetings especially perspectives of cooperations were point of discussion.

According to the article 13.8 of NAP following measures have to be implemented:

- To strengthen cooperation with other states, especially the related authorities the countries of destination and origin and relevant international organizations in order to increase the efficiency of combating trafficking in human beings;
- To invite the representatives of international partner organizations acting in the field of combating trafficking in human beings to the meetings of interorganizational commission established for implementation of National Coordination Mechanism in respect to the victims of human trafficking and the meetings held with the non governmental organizations;
- To strengthen cooperation with related non governmental organizations and international organizations in the field of combating negligence of those under mature age and their social rehabilitation;
- To hold international events on the subject of prevention of the crimes of human trafficking;
- To strengthen cooperation of the Working Group established with the purpose of improvement of the legislation in the field of combating trafficking in human beings with the state authorities, the representatives of civil society and international partners;
- To give suggestions in order to prevent social problems enabling human trafficking, to settle the social welfare problems of the youth deprived of the patronage

of the parents, obliged to leave boarding schools and alternative care institutions from the age limit.

Conduction of training in this field is a center of attention (see the proposal 5).

Victims of human trafficking crimes are taken to foreign countries through territories of the Republic of Azerbaijan. In this case, it is important that the victim testifies by himself/herself during the collection of evidences. In case the accused persons refuse to acknowledge the actions they have committed, assessment of the issue of sufficiency of evidences creates objective complexity. During the investigation of such crimes, possibilities of providing operative legal assistance are used by means of intensive information exchange between countries in relation with the collection of evidences on cases taking advantage of opportunities of advance technologies.

There has been implemented a purposeful activity in the direction of expanding international partnership in the field of struggle against trafficking in human beings in both multilateral and bilateral format. Cooperation has been continued with a number of international organizations (mainly OSCE, IOM) and separate countries as a result of the activities implemented.

The State Labor Inspection Service takes part in discussions on human trafficking during the events held by the International Association of Labor Inspectors (IALI) and the Regional Alliance of Labor Inspectors of South Eastern Europe, Azerbaijan and Ukraine (RALI) as a member of these organizations.

Nevertheless, labor inspectors need to attend more practical training with the presence of international experts for detection and removal human trafficking and forced labor facts.

The delegation of the Ministry of Internal Affairs of the Kingdom of Morocco paid a visit to Azerbaijan in February 2015 to discuss mechanisms for bilateral exchange of information in the field of combating trafficking in human beings and benefit the positive experience of our country in this direction as a practical result of discussions conducted around the establishment of cooperation between Morocco and Azerbaijan in the field of combating trafficking in human beings with the initiative of the Azerbaijani side. During the mission, the delegation, visiting relevant agencies of the Ministry of Internal Affairs, including the asylum for temporary residence of victims of trafficking in human beings, was informed of the activities implemented to combat human trafficking in our country, prevention of this kind of crimes, criminal investigations, protection and social rehabilitation of victims, issues of local and international partnership in this field, the current legislative system and relevant action plans, and held discussions on the prospects for future cooperation.

Moreover, Tunisia expressed interest in the conduction of exchange of experience and mutual visits with Azerbaijan thanks to the successful work done by

Azerbaijan. The ministers of internal affairs of the both countries considered reasonable implementation of the activity directed to the strengthening of bilateral cooperative relations and in particular conduction of exchange of experience in the field of combating trafficking in human beings in light of future relations that will be set up in the direction of formation of legal framework. The Ministry of Internal Affairs of Tunisia expresses consent to the suggestion of the Azerbaijani side to build cooperation in the field of security and asked to consider the possibilities for submission of relevant draft agreement in this field. Regarding this suggestion of Tunisia, the Ministry of Internal Affairs of the Republic of Azerbaijan elaborated an “Agreement on cooperation on security issues between the Governments of the Republic of Azerbaijan and the Republic of Tunisia” and presented the draft document for the review of the Tunisian side.

The Republic of Serbia demonstrated interest in the development of cooperation and exchange of experience with Azerbaijan in combating trafficking in human beings and expressed willingness to review the possibilities of holding meetings with representatives of relevant government agencies of Azerbaijan to discuss possible areas of cooperation thanks to the work done by our embassy in this country in the purpose of expanding international partnership in combating trafficking in human beings. In response to the suggestion of Serbia and alongside with expressing interest in building cooperation with relevant government agencies of Serbia in the fields of human trafficking and forced labor crimes, the Ministry of Internal Affairs of the Republic of Azerbaijan made an appropriate cooperation suggestion to build partnership in prevention and elimination of human trafficking crimes according to the article 1 of the “Agreement on cooperation in combating crime between the governments of the Republic of Azerbaijan and the Republic of Serbia” approved by the Law of the Republic of Azerbaijan dated to September 30, 2010.

Intensive cooperation was carried on with OSCE in the field of combating human trafficking. Newly appointed OSCE special representative and coordinator Mrs. Madina Jarbussynova paid a visit to our country upon an invitation of the government of Azerbaijan on March 9, 2015 as a continuation of the visit to Azerbaijan in 2012 and to get acquainted with activities implemented by the government in this field in accordance with the agreement achieved in 2014. During the visit, the OSCE special representative and coordinator had meetings at a variety of government agencies and became familiar with the asylum for victims of trafficking in human beings. M. Jarbussynova highly appreciated the progress made in combating trafficking in human beings and welcomed the recent amendments (measures on strengthening of criminalization of human trafficking and forced labor, and adoption of the rules for repatriation of victims of trafficking in human beings) to the legislation. She also positively assessed the special attention allocated for exploitation of forced labor in the National Action Plan. The points underlined by the special representative and coordinator in relation with the outcomes of

the visit reaffirmed the purposeful activities implemented in the field of struggle against human trafficking in Azerbaijan in recent years. According to the outcomes of the visit, the OSCE special representative and coordinator prepared recommendations on the improvement of action implemented in combating human trafficking in the country and submitted for the consideration of the Azerbaijani side.

At the same time, activities were continued in the field of technical and advisory cooperation with OSCE in combating trafficking in human beings. Thus, it was recommended to implement the project titled “Combating human trafficking along migration routes” developed by OSCE, as well as to organize training on sensitive treatment in organizing work with victims of human trafficking who received a psychological trauma for employees of law-enforcement bodies, including prosecuting and judiciary authorities in Baku with the support of the OSCE special representative and coordinator, and presently Azerbaijan is waiting for the reaction of the opposite side to its initiatives.

Importance was attached to the issue of strengthening opportunities of our country to combat trafficking in human beings within cooperation with IOM. The organization carried on the provision of support to relevant government agencies of Azerbaijan in many areas. The implementation of the project titled “Defining gaps and assessing needs: comparative analysis of efforts in combating trafficking in human beings in the South Caucasus countries” proposed by IOM has been started. The main purpose of the project considered for Azerbaijan, Georgia and Armenia is to conduct the analysis of activities implemented in combating trafficking in human beings.

As a result of the broad discussions with IOM, the initial agreement was reached on the consideration of a number of measures on improvement of the capacities of diplomatic service employees of the Republic of Azerbaijan in the project proposal developed currently by the organization in combating trafficking in human beings for implementing in our country. So, it is envisaged to organize two international seminars for issuing a booklet titled “Combating human trafficking – what do diplomats have to know and have to do?”, developing an education program and materials and organizing a series of training (including preparation of trainers and organization of cascade training as a continuation of the training of trainers) on the basis of booklet named “Combating human trafficking – what do diplomats have to know and have to do?”, conducting exchange of experience in the issues related with different forms of human trafficking, including domestic servitude and discussing best practices in prevention of the problem within the project proposed. It should be stressed that special attention will be attached to the increase of opportunities to prevent domestic servitude, which is defined as a new trend of recent years in the world, in the activity directions mentioned above.

The Joint Declaration on a Mobility Partnership between EU and Azerbaijan created new opportunities for expansion of cooperation with EU and its member states

in combating human trafficking in line with other fields. Development of cooperation in combating trafficking in human beings was defined as one of the key priorities within cooperation and currently discussions are underway with EU on the fulfillment of objectives set out in this regard.

The “Strengthening capacities on migration and border management in Azerbaijan” project is implemented by IOM jointly with the State Border Service, the Ministry of Foreign Affairs, the Ministry of Internal Affairs and Ministry of Labor and Social Protection of the Population. The State Migration Service is a member of the Technical Working Group established for the implementation of activities on struggle against trafficking in human beings within the project.

Azerbaijan was represented at the conference on “Combating organized crime in the OSCE region with a special focus on issues related to human trafficking and illegal migration” to establish a platform for conduction of discussions on struggle against trafficking in human beings between states and improvement of interdepartmental cooperation in this struggle, at the 15 th and 16th conference of the Alliance against Trafficking in Persons to ensure human security by expanding the coordination of international efforts in combating trafficking in human beings and at the next meeting of GUAM working sub-group on combating human trafficking and illegal migration to develop bilateral cooperation between GUAM countries in the field of illegal migration and trafficking in human beings.

The Agreement signed in 2014 with the State of Qatar on cooperation on security issues was very important in terms of the development of intergovernmental relationships in the prosecution of human trafficking. As a result of the effective activity of diplomatic missions of Azerbaijan in foreign countries, meetings were held with the Kingdom of Morocco and the United Arab Emirates to strengthen the legal framework of struggle against trafficking in human beings and representatives of the law-enforcement bodies of those countries visited our country in the current year.

Official reports, publications, criminal statistics and other data of such countries with positive experience in combating trafficking in human beings as Germany, France, Austria, the Netherlands, Belgium, Spain, Italy, Sweden, etc. through our diplomatic missions in foreign countries and the INTERPOL National Central Bureau (NCB) for Azerbaijan.

There were maintained regular cooperation with the UN Office on Drugs and Crime, the Council of Europe and GRETA, OSCE and its Project Co-ordinator in Baku, IOM and its Baku Office, International Centre for Migration Policy Development and its Baku Office, as well as embassies of foreign countries, in particular the diplomatic missions of the US and Great Britain in Baku.

An OSCE press release was published in relation with the outcomes of the mission of OSCE special representative and coordinator for combating trafficking in human beings Mrs. Madina Jarbussynova on March 13, 2015. The progress made in

the field of human trafficking was highly appreciated and recent amendments (measures on strengthening of criminalization of human trafficking and forced labor, and adoption of the rules for repatriation of victims of trafficking in human beings) to the legislation of the country was welcomed in the press release. It also contains information highlighting the active work done in the field of forced labor in accordance with the recommendations made on the outcomes of the 2012 mission of the special representative in Azerbaijan with a special focus on the issue of forced labor, and recommendations on the conduction of similar inspections without warning especially in the construction sector in future. Additionally, special attention attached to forced labor in the new National Action Plan was positively assessed in the press release.

Measures to raise awareness

9. While welcoming the awareness-raising initiatives taken or supported by the government, GRETA considers that the Azerbaijani authorities should design future actions in the area of raising awareness in the light of impact assessment of previous measures and on the basis of research.

Awareness-raising campaigns, education in schools and training of relevant professionals should aim at promoting gender equality and eradicating gender-based violence and the stigmatisation of victims of trafficking. Further, more information campaigns for migrants living in Azerbaijan and in particular migrant workers should be conducted to inform them about their rights and the danger of THB for labour and sexual exploitation.

According to the article 13.9 of NAP following measures have to be implemented:

- Taking measures for publicity of persons entering the country on the danger of human trafficking;
- Distribution of prepared publicity materials in border and customs check points in order to prevent human trafficking, especial women and child trafficking as well as forced labor;
- To strengthen propaganda and publicity works on combating trafficking in human beings, shooting social advertisings, reels, short films, development of programs and demons;
- To continue publicity measures in the direction of protection of children from threats connected with human trafficking and exploitation of child labor in instructive and educational institutions tration, preparation of booklets ahd distribution to the population;
- Organization of courses for the associates of the mass media on essence of the human trafficking and illegal migration, and various forms of their appearances, holding

relevant events around the features of elucidation of such information in mass media;

- Conducting relevant propaganda and publicity works in private organizations with purpose of non occurrence of exploitation of child labor;
- Holding publicity events for the representatives of the tourism companies acting in the territory of the Republic, distribution of various types of publicity materials to the tourism companies.

During may-july of 2015 by the support of the Ministry of Education workers of the Assistance Center for the victims of human trafficking of the State Social Maintenance Service at the Ministry Labor and Social Protection of the Population of the Republic of Azerbaijan provided awareness campaigns under slogan of “NO to Human Trafficking!”. During these campaigns provided more than in 20 different region and cities of the country youth were enlightend about human trafficking, its kinds and ways as well as information about persons who could became a victim or potential victim of trafficking. Also in 2016 it is planned to provide awareness campaigns for migrant workers.

High and secondary schools are implementing awareness activities in connection with the implementation of the Plan of Measures of the “National Action Plan on Combating trafficking in human beings in the Republic of Azerbaijan for 2014-2018” by the Ministry of Education.

The ministry, jointly with law-enforcement bodies, organized seminars on the topic of “Combating trafficking in human beings” at Baku, Sumgait, Mingachevir and Nakhchivan state universities, where the experts provided students and seminar participants information on the UN Convention against “Transnational Organized Crime”, Protocol to “Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children”, as well as the provisions of the Brussels Declaration on Preventing and Combating Trafficking in Human Beings, booklets issued by the Main Department on Combating Human Trafficking of the Ministry of Internal Affairs on combating trafficking in human beings were distributed and the contact numbers of the department (Hotline number 152) were announced to the students.

Seminars, discussions, meetings and roundtables were organized on the topics such as combating trafficking in human beings and awareness raising in this direction with the participation of pedagogical and student staff of specialized secondary education institutions operating in the country in accordance with the Plan of Measures of the Ministry of Education.

Awareness activities have been being implemented in the field of the protection of children from perils such as human trafficking and exploitation of child labor at 31 primary vocational education institutions together with the Ministry Labor and Social Protection of the Population of the Republic of Azerbaijan since March of this year within the “Awareness activities on combating trafficking in human beings”.

Awareness activities were continued in the direction of combating trafficking in human beings at secondary schools in 2016. There was conducted monitoring at secondary schools to define the level of effectiveness of awareness activities implemented in the previous periods and relevant proposals were issued on the basis of the results. Alongside with pedagogical staff, parents also were involved in the measures taken in the field of combating human trafficking, and awareness activities were implemented among them.

Surveys, roundtables and awareness seminars were conducted on a variety of topics with the participation of representatives of relevant government agencies, pedagogical staff, students and parents at secondary schools in the past months of 2016. The seminars included conversations on the topics such as reduction of the risk of becoming a victim of human trafficking and prevention of children's avoidance of compulsory education.

Moreover, various events were organized with the presence of parents with socially vulnerable children avoiding education by psychologists working at secondary schools.

Employees of the Ministry of Education and the Main Department on Combating Trafficking in Human Beings of the Ministry of Internal Affairs and representatives of the NGO Coalition against Trafficking in Human Beings launched training sessions on "Essence, forms, perils of and struggle against trafficking in human beings" for high school students of boarding schools in May of 2016.

As it was every years, government agencies, NGOs and media agencies, international organizations and communities organized a variety of awareness activities and discussions to strengthen measures taken to fulfill commitments arising from the international conventions on child labor, including the documents of the International Labor Organization in line with other topics in all regions of the republic based on the provisions of the "National Action Program in increasing the effectiveness of the protection of human rights and freedoms in the Republic of Azerbaijan" in the frame of the "Human rights month" conducted in 2015. In addition, the UN Convention on the Rights of the Child was published in many languages (in a language understandable to children) within joint partnership of the Office of Ombudsman, the UNHCR and UNICEF. The print material reflected contact information of the hotline services (7/24) operating under the MIA Main Department on Combating Trafficking in Human Beings (152) and the Office of Ombudsman (916) in case of rough treatment against children.

Awareness activities were carried on purposefully with close participation of non-governmental organizations in relation with increasing awareness of social groups belonging to the risk group on the essence and dangerous results of the problem of human trafficking and administrative and legal procedures of protection from this unlawful act in 2014-2015.

Meetings were held with teachers and students of high and specialized secondary educational institutions in 52 cities and districts of the republic in 2014 and 53 cities and districts in 2015 by the Ministries of Internal Affairs and Education, as well as NGO Coalition against Trafficking in Human Beings.

Specialists made speeches, awareness raising movies and performances were staged and campaign materials were distributed at the events attended by employees of law-enforcement bodies and local executive authorities, social protection institutions and employment centers, children and youth, entrepreneurs and media representatives. There were held roundtables, seminars, competitions and public hearings on human trafficking, child labor, domestic violence, etc. in all regions of the republic within the "Human rights" and "Child rights" months with the initiative of the Commissioner for Human Rights.

There were held a kickboxing competition among youth and teenagers under the slogan of "Stop trafficking in human beings", painting and short film contests on "Human trafficking and forced labor", as well as a premiere at Azerbaijan State Theatre of Young Spectators and meetings with civil society representatives in Baku, Ganja and Shamkir cities in May 2014 in line of a series of events dedicated to the 10th anniversary of struggle against human trafficking in Azerbaijan.

Booklets containing information about human trafficking risks and contact numbers of the organizations that persons can refer in case of facing the risk of being subject to human trafficking were distributed and movies were demonstrated in the Azerbaijani, Russian and English at border checkpoints, air and sea ports, international train stations to raise awareness of foreigners coming to the country on the risk of human trafficking. Similar activities were organized by non-governmental organizations deeply specialized in combating trafficking in human beings in crowded places and entertainment centers of the capital city.

In 2015, there were held events on the protection of migrant rights and freedoms and prevention of human trafficking for labor and sexual exploitation with the participating of including the presentation of members of the public in Baku, Shirvan, Sheki, Khachmaz, Guba cities and districts by the State Migration Service, and 4 awareness raising short movies and slides were posted on the official website of this organization.

Explanatory work was conducted on the perils of trafficking in human beings within the "Stop early marriages for a healthy life" project implemented by the State Committee for Family, Women and Children Affairs in the capital city in the previous year. There was organized training on "Children's rights: know and share your rights" including the topics of internet security and exploitation of child labor with the participation of totally 300 school children in every district of Baku city in February to April 2015. Awareness raising seminars were held at 10 secondary schools of the capital city within the "Prevention of negligence of minors" in May 12-21 of the previous

year, as well as training was delivered on the topics of “Internet security of children” and “Protection of children from violence” with the presence of experts at the conference hall of the Government House.

The Ministry of Education arranged a roundtable and a conference within the “Secondary education for prevention of human trafficking” jointly with the International Organization for Migration. The topics of human trafficking, exploitation of child labor, illegal migration, violence against children and children’s rights were included in the content of “Life skills-based education” taught in IX-XI classes of secondary schools. The Ministry of Economy delivered seminars on the “Protection of children” at two secondary schools of Sheki city and conducted awareness work on the exploitation of child labor in entrepreneurial activity at the meetings with entrepreneurs in 7 districts of the republic to prevent the exploitation of child labor.

Related information was posted on the official website (www.insanalveri.gov.az , www.humantrafficking.gov.az) of the Main Department on Combating Human Trafficking to inform the society about the activities implemented in combating trafficking in human beings and the website was updated for improvement of the work in 2015.

The department benefitted the possibilities of mass media extensively which is very important in the prevention of the above crimes. These activities and their outcomes were posted on different TV channels, information agencies, press and internet pages of the republic.

It was recommended to take preventive measures on the prevention of human trafficking risks, including the strengthening of awareness work within enterprises, distributing visual memory cards to the public transport staff, following seriously the ticket sales rules, regularly making announcements for passengers on this risk and immediately informing relevant law-enforcement bodies of suspicious circumstances. The fulfillment of these tasks is supervised by the Ministry of Transport (MT) and its relevant subordinated agencies. Drivers of public transport means, taxis, as well as vehicles used in international cargo transportation trained under a special program approved by MT are provided broad detailed information about human trafficking risks and its prevention in transportations during the training period.

Since 2013, The State Committee for Family, Women and Children Affairs in cooperation with GIZ has started a new project on “Women Rights” within the framework of regional program of “Support to legal approach towards European standards in South Caucasus”. Within the framework of the project, a book called “Guide to Women Rights” was written and published. The book encompasses such topics as human trafficking, and exploitation, fight against human trafficking, women rights in family relationships, domestic violence, civil registry, children rights in families and etc. The book played a great role on women’s enlightenment in terms of legislation, and in order to promote this among the women residing in regional areas several

trainings-workshops were held in 2014, 2015 and 2016. The book of "Guide to Women Rights" was distributed among the participants.

In 2014 booklet for children "Your labour rights" was printed by the State Committee. The booklet aims at raising awareness among the children in order to protect them from exploitation.

During the events held in 49 cities and regions, The State Committee disseminated the booklets among population, and law enforcement bodies.

In order to strengthen prophylaxis of human trafficking, in 2014 booklet "Women Trafficking, Be Able to Protect Yourself!" was printed and distributed among the population.

The State Committee for Family, Women and Children Affairs pays special attention to holding events on elimination of negligence towards the children under the age of 15, and holds a partnership with the NGOs dealing with these issues. Within the framework of the project of "Prohylaxis of negligence towards children under the age of 15" implemented together with Public Union "World of Law", awareness raising workshops were organized for the children, teachers and parents in 10 high schools of Binagadi, Yasamal and Nasimi districts in May 2015. The workshop enclosed the discussions on Children Rights Convention, articles of Law of Azerbaijan Republic, as well as main points of human trafficking, and their threats, prophylaxis of human trafficking crimes, problems of early marriages and their effects.

30 September 2015, the special training on "Children's security on the internet" was conducted for the children of Sabunchu, Nizami, Binagadi, Khatai, Sabail, Pirallahi schools. During the training, broad information was given on how to protect the children from the threats of the internet.

On October 11, 2015, some awareness raising events dedicated to International Girls Day were held in high schools. During these events, the following issues as human trafficking, early marriages, girls' evasion from education, reproductive health and women rights were discussed.

Employees of the assistance center for victims of human trafficking of State Social Security Service under the Ministry Labor and Social Protection of the Population constantly implement awareness activities in the regions of the republic to raise awareness of trafficking in human beings. Also, it was envisaged to conduct awareness campaigns for foreign migrant workers in 2016.

The performance "Innocent sinners" was staged with the order of the Ministry of Youth and Sports to conduct awareness work on trafficking in human beings in a contemporary and effective manner.

The performance was staged in Siyazan district in 2014 and Surakhani district in 2015, at Baku State University, Azerbaijan State Pedagogical University, Azerbaijan Technical University, Azerbaijan University of Languages, Academy of Public

Administration under the President of the Republic of Azerbaijan and Azerbaijan State University of Economics in 2016.

One of the topics of the youth festival dedicated to the “10 December – International Human Rights Day” at the State Musical Theatre named after R.Behbudov was dedicated to struggle against trafficking in human beings.

Broad discussions were held at tourism companies, hotels and hotel-type facilities within the monitoring conducted in Baku city and regions in order to expand the scale of awareness activities within the authorities of the Ministry of Culture and Tourism. The awareness work is conducted on a regular basis.

10. GRETA also invites the Azerbaijani authorities to contribute to awareness-raising and other prevention activities in the main countries of origin of victims trafficked to Azerbaijan, in cooperation with these countries, in order to alert potential victims of THB-related risks.

According to the subparagraph 13.9.1 of the National Action Plan, the Ministry of Transport, the State Border Service, the State Customs Committee, the State Civil Aviation Administration and the State Maritime Administration have been provided by MDCHT relevant booklets for awareness of foreigners who enter the country about the risk of human trafficking.

The State Maritime Administration and the State Civil Aviation Administration held meetings with organizations dealing correspondingly with sea transportation and at the same time, the awareness raising booklets issued by MDCHT were sent to 7 subordinate organizations and the international airports operating in the country to ensure purposeful use of these materials.

The Ministry of Transport gave necessary instructions to the department and division heads, chiefs stations, passenger and tourist-travel trains moving on international routes and conductors of passenger trains of the “Azerbaijan Railways” CJSC, as well as legal entities and individual entrepreneurs who are owners of vehicles carrying out cargo and passenger transportation under a special license and of all cargo and passenger terminals (bus terminals and auto stations) to strengthen the awareness work for prevention of the risk of human trafficking, distribute visual memory cards to the public transport staff, follow seriously the ticket sales rules, make regular announcements for passengers on this risk and immediately inform relevant law-enforcement bodies of suspicious circumstances. Drivers of public transport means, taxis, as well as vehicles used in international cargo transportation trained under a special program approved by the Ministry of Transport are provided broad detailed information about human trafficking risks and its prevention in transportations during the training period the military servicemen of the State Border Service raise awareness of persons entering the country on the risk of human trafficking verbally or by means of the

booklets issued by MIA at the border checkpoints. Foreigners are provided booklets containing contact information of the organizations to refer in case they face risks of human trafficking in the Azerbaijani, Russian and English languages at the border checkpoints.

The State Migration Service kept conducting intensive awareness work in 2015 to raise awareness of the society, foreigner and stateless persons in accordance with the “National Action Plan on Combating trafficking in human beings in the Republic of Azerbaijan for 2014-2018”. The service took a close part in the implementation of awareness activities in prevention of trafficking in human beings both directly and together with governmental and non-governmental organizations within its authorities during 2015. Authorized officers of the State Migration Service took missions to the regions covered by the regional centers of the service to conduct awareness work on the activity areas of the Service, complex activities implemented in the field of migration in the Republic of Azerbaijan, legal status of stateless persons, elimination of the cases of statelessness, protection of migrant rights and freedoms, human trafficking for labor and sexual exploitation, extension of the term of temporary residence for foreigners and stateless persons, provision of permissions for temporary and permanent residence, obtaining and extension of the term of employment permissions by employers for foreigners and stateless persons to carry out a paid labor activity in the country, registration by their place of residence, liability for violation of the requirements of the current migration law and the legislative acts regulating migration issues in accordance with the “National Action Plan for promotion of Open Government for 2012-2015”.

Broad information was provided to the society, foreigners and stateless persons, foreign students studying at a number of universities of the country and exchange of opinions was mutually conducted in regard to struggle against illegal migration, the essence and perils of human trafficking as a part of illegal migration and illegal migrants residing in the country under the risk of becoming a victim of trafficking in human beings in line with other issues within the awareness activities.

Besides, the State Migration Service conducted awareness work attended by the community, entrepreneurs, foreigners and stateless persons in different cities and districts of the republic in accordance with the Plan of Measures on the activities to be implemented by the Service within both the “Human rights month” declared on May 18 to June 18 in relation with the “Human rights day” (June 18) and the “Peace month” declared on August 21 to September 21 in relation with the “International peace day” (September 21), and authorized officers of the State Migration Service delivered lectures on a variety of topics linked with migration in order to execute the provisions of the “National Action Program on improvement of effectiveness of the protection of human rights and freedoms in the Republic of Azerbaijan” approved by the Decree of the President of the Republic of Azerbaijan dated to December 27, 2011.

There were also organized interviews and speeches of awareness character on migration of authorized officers of the Service, as well as films, awareness movies and special interviews on the activity of the State Migration Service on the national TV channels to raise awareness of the community, foreigners and stateless persons on innovations in migration.

The Call Center of the State Migration Service (hotline number 919) in 3 languages – Azerbaijani, English and Russian – has exceptional importance in terms of raising awareness and providing necessary information to citizens, as well as foreigners and stateless persons.

At present, the State Migration Service is carrying on relevant activities in the fulfillment of tasks assumed in the “National Action Plan for combating trafficking in human beings”.

Taking into consideration that the National Action Plan for 2014-2018 includes the paragraphs 13.3.7 on “Strengthening of struggle against traffickers (individuals and/or legal entities) involving migrants in forced labor”, 13.9.1 on “Taking measures for awareness of persons coming to the country on the risk of human trafficking” and 13.9.2 on “Distributing awareness materials at border and customs checkpoints to prevent trafficking in human beings, particularly in women and children and forced labor”, a meeting was held with employees of the Assistance Center for Victims of Human Trafficking established under the Ministry Labor and Social Protection of the Population and awareness booklets and manuals issued by the center were sent for distributing at Head Customs Office in the Air Transport of State Customs Committee of the Republic of Azerbaijan.

Booklets containing information about human trafficking risks and contact numbers of the organizations that persons can refer in case of facing the risk of being subject to human trafficking were distributed and movies were demonstrated in the Azerbaijani, Russian and English at border checkpoints, air and sea ports, international train stations to raise awareness of foreigners coming to the country on the risk of human trafficking. Similar activities were organized by non-governmental organizations deeply specialized in combating trafficking in human beings in crowded places and entertainment centers of the capital city. SBS – in case victims of trafficking in human beings are brought to the country, they are informed of their rights by the employees of the border checkpoints.

Measures to discourage demand

11. GRETA urges the Azerbaijani authorities to strengthen their efforts to discourage demand for services from trafficked persons as regards all forms of exploitation, with a particular emphasis on labour exploitation, in partnership with the private sector and civil society.

According to the article 13.1.2 of the NAP, taking measures for ratification of the Convention of European Council on “protection of children from sexual exploitation and sexual harassment”. Ombudsman applied to the Milli Majlis (National Assembly) for ratification of the above mentioned Convention.

The State Committee for Family, Women and Children Affairs of the Republic of Azerbaijan has started preparations in this direction by drafting the Law on joining the Convention and its justification, and the period of completion of the implementation of the activity is planned for the first half of 2016.

According to the subparagraph 13.1.3 of the National Action Plan, the State Committee for Family, Women and Children Affairs issued proposals on amendments to the Labor and Family Codes, as well as the Law “On social benefits” of the Republic of Azerbaijan and submitted to the Cabinet of Ministers in 2014 in the field of strengthening legal and social protection of women and children belonging to vulnerable group to reduce the risk of becoming a victim of trafficking in human beings.

The opinion of the Ministry of Justice on the draft law and draft decision issued by the State Committee for Family, Women and Children Affairs was submitted to the Cabinet of Ministers on a relevant letter, and the draft laws on amendments to the Labor Code, the Code Administrative Offences and the “Regulations of preschool institutions” were prepared and submitted to the Cabinet of Ministers in 2015.

The outcomes of the survey aimed at studying the violence against children conducted by the Ombudsman within cooperation with UNICEF Office in Azerbaijan were analyzed in 2015. Surveys were conducted at totally 26 secondary schools, 1 orphanage and 3 boarding schools in 8 districts of the republic and 2 districts of Baku within the project. 30 children in different ages were selected randomly at each institution during the surveys. The outcomes of the survey were analyzed and submitted to UNICEF. Besides, monitoring was conducted at the asylums of law-enforcement bodies, including the asylum of the “Clean World” Aid to Women Public Union.

According to the subparagraph 13.2.6 of the National Action Plan, the State Migration Service conducted **257** and **187** inspections at business entities correspondingly in 2014 and 2015 to strengthen control over labor migration, and decisions were made on administrative violations detected in **164** and **159** cases correspondingly in 2014 and 2015. 2543 foreigners engaged in illegal labor activity were deported from the country in 2015.

The State Migration Service continued the implementation of effective measures in regulation of labor migration processes and control of labor migration and carried out the issuance of work permits for foreigners taking into account the labor market demand and the quota set for 2015.

In 2014, a socially vulnerable family was referred to the local executive authority in Goygol district by the State Committee for Family, Women and Children Affairs in the

direction of registration of socially vulnerable families by local executive authorities and persons deprived of a place of permanent residence to reduce the risk of becoming a victim of human trafficking in accordance with the subparagraph 13.2.7 of the National Action Plan.

48 local executive bodies of the republic and 10 local executive bodies of Baku held meetings in relation with the implementation of the National Action Plan, prepared and approved a Plan of Measures.

Socially vulnerable families and persons deprived of a place of permanent residence were registered by the executive power bodies of districts and cities to reduce the risk of becoming a victim of human trafficking, and public hearings and meetings were conducted in all villages and settlements of districts with this respect.

Seminars and training were conducted on the identification of socially vulnerable families establishing local monitoring groups and motivation of entrepreneurs in employment of victims of human trafficking.

It was envisaged to implement the relevant measures by the relevant departments and structures of local executive power bodies, as well as permanent commissions for Guardianship and Trusteeship, affairs and protection of rights of Minors under the heads of Executive Power Bodies in partnership with law-enforcement bodies, city education departments, municipalities, employment centers and other related agencies.

It was started to take records of socially vulnerable families and persons deprived of a place of permanent residence in concert with representatives of executive authorities, local municipalities and housing institutions.

3 persons deprived of a place of permanent residence were hospitalized, provided medical aid and settled on the registered address, and 3 persons who are socially vulnerable and deprived of a place of permanent residence were registered and kept under control in Baku city.

The Ministry of Internal Affairs sent information about 519 children in 57 districts to the State Committee for Family, Women and Children Affairs in 2015. The information about the children was sent to the Commissions for Guardianship and Trusteeship, Affairs and Protection of Rights of Minors under City/District Executive Power Bodies for taking relevant measures and reporting to the Committee. Currently, the work is underway in this direction.

Children who were deprived of parental care were given to the state child institutions (one of them was provided a birth certificate) and alternative families, a newborn child of a woman deprived of a place of permanent residence who had been begging since 13 years of age was given to the nursery upon the agreement of the mother to prevent the child from the risk of becoming a victim of human trafficking, social assistance was appointed for those who applied and 1 person was provided was a suitable job in Baku city and regions of the republic. There was conducted the

registration of socially vulnerable families and persons deprived of a place of permanent residence to reduce the risk of becoming a victim of human trafficking. Socially vulnerable families were registered to reduce the risk of becoming a victim of human trafficking among people.

In 2014, socially vulnerable families were directed to the social security bodies to take relevant measures for improvement of their social conditions, first of all, in Sumgait city to encourage entrepreneurs for employment of victims of human trafficking and involvement of potential victims of human trafficking in socially useful labor in accordance with the subparagraph 13.2.8 of the National Action Plan. Nearly 6200 residents of the city were employed in the same year. Socially vulnerable and low-income families took the majority among them.

Seminars and training sessions were organized to encourage entrepreneurs for employment of victims of human trafficking in the regions.

Discussions were conducted with the participation of local entrepreneurs on involvement of potential victims of human trafficking, their employment and the issue of keeping employment of victims of human trafficking at focus, and new jobs were created. Women outnumbered among those who were employed.

Baku Business Education Center under the Ministry of Economy and its regional offices organized 132 training, seminars, roundtables and other events on 250 topics for entrepreneurs and those who are new in business with the participation of local and international experts in Baku city and the regions in 2015. 40 of those events were organized in Baku and 92 in the regions. More than 3000 listeners attended the activities implemented throughout the year. Additionally, the Center provided to entrepreneurs and those who are new in business in Baku and the regions during the previous. 21 of the consultation services were provided in Baku, while 607 in the regions. Entrepreneurs and managers were provided initial necessary information on rehabilitation, reintegration and employment of victims of human trafficking within the consultations services and activities implemented.

Citizens who applied to district employment centers were registered and employed during this period. Citizens who needed special social protection and faced difficulty in employment were provided a suitable job in offices and enterprises. Women took majority among those citizens.

A 25-apartment building (for 50 persons) was constructed in 2014 by the Heydar Aliyev Foundation for temporary residence of adult and underprivileged girls under the orphanage No.1 in connection with improvement of the mechanism for providing of employment of and a place of residence for youth who had lost their parents and been deprived of parental care, left state child institutions and boarding schools of the Ministry of Education in the field of the provision of social-legal and social-psychological services and social consultation services to children under the state auspices for prevention of those children from accessing to the risk group of human trafficking after

reaching the age of maturity in accordance with the subparagraph 13.5.3 of the National Action Plan.

The Ministry of Education sent relevant proposals to the Presidential Administration and the Cabinet of Ministers of the Republic of Azerbaijan in relation with provision of suitable jobs to youngsters who are deprived of home and parental care and left the boarding schools.

A 120-apartment building (one-room) was constructed and commissioned in 2014 in Masazir settlement of Absheron district with the initiative of the H.Aliyev Foundation for the graduates of boarding schools without a place of residence who had lost their parents and been deprived of parental care. The Ministry of Education conducted investigations on the information about 123 underprivileged youth among the graduates of state child institutions and submitted to the Cabinet of Ministers in 29.10.2014.

Those young people are sent to the Psychological Health Center of the Ministry of Health in case of necessity to make sure that they will not access to the risk group of human trafficking after reaching the age of maturity. The Ministry of Health allocated 9 healthcare institutions for serving victims and potential victims of human trafficking.

The Ministry of Education sent relevant proposals to the Presidential Administration and the Cabinet of Ministers of the Republic of Azerbaijan in relation with provision of suitable job and accommodation to youth graduating from the boarding schools for children who had lost their parents, were deprived of parental care and did not have a place of residence in accordance with the paragraph 2 of the Plan of Measures of the “State Program for giving children from state child institutions (deinstitutionalization) and alternative care in the Republic of Azerbaijan” and the paragraph 6.1.9 of the State Program on “Azerbaijani youth in 2011-2015”.

There was analyzed information about 124 youngsters without a place of residence who had lost their parents and been deprived of parental care among the graduates state child institutions and the list was submitted to the Ministry of Labor and Social Protection of the Population (MLSPP) in accordance with the paragraph 6 of the relevant Decision of the Cabinet of Ministers of the Republic of Azerbaijan “On the issues related with establishment and maintenance of a Social Institution named “Graduate house” for the graduates of the state child institutions under the State Social Security Service of MLSPP who were deprived of parental care”.

A family-style small group home for boys was constructed and commissioned in Lankaran city in accordance with the order No. 1081 of the Ministry of Education of the Republic of Azerbaijan dated to November 17, 2015 within the implementation of the paragraph 10 of the Plan of Measures.

Local executive authorities identified totally 79 children evading from education, carried out preventive work with them, interviewed their parents, and then children were returned to their parents and school managements in 2014 within conduction of

monitoring in connection with negligence and evasion of children from education according to the subparagraph 13.5.6 of the National Action Plan.

70 juveniles and their parents were provided legal and psychological aid with the initiative of MIA at "Child rights clinic" and "Children and youth social rehabilitation center" of the "Hopeful Future" Youth Organization operating in Sabunchu district in 2014.

In addition, measures of legal aid were taken around up to 60 minors registered for illegal deeds in community-based "Child police rooms" established in Narimanov, Nizami, Binagadi, Garadagh and Khatai districts. It was provided for the protection of children on 92 civil cases.

Every year, local education management department submit reports on "General education institutions (collection) form No.1" to the Ministry of Education. Information on pupils' attendance and evasion from education at general education institutions is reflected on this report. The information is analyzed in the database of the Ministry of Education, reasons of pupils' evasion from education are investigated and outcomes of analysis are sent to all local education management institutions and schools.

The Ministry of Education conducted monitoring of the cases evasion from education in relation with early marriages in 2014. It implemented awareness activities with pupils and parents to prevent such cases.

21 families benefitted services of the Child Rehabilitation Center within a year upon recommendation of the commission for affairs and protection of rights of minors and socially vulnerable children were provided psychological aid in Nizami district of Baku city, while in Khatai district conversations of educational influence were conducted with 3 children and school administrations and parents of the pupils were given the task to focus on the education of the children more seriously.

3 facts were discovered in relation with employment of underage children during the raids conducted in Sumgayit city.

Monitoring was conducted for 5 times in a year at institutions where children work and are brought up with the coordination of Lankaran city executive power. 3 cases of illegal use of child labor were observed and relevant measures were taken during the monitoring.

A general secondary boarding school is operating in Siyazan district where children from the northern region of the country study. There was provided for study of totally 59 children who are deprived of parental care and have lost one of the parents in the academic year of 2014-2015.

MIA Main Department on Public Security carried out the training of children who had committed a crime, as well as children who stayed beyond the means of family and pedagogical influence for different reasons, including those who had been applied punishment mechanisms alternative to deprivation of liberty and their active reintegration to the society in the defined periods, and arranged provision of legal and

psychological assistance to 120 juveniles who are in trouble with the law and their parents at the “Child rights clinic” and “Children and youth social rehabilitation center” during the reporting period. At the same time, legal aid activities were implemented around 65 minors registered for illegal deeds in community-based “Child police rooms” in 5 districts of Baku.

Attendance of children evading from education was restored by district police departments, parents of children begging in the streets were taken to police departments and preventive conversations were conducted with them, relevant raids and preventive activities were carried out to discover minors evading from education and engaged in illegal labor, education departments of the Ministry of Education conducted monitoring in collaboration with relevant agencies, visited families and conducted awareness raising conversations with parents to negligence and evasion of children from education in various cities and districts. Psychologists of secondary schools held meetings with parents for rehabilitation of socially vulnerable children evading from education, became familiar with their family status and conducted psychological interviews with them. Education departments organized roundtables attended by parents, pupils, methodologists and social workers in concert with Child and Family Support Centers. Social workers conducted explanation work on the topic, demonstrated video clips and distributed booklets among parents and pupils.

According to the “Prevention of exploitation of child labor” Joint Activity Plan (2013-2015) signed between State Committee for Family, Woman and Child Problems and Ministry of Labor and Social Protection of Population, it had been provided monitoring of child labor situation in the Republic of Azerbaijan. For this purpose during 2015 together with executive powers of cities and regions there had been conducted joint monitorings in public enterprises and family farms.

As a result of conducted measures in total in 13 cities and regions, 35 children under age of 15 in markets, 38 in autorepairing workshops, 9 in restaurants, 10 in trade centers and 2 in agriculture sector found as involved to the labor. All of the found children fully or partially evaded from education. It was revealed that parents of the above mentioned children had information about that. All necessary information had been gathered regarding those children’s (under age of 15) education, family status and their involvement to labor immediately stopped. Responsible bodies were informed regarding necessity of providing working conditions of those who were over 15 in the framework of relevant legislation. At the same time relevant executive powers recommended to provide necessary monitorings for elimination of this problem.

Survey (inquiry) conducted among people living in different districts of Baku city and regions of country and awareness campaigns organized in schools and other educational institutions with a purpose of conducting monitoring in respect to deviation of children from education and their negligence, to take measures for rehabilitation of the socially vulnerable children deviating from education.

In 2015 State Committee for Family, Woman and Child Problems provided trainings in different regions (Shaki, Gakh, Zagatala, Ismayilli, Balakan, Oghuz and Gabala) of country for instruction of monitoring teams.

According to the article 13.5.7 of NAP, State Committee for Family, Woman and Child Problems, Ministry of Labor and Social Protection of Population, Ministry of Education, local executive power authorities conduct monitoring of children being adopted or given under patronage and guardianship in the families and to establish monitoring groups in the places for this purpose.

Thus 33 in 2014 and 37 in 2015 were returned to the patronage of biological families or close relatives by the order of local executive powers. 10 children were adopted in 2015. Organization of monitoring of children being adopted or given under patronage and guardianship in the families as well as their periodical monitoring provided together with Commission for the protection of issues and rights of minors.

Totally 272 children in 2014 and 347 children in 2015 were adopted or given under patronage and guardianship in the families. Local executive powers periodically conducted monitorings in those families. Also it must be underlined that Mass Media and NGO representatives were also involved to those monitorings.

Living conditions of those families kept under control by visiting those families' apartments in order to oversee the implementation of tasks by guardian-patron in accordance with the laws in force.

The Ministry of Education, the State Committee for Family, Women and Children Affairs and the Ministry of Internal Affairs ensured the issuance of identification cards for totally 47 children trained at state child institutions in 2014 for provision of paperless children with relevant documents in accordance with the subparagraph 13.5.8 of the National Action Plan.

MIA Main Department on Public Security informed enterprising parties about identification of social origin and legal status of minors by defining their places of permanent residence, parents and other legitimate representative based on the analysis of surveys on minors received from CIS countries, and necessary documents were presented to them. Civil cases on alimony for children, recognition of birth facts and issuance of birth certificate, registration in the place of residence and restoration of housing rights found a positive solution at the "Child rights clinic" and "Children and youth social rehabilitation center" of the "Hopeful Future" Youth Organization (NGO Alliance) within cooperation with MIA.

MIA Main Passport, Registration and Migration Department issued 68 ID cards for stateless persons who had been granted a permanent residence permit in the Republic of Azerbaijan until January 1, 1992 and their children born until the Law of the Republic of Azerbaijan "On the citizenship of the Republic of Azerbaijan" entered into force (in relation with expiry of the period of validity and change of residence). 112 stateless persons provided passports for using outside the Republic of Azerbaijan.

The Ministry of Education provided ID cards to 213 children trained at state child institutions in recent 5 years and birth certificates to 160 children.

9 children were provided identity cards with the initiative of the State Committee for Family, Women and Children Affairs and SSAC. 110 children were identified and provided ID cards by the Child and Family Support Centers of Aghdam, Hajigabul, Gabala, Zagatala and Ismayilli districts.

A “Child rights month” was announced in 20.10-20.11.2014 with the initiative of the Ombudsman in the field of implementing relevant campaign and awareness activities at private organizations to prevent exploitation of child labor in accordance with the subparagraph 13.9.6 of the National Action Plan. “Tamiz Shahar” OJSC of the Ministry of Economy organized the 3rd International Children's Conference in gala settlements in 13-15.11.20 with the initiative of the H.Aliyev Foundation to increase attention to children and further improve the status of realization of children's rights within the “Child rights month”. Children attended the presentations made by local and international experts at the conference.

Relevant services of MIA Main Department on Public Security detected 65 facts on engagement of children in day labor (without a labor contract) in public catering and other service sectors to satisfy personal and family needs in 2015, and sent 53 materials to local agencies of the State Labor Inspectorate and other related organizations.

The Ministry of Economy conducted seminars on the “Protection of children's rights” at 2 secondary schools of Sheki with the organization of the Sheki office of Baku Business Education Center to prevent exploitation of child labor. In addition, entrepreneurs were provided relevant information on the prevention of exploitation of child labor at the lectures on awareness of entrepreneurs delivered at 9 events organized in 7 districts of Baku city and the whole country.

According to the paragraph 2 of the “Program on prevention of social problems leading to human trafficking” approved by the Decision No.81 of the Cabinet of Ministers of the Republic of Azerbaijan, the main purpose of the program is to eliminate social problems leading to human trafficking and to create necessary conditions for improvement of the living standards of victims and potential victims of human trafficking, while its objective is to ensure the social protection of vulnerable groups of the population that may be exposed to human trafficking, including children and adolescents deprived of parental care and remained neglected, as well as citizens forced to leaving boarding schools and other alternative care institutions because of the age limit. Besides, the activities specified with the paragraphs 4.1.1, 4.1.2, 4.1.6, 4.1.7, 4.2.1, 4.2.2, 4.4.3, etc. of the Program are being carried out to reduce the demand for services of victims.

See: Proposal 3 on partnership with civil society.

12. Further, GRETA invites the Azerbaijani authorities to consider establishing as a criminal offence the use of services which are the object of exploitation, with the knowledge that the person is a victim of trafficking in human beings.

The Ministry of Justice prepared draft laws on amendments to the Law “On combating human trafficking” and the Criminal Code of the Republic of Azerbaijan in collaboration with the Ministry of Internal Affairs, the General Prosecutor’s Office and the Supreme Court, and submitted to the Cabinet of Ministers of the Republic of Azerbaijan in 2015.

Social, economic and other initiatives for groups vulnerable to THB

13. GRETA urges the Azerbaijani authorities to ensure the registration of all children at birth and to provide persons who are stateless or living without legal documents in Azerbaijan with the appropriate documents, as well as to secure the registration of persons from vulnerable groups for social services, both as a prevention measure and in order to avoid re-trafficking.

The main principles of combating human trafficking in the Republic of Azerbaijan include prevention of discrimination against victims of human trafficking in the society, ensuring the safety of and polite treatment with victims of human trafficking and implementation of preventive measures of legal, political, social, economic and institutional character.

Employees of the Office of the **Ombudsman** conduct monitoring at the Illegal Migrants Detention Centers of the State Migration Service in Baku and Yevlakh cities, as well as asylums of civil society organizations on a regular basis.

During the monitoring, detained migrants are interviewed individually to know how they are treated, what problems they have, in what conditions they are detained and at what level their rights are provided, as well as their requests are promptly investigated and each of them are provided with possible assistance within the authorities of the Ombudsman in line with providing legal advice on questions they raise. At the same time, the employees investigate the status of execution of recommendations made to heads of institutions during previous visits.

Moreover, campaign work is conducted with the detained to prevent human trafficking in parallel to explaining their rights within the visits. They are informed about the perils waiting on the way of victims of human trafficking, methods of protection provided and administrative, criminal and other measures taken in relation with human trafficking.

Registration of children born in medical institutions is conducted, as well.

Necessary measures were taken in the direction of reducing the cases of statelessness and determining the legal status of persons who had been residing in the Republic of Azerbaijan for a long time and did not have any documents confirming the identity of a nationality of any country during the investigation of applications made by the State Migration Service.

Thus, 23.291 persons' belonging to citizenship of the Republic of Azerbaijan was investigated and 17.275 of them were identified as a citizen of the Republic of Azerbaijan in 2015. 10.557 persons' belonging to citizenship of the Republic of Azerbaijan was investigated and 9.262 of them were identified as a citizen of the Republic of Azerbaijan in 2016.

186 persons in 2014 and 181 persons in 2015 were admitted to citizenship of the Republic of Azerbaijan under the relevant Decrees of the President of the Republic of Azerbaijan.

Permits were issued for temporary residence of 73 persons and permanent residence of 103 persons in the Republic of Azerbaijan in 2015.

Within the year of 2015 information about 17 children who were deprived of parental care, or are living under the patronage of their relatives' or particular organizations, and the ones who could not get their ID card due to some reasons, came into The State Committee for Family, Women and Children Affairs. Holding a partnership with 13 Municipal Bodies of cities/regions (Shirvan, Absheron, Khachmaz, Qabala, Qakh, Qazakh, Xazar, Yasamal, Pirallahi, Surakhani, Nasimi, Narimanov, Sabunchu) families of these children were identified and provided with appropriate documents.

The Ministry of Education, in collaboration with the State Committee for Family, Women and Children Affairs, provided identity cards to 47 minors at state child institutions.

14. Further, GRETA considers that the Azerbaijani authorities should:

- Take further steps to identify persons and groups vulnerable to THB, and to address them through targeted social, economic and other initiatives;**
- Increase their efforts to address the root causes of THB for sexual exploitation, such as stereotypes and prejudice against women, domestic violence and violence against women;**
- Take measures to empower migrant workers who are already on the Azerbaijani territory by providing them with the relevant documents, informing them of their rights, and facilitating their access to legal redress in case of abuse of their rights.**

The objectives of combating human trafficking are achieved through determination and elimination of reasons of human trafficking and cases leading to this kind crimes and reduction of the risk of becoming a victim of human trafficking in the Republic of Azerbaijan. For detailed information see the proposal 11.

The State Committee for Family, Women and Children Affairs reported that the Ministry of Internal Affairs sent information to the Committee about 519 children in 57 districts in 2015. The information about the children was sent to the Commissions for Guardianship and Trusteeship, Affairs and Protection of Rights of Minors under City/District Executive Power Bodies for taking relevant measures and reporting to the Committee. Currently, the work is underway in this direction.

There were issued identity cards for 28 children deprived of parental care who are trained at state child institutions, TRP (temporary residence permit) certificates for 3 children by the State Migration Service and initial military registration certificates for 5 pupils by the State Service for Mobilization and Conscription in the past 5 months of 2016.

The requirements of the Migration Code and the “Rules of determining the labor migration quote” approved by the decision of the Cabinet of Ministers are complied strictly during the issuance of relevant work permits for engagement of foreigners and stateless persons in paid labor activity through employers in the Republic of Azerbaijan. 11.230 foreigners and stateless persons were provided relevant work permits through employers for their engagement of in paid labor activity in 2015 in compliance with the quote. According to the article 64 of the Migration Code, in 18 cases it is not required to get work permits for employment of foreigners and stateless persons pursuant to the quote.

Additionally, foreigners and stateless persons are provided relevant permits in the manner specified with law in case there are grounds for legalization those persons who are residing illegally in the country or involved in illegal labor activities.

25 November 2014, within the framework of 16 days of Activity Campaign, The State Committee for Family, Women and Children Affairs hold a Conference on “Women Empowerment, Progress for Society” together with USAID, UNFPA, UN High Commission on Refugees, International Organization for Migration, and Women Society on Rational Development. Conference touched the following topics:

- Legislation on “Prevention of Domestic Violence” and Normative Legislative Acts on the fight against early marriages;
- Practical mechanisms in order to improve the education and employment opportunities of the girls who became the victims of early marriages and domestic violence;
- The role of the Mass Media in the prevention of domestic violence and early marriages.

5th Conference on the Role of Women on Development of member states of the Ministers was held on 20-21 October and the below mentioned statements were adapted:.

- a). Empowerment of Women;
- b). Elimination of poverty, getting sustainable development, enlarging adequate resources, giving support to achieve gender equality;
- c). Increasing the role of women in decision-making processes;
- d). Provision of equal opportunities for women in the society including health and education;
- e). Elimination of all forms of discrimination against women including violence against women;
- f). Indicators of development and active researches

13 november 2015, The State Committee for Family, Women and Children Affairs in cooperation with UN Population Fund organized International Conference on "Prevention of Domestic Violence". The discussions during the conference included expansion of social-economic potentials of women, prevention of domestic violence through gender awareness, investigation and analysis of reasons of violence, protection of victims of violence and directing them towards appropriate governmental or non-governmental bodies.

According to Action Plan (2011-2015) on "Reduction of poverty and implementation of State Program of Sustainable Development in Republic of Azerbaijan in 2008-2015" approved within Order #1578 by President of Republic of Azerbaijan on 28 June 2011, several discussions were made with 79 urban/rural bodies and 6 government bodies- (Ministry of Justice, Ministry of Internal Affairs, Ministry of Labor and Social Protection, High Prosecutor's Office) on creation of monitoring groups on gender violence and violence against children. These monitoring groups have the following functions as assessment of situation, controlling the efficiency of the measures taken, determination of vulnerable families and giving them proper support, investigation and analysis of reasons of violence, discussions of severe violence cases, protection of victims of violence and providing them the assistance by directing them to appropriate bodies.

The implementation of the twinning project named "Supporting MLSPP of AR in development of medical and social rehabilitation system of persons with disabilities" financed by European Union, the beneficiary of which is MLSPP, was started in 2014. The project covers the period of 2014-2016. 4 meetings of the Steering Committee of the project were held in 2015. At the same time, the implementation of the twinning project named "Developing the provision of social services in Azerbaijan" financed by European Union, the beneficiary of which is MLSPP, was started on June 1, 2015. It was envisaged to create a strategic framework in the provision of social services, make

changes in the legal framework pursuant to the strategic framework proposed, modernize the system and prepare a staff development strategy and an action plan, organize training for MLSPP staff within the project. The project covers the years of 2015-2017.

The implementation of the twinning project named “Supporting the empowerment of the Office of the Commissioner for Human Rights in the Republic of Azerbaijan” financed by European Union, the beneficiary of which is the Office of the Commissioner for Human Rights, was started in June 2016. The duration of the project covers 2016-2018 years.

During 2014, the National Fund for Entrepreneurship Support ensured the allocation of low interest loans at amount of 49.7 million manat to 1249 young entrepreneurs, 9.3 million manat to 703 female entrepreneurs, 10 thousand manat to a disabled entrepreneur and 7.7 million manat to 317 IDP entrepreneurs to provide for employment of vulnerable groups of population. It was planned to create over 4300 jobs within those projects.

Furthermore, the National Fund for Entrepreneurship Support organized totally 46 business forums, including 39 in the regions and 7 in Baku settlements to raise awareness of entrepreneurs in 2015. During the events, low interest loans were presented to entrepreneurs, economic knowledge was given to 4000 entrepreneurs, presentations were made on model investment projects, discussions were conducted with representatives of authorized loan agencies and entrepreneurs on effective use of existing economic potential of each district and city, and advertisements were posted on media regarding the admission of investment proposals in cities and regions.

Border measures to prevent THB and measures to enable legal migration

15. GRETA considers that the Azerbaijani authorities should make further efforts to:

- Detect cases of THB and identify victims of trafficking in the context of border and migration-related controls;**
- Provide employees of the State Migration Service, State Border Service and State Customs Service with training in order to increase their capacity to proactively detect cases of human trafficking and identify trafficked persons. Such training should underscore the difference between human trafficking and smuggling of migrants;**
- Review the system for licensing of recruitment agencies.**

According to the paragraphs 4.1.7 and 4.1.8 of the “Program on prevention of social problems leading to human trafficking” approved by the decision No.81 of the Cabinet of

Ministers of the Republic of Azerbaijan dated to 20.05.2011, the opportunities are facilitated and expanded for provision of labor migrants who may become a victim of human trafficking with social protection measures, as well as migration, border and customs organizations conduct trainings for their employees on combating human trafficking and rights of victims to improve the process of identification of victims of human trafficking among illegal migrants.

The abovementioned issues are implemented within the National Action Plan.

In cases victims of human trafficking are brought to the country, they are informed of their rights by employees of the border checkpoints;

- Relevant activities are implemented in accordance with “Rules (indicators) for identification of victims of human trafficking” approved by the Decision No.131 of the Cabinet of Ministers of the Republic of Azerbaijan to make sure that military servants controlling the border checkpoints can identify victims of human trafficking among those crossing the state borders;

In case foreigners or stateless persons believed to be a victim of trafficking in human beings during the inspections carried out by the State Migration Service, they are handed to the specialized police unit on combating human trafficking in accordance with the Law “On combating human trafficking” of the Republic of Azerbaijan and “Rules on handing of victims of human trafficking to the specialized police unit on combating human trafficking”. Generally, the State Migration Service did not identified persons who are believed to be a victim of human trafficking among foreigners and stateless persons detained as illegal migrants

Exchange of information is conducted between the State Migration Service, the Ministry of Internal Affairs and the State Border Service for identification of victims in a short time within proactive measures, and complex measures are taken in the direction of identifying victims of human trafficking while entering and leaving the country and in other places.

The participation of the Service employees in short-term courses organized at the Training and Education Center of the Service on victims of human trafficking and persons exposed to forced labor, rules (indicators) for their identification and international best practice in this field and respect for human rights and freedoms provided in the Republic of Azerbaijan, as well as training and seminars within the project “Strengthening the capacities in migration and border management in Azerbaijan” in order to improve theoretical knowledge and professional training of employees of migration organizations, increase the level of staff training and professional development of employees.

Relevant activities are implemented in accordance with the “Rules (indicators) for identification of victims of human trafficking” approved by the Decision No.131 of the Cabinet of Ministers of the Republic of Azerbaijan to make sure that military servants controlling the border checkpoints can identify victims of human trafficking among those crossing the state borders. Military servants of the State Border Service (SBS) attended the training co-organized by the UNHCR and SBS within the project initiative to improve

the quality of asylum systems in Nakhchivan, Lankaran, Guba, Zagatala and Ganja cities in 16.10-27.11.2014.

16. Further, GRETA considers that the Azerbaijani authorities should continue their efforts to provide written information to foreign nationals planning to travel to Azerbaijan, in a language that they can understand, in order to alert them to the risks of THB, inform them of where they can go for help and advice, and provide them with information on their rights.

Booklets containing information about human trafficking risks and organizations that persons can refer in case of facing the risk of being subject to human trafficking in the Azerbaijani, Russian and English languages were distributed at border checkpoints. Necessary instructions were given to department and division heads, chiefs stations, passenger and tourist-travel trains moving on international routes and conductors of passenger trains, as well as legal entities and individual entrepreneurs who are owners of vehicles carrying out cargo and passenger transportation under a special license and of all cargo and passenger terminals (bus terminals and auto stations) to raise the awareness of employees on the risk of human trafficking in road transport infrastructure facilities, including crowded bus terminals and auto stations, to take preventive measures to eliminate the risk of human trafficking, distribute visual memory cards to the public transport staff, follow seriously the ticket sales rules, make regular announcements for passengers on this risk and immediately inform relevant law-enforcement bodies of suspicious circumstances. For detailed information see the proposal 15.

17. GRETA urges the Azerbaijani authorities to:

- **Ensure that the application of the Rules on indicators and the Rules on the National Referral Mechanism used for the identification of victims of trafficking is duly monitored and evaluated;**
- **Reinforce the National Referral Mechanism and the multi-agency involvement in victim identification by formalising the role and input of specialised NGOs and involving other relevant actors, such as medical staff;**
- **Guarantee that in practice identification is dissociated from the presumed victim's cooperation in the investigation;**
- **Increase efforts to proactively identify victims of THB for the purpose of labour exploitation in particular among foreign workers and in the sectors most at risk such as construction, agriculture and domestic work, by involving all relevant stakeholders such as labour inspectors and trade unions;**
- **Review the mandate of labour inspectors so that they can inspect other workplaces**

than those of registered companies (e.g. premises where domestic workers are employed) and effectively identify victims of THB;

- Improve the detection and identification of victims of trafficking among irregular migrants through a proactive approach which requires regular training on THB and the rights of victims for immigration, border and customs officers, including staff working in detention centre for migrants in an irregular situation;

- Improve the detection and identification of child victims of trafficking, including by setting up a specific identification mechanism which takes into account the special circumstances and needs of child victims, involves child specialists and ensures that the best interests of the child are the primary consideration;

- Increase efforts to proactively identify male victims and victims of internal THB (i.e. within Azerbaijan).

As a result of operative-investigatory activities implemented in 2014, 54 persons (51 women and 3 men) were identified as victims of human trafficking, including 51 persons exposed to sexual exploitation and 3 to labor exploitation. In 2015, 63 persons (57 women and 6 men) were identified as victims of human trafficking, including 54 persons exposed to sexual exploitation and 9 to labor exploitation. During 5 months of 2016, 28 persons were identified as victims of human trafficking. All the victims were women who had been exposed to sexual exploitation.

According to the subarticle 13.2.5 of the NAP, it is considered to take joint measures for prevention of illegal migration, forced labor and human trafficking, to strengthen activities on identification of its victims and potential victims and implementation of monitoring by the participation of the related state authorities in respect thereof, identification of the cases enabling human trafficking and prevention of such cases. State Migration Service together with Ministry of Internal Affairs and the Ministry Labor and Social Protection of the Population provided joint measures in accordance with Joint Activity Plan (2013-2018) on “Combating human trafficking and forced labor, prevention and elimination of such kind of crimes” (signed on 10.10.2013).

MIA Main Department on Combating Trafficking in Human Beings continued the implementation of relevant activities in determining and preventing cases of forced labor in industry and agriculture, took operative-preventive measures at stone and plastic products plants and construction fields located in Garadagh, Sabunchu and Khazar districts of Baku city and greenhouses of Absheron and Shamkir districts together with the State Labor Inspectorate of MLSPP, and the collected data were sent respectively for initial investigation of signs of forced labor.

MIA Main Passport, Registration and Migration Department imposed a penalty on 364 foreigners for residence in the country without registration and permits for visiting and residing in the Republic of Azerbaijan during 2014.

As a result of operative-investigatory activities implemented by employees of the Anti-Illegal Migration Agency (AIM), 2 citizens of Russian Federation, 2 citizens of Turkish Republic,

citizens of Pakistan, Ukraine and Kazakhstan (1 person from each country) and 1 stateless person, who had committed different crimes in their country of citizenship, were detained and handed to related police organizations for taking respective measures.

The State Migration Service determined cases of violation of procedures specified in law by 1168 foreigners and stateless persons when being employed in the country in 2015. In total, 24550 foreigners and stateless persons were defined to fail complying with the rules of stay and residence in the country and to violate of the requirements of the administrative legislation living with invalid documents. Residence of 1900 foreigners was legalized upon justified grounds, while a decision was made on expulsion of 4623 foreigners from the territory of the country. At the same time, 18027 foreigners defined as living illegally in the country were provided a chance to leave voluntarily the territory of the Republic of Azerbaijan.

MIA Main Passport, Registration and Migration Department imposed a penalty at amount of 300 AZN on 272 foreigners who had violated the stay, residence and transit rules in the country. 44 foreigners were detained at the Investigation Center of MIA Main Passport, Registration and Migration Department. The employees of the center took the fingerprints of those persons and submitted for inspection of MIA.

Capacity building trainings and special courses on mastering modern business methods for the police staff for work with children have been arranged by MIA Head Public Security Department. The trainings have been attended by field experts of UN and other international organizations involved about 250 police officers.

In order to prevent human trafficking the General Prosecutor's Office, Ministry of Justice, State Customs Committee, and the State Border Service expressed their opinion on adding an individual article to the Criminal Code of the Republic of Azerbaijan envisaging criminal responsibility for committing besides or with concealment from the AR customs control or with use of founs documents for the purpose of smuggling of human beings and human organs, i.e. trafficking in human beings and human organs.

Subject to National Action Plan, subparagraph 13.3.6 the State Migration Service has revealed the cases of law violation and failure to follow the rules of stay and residence in the country, as well as stay and residence with invalid documents by 37,608 foreigners and stateless persons within 2014 in order to strengthen the efforts towards the identification of the victims of human trafficking and forced labor within the country, including child victims of human trafficking, foreigners and stateless persons. Due to the existence of grounds stay and residence of 3,306 persons (2015 - 1,900) in the country has been legalized, whereas 6,431 persons (2015 – 4,623) have been expelled from the country in administrative order. At the same time decision on leave of 27,683 persons residing illegally (2015 – 18,027) from the territory of the Republic of Azerbaijan has been passed. Although actions for identification of

human trafficking victims have been taken, no victim of human trafficking has been revealed.

Subject to the Decision of the Cabinet of Ministers No. 244 dated June 25, 2015 on "Amendments to Regulations on Establishing, Financing, Operating, and Supervision of Special Institutions for victims of human trafficking", contract expert involvement for actions on social rehabilitation of human trafficking victims by private entities in agreement with the National Coordinator for Combating Trafficking in Human Beings has been provided.

Since September 1, 2015, legal protection of human trafficking victims and legal assistance throughout preliminary investigation and hearings has been provided to victims of human trafficking by a contract attorney is a member of Bar Council.

Powers of labor inspectors may be revised **by MLSP** to easily identify victims of human trafficking for labor exploitation in risky sectors such as construction, agriculture and domestic work (domestic servants, etc.) particularly among foreign workers via involvement of labor inspectors, trade union representatives and other relevant stakeholders. Thus, in many cases, inspection of a workplace of employees working in closed work environment (domestic servants, etc.) is not currently possible. Hence appropriate amendments are needed to remove the gap.

In order to ensure execution of the Resolution of the Cabinet of Ministers No. 203 dated November 09, 2005 on on Establishing, Financing, Operating, and Supervision of Special Institutions for victims of human trafficking, the Center for Victims of Human Trafficking under the MLSP of the Republic of Azerbaijan was established. The Center is funded from the state budget. Budget allocations for maintenance of the center so far amounted to 206.4K AZN in total (55.9K AZN in 2013, 59.7K AZN in 2014, 44.4K AZN in 2015, and 46.4 K AZN in 2016).

Note: For trainings see proposal 5

Fight against human trafficking plays an important role in **Ombudsman's** multilateral activity. Actions in this field are held together with the relevant government agencies and civil society; comprehensive awareness raising programs are carried out on a regular basis in Baku and other regions.

Thus, since 2009-2010 academic year, upon Ombudsman's initiative and in cooperation with the Ministry of Education the stepped educational programs on children's rights are being successfully carried out in higher and vocational institutions under the National Action Plan on improvement of protection of human rights and freedoms in the Republic of Azerbaijan which was approved by Presidential Order dated December 27, 2011 and is being successfully implemented.

As in previous years, the training programs are being implemented during the present year as well. Thus, stepped educational programs on children's rights have been successfully carried out in 20 secondary schools nationwide since February 2016

and completed recently. The programs aim to inform schoolchildren about essence of human trafficking, its threats, as well as the exploitation of child labor and its consequences, ways to combat human trafficking. It should be particularly noted that the stepped education practice was welcomed by a number of international organizations, including European Network of Ombudspersons for Children.

Generally, since 2009-2010 academic year, over 110 schools have been involved in these projects every year, over 6,350 students obtained class have been certified by Ombudsman, over 500 teachers and directors earned honorific mention.

Since April 2015, "Legal World" Public Union for Legal Advocacy launched implementation of "Prevention of juvenile delinquency and violations of law" project with support of MLSP of the Republic of Azerbaijan. The project included workshops with children, parents, teachers and school psychologists on awareness raising on prevention of the risk to become a victim of delinquency, evasion of education, child begging, forced labor and human trafficking have been held in 10 secondary schools of Baku during 12-21 May 2015. The main focus of the workshops was on improving the participants knowledge level in the field of children's rights. Commissioner representative participated in the project as a trainer explained the provisions of Convention on the Rights of the Child and International Convention on child labor and informed the participants on the essence of human trafficking, its threats, prevention of human trafficking crimes and presented them educational means.

In addition, workshops have been held in secondary schools of Baku city during 5-8 April 2016 on the back of execution of "National Action Plan on Combating Human Trafficking in Azerbaijan in 2014-2018" provision on "Continuation of awareness raising programs aimed at protection of children from the threats of child exploitation, human trafficking and child labor within educational and training institutions" which is approved by Presidential Order dated 24 July 2014.

The representative of Ombudsman explained students the provisions of Convention on the Rights of the Child and the Law of the Republic of Azerbaijan on Rights of the Child and informed them on the essence and types of human trafficking, its threats, prevention of human trafficking crimes and exploitation of child labor and its consequences. Educational means such as book on "Convention on the Rights of the Child" and "Selected topics about stepped education on child rights", as well as other legal publications and posters prepared by the organization were used during workshops.

Furthermore, Commissioner representatives inform the students on violations linked to human trafficking during the workshops where they are recommended to contact 24h hot line "916" of Ombudsman's office when faced to such kind of violations and abuse against children.

The State Statistical Committee has developed a methodology on "Assessment of Illegal employment within the national labor market" with a view to determine a number

of illegally employed people nationwide, study the existing situation and develop statistical data through inspection of workplaces other than registered companies (e.g. entities involving house servants). Determination of illegally employed people number, study of the existing situation and development of statistical data will play an important role for national labor policy.

Assistance to victims

18. GRETA urges the Azerbaijani authorities to strengthen their efforts to provide assistance to victims of trafficking, and in particular to:

- **Ensure that the needs of victims and possible victims of THB are met throughout Azerbaijan. Particular attention should be paid to ensuring emergency and safe accommodation for victims of THB who are not willing or able to co-operate with the law enforcement authorities and for possible victims of THB before their formal identification;**
- **Ensure that assistance measures provided for in law are not made in practice dependent on the victims' willingness to co-operate with law enforcement agencies;**
- **Provide the Assistance Centre for Victims of THB with all the necessary human and financial resources to fulfil its mission.**

In 2014, 38 out of identified 54 victims have been accommodated in safe shelters, actions for their protection and rendering needed aid have been carried out. All victims have been placed in shelters, further were rendered medical, psychological and legal assistance, and provided with the necessary clothing.

According to the relevant Decision of the Cabinet of Ministers 53 victims of human trafficking were provided with **lump-sum allowances** during the period of reintegration. 24 victims have been provided with job, whilst for 35 victims an opportunity for education in vocational courses has been afforded.

34 human trafficking victims have been interviewed, helped to return to their families, children of 8 victims (overall 11 children) have been involved to after-school educational programs and children of 3 victims have been accommodated in temporary shelter under "Azerbaijan Children Union". 3 neglected children at risk have been helped in issuing a birth certificate. Relief Fund for victims of human trafficking has provided financial assistance for 40 victims, while 14 potential victims of human trafficking have been provided with clothes and food.

36 victims have been channeled to NGOs and 51 victims to the Center for Assistance to Victims of Human Trafficking under MLSP State Social Security Service for social services implementation. The Center rendered legal assistance for 22 victims, medical aid for 8 victims, and psychological assistance for 6

victims. 10 victims have been channeled to the State Employment Service for employment assistance and 9 victims for assistance to enroll professional courses, 4 victims have been accommodated in Ganja Rehabilitation and Reintegration Center. In addition, the relevant authorities have been appealed for provision 1 victim with land parcel.

46 victims have been channeled to the Center for Assistance by NGOs. The Center rendered legal assistance for 6 victims, and medical aid for 4 victims. 15 victims have been channeled to the State Employment Service for employment assistance and 7 victims for assistance to enroll professional courses, 3 victims to IOM for financial assistance, and 5 victims to the State Social Security Service for targeted social assistance. The State Social Welfare Service have been appealed to ensure rights of 1 victim, and to accommodate 2 victims in the Pension for War and Labor Veterans, 1 victim has been accommodated in Ganja Rehabilitation and Reintegration Center, 1 child of a potential victim of human trafficking in kindergarten. In addition, the relevant authorities have been appealed for provision of 1 victim of human trafficking and 1 potential victim of human trafficking with land parcel.

In 2014, 71 begging children have been identified of which 58 children have been rendered medical, psychological and legal assistance, and 40 children have been accommodated in a shelter under Azerbaijan Children Union, 65 children have been returned to their family.

In 2015, 60 victims of human trafficking out of 63 identified victims have been provided with lump-sum allowances in amount of AZN400 under the relevant Decision of the Cabinet of Ministers, while 51 human trafficking victims have been accommodated in Temporary Shelter for human trafficking victims under MIA Head Department for Combating Human Trafficking. All the victims have been rendered medical, psychological and legal assistance and provided with clothes. 31 people have been channeled to vocational courses, 22 people provided with job, 31 families of human trafficking victims have been interviewed, their return to families have been provided. 13 victims have been rendered assistance in issuing ID cards, and 16 victims assisted to undergo surgery.

56 people out of identified victims have been channeled to the Center of Assistance for Human Trafficking Victims under MLSP, and 54 people to Non-Governmental Organizations rendering social services. 19 people have been rendered legal assistance, 5 people medical aid, 26 people psychological assistance. 9 people have been channeled to the State Employment Service for employment assistance and 8 people for assistance to enroll vocational courses, 9 people have been accommodated in the shelter under Tamas Public Union located in Ganja.

19 potential victims of human trafficking have been channeled to the Center of Assistance by NGOs of which 3 people have been rendered legal assistance and 3 people medical aid. 8 people have been channeled to the State Employment Service for

employment assistance and 4 people for assistance to enroll vocational courses, 1 victim to the Social Security Center for targeted social aid.

The children of the victims was kept in attention as well. Thus 29 children of victims have been provided with after-school educational means, 7 children have been involved in preschool education program and 21 children in education. Stepfathers of 2 children have been determined and assisted to alimony provision, 11 children have been assisted to obtain birth certificates, 7 children of 5 human trafficking victims have been accommodated in the shelter under Azerbaijan Children Union.

The Center of Assistance for Victims of Human Trafficking rendered assistance for 42 human trafficking victims in 2015.

During the first quarter of 2016, 27 victims of human trafficking out of 28 identified ones have been provided with lump-sum allowances in amount of AZN400 subject to the relevant Decision of the Cabinet of Ministers. 27 people have been temporarily accommodated in the Shelter for Human Trafficking Victims under the Head Department. All victims have been rendered medical, psychological and legal assistance and provided with needed clothes. 20 people have been channeled to vocational courses, 7 people provided with job, 4 people assisted in issuing ID cards, 1 victim to undergo surgery. The families of 19 victims of human trafficking have been interviewed and return to their families has been provided.

25 victims of human trafficking out of identified ones have been channeled to the Center of Assistance for Victims of Human Trafficking under MLSP and 27 victims to NGOs rendering social assistance.

The children of the victims was kept in attention as well. Thus 11 children of victims have been provided with after-school educational means, 5 children have been involved in preschool education program, 1 child has been assisted to obtain birth certificate, 5 children of 2 human trafficking victims have been accommodated in the shelter under Azerbaijan Children Union.

Subject to National Action Plan, paragraph 13.4.3 on continuation of actions toward rendering medical service for victims and potential victims of human trafficking in identified inpatient and outpatient clinics and involving qualified experts to the facilities if needed, 9 health care institutions (Mental Health Center, Republican Narcological Centre, National Skin-Venereal Dispensary, Republican AIDS Center, Republican Clinical Hospital, Research Institute of Lung Diseases, Research Institute of Obstetrics and Gynecology, Baku Children Clinical Hospital No. 2, Female Counselling Centre No. 7) have been identified to serve victims and potential victims of human trafficking based on the Order of the Ministry of Health No. 135 dated 19.12.2014. The clinics rendered medical aid for 43 victims in 2014. At the same time, the Center for Mental Health renders social and psychological services to victims and potential victims of human trafficking.

In 2015, a total of 172 victims and potential victims of human trafficking have been provided with medical examination and treatment by 5 out of above mentioned clinics. In addition a helpline for emergency psychological assistance to victims and potential victims of human trafficking is available in Mental Health Center via which 47 victims of human trafficking and persons exposed to violence have been provided with consultations during the year. The experts of the Center have developed a clinical protocol on post-traumatic stress disorder occurs in victims of human trafficking.

In order to ensure execution of the Resolution of the Cabinet of Ministers No. 203 dated November 09, 2005 on Establishing, Financing, Operating, and Supervision of Special Institutions for victims of human trafficking, the Center for Victims of Human Trafficking under the MLSP of the Republic of Azerbaijan was established. The Center is funded from the state budget. Budget allocations for maintenance of the center so far amounted to 206.4K AZN in total (55.9K AZN in 2013, 59.7K AZN in 2014, 44.4K AZN in 2015, and 46.4 K AZN in 2016).

Subject to National Action Plan, subparagraph 13.4.4 on increase the number of specialists who are responsible for providing victims and potential victims the medical, psychological and other assistance in special facilities for victims of trafficking (shelters and assistance centers) and conduct of appropriate training, contract expert involvement for actions on social rehabilitation of human trafficking victims by private entities in agreement with the National Coordinator for Combating Trafficking in Human Beings has been provided based on the the Decision of the Cabinet of Ministers No. 244 dated June 25, 2015 on "Amendments to Regulations on Establishing, Financing, Operating, and Supervision of Special Institutions for victims of human trafficking".

Since September 1, 2015, legal protection of human trafficking victims and legal assistance throughout preliminary investigation and hearings has been provided to victims of human trafficking by a contract attorney is a member of Bar Council.

In accordance with National Action Plan, subparagraph 13.4.5 on increase of the competitiveness of victims and potential victims of human trafficking, arrangement of courses aimed at training on new professions, and addressing employment problems, the Ministry of Education has arranged 59 different training courses within enterprises and organizations with educational base and Employment Center bases. Competitive professions and specialties in national labor market, existing vacancies, and employment opportunities have been reported. Children graduated from boarding schools and special boarding schools which are deprived of parental care have been supported in entering higher, secondary and vocational education institutions and continuing their education on chosen professions. In 2014, 48 graduates of boarding schools entered the higher schools, whereas 29 students entered the secondary and 91 students the primary vocational education institutions.

In 2014, 19 victims out of identified ones have been provided with job and 24 channeled to professional courses. The Center of Assistance for Victims of Human Trafficking under MLSP State Social Security Service Center channeled 5 people to the State Employment Service for employment assistance and 3 people for enrolling professional courses.

NGOs has channeled 46 potential victim of human trafficking to the Center of Assistance of which 15 people have been channeled to the State Employment Service for employment assistance and 7 people for enrolling professional courses.

In 2015, the Ministry of Education has arranged career counseling attended by high school students, their parents and teachers. Given the role of parents in specialty choice of youth, the parents have been consulted on specialty choice, competitive professions and specialties in national labor market, existing vacancies, employment opportunities have been reported.

Overall 734 children have been graduated from the child institutions during 2014-2015 academic year. 45 graduates entered the higher schools, whereas 35 students entered the secondary and 130 students the primary vocational education institutions during 2014-2015 academic year. The Ministry of Education has arranged training courses within enterprises and organizations with educational base and Employment Center bases.

According to the subarticles 13.3.3 and 13.6.1 of the NAP, it is considered to continue measures for improvement of activities of the Main Department on Combating trafficking in human beings at the Ministry of Internal Affairs of Azerbaijan Republic, to strengthen its staffing potential, material and technical base in accordance with the international requirements. Also to ensure the security of the persons injured by the human trafficking until complete prevention of the danger as defined in the laws of Azerbaijan Republic on state protection of the persons who took part in the criminal process and the law on Combating trafficking in human beings.

In cases of pressure on close relatives of persons under protection and victim of human trafficking the security measures are applied on close relatives as well.

Organization of legal, organizational-technical and other actions by relevant state bodies is envisaged by the Law of the Republic of Azerbaijan on "State protection of persons participating in criminal proceedings" in order to ensure the security of persons under protection, to secure their lives and health, and property.

Actions on ensuring security of persons under protection are taken on the basis of responsibilities of the relevant authority and protected persons.

Each of security actions concerning the victim of human trafficking envisaged by the Law of the Republic of Azerbaijan on "State protection of persons participating in criminal proceedings" may be applied. However, they are subject to the following security measures in particular:

- Warning of human trafficking victims about threats;
- Placement of victims in safe place, or shelter;
- to ensure confidentiality of information about him (her);
- to ensure court hearings where victims of human trafficking participate to be held closed in the manner prescribed by law.

Security of 54 identified victims in 2014 and 63 victims in 2015 was provided by applying appropriate victim protection actions until the threat is fully eliminated.

According to National Action Plan subparagraph 13.6.2 on protection of rights and interests of citizens of the Republic of Azerbaijan who are victims of human trafficking by the diplomatic representations and consulates of Azerbaijan in the foreign countries, the Ministry of Foreign Affairs has sent the relevant Guidelines to foreign diplomatic missions and consulates for execution of this paragraph.

MLSP identifies the persons may benefit from the social services under the Law of the Republic of Azerbaijan on social services.

The center of Assistance for Victims of Human Trafficking under MLSP State Social Security Service is being provided with all the resources needed to carry out its mission.

The center cooperates with NGOs and international organizations in order to facilitate the reintegration of victims and potential victims into society. "Hot Line" is available in the Center.

During 2014-2015, the center of Assistance for Victims of Human Trafficking under MLSP State Social Security Service has rendered assistance for 109 victims of human trafficking (8 males, 101 females) and 65 potential victim of human trafficking (19 males, 46 females) are channeled by MIA Head Department for Combating Human Trafficking. This includes the followings:

- Applying the State Employment Service for employment provision and enrolling the professional training course - 68 people;
- Accomodation in Ganja Regional Rehabilitation and Reintegration Center and channeling to Ganja woman welfare center – 1 person;

In accordance with National Action Plan on Combating Human Trafficking in Azerbaijan in 2014-2018" subparagraph 13.9.3, the Center has arranged awareness raising programs with topic of "Stop Human Trafficking" in vocational education institutions of country regions during May-July 2015, with the support of the Ministry of Education of the Republic of Azerbaijan as a a continuation of efforts aimed at public awareness raising. The events on informing youth on essence of human trafficking, its types, the cases in which people become victims of human trafficking, and forms of the struggle against human trafficking have been arranged in 20 cities and regions of the country.

19. Further, GRETA considers that the Azerbaijani authorities should continue their efforts to facilitate the reintegration of victims of trafficking into society and avoid re-trafficking by providing them with access to education, vocational training, and the labour market.

The center of Assistance for Victims of Human Trafficking renders legal and psychological assistance for victims and potential victims of human trafficking if needed and cooperates with NGOs and international organizations in order to facilitate the reintegration of victims and potential victims into society. "Hot Line" ((012) 409 26 91) is available in the Center. Incoming calls are answered by a lawyer and psychologist.

For more see proposal 18.

Recovery and reflection period

20. GRETA considers that the Azerbaijani authorities should take further steps to ensure that all relevant stakeholders are familiar with the recovery and reflection period, in particular the special police unit, prosecutors, judges, lawyers, labour inspectors, and staff of shelters.

The relevant authorities and their staff are aware of the amendment dated 19 April 2013 made on the Law of the Republic of Azerbaijan on "Fight against human trafficking" related to 30 days of recovery and reflection period granted to make a deliberate decision on cooperation with the body of criminal persecution and recover his (her) state, and avoid impact of criminals.

21. Further, GRETA urges the Azerbaijani authorities to ensure that victims and possible victims of trafficking are systematically informed of the possibility of benefiting from a recovery and reflection period and are actually granted such a period.

A victim of human trafficking is granted 30 days of recovery and reflection period to make a deliberate decision on cooperation with the body of criminal persecution and recover his (her) state, and avoid impact of criminals.

During recovery and reflection period, a victim of human trafficking may make use of protection and safety services, and services for recovery of physical, psychological and social state delivered by special establishments.

During recovery and reflection period, administrative extradition of victim of human trafficking outside the Republic of Azerbaijan is not applied.

Upon completion of this period, foreigners and stateless persons who are victims of human trafficking are issued one (1) year temporary residence permit at their request. Upon completion of the recovery and reflection period or during temporary residence

permit period, the victims may be repatriated from the Republic of Azerbaijan at their request.

The Ministry of Justice has developed draft law with participation of the Ministry of Interior Affairs, General Prosecutor, and Supreme Court for legal regulation in procedural order the criminal prosecution of recovery and reflection period.

Residence permits

22. GRETA considers that the Azerbaijani authorities should clarify the legislation concerning the possibility for victims of THB to obtain a temporary residence permit in Azerbaijan, including when they are not in a position to co-operate with the authorities.

Along with Law on Fight against Human Trafficking according to Migration Code decision on expulsion of foreigners and stateless persons, who are considered to be victims of human trafficking, is not made for the period of 1 year and for foreigners and stateless persons that assist the prosecuting authorities till the end of prosecution. Decision on expulsion is not made on minor victims of human trafficking.

The Cabinet of Ministers approved "Regulation on repatriation of human trafficking victims" under the Decision No. 252 dated 10.09.2013 with a purpose to coordinate the activities of relevant authorities on repatriation of foreigners and stateless persons became a victim of human trafficking and to avoid repeat trafficking of victims.

Victims of human trafficking willing to leave the borders of the Republic of Azerbaijan are assisted in issuing the relevant documents and payment of travel and other necessary expenses, are consulted on minimizing the risk of becoming a victim of human trafficking in accepting country, and are informed on contacts of law enforcement agencies, non-governmental organizations, human rights activists and social security institutions can assist them.

During the last 3 years, 13 foreigners became victim of human trafficking were ensured right of residence in Azerbaijan, including 2 citizens of Uzbekistan, 1 citizen of Philippines in 2013, 2 citizen of Russia and 1 citizen of China in 2014, 5 citizens of Uzbekistan, 1 citizen of Turkmenistan and 1 citizen of Ukraine in 2015.

The Draft law on amendment to the Migration Code which is submitted to the Cabinet of Ministers envisages recognition of the cases when foreigners and stateless persons are considered to be victim of human trafficking, when victims assist prosecuting authorities as the circumstances under which the direct permit of residence in Azerbaijan Republic could be issued.

According to the article 57.1 of Migration Code of Azerbaijan, the government regulates labor migration through applying a labor migration quota, issuing work permits, as well as issuing special permissions (licenses) for mediation activity for

employment of citizens of the Republic of Azerbaijan in foreign countries. All these processes are being kept under control.

"Rules on determining quotas for labor migration" approved by the relevant decision of the Cabinet of Ministers envisages the terms and procedures for formulation of labor migration quota concerning involvement of foreigners and stateless persons for paid labor activity in the territory of the Republic of Azerbaijan. The quota is applied for the purposes of efficient usage of local labor resources and increasing the effectiveness of activities in the sphere of regulation of labor migration processes.

According to Migration Code of the Republic of Azerbaijan, Article 63 employers (*juridical persons, physical persons dealing with entrepreneurship activity without establishing juridical persons, and branches and representations of foreign juridical persons*) should obtain a work permit for every foreigner or stateless person whom they want to employ (*except for the cases provided for the Migration Code, Article 63*), and conclude a labour contract in compliance with validity period of the work permit. Concluding labour contract with foreigners without obtaining work permit is not allowed.

Compensation and legal redress

23. GRETA urges the Azerbaijani authorities to provide information to all victims of trafficking concerning possibilities to obtain compensation and to ensure that they have effective access to compensation from the traffickers and/or the State, including by ensuring effective access to legal assistance. In this context, GRETA stresses the importance of ensuring the financing of the Assistance Fund.

Human trafficking victims are explained their rights and responsibilities in criminal prosecution provided for Criminal Procedure Code, Article 87. The article envisaged statutory right to receive compensation from the state for damages incurred as a result of the offense under criminal law as the right of a victim.

During Court hearings the victims of human trafficking has been recognized as injured party and not exposed to criminal prosecution and punishment. They have not required compensation from the state for damages incurred as a result of offences under Article 191 of the Criminal Procedure Code the Republic of Azerbaijan.

According to the article 22 of the Law on "Combating Human Trafficking", all the property earned/obtained from trafficking in human beings (real estate, funds, securities and other assets) shall be confiscated by a court decision and shall be transferred to the specially established Relief Fund for assistance to victims of trafficking in human beings as defined by the legislation. Resources accumulated into the Relief Fund for assistance to victims of trafficking in human beings shall be spent to pay compensation to the victims of trafficking in human beings, cover their social rehabilitation, medical and other necessary expenses.

Repatriation and return of victims

24. GRETA considers that the Azerbaijani authorities should continue to develop the institutional and procedural framework for the repatriation and return of victims of THB, with due regard to their rights, safety, dignity and protection. Particular attention should be paid to ensuring that appropriate risk assessment is carried out prior to the return in compliance with the state's obligations on non-refoulement, and that the return of child victims would not be against the best interests of the child.

According to "Regulation on repatriation of human trafficking victims" approved under the Decision of the Cabinet of Ministers No. 252 dated 10 September 2013 the risk and threat occurring during the repatriation of victim is assessed and its consequences are taken into consideration. The level of risk and threat is evaluated based on the followings: probability of repeat trafficking after the repatriation of a victim of trafficking; risk of persecution of victim by human traffickers after repatriation; if the country the victim will be repatriated to is a origin, transit or destination country for human trafficking; availability of rehabilitation and reintegration programs for victims of trafficking in the country the victim will be repatriated to; capacity and potential opportunities of state and non-state bodies will render necessary social services to the victims in the country the victim will be repatriated to; the level of resoluteness in fight against human trafficking and capacity of support in the country the victim will be repatriated to; other specific indicators.

The victims are consulted on minimizing the risk of becoming a victim of human trafficking in the country they will be repatriated to, and are informed on contacts of law enforcement agencies, non-governmental organizations, human rights activists and social security institutions can assist them.

During the absence of the relevant documents (identity card, travel documents, etc.) of a victim will be repatriated the relevant measures prescribed by law are taken and they are assisted in payment of travel and other necessary expences relate to repatriation.

During the repatriation of victims the existence of residence permit or citizenship of a victim in the country he (she) will be repatriated to is inspected appropriate measures are taken to prevent future problems may occur in this field.

During the repatriation of victims, upon official agreement of an accepting country on necessary co-operation and acceptance of a victim, as well as the relevant interaction is provided.

The victims are consulted on minimizing the risk of becoming a victim of human trafficking in the country they will be repatriated to, and are informed on contacts of law

enforcement agencies, non-governmental organizations, human rights activists and social security institutions can assist them.

Child victims of human trafficking are not expelled administratively from the Republic of Azerbaijan. In addition the State Migration Service of the Republic of Azerbaijan does not make decision on expulsion of victims of human trafficking from the Republic of Azerbaijan. Child victims of human trafficking are allowed to be repatriated to their country or family only in case of an exception of probability of repeat trafficking.

The relevant efforts on determination of their families, legal representatives are carried out.

During procedures of repatriation of child victims of trafficking to their country or family an opinion of 10+ aged children are taken into account.

If repatriation of child victims of human trafficking considered to be contrary to their interests as a result assesment of a level of risk and threat of repatriation they are not repatriated and appropriate measures to ensure legal residence in the country those children (legalization, documentation, social rehabilitation) are taken.

Expulsion of foreigners and stateless persons, who are considered to be victims of human trafficking from the Republic of Azerbaijan, is not executed for the period of 1 year. In addition the State Migration Service of the Republic of Azerbaijan does not make decision on expulsion of victims of human trafficking from the Republic of Azerbaijan. Upon expiry of the period the foreigners and stateless persons that assist the prosecuting authorities are not expelled from the Republic of Azerbaijan till the end of prosecution. In addition the State Migration Service of the Republic of Azerbaijan does not make decision on expulsion of victims of human trafficking from the Republic of Azerbaijan. During the year, a victim can apply for residence in the Republic of Azerbaijan in a manner prescribed by the relevant law of the Republic of Azerbaijan

Substantive criminal law

25. GRETA considers that the Azerbaijani authorities should examine the reasons why no legal entities have been prosecuted for trafficking-related acts to date and, in the light of their findings, take the necessary measures to ensure that the liability of legal entities can be acted upon in practice.

According to Article 2.1, Law of the Republic of Azerbaijan on amendments to the Criminal Code of the Azerbaijan Republic dated March 7, 2012, provisions of Criminal Code on criminal liability of legal persons shall enter into force on the same day with amendments on Criminal Procedure Code and the Code of Execution of Punishments of the Republic of Azerbaijan related to application rules of criminal legal actions against legal entities.

Since following the amendment to the Criminal Code of the Republic of Azerbaijan any information on committing a crime of human trafficking by legal entities has not been accepted, no criminal case has been initiated and preliminary investigation has been carried out. In case of identification of such facts criminal case initiation and subjection to liability of perpetrators will be provided.

Non-punishment of victims of trafficking in human beings

26. GRETA considers that the Azerbaijani authorities should assess the implementation by the judicial and other relevant authorities of Article 26 of the Convention on the non-punishment of victims of THB for their involvement in unlawful activities, to the extent that they were compelled to do so.

According to the article 17.7 of the Law on “Combating Human Trafficking”, persons who are affected from trafficking in human beings are exempted from civil, administrative or criminal responsibility for offenses committed under coercion or intimidation while they were victims of trafficking in human beings.

Investigation, prosecution and procedural law

27. GRETA urges the Azerbaijani authorities to strengthen their efforts to ensure that crimes related to THB for all types of exploitation are proactively investigated and prosecuted promptly and effectively, leading to proportionate and dissuasive

Criminal cases against 25 persons out of 27 person subjected to liability for crimes (human trafficking) envisaged by Article 144-1 of CC of the Republic of Azerbaijan have been initiated during 2014-2015 .

Since all of these crimes involved sexual exploitation of women in foreign countries, all procedural rights of women recognized as victims have been ensured during criminal investigation and court hearings.

Only 1 convicted person was male, while remaining 26 persons were females.

4 criminal cases against 6 persons brought to justice for crimes (forced labor) envisaged by Article 144-2 of CC of the Republic of Azerbaijan have been initiated.

All the persons brought to justice for committing the crimes on human trafficking and forced labor have been sentenced to prison upon court conviction, including:

- 13 persons convicted received suspended sentences based on Article 70, CC, sentence was accepted as suspended with trial periods;
- Execution of sentences against 3 persons has been postponed until 8 age of their underage children are their dependent.

No cases of acquittal in a trial by judge or making decisions on the termination of the criminal prosecution based on any grounds concerning the above cases have been take place.

At the same time, it should be noted that none of the cases involved minors recognized as victims, no civil claims on material or moral damage against accused persons during prosecution have been raised by minors, and no decision related to such cases have been made.

28. Further, GRETA urges the Azerbaijani authorities to continue improving the specialisation and training of judges, prosecutors, police investigators and lawyers regarding the seriousness of THB and the severe impact of exploitation on victims and the need to respect the rights of victims of THB.

In conformity with recommendations of the Committee of the Parties the conferences and seminars on study of legislation and practices on fight against human trafficking conducted in the country and abroad in 2015-2016 have been attended by law enforcement officials, as well as judges, including judges of the Supreme Court.

In accordance with Supreme Court work plan for 2016 summarizing the court practices on judicial proceedings related to human trafficking and forced labor crimes within 2014-2015 and discussion of its outcomes in Court Plenum and decision-making with advisory character is intended.

In order to provide execution of subparagraph 13.8.4, National Action Plan on Combating Human Trafficking in Azerbaijan in 2014-2018” approved by the Presidential Order No. 667 dated 24 July, 2014, international seminar dedicated to prosecutions of human trafficking and coordination in this field has been held with co-organization of the Ministry of Internal Affairs and Embassy of the United States of America in “Khazri” Recreation and Healthcare Center under MIA in 14-16 May, 2016.

The international seminar was attended by authorized representatives of Georgia, Kyrgyzstan and Ukraine, United States of America, as well as senior officials of national state bodies such as the Ministry of Internal Affairs, Supreme Court, judges of Grave Crimes Court of Nakhichevan Autonomous Republic, Baku, Ganja, Lankaran, and Sheki, General Prosecutor’s Office, Ministry of Justice and Foreign Affairs, State Customs Committee, State Security, State Migration and State Border services, authorized representatives of Human Rights Commissioner (Ombudsman) and member lawyers of Bar Association.

International seminar included discussion of preliminary investigation of human trafficking and forced labor crimes, cooperation between law enforcement authorities during procedures and legal assistance during criminal cases, local and international practices.

For more see proposal 5.

29. GRETA invites the Azerbaijani authorities to issue guidelines for prosecutors and judges dealing specifically with THB and explaining the phenomenon of THB, in particular for labour exploitation, the rights of the victims and the non-punishment provision.

General Prosecutor's Office officers and judges have participated in the following trainings:

- Workshop arranged with officers of the Council of Europe Expert Group on the fight against human trafficking have been held in 10.11.2015 with a view of execution of the "Convention on Combating human trafficking".
- Training for judges, prosecutors and judge candidates have been held during 26-28 January, 2016 within "Strengthening of cooperation for effectiveness of the fight against human trafficking through technical support the capacity building - 4-phase project";
- International seminar co-organized by the Ministry of Internal Affairs and Embassy of the United States of America in "Khazri" Recreation and Healthcare Center under MIA in 14-16 May, 2016.
- Identification of gaps and needs assessment: seminar on comparative analysis of the efforts for fight against human trafficking in South Caucasus countries have been held on 25 April, 2016.

Protection of victims and witnesses

30. GRETA urges the Azerbaijani authorities to make full use of all measures available to protect victims of THB, witnesses and NGOs supporting victims and to prevent retaliation and intimidation during investigation as well as during and after the court proceedings. Particular attention should be paid to the current system of protection of child victims and witnesses of THB, in particular by improving the procedures for interviewing them during the investigation and court hearings.

Victims of human trafficking, witnesses of such kind of crimes as well NGOs assisting victims are being provided with security measures. In order to prevent possible revenge, threat that could happen during investigation and pre, during and after court sessions all necessary security or protection measures wholly kept under control. According to the subarticles 13.3.3 and 13.6.1 of NAP, protection of witnesses and persons cooperating with prosecution bodies has been improved and stimulation for providing information which could be useful for whole prosecution has been continued, as well as security of persons suffered from human trafficking has been provided till their full safety status in accordance with Laws on "State protection of persons who attend at criminal proceedings" and on "Combating Human Trafficking". Thus victim of human trafficking gives information to law-enforcement agency and takes part in

detection, opening as well as prevention of crime. His/her legal representative or representative, witnesses of human trafficking, as well expert, specialist, interpreter and case witness are protected persons.

In cases of pressure on close relatives of persons under protection and victim of human trafficking the security measures are applied on close relatives as well.

Organization of legal, organizational-technical and other actions by relevant state bodies is envisaged by the Law of the Republic of Azerbaijan on "State protection of persons participating in criminal proceedings" in order to ensure the security of persons under protection, to secure their lives and health, and property.

Actions on ensuring security of persons under protection are taken on the basis of responsibilities of the relevant authority and protected persons.

Each of security actions concerning the victim of human trafficking envisaged by the Law of the Republic of Azerbaijan on "State protection of persons participating in criminal proceedings" may be applied. However, they are subject to the following security measures in particular:

- Warning of human trafficking victims about threats;
- Placement of victims in safe place, or shelter;
- to ensure confidentiality of information about him (her);
- to ensure court hearings where victims of human trafficking participate to be held closed in the manner prescribed by law.