

# COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

Azerbaijan - 2022

*THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR Protocol of 2014 P029 to the Forced Labour Convention*

## REPORTING

### Fulfilment of Government's reporting obligations

Yes

### Involvement of Employers' and Workers' organizations in the reporting process

91. When preparing its report, the Government consulted [10.1]

a) The most representative employers organizations, b) The most representative workers organizations

92. To which employers organizations was the report sent? [12] Please provide the list

National Confederation of Employers (Entrepreneurs) Organizations of the Republic of Azerbaijan

93. To which workers organizations was the report sent? [13] Please provide the list

Azerbaijan Trade Union's Confederation

## OBSERVATIONS BY THE SOCIAL PARTNERS

### Employers' organizations

83. Have employers and or or workers organizations been consulted in the development and implementation of adopted measures? [6.1]

Yes

95. Did employers organizations comment on the report? [11a]

No

## Workers' organizations

83. Have employers and or workers organizations been consulted in the development and implementation of adopted measures? [6.1]

Yes

96. Did workers organizations comment on the report? [11b]

No

## EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL

### Ratification

#### Ratification intention

61. If you have ratified Convention No. 29 but not the 2014 Protocol to Convention No. 29, what are the prospects for ratification of the Protocol?

Unlikely

62. What, if any, are the impediments to the ratification of the 2014 Protocol to Convention No. 29?

No impediments

### Existence of a policy and or plan of action for the suppression of forced or compulsory labour

63. Is there a national policy and plan of action aimed at realizing the principle of effective and sustained suppression of all forms of forced or compulsory labour through prevention, victim protection and access to remedies? [1.1]

Yes

65. Please also indicate the manner in which employers' and workers' organizations have been consulted. [1.3]

The Azerbaijan Trade Unions Confederation and National Confederation of Entrepreneurs (Employers) Confederation of the Republic of Azerbaijan actively participate in discussions related to the application of the Conventions No. 29 and in the adoption of relevant decisions.

68. Is there a national policy and plan of action setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour? [1.5]

Yes

<p><b>69. Please describe these measures. [1.5]</b></p>	<p><a href="https://www.insanalveri.gov.az/?/en">https://www.insanalveri.gov.az/?/en</a> <a href="http://e-qanun.az/framework/45470">http://e-qanun.az/framework/45470</a>  <a href="https://www.insanalveri.gov.az/?/en/menu/59//">https://www.insanalveri.gov.az/?/en/menu/59//</a> <a href="https://e-qanun.az/framework/28789">https://e-qanun.az/framework/28789</a> <a href="https://e-qanun.az/framework/25734">https://e-qanun.az/framework/25734</a> “National Action Plan on combating human trafficking in the Republic of Azerbaijan for 2020-2024” The authorities responsible for the implementation, coordination and assessment of these measures are as follows: The Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan (MLSPP); the State Labour Inspectorate Service under the MLSPP; Social Services Agency under the Ministry of LSPP; the General Prosecutor's Office; the Ministry of Internal Affairs; the Ministry of Justice; the State Migration Service</p>
<p><b>70. Does the Government collect and analyse statistical data and other information on the nature and extent of forced or compulsory labour? [1.6]</b></p>	<p>Yes</p>
<p><b>71. Please describe these data. [1.6.1]</b></p>	<p>The Government collects and analyses statistical data and other information based on information regularly received from the Ministry of Internal Affairs, the Ministry of Justice, the Supreme Court, General Prosecutor's Office</p>
<p align="center"><b>Measures taken or envisaged for systematic and coordinated action</b></p>	
<p><b>64. Please describe the measures envisaged, the established objectives and the authorities responsible for the implementation, coordination and assessment of these measures. Please provide any relevant URL(s) [1.2]</b></p>	<p>(<a href="http://e-qanun.az/framework/45470">http://e-qanun.az/framework/45470</a> ) The authorities responsible for the implementation, coordination and assessment of these measures as follows: The Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan (MLSPP); the State Labour Inspectorate Service under the MLSPP; Social Services Agency under the Ministry of LSPP; the Ministry of Internal Affairs of the Republic of Azerbaijan; the Ministry the State Migration Service</p>
<p align="center"><b>Measures taken or envisaged to prevent forms of forced labour</b></p>	
<p><b>74. Have measures been taken or are measures envisaged for the prevention of all forms of forced or compulsory labour? [2.1]</b></p>	<p>Yes</p>
<p><b>75. If so, please indicate the type of measures, [2.2]</b></p>	<p>a) Information, education and awareness raising targeting especially people in vulnerable situation and employers,b) Strengthening and broadening of the coverage of legislation, particularly labour law,c) Regulation and supervision of the labour recruitment and placement process,d) Supporting due diligence by the public and private sectors,e) Addressing the root causes that perpetuate forced labour,f) Promotion of safe and regular migration,g) Education/vocational training,h) Capacity building for the competent authorities,i) Promotion of freedom of association and collective bargaining to enable</p>

	at-risk workers to join workers' organizations,j) Basic social security guarantees
<b>75.f. Please provide a description of measures taken or envisaged:</b>	Detailed information is given in the reports of the Government of Azerbaijan on the application of ILO Conventions No.29
<b>75.f. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:</b>	Victims of forced labor and trafficking, as well as potential victims and migrant workers

## Measures taken or envisaged to protect victims of forced labour

<b>76. Have measures been taken or are measures envisaged for the identification, release, protection, recovery and rehabilitation of victims of all forms of forced or compulsory labour? [3.1]</b>	Yes
<b>77. If so, please indicate the type of measures [3.2]</b>	a) Training of relevant actors for identification of forced labour practices,b) Legal protection of victims,c) Material assistance for victims,d) Medical and psychological assistance for victims,e) Measures for the rehabilitation and social and professional reintegration of victims,f) Protection of privacy and identity,g) Appropriate accommodation,h) Specific measures for children,i) Specific measures for migrants

## Measures taken or envisaged to facilitate access to remedies

<b>78. Have measures been taken or are measures envisaged to provide victims of all forms of forced or compulsory labour with access to remedies? [4.1]</b>	Yes
<b>79. If so, please indicate the type of measures, [4.2]</b>	a) Information and counselling for victims regarding their rights,b) Free legal assistance,c) Cost-free proceedings,d) Development of forced labour indicators,e) Access to remedies and compensation,f) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges,g) Provision for authorities not to prosecute victims for acts which they have been compelled to commit,h) Provision of penalties such as the confiscation of assets and criminal liability of legal persons
<b>80. Please indicate whether the measures aimed at providing access to justice and remedies apply to all victims of forced or compulsory labour, irrespective of their presence or legal status in the national territory. [4.3]</b>	Yes

## Non-prosecution of victims for unlawful acts that they would have been forced to carry out

79.g. Please provide a description of measures taken or envisaged:

Detailed information is given in the reports of the Government of Azerbaijan on the application of ILO Conventions No.29

79.g. Please indicate the population groups benefiting from these measures and the relevant forced labour practices:

Victims of forced labor and trafficking, as well as potential victims and migrant workers

## Cooperation with other Member States, international / regional organizations or NGOs

81. Does the Government cooperate with other member States, international and regional organizations, or non-governmental organizations to achieve the effective and sustained suppression of forced or compulsory labour? [5.1]

Yes

82. Please briefly describe the modalities of this cooperation. [5.2]

Employees of the Ministry of Internal Affairs, Prosecutor's General Office, Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan participated in study visit to USA (Washington D.C.) organized in September 2022 by the Open World Program on Judicial Sector's Role in Combatting Human Trafficking

## Promotional activities

90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]

N/A

## Special initiatives or Progress

85. Please describe any significant changes which have taken place since your last report (for example, changes in the legislative and institutional framework, launching of major programmes, new data, changes in the number of persons in forced labour who have been identified, released and protected, penalties imposed on perpetrators). [7]

In accordance with information received from Main Department on Combating Trafficking in Human Beings under the Ministry of Internal Affairs of the Republic of Azerbaijan 3 cases related with forced labour (article 144-2 of the Criminal Code of the Republic of Azerbaijan) were registered in 2021 and approximately 1 case registered in 2022. According to the action plan of the "National Action Plan on combating human trafficking in the Republic of Azerbaijan for 2020-2024" it is intended the detection of forced labor in the country. For this purpose, it is planned to prepare proposals related to improving the activity of the State Labor Inspection

Service under the Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan, strengthening the potential of personnel, developing their abilities to detect forced labour cases and improving the authority to provide relevant information on detected cases. A draft of the decree of the President of the Republic of Azerbaijan "On amendments to the Decree of the President of the Republic of Azerbaijan dated February 16, 2011 No. 386 on measures related to the improvement of the activity of the Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan" has been prepared as an implementation of paragraph 4.2.11 of the Action Plan. This draft includes empowering the State Labour Inspection Service to take measures to detect and prevent cases of forced labour and to raise issues before the relevant authorities.