

**AZERBAIJAN (2017)**

**THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR**

*Protocol of 2014 (P029) to the Forced Labour Convention*

<b>REPORTING</b>	<b>Fulfillment of Government's reporting obligations</b>	YES.	
	<b>Involvement of Employers' and Workers' organizations in the reporting process</b>	YES, according to the Government: copies of reports are sent to the National Confederation of Organizations of Entrepreneurs (Employers) of Azerbaijan and the Confederation of Trade Unions of Azerbaijan.	
<b>OBSERVATIONS BY THE SOCIAL PARTNERS</b>	<b>Employers' organizations</b>	No.	
	<b>Workers' organizations</b>	No.	
<b>EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL</b>	<b>Ratification</b>	<b>Ratification status</b>	Azerbaijan has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention.
		<b>Ratification intention</b>	<b>2017 AR:</b> The Government reported that there is no impediments to the ratification of the 2014 Protocol and it is likely to be ratified.
	<b>Existence of a policy and / or plan of action for the suppression of forced or compulsory labour</b>	<b>2017 AR:</b> The Government reported that there are national policy and plans of actions for the prevention of all forms of forced labour as well as for combatting trafficking in persons for the purposes of forced or compulsory labour. Specifically, the prohibition of forced labor is regulated by the Constitution of the Republic of Azerbaijan adopted on November 12, 1995, in Article 35, which states that "no one may be forced to work", and "labor contracts are freely concluded. No one can be forced to conclude an employment contract."	
	<b>Measures taken or envisaged for systematic and coordinated action</b>		
	<b>Measures taken or envisaged to prevent all forms of forced labour</b>	<b>2017 AR:</b> According to the Government, the measures taken or envisaged include: a) the Center for Assistance to Victims of Trafficking in Persons under the Ministry of Labor and Social Protection of Population prepared appropriate booklets and posters to inform the danger of involvement in forced labor, and how to avoid the danger of becoming a victim of trafficking; b) the prohibition of forced labor is regulated by the Constitution of the Republic of Azerbaijan adopted on November 12, 1995, in Article 35, which states that "no one may be forced to work", and "labor contracts are freely concluded. No one can be forced to conclude an employment contract."; c) the State control over observance of labor legislation is carried out within the limits of its powers by the State Service of Labor Inspectorate under the Ministry of Labor and Social Protection of Population; d) the Resolutions of the Cabinet of Ministers of the Republic of Azerbaijan of June 17, 2006, No. 152, sets out the compensation to Victims of Trafficking in Human Beings; e) trainings are being conducted for law-enforcement agencies, and workshops and seminars are conducted for overall awareness raising; f) regulation and supervision of the labour recruitment and placement process for person who are at risk of being victims; and g) promotion of safe and regular migration.	

	<b>Measures taken or envisaged to protect victims of forced labour</b>	<b>2017 AR:</b> The Government reported that the following measures have been taken or envisaged: a) The employees of the Ministry of Labor and Social Protection participated in various seminars and trainings on combating trafficking in human beings organized in Azerbaijan, Sweden, Austria, Latvia, Lithuania, Belarus, Bangladesh, and in events organized jointly with the International Organization for Migration and other competent international organizations; b) legal assistance and protection of victims; c) medical and psychological assistance for victims; d) measures for the rehabilitation and social and professional reintegration of victims; e) protection of privacy and identity; f) provision of accommodation for victims.	
	<b>Measures taken or envisaged to facilitate access to remedies</b>	<b>2017 AR:</b> According to the Government, the various measures that have been taken or envisaged are: 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; and h) Provision of penalties such as the confiscation of assets and criminal liability of legal persons. The Center for Assistance to Victims of Trafficking in Human Beings under the Ministry of Labor and Social Protection of Population provides the necessary assistance, including free legal services, legal protection of persons affected by forced labor.	
	<b>Non-prosecution of victims for unlawful acts that they would have been forced to carry out</b>		
	<b>Cooperation with other Member States, international / regional organizations or NGOs</b>	<b>2017 AR:</b> The Government indicated that it cooperates with other member States, and international, regional and non-governmental organisations in order to sustainably eliminate forced labor. Specifically, the Government has carried out cooperation with the ILO, IOM, the International Centre for Migration Policy Development and others.	
	<b>Promotional activities</b>		
	<b>Special initiatives/Progress</b>		
<b>CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL</b>	<b>According to the social partners</b>	<b>Employers' organizations</b>	
		<b>Workers' organizations</b>	
	<b>According to the Government</b>	Nil.	
<b>TECHNICAL COOPERATION NEEDS</b>	<b>Request</b>	<b>2017 AR:</b> The Government indicated the need for technical cooperation with the ILO in the areas of prevention and effective suppression of forced or compulsory labour, as well as victim protection and access to remedies.	
	<b>Offer</b>	NIL.	