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Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination considered, at its 71st session held from 30 July to 17 August 2007, the follow-up report submitted by the Government of Azerbaijan (CERD/C/AZE/CO/4/Add.1), pursuant to rule 65 (1) of its rules of procedure.

The Committee welcomes the submission of information, as requested, on the implementation of the recommendations contained in paragraphs 10 and 13 of the concluding observations (CERD/C/AZE/CO/4), adopted by the Committee following the consideration at its 66th session of the third and fourth periodic reports of Azerbaijan, submitted in one document. The Committee appreciates the opportunity thus provided to continue the dialogue with the State party. In this spirit, it would like to draw the State party's attention to the following observations regarding which it would welcome responses in the next periodic report of Azerbaijan (fifth and sixth periodic reports, to be submitted in a single document):

- **Paragraph 10 of the concluding observations:** The Committee welcomes the information provided on the legislative provisions in place to prevent racial and other forms of discrimination. The Committee regrets, however, that no information was provided on steps taken to monitor tendencies giving rise to racist and xenophobic behavior, and to initiate or undertake studies to assess and evaluate occurrences of racial discrimination, in particular against ethnic Armenians.

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Therefore, the Committee requests that detailed information be provided in the State party's next report on any concrete steps taken or planned, including studies, to monitor racist tendencies and occurrences of racial discrimination. If no such concrete steps have been taken, the Committee wishes to be informed about the reasons for this situation.

The Committee takes note of the reiteration of the position of the State party that persons of Armenian origin do not experience discrimination in Azerbaijan and that no related offences or complaints have been recorded. The Committee reminds the State party once again that the mere absence of complaints and legal action by victims of racial discrimination may be largely an indication of a lack of awareness of the availability of legal remedies, or insufficient will by the authorities to prosecute. It is therefore essential to provide for the relevant provisions in national legislation and to inform the public of the availability of all legal remedies in the field of racial discrimination.

- **Paragraph 13 of the concluding observations:** The Committee takes note of the information providing an overview of the legislative provisions protecting asylum seekers in Azerbaijan. The Committee notes, however, that no information was provided on the specific steps and concrete measures taken to ensure that asylum procedures do not discriminate in purpose or effect between asylum-seekers on the basis of race, colour or ethnic or national origin. It requests that such information be provided by the State party in its next periodic report.

The Committee further welcomes the information that, pursuant to the 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol, as well as relevant domestic legislation, various forms of protection are available in the State party to persons not formally recognized as refugees. The Committee welcomes the information according to which Azerbaijan cooperates with UNHCR within this area and would appreciate receiving more detailed information about such protection.

The Committee notes that the State party was requested to submit its fifth and sixth periodic reports, in one document, on 15 September 2007. In light of the above requests for further information on various issues to be included in the next periodic report, the Committee decides to postpone the deadline for submission of the report to 15 November 2007 so as to provide the State party with sufficient time to gather the requested information. In the case of non-submission of the periodic report by such date, the Committee requests the State party to submit specific information relating to the issues raised above by 15 November 2007.

Allow me, Excellency, to reiterate the wish of the Committee to pursue its constructive dialogue with your Government, and to underline that the Committee's observations and requests for further information are made with a view to assisting your Government in the effective implementation of the Convention.

Yours sincerely,

Régis de Gouttes
Chairman of the Committee for the
Elimination of Racial Discrimination