



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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18 December 2017

Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, in the course of its 94th session, considered the follow-up report submitted by the Government of the Republic of Azerbaijan, pursuant to Article 9 (1) of the Convention and Rule 65 (1) of the Rules of Procedure of the Committee.

The Committee welcomes the submission of the report, in response to its request to receive information within one year on the implementation of the recommendations contained in paragraphs 32 and 34 of the Concluding Observations (CERD/C/AZE/CO/7-9), adopted following the consideration of the State party's combined 7th to 9th periodic reports, at its 89th session in May 2016.

The Committee appreciates the opportunity provided to continue its dialogue with the State party, and would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on actions taken by the State party on these issues be included in its 10th to 12th periodic reports to be submitted in a single document by 15 September 2019.

Paragraph 32 of the Concluding Observations: The Committee welcomes the amendment in June 2017 of Cabinet of Ministers Decree No. 145 of 2003, which abolished the obligation for parents to produce proof of their residence registration in order to obtain a birth certificate for their children. The Committee request the State party to clarify whether other prerequisites are necessary for the issuance of birth certificates, including the presentation of identification cards by the parents. The Committee calls on the State party to ensure that all children born within its territory are registered and to this effect, repeal any remaining requirement that may still constitute an obstacle to the registration at birth of all children and to report on these measures in its next periodic report.

While the Committee appreciates the information provided by the State party on the legal framework applicable to the citizenship of children of stateless parents, it however regrets that limited information was provided on the legal provisions pertaining to the identification, registration, documentation and access to citizenship for stateless persons.

His Excellency Mr. Vaqif Sadiqov
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The Committee therefore reiterates its recommendation that the State party adopt a clear legislative framework providing procedures for the registration, documentation and access to citizenship for stateless persons. The Committee also requests the State party to provide in its next periodic report disaggregated data on stateless persons in Azerbaijan as well as information on the practical measures adopted to identify these persons and to prevent statelessness in the State party.

Paragraph 34 of the Concluding Observations: The Committee acknowledges the information provided by the State party. However, it regrets that the State party did not report on the measures taken to replace work permits with residency permits or another system that reduces migrant workers' vulnerability to exploitation and abuse by their employers. Therefore, the Committee reiterates its previous recommendation (CERD/C/AZE/CO/7-9 para. 34) and would appreciate receiving precise information in this respect. It further recommends that the State party ensure respect of the right of all migrant children to have their best interests taken into account in all decisions affecting them, including as these relate to residency and education. The Committee also reiterates its recommendation to ensure that families with children enrolled in schools are not subject to expulsion during the school year. The Committee requests that the State party provides detailed and updated information on the implementation of its recommendations in its next periodic report.

Rest assured, Excellency, that the Committee looks forward to continuing its constructive dialogue with the Government of the Republic of Azerbaijan, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Anastasia Crickley
Chair

Committee on the Elimination of Racial Discrimination