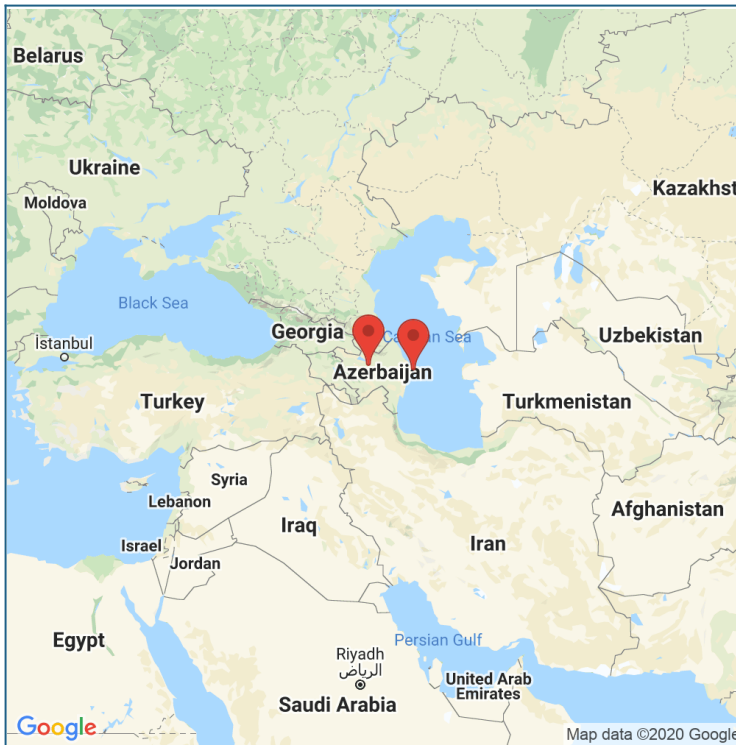


Azerbaijan Immigration Detention Data Profile



Quick Facts	
Immigration detainees (2019)	1,237
Detained minors (2017)	Not Available
International migrants (2019)	253,887
New asylum applications (2019)	712

NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/europe/azerbaijan>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

STATISTICS

Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	1,237	2019	Top nationalities of detainees	Pakistan, Turkey, Iran, Iraq, Georgia	2019
				Pakistan, Georgia, Iran, India, Uzbekistan	2019
Total number of detained minors	Not Available	2017	Immigration detainees as a percentage of total international migrant population	0.5	2019
Number of dedicated long-term immigration detention centres	2	2020	Criminal prison population	23,311	2016
				19,744	2013
Percentage of foreign prisoners	2.5	2015	Prison population rate (per 100,000 of national population)	239	2016
	3	2012		210	2013

Demographics and immigration-related statistics

		Observation Date			Observation Date
Population	10,100,000	2020	International migrants	253,887	2019
	9,754,000	2015		264,200	2015
International migrants as a percentage of the population	2.7	2015	Estimated number of undocumented migrants	4,681	2019
Refugees	1,109	2019	Ratio of refugees per 1000 inhabitants	0.12	2016
	1,131	2018		0.13	2014
	1,121	2017			
	1,183	2016			
	1,278	2015			
	1,299	2014			
Total number of new asylum applications	712	2019	Refugee recognition rate	1.3	2014
	217	2016			
	790	2014			
Stateless persons	3,585	2016			
	3,585	2015			

DOMESTIC LAW

LEGAL TRADITION

Legal tradition	Name	Observation Date
	Civil law	2017

LAWS AND REGULATIONS

Core pieces of national legislation	Name	Year Adopted	Last Year Amended
	Migration Code	2013	

LAWS AND REGULATIONS

Additional legislation	Name	Year Adopted	Last Year Amended
	Code of Administrative Offences	2015	2020

GROUND FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION

Immigration-status-related grounds	Name	Observation Date
	Detention for unauthorised entry or stay	2013

CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES

Does the country provide specific criminal penalties for immigration-related violations?	Fines	Incarceration	Observation Date
	Yes	Yes	2000

CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES

Grounds for criminal immigration-related detention/incarceration and maximum potential duration of incarceration	Grounds for Incarceration	Maximum Number of Days of Incarceration	Observation Date
	Unauthorized entry	1825	2000

LENGTH OF DETENTION

Maximum length for administrative immigration detention in law.	Number of Days	Observation Date
	180	2013

PROCEDURAL STANDARDS

Provision of basic procedural standards	Name	In Law	In Practice	Observation Date
	Information to detainees	Yes		2013
	Right to legal counsel	Yes		2013
	Right to appeal the lawfulness of detention	Yes		2013
	Access to consular assistance	Yes		2013

COVID-19 UPDATES

	Update Status	Observation Date
<p>Latest Update</p>	<p>Responding to the Global Detention Project’s Covid-19 survey, the State Migration Service of the Republic of Azerbaijan reported that since the application of the special quarantine regime in the country on 24 March, the placement of foreigners and stateless persons, present in the country irregularly, has been suspended. The country’s immigration authority also indicated that assessments were conducted to identify vulnerable groups, particularly at risk from Covid-19, currently in immigration detention and that medical examinations and monitoring of detainees are being carried out. Due to measures applied to reduce the risk of contagion of Covid-19, the daily outdoor walks for immigration detainees are conducted in accordance with the rules of internal discipline. Sanitary supplies are provided to individuals detained in immigration detention centres. According to the Azerbaijan Migration Service, all foreigners placed in or leaving detention centres undergo a medical examination. In addition, the same sanitary-epidemiological requirements applied to citizens of the Republic of Azerbaijan are also applied to non-citizens that have left immigration detention as well as asylum seekers during their stay in the country. The country’s immigration authority said that detainees who are in need of medical care receive treatment outside the Baku detention centre whenever possible. Taking into account the special quarantine regime applied by the government, social distancing measures, regular examination of detainees as well as general compliance with sanitary norms and hygiene rules are being strictly monitored. The Migration Service also indicated that the administrative expulsion of foreigners and stateless persons staying irregularly in the country has not been carried out since the date of the application of the special quarantine regime (24 March 2020). The authority reported that restrictions on entry and exit to the country’s territory have been applied until 1 August and that the requirement to apply for an extension of temporary stay in the country for non-citizens living in the country and who cannot leave, has been suspended. Permits that expire while special measures are applied in the country have been extended without the need for applications. However, non-citizens whose permits were automatically extended will have to leave the country or apply for temporary residence permits shortly after border restrictions are lifted. The Migration Service indicated that to protect the health and safety of non-citizens and stateless persons during the quarantine period, many of its services were moved to online platforms. As a result, the number of non-citizens using e-services has increased during the quarantine period. The Migration Service also advised that they engaged in awareness-raising activities and shared information via the Service’s website, Facebook, Twitter accounts, and their Call Centre. The International Legal Initiative Foundation (ILI), based in Kazakhstan, confirmed that according to information it had received authorities in Azerbaijan extended permits for migrants to remain in the country for 30-60 days. In addition, Sputnik News indicated that 134,298 non-citizens are currently living in Azerbaijan and that since January 2020, there has been a decrease in the amount of migrants arriving in the country by around 44% compared to the same period in 2019. According to the Migration Code of Azerbaijan, non-citizens and stateless persons who wish to remain in the country for more than 15 days (maximum of 90 days) must register at a temporary address. In case of non-compliance with the specific period, persons can incur a fine of 300 to 400 manat.</p>	<p>2020</p>

INTERNATIONAL LAW

Relevant international treaties and date of ratification

International treaties	Name	Ratification Year
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1996
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1992
	ICCPR, International Covenant on Civil and Political Rights	1992
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1995
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1996
	CRC, Convention on the Rights of the Child	1992
	ICRMW, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	1999
	CRPD, Convention on the Rights of Persons with Disabilities	2009
	VCCR, Vienna Convention on Consular Relations	1992
	CRSR, Geneva Convention Relating to the Status of Refugees	1993
	CRSSP, Convention Relating to the Status of Stateless Persons	1996
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2003
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2003
	OPCRPD, Optional Protocol to the Convention on the Rights of Persons with Disabilities	2009
OPCAT, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2009	
Ratio of relevant international treaties ratified	15/19	

Relevant international treaties and date of ratification

Individual complaints procedure	Name	Acceptance Year
	ICERD, declaration under article 14 of the Convention	2001
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	2001
	CEDAW, Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999	2001
CRPD, Optional Protocol to the Convention on the Rights of Persons with Disabilities	2009	

Relevant international treaties and date of ratification

Ratio of complaints procedures accepted	Number	Observation Date
	4/8	2017

Regional treaties, regulations, and directives			
Regional legal instruments	Name		Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)
	ECPT, European Convention for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment		2002
	CATHB, Convention on Action against Trafficking in Human Beings		2010
	ECHR1, Protocol 1 to the European Convention on Human Rights (amended by protocol 11)		2002
	ECHR7, Protocol 7 to the European Convention on Human Rights (amended by protocol 11)		2002
ECHR, Convention for the Protection of Human Rights and Fundamental Freedoms (commonly known as the European Convention on Human Rights)		2002	
Bilateral/Multilateral agreements linked to readmissions			
Bilateral/multilateral agreements linked to readmission	Name	Year in Force	Observation Date
	EU	2014	2017
Non treaty-based international human rights mechanisms			
Relevant recommendations of the UN Universal Periodic Review	Recomendation Issued	Year Issued	Observation Date
	No	2009	2017
	No	2013	2017

INSTITUTIONAL INDICATORS				
Governing structures				
Federal or centralized governing system	Federal or centralized governing system			Observation Date
	Centralized system			2020
Governing structures				
Centralized or decentralized immigration authority	Centralized or decentralized immigration authority			Observation Date
	Centralized immigration authority			2020
Institutions responsible for immigration detention				
Custodial authority	Agency	Ministry	Ministry Typology	Observation Date
	State Migration Service			2017
Institutions responsible for immigration detention				
Detention Facility Management	Entity Name	Entity Type	Observation Date	
	State Migration Service	Governmental	2017	

Institutions responsible for immigration detention															
Formally designated detention estate?	Formally designated immigration detention estate?				Types of officially designated detention centres							Observation Date			
		Yes				Dedicated immigration detention facilities							2017		
Institutions responsible for immigration detention															
Types of detention facilities used in practice	Immigration detention centre (Administrative)	Immigration field office (Administrative)	Transit centre (Administrative)	Reception centre (Administrative)	Offshore detention centre (Administrative)	Hospital (Administrative)	Border guard (Administrative)	Police station (Criminal)	National penitentiary (Criminal)	Local prison (Criminal)	Juvenile detention centre (Criminal)	Informal camp (Ad hoc)	Immigration detention centre (Ad hoc)	Surge facility (Ad hoc)	Observation Date
	Yes														2020
Detention monitoring institutions															
Authorized monitoring institutions	Institution				Institution Type							Observation Date			
	Human Rights Commissioner of the Republic of Azerbaijan				OPCAT National Preventive Mechanism (NPM)							2017			
Detention monitoring institutions															
Is the national human rights institution (NHRI) recognized as independent?	Is the NHRI recognized as independent by the International Coordinating Committee of National Human Rights Institutions?										Observation Date				
	No										2019				
Detention monitoring institutions															
Does national preventive mechanism (NPM) carry out visits?	Does NPM carry out visits in practice?							Observation Date							
	Yes							2020							

More information about immigration detention in Azerbaijan is available at the website of the Global Detention Project (www.globaldetentionproject.org)