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Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Azerbaijan

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document is being issued without formal editing.

1. Republic of Azerbaijan has examined all recommendations made, in accordance with the provisions of paragraphs 27 and 32 of the annex to Council resolution 5/1 and paragraph 16 of annex to Council resolution 16/21. The recommendations that enjoy the support of the Republic of Azerbaijan are identified as such in this document. Other recommendations, together with the comments of Azerbaijan thereon, are noted or not supported.

2. A total of 319 recommendations were made during the interactive dialogue held on 14 November 2023.

3. The following recommendations formulated during the interactive dialogue have been examined by the Republic of Azerbaijan and enjoy the support of Azerbaijan:

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
44.19	Supported	
44.20	Supported	
44.21	Supported	
44.22	Supported	
44.23	Supported	
44.25	Supported	
44.26	Supported	
44.27	Supported	
44.28	Supported	
44.29	Supported	
44.31	Supported	
44.32	Supported	
44.33	Supported	
44.34	Supported	
44.35	Supported	
44.36	Supported	
44.37	Supported	
44.38	Supported	
44.39	Supported	
44.40	Supported	
44.41	Supported	
44.42	Supported	
44.43	Supported	
44.46	Supported	
44.47	Supported	
44.48	Supported	
44.49	Supported	
44.50	Supported	

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
44.51	Supported	
44.52	Supported	
44.53	Supported	
44.54	Supported	
44.55	Supported	
44.56	Supported	
44.58	Supported	
44.68	Supported	
44.70	Supported	
44.71	Supported	
44.78	Supported	
44.81	Supported	
44.102	Supported	
44.103	Supported	
44.104	Supported	
44.105	Supported	
44.106	Supported	
44.108	Supported	
44.109	Supported	
44.110	Supported	
44.111	Supported	
44.112	Supported	
44.114	Supported	
44.115	Supported	
44.116	Supported	
44.117	Supported	
44.118	Supported	
44.124	Supported	
44.131	Supported	
44.157	Supported	
44.158	Supported	
44.159	Supported	
44.161	Supported	
44.162	Supported	

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
44.163	Supported	
44.164	Supported	
44.165	Supported	
44.166	Supported	
44.167	Supported	
44.168	Supported	
44.169	Supported	
44.170	Supported	
44.171	Supported	
44.172	Supported	The recommendation envisages expanding the activities of the DOST Agency.
44.173	Supported	
44.174	Supported	
44.175	Supported	
44.176	Supported	
44.177	Supported	
44.178	Supported	
44.179	Supported	
44.180	Supported	
44.181	Supported	
44.182	Supported	
44.183	Supported	
44.184	Supported	
44.185	Supported	
44.186	Supported	
44.187	Supported	
44.188	Supported	
44.189	Supported	
44.190	Supported	
44.191	Supported	
44.192	Supported	
44.193	Supported	
44.194	Supported	
44.195	Supported	
44.197	Supported	

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
44.198	Supported	
44.199	Supported	
44.200	Supported	
44.201	Supported	
44.202	Supported	
44.203	Supported	
44.206	Supported	
44.207	Supported	
44.208	Supported	
44.209	Supported	
44.210	Supported	
44.211	Supported	
44.212	Supported	
44.213	Supported	
44.214	Supported	
44.215	Supported	
44.216	Supported	
44.217	Supported	
44.218	Supported	
44.219	Supported	
44.220	Supported	
44.221	Supported	
44.222	Supported	
44.223	Supported	
44.224	Supported	
44.225	Supported	
44.226	Supported	
44.227	Supported	
44.228	Supported	
44.229	Supported	
44.230	Supported	
44.231	Supported	
44.232	Supported	
44.233	Supported	

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
44.234	Supported	
44.235	Supported	
44.236	Supported	
44.237	Supported	
44.238	Supported	
44.239	Supported	
44.240	Supported	
44.241	Supported	
44.242	Supported	
44.243	Supported	
44.244	Supported	
44.245	Supported	
44.246	Supported	
44.248	Supported	
44.249	Supported	
44.250	Supported	
44.251	Supported	
44.252	Supported	
44.253	Supported	
44.254	Supported	
44.255	Supported	
44.256	Supported	
44.257	Supported	
44.258	Supported	
44.259	Supported	
44.260	Supported	
44.261	Supported	
44.262	Supported	
44.263	Supported	
44.264	Supported	
44.265	Supported	
44.266	Supported	
44.267	Supported	
44.269	Supported	

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
44.270	Supported	
44.271	Supported	
44.273	Supported	
44.274	Supported	
44.277	Supported	
44.279	Supported	
44.280	Supported	
44.281	Supported	
44.284	Supported	
44.288	Supported	
44.289	Supported	
44.290	Supported	
44.292	Supported	
44.293	Supported	
44.294	Supported	
44.296	Supported	
44.312	Supported	
44.313	Supported	
44.315	Supported	
44.318	Supported	
44.319	Supported	

4. The following recommendations formulated during the interactive dialogue have been examined by Azerbaijan and have been noted by Azerbaijan:

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
44.1	Noted	
44.2	Noted	
44.3	Noted	
44.4	Noted	
44.5	Noted	
44.6	Noted	
44.7	Noted	
44.8	Noted	
44.9	Noted	Republic of Azerbaijan is a party to the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
		since 1998 and already submitted three periodic reports to the UN relevant Committee regarding the implementation of the said Convention.
44.10	Noted	
44.11	Noted	
44.12	Noted	
44.13	Noted	
44.14	Noted	
44.15	Noted	
44.16	Noted	
44.17	Noted	
44.18	Noted	
44.24	Noted	
44.30	Noted	
44.44	Noted	
44.45	Noted	
44.57	Noted	
44.59	Noted	
44.60	Noted	
44.61	Noted	
44.62	Noted	
44.63	Noted	
44.72	Noted	
44.73	Noted	
44.74	Noted	
44.79	Noted	Azerbaijan fully supports UNESCO's mission based on reciprocity and equality principles enshrined in the UNESCO Charter. For more than 20 years, the Republic of Azerbaijan has repeatedly called on UNESCO to implement this mission. UNESCO itself noted in its 2005 report that the government of Azerbaijan has requested a fact-finding mission to the territories of Azerbaijan but due to the military occupation of Armenia this mission has not been possible. Moreover, three technical United Nations missions to Garabagh have been executed, two in October and one in December 2023.
44.83	Noted	On 2 October 2023, Azerbaijan's Presidential Administration announced a comprehensive Reintegration Plan designed to reintegrate ethnic

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
		Armenian residents of Garabagh into Azerbaijan's political, social and economic spheres with the guarantee of their rights on an equal basis with other residents of Azerbaijan.
44.85	Noted	
44.88	Noted	
44.89	Noted	On 2 October 2023, Azerbaijan's Presidential Administration announced a comprehensive Reintegration Plan designed to reintegrate ethnic Armenian residents of Garabagh into Azerbaijan's political, social and economic spheres with the guarantee of their rights on an equal basis with other residents of Azerbaijan.
44.90	Noted	On 2 October 2023, Azerbaijan's Presidential Administration announced a comprehensive Reintegration Plan designed to reintegrate ethnic Armenian residents of Garabagh into Azerbaijan's political, social and economic spheres with the guarantee of their rights on an equal basis with other residents of Azerbaijan.
44.97	Noted	<p>On 2 October 2023, Azerbaijan's Presidential Administration announced a comprehensive Reintegration Plan designed to reintegrate ethnic Armenian residents of Garabagh into Azerbaijan's political, social and economic spheres with the guarantee of their rights on an equal basis with other residents of Azerbaijan.</p> <p>Azerbaijan has also taken action via Action Plans endorsed by Azerbaijan's Presidential Administration that establish a basic framework for services and support under which ethnic Armenians in Garabagh or seeking to return may feel secure and enjoy equal protections. These include measures to ensure the physical safety and security of ethnic Armenians remaining in or returning to Garabagh and of their property and heritage sites; measures to assess and provide for the humanitarian needs of the population; and measures to rebuild and maintain critical infrastructure, including public utilities.</p>
44.107	Noted	
44.113	Noted	
44.120	Noted	
44.125	Noted	
44.128	Noted	
44.133	Noted	
44.134	Noted	
44.135	Noted	

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
44.137	Noted	
44.139	Noted	
44.140	Noted	
44.144	Noted	
44.147	Noted	
44.148	Noted	
44.149	Noted	
44.152	Noted	
44.154	Noted	
44.160	Noted	
44.196	Noted	
44.204	Noted	
44.205	Noted	
44.247	Noted	
44.268	Noted	
44.272	Noted	
44.275	Noted	
44.276	Noted	
44.278	Noted	
44.282	Noted	
44.283	Noted	
44.285	Noted	
44.286	Noted	
44.287	Noted	
44.291	Noted	
44.295	Noted	
44.297	Noted	
44.298	Noted	
44.301	Noted	Azerbaijan continues its protection and preservation efforts of cultural sites throughout Garabagh and continues to work to restore safe access to cultural sites on an equal basis.
44.302	Noted	
44.303	Noted	
44.304	Noted	

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
44.305	Noted	
44.306	Noted	
44.307	Noted	
44.308	Noted	
44.309	Noted	
44.310	Noted	
44.311	Noted	
44.314	Noted	<p>In the Republic of Azerbaijan asylum applications of all individuals seeking asylum are accepted regardless of their citizenship, religion, ethnicity, national identity, or affiliation to any social group, and relevant decisions are made regarding those persons within the requirements of the legislation.</p> <p>Unless otherwise provided in the Constitution of the Republic of Azerbaijan, the Law of the Republic of Azerbaijan “On the Status of Refugees and Internally Displaced Persons (persons displaced within the country)” and other legislative acts, refugees enjoy the rights and freedoms of citizens of the Republic of Azerbaijan and have the same duties as them.</p> <p>In the Republic of Azerbaijan all necessary measures have been taken to ensure that individuals who are at risk of being tortured in their countries of origin are not returned, extradited or deported to these countries. During the relevant period, there were no deportations or extraditions of persons, who applied for refugee status in the Republic of Azerbaijan and were granted refugee status, there were no cases of violation of the principle of non-refoulement, which is the main part of refugee law, and the requirements of Articles 32 and 33 of the 1951 Convention Relating to the Status of Refugees have not been violated.</p>
44.316	Noted	<p>On 2 October 2023, Azerbaijan’s Presidential Administration announced a comprehensive Reintegration Plan designed to reintegrate ethnic Armenian residents of Garabagh into Azerbaijan’s political, social and economic spheres with the guarantee of their rights on an equal basis with other residents of Azerbaijan.</p>
44.317	Noted	<p>On 2 October 2023, Azerbaijan’s Presidential Administration announced a comprehensive Reintegration Plan designed to reintegrate ethnic Armenian residents of Garabagh into Azerbaijan’s political, social and economic spheres with the guarantee of their rights on an equal basis with other residents of Azerbaijan.</p>

5. The following recommendations formulated during the interactive dialogue have been examined by Azerbaijan and have not been supported by Azerbaijan:

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
44.64	Not Supported	Azerbaijan neither supports nor notes this recommendation emphasizing its constitutional duty of administering justice fairly in accordance with the applicable law. Azerbaijan maintains its full dedication to upholding the rule of law and ensuring due process in all cases.
44.65	Not Supported	Azerbaijan neither supports nor notes this recommendation emphasizing its constitutional duty of administering justice fairly in accordance with the applicable law. Azerbaijan maintains its full dedication to upholding the rule of law and ensuring due process in all cases.
44.66	Not Supported	
44.67	Not Supported	
44.69	Not Supported	Azerbaijan neither supports nor notes this recommendation emphasizing its constitutional duty of administering justice fairly in accordance with the applicable law. Azerbaijan maintains its full dedication to upholding the rule of law and ensuring due process in all cases.
44.75	Not Supported	Azerbaijan in several occasions reaffirmed its commitment to upholding its international obligations, including under international humanitarian and human rights law. All allegations of unlawful conduct that are accompanied by sufficient evidence to allow for an investigation are in fact investigated in accordance with Azerbaijan's international obligations. Where supported by evidence, Azerbaijan has initiated criminal cases against its servicemen.
44.76	Not Supported	Azerbaijan neither supports nor notes this recommendation emphasizing its constitutional duty of administering justice fairly in accordance with the applicable law. Azerbaijan maintains its full dedication to upholding the rule of law and ensuring due process in all cases.
44.77	Not Supported	On 2 October 2023, Azerbaijan's Presidential Administration announced a comprehensive Reintegration Plan designed to reintegrate ethnic Armenian residents of Garabagh into Azerbaijan's political, social and economic spheres with the guarantee of their rights on an equal basis with other residents of Azerbaijan.
44.80	Not Supported	On 2 October 2023, Azerbaijan's Presidential Administration announced a comprehensive Reintegration Plan designed to reintegrate ethnic Armenian residents of Garabagh into Azerbaijan's

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
		political, social and economic spheres with the guarantee of their rights on an equal basis with other residents of Azerbaijan.
44.82	Not Supported	On 2 October 2023, Azerbaijan's Presidential Administration announced a comprehensive Reintegration Plan designed to reintegrate ethnic Armenian residents of Garabagh into Azerbaijan's political, social and economic spheres with the guarantee of their rights on an equal basis with other residents of Azerbaijan.
44.84	Not Supported	<p>Contrary to claims that POWs or civilians remain in custody, Azerbaijan has repatriated all Armenian prisoners of war from the 2020 Garabagh war back to Armenia. This agreement was made under the Trilateral Statement of 10 November 2020.</p> <p>These claims were also rightfully rejected by the International Court of Justice in its Orders of 7 December 2021 and 17 November 2023 (Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan) Provisional Measures).</p>
44.86	Not Supported	<p>Contrary to claims that POWs remain in custody, Azerbaijan has repatriated all Armenian prisoners of war from the 2020 Garabagh war back to Armenia. This agreement was made under the Trilateral Statement of 10 November 2020.</p> <p>These claims were also rightfully rejected by the International Court of Justice in its Order of 7 December 2021 (Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan) Provisional Measures, Order of 7 December 2021).</p>
44.87	Not Supported	
44.91	Not Supported	Azerbaijan continues its protection and preservation efforts of cultural sites throughout Garabagh and continues to work to restore safe access to cultural sites on an equal basis.
44.92	Not Supported	On 2 October 2023, Azerbaijan's Presidential Administration announced a comprehensive Reintegration Plan designed to reintegrate ethnic Armenian residents of Garabagh into Azerbaijan's political, social and economic spheres with the guarantee of their rights on an equal basis with other residents of Azerbaijan.
44.93	Not Supported	Azerbaijan in several occasions reaffirmed its commitment to upholding its international obligations, including under international humanitarian and human rights law. All allegations of unlawful conduct that are

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
		accompanied by sufficient evidence to allow for an investigation are in fact investigated in accordance with Azerbaijan's international obligations. Where supported by evidence, Azerbaijan has initiated criminal cases against its servicemen and some of them were held criminal liable and sentenced by the Criminal Courts.
44.94	Not Supported	
44.95	Not Supported	Azerbaijan continues its protection and preservation efforts of cultural sites throughout Garabagh and continues to work to restore safe access to cultural sites on an equal basis.
44.96	Not Supported	
44.98	Not Supported	Azerbaijan is facilitating access to Garabagh by the first United Nations delegations to visit the region in over 30 years, due to Armenia barring any such access during its occupation, as well as by the ICRC and other international observers. Azerbaijan is committed to facilitating such visits in the future. The ICRC has maintained a continuous presence in the region, facilitated by Azerbaijan.
44.99	Not Supported	
44.100	Not Supported	
44.101	Not Supported	On 2 October 2023, Azerbaijan's Presidential Administration announced a comprehensive Reintegration Plan designed to reintegrate ethnic Armenian residents of Garabagh into Azerbaijan's political, social and economic spheres with the guarantee of their rights on an equal basis with other residents of Azerbaijan.
44.119	Not Supported	
44.121	Not Supported	
44.122	Not Supported	
44.123	Not Supported	
44.126	Not Supported	
44.127	Not Supported	
44.129	Not Supported	
44.130	Not Supported	
44.132	Not Supported	
44.136	Not Supported	
44.138	Not Supported	
44.141	Not Supported	
44.142	Not Supported	

<i>Recommendation number</i>	<i>State position</i>	<i>Comments (optional)</i>
44.143	Not Supported	
44.145	Not Supported	
44.146	Not Supported	
44.150	Not Supported	
44.151	Not Supported	
44.153	Not Supported	
44.155	Not Supported	
44.156	Not Supported	
44.299	Not Supported	
44.300	Not Supported	

6. In total, out of 319 recommendations received, 185 enjoyed the support of the Republic of Azerbaijan, 88 were noted and 46 were not supported.

7. Comment on the recommendations 44.77, 44.79, 44.80, 44.82, 44.87, 44.89, 44.90, 44.91, 44.92, 44.101, 44.316, 44.317:

Use of falsified names, such as “Nagorno-Karabakh” is understood to be undermining the sovereignty and territorial integrity of the Republic of Azerbaijan in contravention to the UN Charter. Azerbaijan has repeatedly called to use only official geographic toponyms while referring to the territories of the Republic of Azerbaijan, the list of which has been submitted to the UN Group of Experts on Geographic Names by the Government of the Republic of Azerbaijan through its national report (GEGN.2/2023/140/CRP.140). Any geographic name used with regard to the territory of the Republic of Azerbaijan other than the one officially adopted by the competent state authority is unacceptable.