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Agenda item 6

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 | 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. 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. |
| 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.