



## ANNEX C1: Twinning Fiche

**Project title:** Support to further improvement of the migration management system in Azerbaijan

**Beneficiary administration:** State Migration Service (SMS) of the Republic of Azerbaijan

**Twining Reference:** AZ/20/ENI/JH/01/23 (AZ 63)

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**EU funded project**

***TWINNING TOOL***

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# 1 Basic Information

**1.1 Programme:** Multiannual Action Programme 2019-2020, “Partnership Priorities Facility”, decision ENI/2020/042-185

## 1.2 Twinning Sector

Justice and Home Affairs

## 1.3 EU funded budget

EUR 1 500 000

## 1.4 Sustainable Development Goals (SDGs)

Migration is a cross-cutting issue, relevant to all of the Sustainable Development Goals (SDGs). 11 out of 17 goals contain targets and indicators that are relevant to migration or mobility. The purpose of this project is fundamental to *SDG 10 (Reduced inequality)*, in particular *target 10.7 (Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies)*. Other closely related SDGs are SDG 3 (Good health and well-being), SDG 5 (Gender equality), SDG 8 (Decent job and economic growth), SDG 16 (Peace, justice and strong institutions) and SDG 17 (Partnerships for the goals).

# 2 Objectives

## 2.1 Overall Objective(s)

Enhanced efficiency of migration management in the Republic of Azerbaijan.

## 2.2 Specific objective(s)

Management of migration processes is improved, including immigration of highly skilled individuals, emigration, migration in crisis situations, and human resources management mechanisms in the field of migration.

## 2.3 National Development Plan/Cooperation agreement/Association Agreement/Sector reform strategy and related Action Plans

### 2.3.1 Action Document for Partnership Priorities Facility (PPF)

The framework for EU-Azerbaijan relations is set by *the Partnership and Cooperation Agreement (PCA)* in force since 1999. In February 2017, negotiations were launched on a comprehensive new agreement between the EU and Azerbaijan, which is to replace the PCA.

On 28 September 2018, the EU-Azerbaijan Partnership Priorities were endorsed by the EU-Azerbaijan Cooperation Council to guide bilateral cooperation in four key areas: (i) economic development and market opportunities; (ii) strengthening institutions and good governance; (iii) connectivity, energy, environment and climate action; and iv) mobility and people-to-people contacts. The EU provides assistance in these areas in the framework of the Annual Action Programmes 2018-2020. The *Single Support Framework (SSF) for Azerbaijan for 2018-2020*, as the programming document of EU bilateral assistance under the European Neighbourhood Instrument (ENI), is based on these Partnership Priorities. The SSF defines the scope of assistance under *priority area 4 (Mobility and people-to-people contacts)*. One specific objective of this priority area is to promote a holistic approach, to strengthen capacities and coordination among institutions dealing with migration governance, in particular through the full implementation and smooth functioning of the Visa Facilitation and Readmission Agreements and future potential visa liberalisation dialogue, and to foster the effective implementation of the Mobility Partnership.

EU cooperation with Azerbaijan supports the country's reform agenda through (i) strengthening the institutional and administrative capacity and (ii) reinforcing the policy development of selected state institutions involved in the implementation of the Partnership Priorities.

*This Twinning project will support the implementation of reforms under priority area 1 – Strengthening institutions and good governance as well as main policy objectives of the Eastern Partnership policy*

beyond 2020, namely **policy objective 4.5 (Together for resilient, fair and inclusive societies)**.<sup>1</sup> It will do so by addressing migration challenges and encouraging mobility and people-to-people contacts in a safe and well-governed environment, and providing support to vulnerable migrants.

The State Migration Service of the Republic of Azerbaijan (SMS)<sup>2</sup> is the government institution, which is envisaged as the principal direct recipient of targeted support under the project.

### **2.3.2 National Policy Development Programmes/Plans**

Azerbaijan's migration policy is defined by a set of presidential decrees and decisions of the Cabinet of Ministers. The migration policy framework has seen major developments in recent years, including through the consolidation of migration related legislation in the Migration Code. It was approved by presidential decree on 2 July 2013 to establish norms related to Azerbaijan's implementation of policies in the area of migration, to better regulate migration processes and the legal status of foreigners and of stateless persons in Azerbaijan.<sup>3</sup>

Other relevant legal acts are:

- Law on Refugee and Internally Displaced Persons (IDPs) Status, adopted on 21 May 1999;<sup>4</sup>
- Law on Citizenship of the Republic of Azerbaijan, adopted on 30 September 1998;<sup>5</sup>
- Law on Passports, adopted on 14 June 1994;<sup>6</sup>
- Law on Identification document of citizens of the Republic of Azerbaijan, adopted on 14 June 1994;<sup>7</sup>
- Regulations on service in migration bodies, approved by the Law issued on 4 December 2009.<sup>8</sup>

The above-mentioned legal acts as well as other related laws, regulations and decisions of the Cabinet of Ministers are available on the website <https://www.migration.gov.az/az/documents/14>.

Moreover, a *Migration Strategy*, which is an important document for improving the institutional and legal framework in migration management, and related action plan are under development. Main objectives of the draft strategy are: to improve legislation and management in the field of migration taking into account international norms, standards and development trends; to develop new approaches to the management and regulation of migration processes in crisis situations; to expand possibilities of using the intellectual and labour potential of migrants; to prevent irregular migration, acquiring and eliminating its negative consequences; to strengthen the level of professionalism of personnel; and to increase efficiency in protecting the rights of foreigners and stateless persons staying in the country as well as citizens of the Republic of Azerbaijan living abroad.

### **2.3.3 Azerbaijan's international presence and international conventions to which it is a party**

Azerbaijan is a signature member of the International Organization for Migration (IOM). IOM's presence in the country began with the establishment of the Baku office in January 1996. On 8 December 1999, the Agreement establishing the legal basis for further development of friendly cooperation between the IOM and the Republic of Azerbaijan in handling migration issues was signed.<sup>9</sup>

The intervention areas of the IOM in Azerbaijan, through the provision of technical assistance to the government are: development and adjustment of legislation; border management; prevention of irregular migration, in particular human smuggling and human trafficking; facilitation of migration dialogue; community development and micro credits; provision of water by rehabilitation of subterranean water systems called "kahriz"; movement assistance; assisted return and reintegration.<sup>10</sup>

<sup>1</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020JC0007>

<sup>2</sup> <https://www.migration.gov.az/>

<sup>3</sup> [https://migration.gov.az/content/pdf/60ed89e2411a5\\_M%C9%99c%C9%99ll%C9%99%20%C4%B0ngilis.pdf](https://migration.gov.az/content/pdf/60ed89e2411a5_M%C9%99c%C9%99ll%C9%99%20%C4%B0ngilis.pdf)

<sup>4</sup> [https://www.migration.gov.az/content/pdf/602377d85f6d3\\_t%C9%99rc%C3%BCm%C9%99%20Law%20on%20refugee%20of%20azerbaijan.pdf](https://www.migration.gov.az/content/pdf/602377d85f6d3_t%C9%99rc%C3%BCm%C9%99%20Law%20on%20refugee%20of%20azerbaijan.pdf)

<sup>5</sup> <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/64865/61587/F1949070598/AZE64865.pdf>

<sup>6</sup> <https://migration.gov.az/content/pdf/b003740e408e8c25c1cff68eb869c7e1.pdf>

<sup>7</sup> <https://www.refworld.org/pdfid/3ae6b52717.pdf>

<sup>8</sup> <https://migration.gov.az/content/pdf/49ecaed4adcce5da692603243d39e922.pdf>

<sup>9</sup> The Agreement was ratified by the Milli Majlis (Parliament) on 8 February 2000. The Council of IOM, at its 81st Session in Geneva, agreed to accept Azerbaijan as an IOM Member State on 7 June 2001.

<sup>10</sup> <https://rovienna.iom.int/azerbaijan>

Moreover, Azerbaijan has ratified and is a party to numerous international agreements, including those related to migration and protection of migrants' rights. The full list of related international conventions and agreements and their status is attached in *Annex 2*.

These conventions and agreements, as well as the IOM's requirements for its members shall be taken into consideration while preparing the project documents, particularly updating the legislative and institutional framework.

### 3 Description

#### 3.1 Background and justification

The Republic of Azerbaijan is characterized by significant cross-border movement of migrants both out of and into the country. In 2021 alone, 791,983 foreigners and stateless persons entered the territory of Azerbaijan, despite COVID-19 restrictions. The table below demonstrates the dynamics of some migration statistics for 2020-2022.

	2020	2021	2022 (8 months)
Number of foreigners entering the territory of the country (total/ according to the border crossing document)	795 761 / 397 418	791 983 / 398 255	1 004 156 / 672 686
Number of foreigners leaving the country (total/ according to the border crossing document)	848 761 / 437 640	758 244 / 372 766	973 436 / 643 462
Number of temporary stay extensions	91 659	31 298	14 078
Number of issued (extended) permanent residence permits	1 669	2 397	1 641
Number of issued (extended) temporary residence permits	38 065	45 608	31 743

According to official statistics<sup>11</sup>, the number of migrants who arrived in Azerbaijan for permanent residence in 2021 was slightly higher – by 1,800 - than the number of citizens of the Republic of Azerbaijan who left the country for permanent residence in other countries. Most of the people who immigrated to Azerbaijan were citizens of Georgia, Russia, Turkey, Iran, and Ukraine. More than half of the permanent residence that left Azerbaijan emigrated to the Russian Federation. Other main destinations for Azerbaijani emigrants were Kazakhstan, Turkey, Ukraine, and Georgia. The United States and the EU-27 area both also becoming increasingly attractive for Azerbaijani emigrants.

The current net migration rate of Azerbaijan is 1.1 per 1,000 of the population.

#### *Institutional arrangements*

In Azerbaijan, the leading role in migration management is assigned to the SMS. It was established as a central executive body with the status of a law enforcement body for national policy implementation in the area of migration by the Presidential Decree "On establishment of the State Migration Service of the Republic of Azerbaijan" № 560 dated 19 March 2007. The decree aims to strengthen the management of migration processes, prevent illegal migration, regulate and forecast migration processes, and mainstream migration into development policies. A detailed list of related SMS' functions is given in *Annex 3*.

The SMS consists of a central apparatus and nine regional departments, including Baku and Nakhchivan city regional migration main departments, three detention centres for illegal migrants, a training centre, and a medical facility. In addition, units of the SMS operate at state border control posts of the Republic of Azerbaijan, including international airports (*please refer to Annex 4 for further details*).

At the same time, the SMS provides relevant services in all "ASAN Service" (Azerbaijan Service and Assessment Network) centres. The Call Centre of the SMS operates 24 hours non-stop. Furthermore, the SMS provides 20 e-services.<sup>12</sup> The training centre of the SMS also organises various courses for foreigners and stateless persons who wish to apply for a permit for permanent residence in the Republic of Azerbaijan.

The roles of other main state bodies involved in migration management in Azerbaijan are as follows:

<sup>11</sup> State Statistics Committee (<https://www.stat.gov.az/>)

<sup>12</sup> <https://eservice.migration.gov.az/?lang=az>

- The *Ministry of Foreign Affairs (MFA)* is responsible for visa policy including issuing entry visas, providing consular services to Azerbaijani citizens abroad, maintaining the register of Azerbaijani citizens living abroad and promoting and developing cooperation in the field of migration with international organisations and partner countries.
- The *Ministry of Internal Affairs (MIA)*, jointly with the SMS, is responsible for issuing identity registration documents to stateless persons permanently living in the territory of the Republic of Azerbaijan and for all granting the citizenship of the Republic of Azerbaijan until 1 January 1992. The MIA also takes appropriate measures to implement decrees of the President of the Republic of Azerbaijan on the admission of citizenships, and the restoration or withdrawal of citizenships.
- The *State Border Service (SBS)* is the main state institution responsible for carrying out border controls. It registers foreigners at border checkpoints, combats irregular migration and verifies the reasons of entry of foreigners. The main task of the SBS is to ensure the security and inviolability of the country's borders. Moreover, the SBS is responsible for the registration of foreigners and stateless persons crossing the state border, ensuring the prevention of illegal crossing of the state border by foreigners and stateless persons, and the entry of foreigners and stateless persons into the territory of the country.
- The *Office of the Commissioner for Human Rights (Ombudsman)* was established to uphold human rights and freedoms enshrined in the Constitution of the Republic of Azerbaijan and in the international treaties to which the Republic of Azerbaijan is a party. Promoting human rights and human rights awareness at all levels, gender equality, preventing discrimination, and strengthening cooperation with civil society institutions are among the main activities of the Ombudsman's Office.
- The *Ministry of Labour and Social Protection of Population* is the central governmental agency responsible for managing the national labour market. The Ministry participates in the formation of a unified state policy in the field of labour migration together with relevant state bodies.
- The *Ministry of Economy* is responsible to manage and promote investment and entrepreneurship activity including those by foreigners and stateless persons. The registration of foreign entrepreneurs is carried out by the State Tax Service under the Ministry.
- The *State Committee on Work with the Diaspora* supports and coordinates activities of Azerbaijani diaspora organisations.
- The *State Statistics Committee (SSC)* is responsible for developing reliable migration statistics using international statistical methodologies.

### ***Migration management in crisis situations***

Since the beginning of 2020, Azerbaijan has gained some experience in managing migration processes in crisis situations. The COVID-19 pandemic resulted in a sharp decrease in the mobility of people worldwide and had a negative impact on migration processes. The pandemic created new challenges for migration processes in Azerbaijan. To prevent the spread of COVID-19 and minimize its impact, the country took measures such as border closures, travel restrictions and social distancing rules, which impacted negatively on migration processes. The functioning of the electronic visa provided by the ASAN service was temporarily suspended as a part of preventive measures.

Since the early days of the pandemic, Azerbaijan's migration policy has been to create the most favourable environment for foreigners travelling to Azerbaijan by reducing administrative procedures to almost zero and promoting e-services extensively. During this period, migration management in the country was organized on the basis of the principles of flexibility and transparency, taking into account recommendations of relevant international organizations. The establishment of the Operational Headquarters, consisting of the heads of all relevant state bodies and institutions under the Cabinet of Ministers before the first case of infection was detected in Azerbaijan, enabled the government and relevant institutions to properly manage and communicate migration processes and take flexible decisions in these circumstances. These and other related preliminary measures made it possible to minimize the consequences of the pandemic, prevent the spread of the disease, ensure continued support for the socially unprotected population and ensure economic stability.

However, the country faces some difficulties in the field of preliminary analysis, forecasting, identification of obvious trends, prevention of undesirable situations and elimination of negative consequences of possible crises, all of which are important to take flexible decisions to manage migration processes, organise operational management, and to form a more effective management mechanism in such situations.

All of the above and the current situation in the field of migration require substantial improvement of relevant normative legal documents regulating relations in the management of migration in crisis situations.

### ***Highly skilled immigration***

Attracting highly skilled migrants to stimulate the economy is currently one of the main policy objectives of Azerbaijan.<sup>13</sup> This issue is also reflected in the newly approved “Socio-economic development strategy of the Republic of Azerbaijan for 2022-2026”. The creation of the mechanism that will further facilitate the involvement of high skilled foreigners/migrants within labour migration management is an important measure of the Strategy.<sup>14</sup>

The national legislation on migration provides that foreigners and stateless persons who are highly skilled are allowed to live temporarily in Azerbaijan. Currently, there is however no specific mechanism to identify highly-skilled migrants and engage them in the socio-economic development of the country.

Although current legislation and migration management mechanisms include provisions of simplified procedures for highly skilled foreigners/migrants there is still need to further improve these mechanisms in order to mutually maximize benefits of labour migration for overall development of the country keeping in mind certain concessions and incentives for foreigners/migrants themselves. *However, further incentives (for example, such as offering longer residence permits, simplified self-employment procedures, special fiscal regime for (self-) employment, etc.) are needed to attract highly skilled migrants and use their social, educational and economic potential for the purpose of socio-economic development of the country.*

First steps were taken within two EU funded projects (see section 3.3 – Linked activities for more information on the project) on labour migration mechanisms in the country and learning about best international practices in the area of migrant worker management. Under the first project entitled “Support to the Implementation of the Mobility Partnership with Azerbaijan (MOBILAZE)”, labour migration mechanisms in the Republic of Azerbaijan were reviewed and an assessment report which also includes recommendations for further improvement of the labour market analysis and the determination of foreign labour demand was developed. Moreover, the second project entitled “Support to the Implementation of the Mobility Partnership with Azerbaijan (MOBILAZE 2)” organized a study tour on the legal regime and status of foreign domestic workers for relevant national authorities to Spain. The visit focused on studying policies and procedures related to the regulation of foreign domestic workers’ legal status, employment, social protection, data collection and other related issues.

### ***Emigration management***

Emigration is difficult to control administratively in the face of increasing freedom of movement and globalisation. Azerbaijan’s emigration statistics are not satisfactory and coverage of emigrants’ data, collected through existing sources of information is incomplete. The current methodology for estimating migration outflow mainly refers to people who deregister to leave the country and move their permanent residence abroad. The main reason for this is that the availability and reliability of data on emigration is limited and highly underestimates reality. Proper monitoring of emigration processes and the assessment of undeclared emigration flows, the results of which are to be used for evidence-based forecasting, would require authorities to develop a set of indicators and to regularly collect up-to-date statistical data. The assessment of return migration to Azerbaijan, other than readmission also remains a challenge due to statistical limitations.

The government recognises that statistical limitations, including adequate comprehensive and disaggregated statistics and factual evidence, are one of the main obstacles to the formulation of an effective evidence-based emigration policy, and international standards as well as best practices can provide valuable guidance in this regard.

*Currently, the SMS makes certain efforts to expand coverage and improve reliability of emigration data by collecting statistical data on emigration from available sources, which is later integrated into the*

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<sup>13</sup> Baseline Study on Migration in Azerbaijan, 2018

<https://www.icmpd.org/file/download/48400/file/Baseline%2520Study%2520on%2520Migration%2520in%2520Azerbaijan%2520EN.pdf>

<sup>14</sup> Third measures of Action 2.3.2 – Stimulation of employment development in the private sector, “Socio-economic development strategy of the Republic of Azerbaijan for 2022-2026” approved by the presidential decree on 22 July 2022



*Unified Migration Information System (UMIS).<sup>15</sup> However, the main challenges in this area are to identify sources and proper tools for collecting emigration data as well as to enhance knowledge and analytical skills for further analysis and forecasting of emigration processes.*

### ***Human Resources Management and Development***

As mentioned above, the SMS is taking concrete steps with the support of international organizations, in particular the EU (see section 3.3 – Linked activities for more detailed information on the projects), to improve the national migration policy, as well as the legal and institutional framework, including the organizational structure to improve the efficiency of migration management meeting international standards and complying with international best practice. However, further implementation of policy objectives, including the draft Migration Strategy which is in the process of approval, requires a professional and skilled workforce and new approaches to human resource management and development. This may require a new human resource structure and well-trained and qualified staff.

The current Human Resource Management and Development system is regulated by the Statutes of the SMS (article 9.31), its Personnel and personnel training department, and training centres as well as legislative acts regulating civil servants' activities in the country. In addition, rules for the organisation and assessment of professional training of employees of migration authorities of the Republic of Azerbaijan were adopted by order of the Head of the SMS.

The training centre under the SMS carries out training courses for employees based on the annual work plan developed together with the Human resource department of the SMS. In addition, SMS employees participate in trainings and other capacity building events organized by international organizations (in relation to migration management) and civil service commissions (in relation to civil servants).

*Improvement is however needed to align knowledge and skills with international standards and best practices in identifying staffing needs and skills required to effectively implement the new approaches included in the Strategy. The human resource development and training system also needs to be adapted to the new conditions. A quality assessment system needs to be introduced for the design and implementation of vocational training and re-training programmes.*

## **3.2 Ongoing reforms**

The results of cooperation between the IOM Mission to Azerbaijan and the SMS in recent years have led to the development of essential policy and legislative reforms in the field of migration, the integration of Azerbaijan into UN structures dealing with migration management, and the promotion of capacity-building activities.

Azerbaijan is among the first countries in the region to establish a UN Network on Migration at national level and has contributed to the voluntary review of the Global Compact for Migration (GCM) with a comprehensive report.<sup>16</sup> Recently, the SMS initiated the establishment of the Regional Training Centre on Migration with IOM support. The Centre aims to build capacities in migration management not only in Azerbaijan, but also in the region.

In 2019, the new National Migration Strategy for the upcoming five years (adoption is pending) was drafted. It outlines the major strategic visions on migration governance in the country in compliance with the EU acquis and other relevant international legislation.

The Global Forum on Migration and Development (GFMD) Troika and Steering Group members endorsed Azerbaijan as a member of the Steering Group of the GFMD in April 2020, acknowledging the country's active engagement and efforts in migration management at both national and regional levels.

In 2020, Azerbaijan amended its Migration Code by widening the options for temporary residence permits on educational grounds. The Criminal Code was also amended along with the Law on Citizenship by eliminating the prosecution of Azerbaijani citizens who acquired the citizenship of a foreign country.

In 2021, Azerbaijan signed the Seat Agreement with the International Centre for Migration Policy Development (ICMPD) on the status of the latter in Azerbaijan. The document is important in terms of

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<sup>15</sup> An information resource that collects information about foreigners and stateless persons living and temporarily residing in Azerbaijan. The system includes information on persons granted refugee status through SMS within their powers, as well as citizens of the Republic of Azerbaijan living abroad.

<sup>16</sup> [https://www.unescap.org/sites/default/files/Azerbaijan\\_Voluntary%20GCM%20Survey%20Report.pdf](https://www.unescap.org/sites/default/files/Azerbaijan_Voluntary%20GCM%20Survey%20Report.pdf)



contributing to the deepening cooperation of Azerbaijan with the ICMPD and the EU considering its Mobility Partnership, as well as increasing the country's access to international assistance.

Moreover, the country performed a diaspora mapping, providing insights into the skills and demographic profiles of Azerbaijani diaspora communities.

### 3.3 Linked activities

In recent years, a number of projects funded and implemented by the EU and other international organisations (IOM, United Nations High Commissioner for Refugees (UNHCR), etc.) have contributed to strengthen migration governance in Azerbaijan.

#### *Upcoming, ongoing and recently completed EU-funded bilateral projects:*

The “**Support to the Implementation of the Mobility Partnership with Azerbaijan (MOBILAZE-2)**” project, implemented by ICMPD (implementation period June 2021 – May 2024) aims to support migration policy development, institutional capacity building, improvement of labour migration management, and the provision of information and awareness raising on the regulation of migration processes in Azerbaijan. The main purpose of the project is to contribute to the development and implementation of an evidence-based migration and border management policy agenda in the Republic of Azerbaijan.

The “**Reintegration Support to Azerbaijani Returnees (RESTART)**” project’s (implementation period January 2019 – April 2021) overall objective was to support the implementation of the Readmission Agreement with the EU by strengthening the capacities of authorities and civil society in Azerbaijan in the area of reintegration, to actively facilitate sustainable return from EU Member States (MS) and to reintegrate of Azerbaijani nationals.

The “**Support to the Implementation of the Mobility Partnership with Azerbaijan (MOBILAZE)**” project’s (implementation period January 2015 – July 2019) overall objective was to support the implementation of the Mobility Partnership between the EU and Azerbaijan with a specific focus on strengthening the capacity of the government to develop and implement its national migration policy. The project focused on five strategic directions: (1) Building of analytical capacities for informed migration policy making; (2) Legal migration from and to Azerbaijan; (3) Document security; (4) Improvement of the asylum decision making procedure; (5) Return and reintegration.

The Twinning project “**Support to the Professional Development of the Staff of the State Migration Service of the Republic of Azerbaijan**” (implemented in 2013-2015) provided support in developing and implementing state migration policies aimed at reducing and progressively eliminating irregular migration processes in accordance with international obligations to protect migrants’ human rights and fundamental freedoms. The purpose of the project was to support the SMS in strengthening capacities to develop relevant legislation in line with the EU acquis and best practices.

**MIEUX Action Azerbaijan II** (implemented in 2011-2012) aimed to assist the Government of Azerbaijan in improving knowledge and understanding of the management of irregular migration through training on specialised issues and a study visit to the Netherlands.

**MIEUX Action Azerbaijan I** (implemented 2010-2011) aimed to support the Government of Azerbaijan to improve knowledge and understanding of migration management through capacity building activities, and the review of national legislation related to migration issues.

The **Strengthening Readmission Management in Azerbaijan** project (implemented in 2020 – 2023) is targeting the development and operationalisation of an Electronic Readmission Case Management System to manage the readmission of Azerbaijani nationals from EU MS and vice versa. The Project, implemented by the IOM focused on two specific objectives: (1) Develop and operationalize an electronic Readmission Case Management System (RCMS); and (2) Enhance institutional capacity on the management of readmissions and data.

The **MIEUX technical assistance to Azerbaijan** (implemented in 2022-2023) aims to strengthen the capacities of the SMS and relevant Azerbaijani stakeholders to manage the integration of migrants and the delivery of social services in a coordinated manner.

The **EU-funded regional project: The Asylum Systems Quality Initiative project** in Eastern Europe and the South Caucasus, (implemented 2013-2019) aimed at strengthening the national asylum system and focusses on capacity development of asylum authorities, judges and lawyers.

The **TAIEX expert mission on “Risk analysis on illegal migration”** (2019) aimed to study ways and methods applied in EU MS to identify potential risks of illegal migration in the Republic of Azerbaijan. Furthermore, it intended to contribute to the identification of potential risks of illegal migration to the

country, to promote legal migration by ensuring security, as well as to the ongoing process of elaborating a migration strategy for the Republic of Azerbaijan.<sup>17</sup>

Further information on ongoing and recently completed activities by the EU and other donors in this area is available on the website <https://www.migration.gov.az/en/useful/25>.

*Coordination with other EU activities, in particular with two ongoing EU-funded projects mentioned above, should be ensured mainly for activities related to awareness raising, development and delivery of workshops and training sessions related to the themes of the project components. Other donor activities should also be considered.*

### **3.4 List of applicable Union acquis/standards/norms:**

There is a series of EU directives and regulations, rules and recommended practices relevant to the objectives of this project. The most relevant directives and regulations are:

- Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, and repealing Council Directive 2009/50/EC as well as other EU legislation and best international practices
- Directive 2005/36/EC regulating certain professions and contact points for national authorities.
- Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers (Text with EEA relevance).
- Decision (EU) 2019/276 of the European Parliament and of the Council of 12 December 2018 on the mobilisation of the Flexibility Instrument to reinforce key programmes for the competitiveness of the EU and to finance immediate budgetary measures to address the ongoing challenges of migration, refugee inflows and security threats.
- Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast).
- Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing.
- European Parliament resolution of 22 April 2009 on a Common Immigration Policy for Europe: Principles, actions and tools (2008/2331(INI)).
- Commission Recommendation (EU) 2020/1366 of 23 September 2020 on an EU mechanism for preparedness and management of crises related to migration.

*The list is indicative. It should be revised and if applicable other related EU directives and regulations should be identified during the contract preparation period.*

### **3.5 Components and results per component**

The following project components and results shall support the achievement of overall and specific objective of this Twinning project.

#### **Component 1: Further improvement of national legislation regulating migration management**

*The objective of this component is to review and align national legislation with the EU acquis and other international legislation, which allows regulating effective governance of migration in the Republic of Azerbaijan.*

*Under this component, a legal framework will be established at least for the regulation of migration processes in crisis situations, the creation of incentive mechanisms that create favourable conditions for highly skilled immigration, and the better management of emigration processes.*

*Other relevant legal acts can also be revised and/or new legislation can be proposed depending on the results of the assessments to be carried out under the component.*

*Moreover, awareness and professional capacity on EU directives and legislation as well as best international standards related to the specific subjects of the component will be increased among relevant SMS staff.*

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<sup>17</sup> [https://migration.gov.az/index.php/en/news\\_detail/13750](https://migration.gov.az/index.php/en/news_detail/13750)

**Result 1:** Legal framework regulating governance of migration, including the management of migration processes in crisis situations, highly skilled immigration, and emigration management is aligned with EU directives and international legislation.

**Component 2: Strengthening institutional capacity of the SMS for effective management of migration processes**

*Having a dual objective, this component will strengthen the institutional and professional capacity of the SMS:*

- *to better manage migration processes in crisis situations by setting up an effective mechanism for the smooth inflow and outflow of migrants, preventing foreigners and stateless persons from becoming illegal migrants, and identifying and addressing the needs of foreigners, stateless persons and citizens of the Republic of Azerbaijan in crisis situations;*
- *to attract highly-skilled foreign specialists by setting favourable conditions for the entry, residence and (self-) employment of highly skilled migrants;*

*Establishing a mechanism for the management of migration processes in crisis situations will contribute to improve the country's capabilities to deal effectively with migration crises of all kinds and support the effective functioning of national migration systems. An operational framework for migration management in crisis situations to be developed under this component will set up measures at the individual, community and state levels to respond to and recover from different types of crises, including those that have triggered mass movements of IDPs.*

*Under the component, the methodology that allows to identify labour market needs for highly skilled specialists and how these can be met through migration will be reviewed. The development and implementation of the Highly Skilled Immigration Programme (HSIP), which aims to attract migrants who is able to make significant contribution to the national economy and fill positions, where no national specialist is available, will improve mechanisms that allow attract migrants who is able to make a significant contribution to the national economy and fill positions where no national specialist is available.*

*Moreover, the professional capacity of relevant SMS staff will be increased on EU best practices and international standards related to the specific objectives of the component.*

**Result 2:** A mechanism for managing migration processes in crisis situations is developed and implementation is facilitated.

**Result 3:** A mechanism for highly-skilled migration management is established and tested.

**Component 3: Strengthening emigration management capacities of the SMS**

*This component aims to improve the technical and operational capacity of the SMS to collect and record reliable data and expand the coverage of emigration statistics in line with the EUROSTAT's Residence Permits (RESPER) Technical Guidelines. This is important as any analytical method and model to predict migration flows can only be applied if reliable data is available over a longer period of time. The component will also equip relevant staff of the SMS with enhanced professional knowledge and skills as well as methodologies and no-cost forecasting models necessary to better monitor, analyse and predict emigration flows.*

*Moreover, the component will provide a basis for continuous monitoring of emigration processes and assessment of undeclared emigration flows, the results of which will be further used for science-based forecasting. The identified and promoted strategic and technical partnerships in the field of emigration research will contribute to assessing the impact of emigration on the country's economy.*

**Result 4:** Emigration management capacity of the SMS is strengthened.

**Component 4: Improving the Human Resource Management and Development System of the SMS**

*This component is designed to improve the Human Resource Management and Development capacity of the SMS for effective management of migration processes. The component focuses on capacity building of key beneficiary and relevant stakeholders on new techniques and methodologies for assessment and re-allocation of staff, as well as on assessing the quality of vocational training and re-training provided by the SMS Training Centre.*

**Result 5:** Human Resource Management System is further strengthened.

**Result 6:** Human Resource Development and Training System is improved.

### 3.6 Means/input from the EU Member State Partner Administration(s)

The project will be implemented in the form of a Twinning Grant Contract between the final beneficiary country and an EU MS. The implementation of the project requires one Project Leader (PL) with responsibility for the overall coordination of project activities and one Resident Twinning Adviser (RTA) to manage the implementation of project activities, four Component Leaders (CL) and a pool of short-term experts (STEs) within the limits of the budget. It is important that the team has a sufficiently broad expertise to cover all the areas mentioned in the project description.

Proposals submitted by EU MS must be concise and focus on the strategy and methodology and a corresponding indicative timetable, the proposed management model and the quality of the expertise to be mobilised, and clearly indicate the management structure and capacity of the EU MS agencies. Proposals shall be detailed enough to respond adequately to the Twinning Fiche, but are not expected to contain a fully elaborated project. They must describe in sufficient detail the strategy and methodology, indicate the sequence and mention the main activities during project implementation to ensure the achievement of the general and specific objectives and the prescribed results/outputs.

*Interested MS shall include in their proposals the Curriculum Vitae (CVs) of the designated Project Leader (PL) and the Resident Twinning Advisor (RTA), as well as the CVs of the potentially designated Component Leaders (CLs).*

**For all experts**, languages skill levels are defined for understanding, speaking and writing skills by the Common European Framework of Reference for Languages available at [https://www.cedefop.europa.eu/files/europass\\_-\\_european\\_language\\_levels\\_-\\_self\\_assessment\\_grid.pdf](https://www.cedefop.europa.eu/files/europass_-_european_language_levels_-_self_assessment_grid.pdf).

The Twinning project will be implemented in close cooperation between the partners aiming to achieve the mandatory results in a sustainable manner.

The set of proposed activities will be further developed with the Twinning partners when drafting the initial work plan and successive rolling work plans every six months, keeping in mind that the final list of activities will be decided upon in cooperation with the Twinning partner. The components are closely inter-linked and need to be sequenced accordingly.

#### 3.6.1 Profile and tasks of the PL

The PL will be responsible for the overall planning and implementation of the MS' inputs to this Twinning project and will ensure the achievement of the mandatory results.

The PL is expected to be able to devote sufficient time per month from her/his home country to assess the progress of the project and attend steering committee meetings.

In cooperation with the Beneficiary Country Project Leader appointed by the Beneficiary, she/he will be responsible to coordinate the Project Steering Committee (PSC), which includes the RTA and representatives of the Programme Administration Office (PAO) and the EU Delegation (EUD).

The PL shall be a senior staff member of an EU MS public (governmental) body.

*Minimum requirements for the PL's profile are:*

- University degree in law, public administration, political or social science or equivalent professional experience of eight years in a field relevant to the assignment;
- Minimum of three years of professional experience in an EU MS administration / assimilated body at senior management level in migration management;
- Proficient in written and spoken English (at least level C1 on a scale of C2 [proficient] to A1 [very basic]).

*Assets:*

- Previous experience in managing multi-disciplinary and multinational teams, ideally including Twinning projects;
- Professional experience in the development and/or implementation of legislation related to migration management;
- Azerbaijani, Turkish or Russian language skills.

*Main tasks:*

- To supervise and coordinate the overall project preparation;
- To supervise, guide and monitor project implementation towards timely achievement of project results;
- To liaise with the Beneficiary Country (BC) administration at political level;
- To ensure timely availability of expertise;
- To prepare project progress reports with the support of the RTA;
- To co-chair the project steering committees.

### **3.6.2 Profile and tasks of the RTA**

The Resident Twinning Adviser (RTA) will be based in Azerbaijan to provide full-time input and advice to the project for its entire duration. She/he will be in charge of day-to-day project implementation and the coordination of project activities according to a predetermined work plan and liaise with CLs. She/he should co-ordinate the project and have a certain level of understanding of all the components.

*Minimum requirements for the RTA's profile are:*

- University degree in the field of law, public administration, political or social science, or equivalent professional experience of eight years in a field relevant to the assignment;
- Minimum of three years of specific professional experience in the field of migration management;
- Proficient in written and spoken English (at least level C1 on a scale of C2 [proficient] to A1 [very basic]).

*Assets:*

- Previous work experience in an EU MS administration responsible for the development and/or implementation of migration policy and legislation;
- Previous experience in similar international capacity building projects in a sector relevant to the assignment;
- Experience in project management, preferably Twinning projects;
- Azerbaijani, Turkish or Russian language skills.

*Main tasks:*

- To coordinate and ensure project implementation and execution of all project activities;
- To prepare the initial and subsequent work plans and project progress reports, together with the PL;
- To ensure coherence and continuity of successive inputs and ongoing progress;
- To coordinate activities of all team members in line with the work plan;
- To continuously assess project progress to ensure its timely implementation;
- To prepare the material for regular monitoring and reporting;
- To liaise with MS and BC PL and maintain regular contact with the BC administration;
- To provide technical advice, support and assistance to the beneficiary institution in the areas specified in the work plan;
- To liaise with the EUD Project Manager;
- To liaise with other relevant institutions in Azerbaijan and with other relevant projects.

The RTA will be supported by an assistant that will handle administrative arrangements for conferences, training, seminars, etc. including the provision of interpretation and translation services.

A full-time interpreter/translator may also be recruited in Azerbaijan and be funded by the project. She/he will perform most of the required interpretation/translation services. Additional interpretation such as simultaneous interpretation may be procured and funded by the project in special circumstances.

### **3.6.3 Profile and tasks of Component Leaders**

The CLs will work in close cooperation with the RTA and the Beneficiary Administration in order to meet the mandatory results. Their main task is to plan and coordinate activities under their respective areas of responsibility in collaboration with the partner institutions.

*Minimum requirements for the Component Leaders' profile are:*

- University degree in law, public administration, political or social science or other disciplines closely related to the assignment for which the expert is proposed or equivalent professional experience of eight years in a field relevant to the assignment;
- Minimum of three years of specific working experience in legislative (Component 1), institutional development (Component 2) of migration structures, emigration data management (Component 3), or Human Resource Management and Development Systems in migration structures (Component 4);
- Fluency in written and spoken English (at least level B2 on a scale of C2 [proficient] to A1 [very basic]).

*Assets:*

- Previous experience in similar capacity building projects in a sector relevant to the assignment and ideally in Twinning projects;
- Azerbaijani, Turkish or Russian language skills.

*Main tasks:*

- To provide component coordination, guidance and monitoring in close cooperation with the BC component leader, RTA and RTA counterpart;

- Preparation of Terms of Reference (ToR) for short term expert missions relevant to their component and overseeing the implementation of STE missions;
- Continually monitoring objective achievements related to their component and comparing actual progress with the specified benchmarks and time-frame;
- Support the RTA in the preparation of the interim, quarterly and final reports related to their component;
- To provide practical expertise and technical advice, as well as coaching to relevant staff in the Beneficiary Administration for the execution of activities relevant to their project components;
- To analyse policies and practices in the thematic area relevant to their respective component;
- To support the drafting of action plans, training plans, studies;
- To design and implement training programmes, to facilitate stakeholder dialogue;
- To draft technical documents relevant to their component's results in close cooperation with the BC counterparts;
- To suggest improvements of relevant procedures and systems.

### ***3.6.4 Profile and tasks of other short-term experts***

STEs should be identified by the PL/RTA in agreement with the Beneficiary Administration during the negotiation phase of the Twinning contract following these indicative (but not exclusive) areas:

- Migration legislation;
- Organisation of migration structures;
- Migration management in crisis situations;
- High-skilled immigration;
- Labour migration;
- Emigration management;
- Human resource management and development.

*Minimum requirements for the profile are:*

- University degree relevant to the assignment or equivalent professional experience of eight years in a field relevant to the assignment;
- Minimum of three years of specific experience in a field relevant to the assignment;
- Fluency in written and spoken English (at least level B2 on a scale of C2 [proficient] to A1 [very basic]).

*Assets:*

- Previous experience in similar capacity building projects in a sector relevant to the assignment and ideally Twinning projects;
- Azerbaijani, Turkish or Russian language skills

*Main tasks:*

- To provide advice, expertise and/or coaching to relevant staff of the Beneficiary Administration for the execution of specified project activities;
- To plan and deliver capacity building activities (workshops/seminars/training sessions/study tours);
- To suggest improvements to relevant procedures and systems including suggestions for the revision of the regulatory framework;
- To provide support in drafting action plans and roadmaps;
- To report on the results of the missions;
- To liaise with RTA and BC counterparts.

## **4 Budget**

Maximum Budget available for the Twinning Grant is *EUR 1,500,000*.

## **5 Implementation Arrangements**

### **5.1 Implementing Agency responsible for tendering, contracting and accounting (AO/CFCU/PAO/European Union Delegation/Office)**

The Delegation of the European Union to the Republic of Azerbaijan (EUD) in Baku will be responsible for the tendering, contracting, payment and financial reporting. The EUD will work in close co-operation with the Beneficiary.

*The persons in charge of the project at the EUD are:*

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Head of Cooperation

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## **5.2 Institutional framework**

The State Migration Service of the Republic of Azerbaijan is the main beneficiary of the project.

*The structure of SMS is outlined in Annex 4.*

## **5.3 Counterparts in the Beneficiary administration**

### **5.3.1 Contact person:**

*For the Programme Administration Office in Azerbaijan (PAO)*

**Inara Mustafayeva, Director of PAO**

Head of the Department on Cooperation with International organizations

Ministry of Economy

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[inara.mustafayeva@economy.gov.az](mailto:inara.mustafayeva@economy.gov.az)

**Ali Muradov, PAO Manager**

Chief advisor

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Ministry of Economy

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[ali.muradov@economy.gov.az](mailto:ali.muradov@economy.gov.az) *For the direct beneficiary administration:*

**Elkhan Soltanli**

Inspector of the International Cooperation Department

State Migration Service of the Republic of Azerbaijan

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3123 Block, Binagadi District

[elkhan.soltanli@migration.gov.az](mailto:elkhan.soltanli@migration.gov.az)

### **5.3.2 PL counterpart**

**Ulvi Aliyev**

Head of the International Cooperation Department

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### **5.3.3 RTA counterpart**

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3123 Block, Binagadi District

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## **6 Duration of the project**

Execution period of the project shall be *27 months (24 months of implementation + 3 months closure period)*.

## **7 Management and reporting**

### **7.1 Language**

The official language of the project is the one used as contract language under the instrument (English). All formal communication regarding the project, including interim and final reports, shall be produced in the language of the contract.

### **7.2 Project Steering Committee**

A project steering committee (PSC) shall oversee the implementation of the project. The main duties of the PSC include the verification of progress and achievements *via-à-vis* the mandatory results/outputs chain (from mandatory results/outputs per component to impact), ensuring good coordination among the actors, finalising the interim reports and discussing the updated work plan. Other details concerning the establishment and functioning of the PSC are described in the Twinning Manual.

### **7.3 Reporting**

All reports shall have a narrative section and a financial section. They shall include as a minimum the information detailed in section 5.5.2 (interim reports) and 5.5.3 (final report) of the Twinning Manual. Reports need to go beyond activities and inputs. Two types of reports are foreseen in the framework of a Twinning project: interim quarterly reports and a final report. An interim quarterly report shall be presented for discussion at each meeting of the PSC. The narrative part shall primarily take stock of progress and achievements *via-à-vis* mandatory results and provide precise recommendations and corrective measures to be decided in order to ensure the further progress.

## **8 Sustainability**

The achievements of a Twinning project (from results per component to impacts) should be maintained as a permanent asset to the Beneficiary Administration even after the end of the implementation of the Twinning project. This presupposes *inter alia* that effective mechanisms are put in place by the Beneficiary Administration to disseminate and consolidate the results of the project.

As concerns Twinning projects that include support to development of sector policies (strategies and action plans), development of new legislation or amendments (especially with regard to the EU *acquis*), the sustainability of mandatory results/outputs is best ensured by ensuring that policy and legislative proposals are backed up by at least basic impact assessments (regulatory, fiscal) and that they are developed in consultation with both internal and external stakeholders (inter-ministerial and public consultations), as required by Beneficiary country legislation. Sufficient time should be allocated to the preparatory work during the project, and fast-track adoption procedures of legislation should be avoided, because they risk implementation and enforcement of future legislation.

Since results should be sustained the Beneficiary should describe how they have planned necessary resources to ensure the sustainability of results in their budget planning (Medium-Term Business Planning (MTBP) or alike).

## **9 Crosscutting issues (equal opportunity, environment, climate etc...)**

Equal opportunities in the project will be ensured in accordance with EU standards and equal opportunity policies. Equal treatment of women and men will be observed in project staffing, implementation and management. In particular, attention to the equality principle will be given to the selection of participants for training and capacity building activities.

The project implementers will maintain statistics in this regard and report on them. The principle of implementation of this Twinning project is based on a paperless work environment. This means, in particular, minimising paper use during project implementation by the maximum feasible use of e-mails and, if available, project web-site and/or project electronic data bases for cooperation between partners. Documents are automatically saved in electronic format.

*Relevant project information and all communication and visibility materials must be updated and approved by the EUD through the EU's project communication database 'EUDIGITool'. All visibility*

*and communication material will be kept up to date throughout the lifetime of the project. The use of the 'EUDIGITool' approval system is a mandatory requirement.*

## **10 Conditionality and sequencing**

No conditions have been set for this project as the external conditions for achieving the results of this project are in place - the beneficiary has demonstrated its commitment to developing this project.

## **11 Indicators for performance measurement**

The indicators for measuring success of project implementation are linked to the Mandatory Results / Components that have been outlined above in Section 3.5. The logical framework, including indicators, will be revisited during the inception period of the project. The workplan which will be developed in collaboration with the EU MS and the SMS will further specify the indicators.

Key performance indicators by mandatory results are outlined below:

**Result 1:** Legal framework regulating governance of migration, including the management of migration processes in crisis situations, highly skilled immigration, and emigration management is aligned with EU and international legislation.

### ***Indicators:***

- Availability of an analytical report on national policies and legislation related to the management of migration processes in crisis situations, in comparison with EU and international standards, including recommendations for alignment with best international policies and legislation;
- A set of legal provisions (and/or new legal acts, if required) regulating relations in the field of migration management in crisis situations, revised/drafted on the basis of EU and international best practices;
- Availability of a report on the review and comparison of the regulatory framework governing the attraction and retention of highly skilled migrants (including their privileges, duties and obligations, etc.) with EU and international standards as well as EU MS best practices, which also contains relevant recommendations for further improvement;
- A revised/developed set of legal provisions (and/or new legal acts, if required) governing the attraction and retention of highly skilled migrants for effective regulation of the highly skilled immigration;
- Number of proposals on other revised/new (if required) legal provisions and/or new legislation identified by the review report developed under this result;
- Percentage of relevant SMS staff trained on EU policy and legislation as well as best international standards related to the specific subjects of the component.

**Result 2:** A mechanism for managing migration processes in crisis situations is developed and implementation is facilitated.

### ***Indicators:***

- Availability of an analytical report on existing practices related to the management of migration processes in crisis situations, including investigation of existing constraints, which also include recommendations aimed at adapting them to the best international models and practices as well as overcoming identified constraints;
- Availability of an analytical report, including an inventory of international and intergovernmental initiatives and best practices, as well as recommendations for their adaptation to the current environment;
- Availability of an operational framework for migration management in crisis situations;
- Availability of a Model Action Plan for managing migration flows in crisis situations;
- A mechanism to prevent foreigners and stateless persons from becoming illegal migrants;
- Availability of a set of Standard Operating Procedures (SOPs) for identifying and meeting the needs of foreigners, stateless persons and citizens of the Republic of Azerbaijan in crisis situations;
- Awareness raising and capacity building scheme in the field of migration management in crisis situations;
- Number of events on international best practices in migration management in crisis situations;
- Percentage of relevant staff of SMS and other stakeholders trained on the basis of the training scheme.

**Result 3:** A mechanism for highly-skilled migration management is established and tested.

**Indicators:**

- Availability of an analytical report on the review of the methodology in use that allows to identify labour market needs for highly skilled specialists and existing practices on how these gaps can be met through migration (including restrictions related to attracting and retaining high-skilled migrants), which also includes recommendations;
- Availability of a Highly Skilled Immigration Programme (HSIP);
- Availability of an improved methodology to identify labour market needs for highly skilled specialists and how these can be met through migration;
- Availability of an effective mechanism for attracting highly qualified migrant entrepreneurs to various sectors of the economy;
- Proposals for a low-cost or cost-free database and information management system for recording and analysing information on highly skilled migrants;
- Availability of a concept for setting up a portal as an online communication platform for highly qualified migrants;
- Availability of an awareness raising and capacity building scheme regarding to Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, and repealing Council Directive 2009/50/EC as well as other EU legislation and best international practices;
- Number of outreach activities to attract highly skilled migrants to the country;
- Percentage of relevant SMS staff and other stakeholders whose knowledge and skills improved based on the above scheme.

**Result 4:** Emigration management capacity of the SMS is strengthened.

**Indicators:**

- Availability of an analytical report on existing practices in the field of emigration data gathering, processing and analysis, forecasting methods and models in use, as well as regulations governing this process, which also includes proposals on the further improvement of emigration statistics needed for monitoring and evaluation of emigration processes;
- Availability of a set of SOPs developed for identifying sources, collecting and processing emigration data;
- A proposal for a low-cost or cost-free database and information management system for emigration data;
- Availability of emigration data analysis methods and low-cost or free forecasting models;
- Concept note for the establishment of a migration portal that also includes technical specifications, database and content structure;
- Availability of a set of SOPs and improved methodologies for continuous monitoring of emigration processes and evaluation of undeclared emigration flows;
- Number of monitoring and evaluation reports on emigration processes;
- Number of established strategic and technical partnerships in the field of emigration research;
- Availability of capacity building schemes on migration data collection and processing, analysis and forecasting as well as monitoring and evaluation methodologies;
- Percentage of relevant SMS staff whose capacity increased based on the implementation of the training scheme.

**Result 5:** Human Resource Management System is further strengthened.

**Indicators:**

- An assessment report on staffing needs of the SMS, including recommendations on the staff structure, the skills required for the proper implementation of the national migration policy and strategy;
- Proposal of a new staffing structure and plan;
- Number of proposed new/revised model job descriptions and job profiles for new staffing structure;
- Percentage of relevant SMS staff with improved capacity on new approaches and methodologies.

**Result 6:** Human Resource Development and Training System is improved

**Indicators:**

- Availability of an analytical report on methodologies in use for training needs assessment of staff, the development process of training and retraining programmes, training modules and training methods, methodologies for evaluation of trainers and trainees and recommendations for their improvement;
- A concept for establishing a vocational training and re-training quality assessment system;
- Capacity building programme (professional and vocational) for SMS staff including train-the-trainer modules;
- Availability of an operational system to regularly monitor the level of training of SMS staff;
- Availability of a methodological guidance as well as other norms and standards regulating training and retraining of SMS staff;
- Percentage of relevant SMS staff with improved level of vocational and professional training.

**12 Facilities available**

The beneficiary undertakes to provide the following facilities:

- Adequately equipped office space for the RTA and the RTA's assistant(s) for the entire duration of the secondment;
- Supply of an office room, including computer, phone, internet access, printer, photocopier;
- Adequate conditions for the STEs to perform their work while on missions;
- Availability of suitable venues for meetings and training sessions implemented by the project;
- Availability of staff that will be involved during the implementation of the Twinning project;
- Full coordination and transparency are expected among all key players involved.

## Abbreviations

ENI	European Neighbourhood Instrument
EU	European Union
EUD	Delegation of the European Union
EU MS	European Union Member States
GFMD	Global Forum on Migration and Development
ICMPD	International Centre for Migration Policy Development
IDPs	Internally Displaced People
IOM	International Organization for Migration
MFA	Ministry of Foreign Affairs
MIA	Ministry of Internal Affairs
MLSP	Ministry of Labour and Social Protection of Population of the Republic of Azerbaijan
NGO	Non-Government Organisation
PCA	Partnership and Cooperation Agreement
SDGs	Sustainable Development Goals
SMS	State Migration Service of the Republic of Azerbaijan
SOP	Standard Operating Procedures
SSC	State Statistics Committee
SSF	Single Support Framework
UMIS	Unified Migration Information System
UNHCR	United Nations High Commissioner for Refugees

## **ANNEXES TO PROJECT FICHE**

Annex 1: Simplified Logical framework matrix as per Annex C1a

Annex 2: Status of compliance with international migration conventions in Azerbaijan

Annex 3: List of main functions of the SMS

Annex 4: Annex 4: Structure of the State Migration Service

**Annex 1: Simplified Logical framework matrix as per Annex C1a**

	<b>Description</b>	<b>Indicators (with relevant baseline – 2022)</b>	<b>Sources of verification</b>	<b>Risks</b>	<b>Assumptions (external to project)</b>
<b>Overall Objective</b>	Enhanced efficiency of migration management in the Republic of Azerbaijan	Net migration rate <i>baseline – 1.1 per 1000 population (2020); target – to be determined during contract preparation period</i>	▪ Reports of the government and international organisations		
<b>Specific (Project) Objective(s)</b>	Management of migration processes is improved, including immigration of highly skilled individuals, emigration, migration in crisis situations, and human resources management mechanisms in the field of migration.	Improved regulatory mechanism for managing migration processes is in use <i>baseline – undefined; target – implemented in line with the best EU practices (2 year after project completion)</i>	▪ Reports of the government and international organisations ▪ Project reports	<ul style="list-style-type: none"> <li>▪ Unstable political environment impacting project implementation;</li> <li>▪ Lack of sufficient awareness amongst stakeholders;</li> <li>▪ Lack of commitment from senior staff of the beneficiary institutions to participate in project activities</li> </ul>	<ul style="list-style-type: none"> <li>▪ Political willingness and continued commitment of national authorities;</li> <li>▪ Willingness and capacity of beneficiary institutions to implement migration management reform;</li> <li>▪ Good inter-sectoral communication;</li> <li>▪ Availability, attendance and stability of participants in twinning activities.</li> </ul>
		Number of new incentives applied to attract highly skilled immigrants to the socio-economic development process <i>baseline – 0; target – 10% (2026)</i>	▪ Reports of the government and international organisations		
		Status of reliability of emigration data, including projection <i>baseline – undefined; target – implemented in line with EU best practices (2026)</i>	<ul style="list-style-type: none"> <li>▪ Reports of the government and international organisations</li> <li>▪ Emigration information management system in use</li> </ul>		



Mandatory results/outputs by components	Component 1: Further improvement of national legislation regulating migration management				
	<b>Result 1:</b> Legal framework regulating governance of migration, including the management of migration processes in crisis situations, highly skilled immigration, and emigration management is aligned with EU directives and international legislation.	Availability of an analytical report on national policies and legislation related to the management of migration processes in crisis situations, in comparison with EU and international standards, including recommendations for alignment with best international policies and legislation <i>baseline – not available; target – available (2024)</i>	■ Project reports	■ Lack of political will to improve national legislation; ■ Lack of efficient and sustainable communication mechanisms ■ Insufficient foreign language skills of relevant staff	■ Political will to improve legal framework for the management of migration processes;  ■ Sufficient internal resources (financial, technical and human) of the main beneficiary to revise and/or develop new legislation;  ■ Sustainability of the staff trained within the project
		A set of legal provisions (and/or new legal acts, if required) regulating relations in the field of migration management in crisis situations, revised/drafted on the basis of EU and international best practices <i>baseline – 0; target – 1 (2025)</i>	■ Project reports ■ Revised / new legislation		
		Availability of a report on the review and comparison of the regulatory framework governing the attraction and retention of highly skilled migrants (including their privileges, duties and obligations, etc.) with EU directives and international standards as well as EU MS best practices, which also contains relevant recommendations for further improvement <i>baseline – not available; target – available (2024)</i>	■ Project reports		
		A revised/developed set of legal provisions (and/or new legal acts, if required) recommended in the relevant report for effective regulation of the highly skilled immigration <i>baseline – 0; target – 1 (2025)</i>	■ Project reports ■ Revised / new legislation		
		Number of proposals on other revised/new (if required) legal provisions and/or new legislation identified by the review report developed under this result <i>baseline – 0; target – 1 (2024)</i>	■ Project reports ■ Revised / new legislation		

		Percentage of relevant SMS staff trained on EU policy and legislation as well as best international standards related to the specific subjects of the component <i>baseline – 0; target – 80% (2025)</i>	▪Project reports		
<b>Component 2: Strengthening institutional capacity of the SMS for effective management of migration processes</b>					
	<b>Result 2:</b> A mechanism for managing migration processes in crisis situations is developed and implementation is facilitated	Availability of an analytical report on existing practices related to the management of migration processes in crisis situations, including investigation of existing constraints, which also include recommendations aimed at adapting them to the best international models and practices as well as overcoming identified constraints <i>baseline – not available; target – available (2024)</i>	▪Project reports	Lack of co-operation and coordination between the different institutions	Sufficient internal resources (financial, technical and human) of the main beneficiary to establish effective institutional framework to manage migration processes in crisis situations;  Commitment from national and local authorities to work with Twinning partner;  National institutions involved in the action possess the needed resources (human, administrative, technical).
		Availability of an analytical report, including an inventory of international and intergovernmental initiatives and best practices, as well as recommendations for their adaptation to the current environment <i>baseline – not available; target – available (2024)</i>	▪Project reports		
		Availability of an operational framework for migration management in crisis situations <i>baseline – not available; target – available (2025)</i>	▪Project reports		
		Availability of a Model Action Plan for managing migration flows in crisis situations <i>baseline – not available; target – available (2025)</i>	▪Project reports ▪A Model Action Plan		
		A mechanism to prevent foreigners and stateless persons from becoming illegal migrants <i>baseline – 0; target – 1 (2024)</i>	▪Project reports		

		Availability of a set of Standard Operating Procedures (SOPs) for identifying and meeting the needs of foreigners, stateless persons and citizens of the Republic of Azerbaijan in crisis situations <i>baseline – not available; target – available (2024)</i>	<ul style="list-style-type: none"> <li>▪Project reports</li> <li>▪SOPs in use</li> </ul>		
		Awareness raising and capacity building scheme in the field of migration management in crisis situations <i>baseline – 0; target – 1 (2024)</i>	<ul style="list-style-type: none"> <li>▪Project reports</li> <li>▪Awareness raising and capacity building scheme in use</li> </ul>		
		Number of events on international best practices in migration management in crisis situations <i>baseline – 0; target – 3 (2024)</i>	<ul style="list-style-type: none"> <li>▪Project reports</li> </ul>		
		Percentage of relevant staff of SMS and other stakeholders trained on the basis of the training scheme <i>baseline – 0; target – 50% (2025)</i>	<ul style="list-style-type: none"> <li>▪Project reports</li> </ul>		
	<b>Result 3:</b> A mechanism for highly-skilled migration management is established and tested	Availability of an analytical report on the review of the methodology in use that allows to identify labour market needs for highly skilled specialists and existing practices how these can be met through migration (including restrictions related to attracting and retaining high-skilled migrants), which also includes recommendations <i>baseline – not available; target – available (2024)</i>	<ul style="list-style-type: none"> <li>▪Project reports</li> </ul>	Limited commitment from senior management of beneficiary institutions and relevant staff to participate in the activities of the project; Resistance to change; Lack of digital skills.	The Government of Azerbaijan continues to support the involvement of highly skilled foreigners to develop various sectors of the economy
		Availability of a Highly Skilled Immigration Programme (HSIP) <i>baseline – not available; target – available (2024)</i>	<ul style="list-style-type: none"> <li>▪Project reports</li> <li>▪Endorsed Highly Skilled Immigration Programme (HSIP)</li> </ul>		

		Availability of an improved methodology to identify the labour markets' needs for highly skilled specialists and how these can be met through migration <i>baseline – not available; target – available (2025)</i>	<ul style="list-style-type: none"> <li>▪Project reports</li> <li>▪Methodology in use</li> </ul>		
		Availability of an effective mechanism for attracting highly qualified migrant entrepreneurs to various sectors of the economy <i>baseline – not available; target – available (2025)</i>	<ul style="list-style-type: none"> <li>▪Project reports</li> </ul>		
		Proposals for a low-cost or cost-free database and information management system for recording and analysing information on highly skilled migrants <i>baseline – 0; target – 1 (2025)</i>	<ul style="list-style-type: none"> <li>▪Project reports</li> <li>▪Database and management system in use</li> </ul>		
		Availability of a concept for setting up a portal as an online communication platform for highly qualified migrants <i>baseline – not available; target – available (2025)</i>	<ul style="list-style-type: none"> <li>▪Project reports</li> <li>▪Concept note</li> </ul>		
		Availability of an awareness raising and capacity building scheme regarding to Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purpose of highly qualified employment, and repealing Council Directive 2009/50/EC as well as other EU legislation and best international practices <i>baseline – not available; target – available (2024)</i>	<ul style="list-style-type: none"> <li>▪Project reports</li> <li>▪Awareness raising and capacity building scheme in use</li> </ul>		
		Number of outreach activities to attract highly skilled migrants to the country <i>baseline – 0; target – 3 (2025)</i>	<ul style="list-style-type: none"> <li>▪Project reports</li> <li>▪Activity report</li> </ul>		
		Percentage of relevant SMS staff and other stakeholders whose knowledge and skills improved based on the above scheme <i>baseline – 0; target – 50% (2025)</i>	<ul style="list-style-type: none"> <li>▪Project reports</li> <li>▪Capacity building reports</li> </ul>		

Component 3: Strengthening emigration management capacity of the SMS					
<b>Result 4:</b> Emigration management capacity of the SMS is strengthened	Availability of an analytical report on existing practices in the field of emigration data gathering, processing and analysis, forecasting methods and models in use, as well as regulations governing this process, which also includes proposals on the further improvement of emigration statistics needed for monitoring and evaluation of emigration processes <i>baseline – not available; target – available (2024)</i>	▪Project reports	Lack of sufficient data to make an informed assessment of the technical and operational capacities of SMS;  Lack of communication and cooperation with relevant local, foreign and international institutions in the field of emigration statistics;  Low analytical skills and absorption capacity for methods to analyse emigration data	Willingness, commitment and determination of beneficiary institutions to improve emigration statistics;  The government supports the provision of adequate technical, financial and human resources for the implementation of the relevant project activities.;  Availability, attendance and stability of participants in twinning activities	
	Availability of a set of SOPs developed for identifying sources, collecting and processing emigration data <i>baseline – not available; target – available (2025)</i>	▪Project reports			
	A proposal for a low-cost or cost-free database and information management system for emigration data <i>baseline – not available; target – available (2024)</i>	▪Project reports			
	Availability of emigration data analysis methods and low-cost or free forecasting models <i>baseline – not available; target – available (2025)</i>	▪Project reports			
	Concept note for the establishment of a migration portal that also includes technical specifications, database and content structure <i>baseline – 0; target – 1 (2025)</i>	▪Project reports			
	Availability of a set of SOPs and improved methodologies for continuous monitoring of emigration processes and evaluation of undeclared emigration flows <i>baseline – not available; target – available (2025)</i>	▪Project reports			

		Number of monitoring and evaluation reports on emigration processes <i>baseline – 0; target – 2 (205)</i>	▪Project reports		
		Number of established strategic and technical partnerships in the field of emigration research <i>baseline – 0; target – 1 (2025)</i>	▪Project reports		
		Availability of capacity building schemes on migration data collection and processing, analysis and forecasting as well as monitoring and evaluation methodologies <i>baseline – 0; target – 1 (2024)</i>	▪Project reports		
		Percentage of relevant SMS staff whose capacity increased based on the implementation of the training scheme <i>baseline – 0; target – 50% (2025)</i>	▪Project reports		
Component 4: Improving Human Resources Management and Development system of the SMS					
Result 5: Human Resource Management System is further strengthened.		An assessment report on the staffing needs of the SMS, including recommendations on the staff structure, the skills required for the proper implementation of the national migration policy and strategy <i>baseline – not available; target – available (2024)</i>	▪Project reports	Low absorption capacity of the SMS to absorb project deliverables  Unsuitable environment for full adaptation of best practices	Sustainability of the staff trained within the project
		Proposal of a new staffing structure and plan <i>baseline – not available; target – available (2025)</i>	▪Project reports		
		Number of proposed new/revised model job descriptions and job profiles for new staff structure <i>baseline – 0; target – 10 (2025)</i>	▪Project reports		
		Percentage of relevant SMS staff with improved capacity on new approaches and methodologies <i>baseline – 0; target – 50% (2025)</i>	▪Project reports		

	<b>Result 6:</b> Human Resource Development and Training System is improved.	Availability of an analytical report on methodologies in use for training needs assessment of staff, the development process of training and retraining programmes, training modules and training methods, methodologies for evaluation of trainers and trainees and recommendations for their improvement <i>baseline – not available; target – available (2024)</i>	▪Project reports	High staff turnover; Language problem of the staff for training given by the foreign experts; Difficulties in implementing capacity building activities due to unforeseen conditions (e.g. pandemic)	Free access to staff information for assessing staff capacity and preparing training programs; Sustainability of the staff to be trained
		A concept for establishing a vocational training and re-training quality assessment system <i>baseline – 0; target – 1 (2024)</i>	▪Project reports		
		Capacity building programme (professional and vocational) for SMS staff including train-the-trainer modules <i>baseline – 0; target – 1 (2024)</i>	▪Project reports		
		Availability of an operational system to regularly monitor the level of training of SMS staff; <i>baseline – not available; target – available (2024)</i>	▪Project reports		
		Availability of a methodological guidance as well as other norms and standards regulating training and retraining of SMS staff <i>baseline – not available; target – available (2024)</i>	▪Project reports		
		Percentage of relevant SMS staff with improved level of vocational and professional training <i>baseline – 0; target – 50% (2025)</i>	▪Project reports		



## Annex 2: Status of compliance with international migration conventions in Azerbaijan

International documents	Status
<u>International Covenant on Economic, Social and Cultural Rights</u>	Ratified on 13 Aug 1992
<u>Seafarers' Identity Documents Convention</u> <sup>18</sup> (Revised), 2003, as amended (No. 185)	Entered into force on 17 July 2006
<u>Council of Europe Convention on Action against Trafficking in Human Beings</u>	Entered into force on 15 April 2002
<u>International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</u>	Accession date: 11 January 1999
<u>Convention on Protection of Children and Co-Operation in Respect of Intercountry Adoption</u>	Member since 29 July 2014
<u>Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour</u>	Accession date: 13 January 2004
<u>United Nations Convention against Transnational Organized Crime and The Protocols Thereto</u>	Entered into force on 13 May 2003 <sup>19</sup>
<u>European Convention on Extradition</u>	Entered into force on 26 September 2002
<u>European Convention on Human Rights</u>	Signed on 25 January 2001 Ratified on 15 April 2002
<u>Abolition of Forced Labour Convention</u>	Accession date: on 24 March 2000 <sup>20</sup>
<u>Convention relating to the Status of Stateless Persons</u>	Entered into force on 25 June 1996
<u>Convention on the Reduction of Statelessness</u>	Entered into force on 25 June 1996
<u>Convention on the Nationality of Married Women</u>	Entered into force on 25 June 1996
<u>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</u>	Ratified on 16 August 1996
<u>International Convention on the Suppression and Punishment of the Crime of Apartheid</u>	Entered into force on 25 June 1996
<u>International Convention on the Elimination of All Forms of Racial Discrimination</u>	Ratified on 6 August 1996
<u>Protocol relating to the Status of Refugees</u>	Accession date: 8 December 1992 <sup>21</sup>
<u>Convention relating to the Status of Refugees</u>	State party since 12 February 1993
<u>Convention on the Rights of the Child</u>	Ratified on 13 August 1992
<u>International Covenant on Civil and Political Rights</u>	Ratified on 13 August 1992
<u>Vienna Convention on Consular Relations</u>	Accession date: 21 July 1992 <sup>22</sup>

<sup>18</sup> Issued in 1958 (No. 108)

<sup>19</sup> <https://migration.gov.az/content/pdf/b6b9f093b2668222a6f6d5a0481ff5a1.pdf>

<sup>20</sup> <https://e-qanun.az/framework/742>

<sup>21</sup> <https://e-qanun.az/framework/7917>

<sup>22</sup> <https://e-qanun.az/framework/7505>

### **Annex 3: List of main functions of the SMS**

The functions of the State Migration Service can be summarised as follows<sup>23</sup>:

- Participation in the formation of the state policy in the field of migration, ensuring the implementation of this policy and coordination of the activities of other related public institutions in this field;
- Management and regulation of migration processes within its authority;
- Implement of state control over the migration processes;
- Ensuring the implementation of the national legislation on immigration, regulation of emigration and internal migration;
- Participation in the development and implementation of measures related to the prevention of illegal migration in interaction with relevant public institutions;
- Participation in the consideration of issues of citizenship and political asylum of the Republic of Azerbaijan;
- Ensuring the implementation of legislation on refugees (asylum seekers);
- Ensuring the fulfilment of the obligations undertaken by the Republic of Azerbaijan on issues regulated by international agreements to which the Republic of Azerbaijan is a signatory and falling within the competence of the SMS.

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<sup>23</sup> <https://e-qanun.az/framework/12885>

## Annex 4: Structure of the SMS

