

# Cooperation of the European Union and the Republic of Azerbaijan on migration issues

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The basic document providing the legal framework of EU-Azerbaijan relations is Partnership and Cooperation Agreement (PCA), which was signed in 1996 and entered into force at the beginning of July 1999. The cooperation based on this document is focused to the areas of political dialogue, investment, trade, economic, cultural and legislative cooperation. Migration issues are reflected in the framework of this cooperation as well. On the basis of PCA the Member States of European Union and the Republic of Azerbaijan have agreed to cooperate in order to prevent and control illegal immigration. To this end the parties agree to readmit their nationals illegally present on the territory of each other, upon request of respective State and without further formalities. Furthermore the Republic of Azerbaijan agrees to the obligation upon request of appropriate Member State for readmission of nationals of other countries and stateless persons who have arrived on the territory of any such Member State from the Republic of Azerbaijan or who have arrived on the territory of Azerbaijan from any such Member State.

Upon the willingness of EU to extend its cooperation with Azerbaijan beyond PCA, there was taken a decision by European Council in 2004 to incorporate the countries of Southern Caucasus into the framework of the European Neighborhood Policy (ENP). In the context of European Neighborhood Policy, the EU developed an Action Plan together with Azerbaijan, which reflects the specificity of the country and at the same time contains concrete actions and

goals to be achieved in the short term. In 2006 in Brussels the five-year ENP Action Plan for Azerbaijan was adopted. In the ENP Azerbaijan Action Plan there is enshrined the necessity to develop the cooperation on migration issues. One of the goals of such cooperation is to ensure adoption and proper implementation of the State Migration Program based on the State Migration Policy Concept, to exchange of information and best practices on transit migration and asylum issues (entry and stay, integration, Eurodac system, temporary protection, reception conditions for asylum seekers, detention of illegal migrants) and so on. ENP Action plan includes also statements facilitating the movement of persons such as exchange of views on visa issues, cooperation to improve security of travel documents and visa in conformity with international standards. The Action Plan provides development of modern and efficient asylum/protection system in line with international standards that is self-sustaining and that offers integration opportunities for those who qualify.

The other important legal framework for EU-Azerbaijan cooperation is Eastern Partnership, which is a joint initiative involving the EU, its Member states and 6 Eastern partners including Azerbaijan. Mobility and people-to-people contact is one of four Eastern Partnership main priority areas. In the context of Eastern Partnership in November 2013 EU and Azerbaijan signed the Visa Facilitation Agreement and in February 2014 the Readmission Agreement, both of which entered into force in September 2014. In 2013 there was signed the Mobility Partnership between European Union and Azerbaijan. According to the Mobility Partnership, the parties shall cooperate

with the purpose of better managing legal and labour migration within the limits and competences of respective Signature and taking into account their labour market and socio-economic situation. The further cooperation and dialogue is important in order to inform the potential migrants on opportunities of labour migration and the requirements for legal stay; to develop legal framework relating to employment conditions for migrants with taking into account competences, interests, needs and different labour market situations in Azerbaijan and EU Member States; to provide information on migration policies and job opportunities in Azerbaijan and in the European Union.

Adopting of such agreements of bilateral cooperation is aimed at preventing the illegal migration and combating with it more effectively and paying special attention to security of rights of persons readmitted to the territory of an appropriate State.

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Xülasə

Açar sözlər: miqrasiya, əmək miqrasiyası,

Tərəfdaşlıq və Əməkdaşlıq Sazişi, Avropa Qonşuluq Siyasəti Şərq Tərəfdaşlığı.

Miqrasiya məsələləri, o cümlədən əmək miqrasiyası, Avropa İttifaqı və Azərbaycan Respublikasının əməkdaşlığı sahəsində olan əsas hüquqi sənədlərdə öz əksini tapmışdır. Azərbaycan Respublikası (AR) və Avropa İttifaqı (AI) münasibətlərinin təməlini Tərəfdaşlıq və Əməkdaşlıq Sazişi (TƏS) təşkil edir. Bu sənəd 22 aprel 1996-cı ildə Lüksemburqda imzalanmış və 1999-cu il iyulun 1-də qüvvəyə minmişdir. Azərbaycan Respublikasının Avropa Qonşuluq Siyasətinə (AQS) daxil edilməsi ilə bağlı qətnamə AB tərəfindən 14 iyun 2004-cü il tarixində qəbul edilmişdir.

Şərq Tərəfdaşlığı Avropa Birliyinin önəmli layihələrindəndir ki, əsas məqsədi AI və Azərbaycan da daxil olmaqla altı Postsovet ölkəsi arasında inteqrasiya əlaqələrini inkişaf etdirməkdir. Layihə Avropa Qonşuluq Siyasətinin bir növ regional (Şərq) ölçüsü hesab olunur.

Резюме

Ключевые слова: миграция, трудовая миграция, Соглашение о партнерстве и сотрудничестве, Европейская Политика Соседства, Восточное Партнерство.

Вопросы регулирования миграции, в том числе трудовой миграции, находят свое отражение в основных юридических документах в сфере сотрудничества Европейского Союза и Азербайджанской Республики.

Фундаментом взаимоотношений Азербайджанской Республики (АР) и Евросоюза (ЕС) является Соглашение о партнерстве и сотрудничестве (СПС). Этот документ был подписан 22 апреля 1996 года в Люксембурге и вступил в силу 1 июля 1999 года. Постановление о включении АР в Европейскую политику соседства (ЕПС) было принято ЕС 14 июня 2004 года.

Восточное партнёрство — проект Европейского союза, имеющий основной заявленной целью развитие интеграционных связей Евросоюза с шестью странами бывшего СССР, включая Азербайджан. Проект рассматривается как своего рода региональное (восточное) измерение европейской политики соседства.