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**Istanbul Anti-Corruption Action Plan for
Armenia, Azerbaijan, Georgia, Kazakhstan,
the Kyrgyz Republic, the Russian Federation, Tajikistan and Ukraine**

**Monitoring of National Actions to Implement Recommendations Endorsed During the Reviews
of Legal and Institutional Frameworks for the Fight against Corruption**

AZERBAIJAN

**Update about actions to implement the recommendations taken during
December 2006-September 2007**

Presented by Azerbaijan at the 7th Monitoring Meeting on 26-28 September 2007

I) NATIONAL ANTI-CORRUPTION POLICY, INSTITUTIONS AND ENFORCEMENT

Recommendation 1

Speed up efforts to adopt a comprehensive Anti-Corruption Program (Special State Program for Fighting Corruption) aiming at strengthening the implementation of anti-corruption measures. The Program should build on an analysis of the patterns of corruption in the country. It should propose focused anti-corruption measures or plans for selected institutions and have a balanced approach of repressive and preventive measures. The Program should also envisage effective monitoring and reporting mechanisms based on a participatory process which would include civil society in general and associations with experience in the area of anti-corruption, as well as the private sector / business community. In the light of this, ensure that the adopted strategy is widely disseminated within the civil service and among general public.

The State Program for Fighting Corruption that could be regarded as a comprehensive anti-corruption program was adopted by Azerbaijan on September 3rd, 2004. The program provides for a broad spectrum of measures to curb corruption in the country. Separate Action Plans were developed for the implementation of the Program in the line ministries. The reporting and monitoring mechanism envisaged in the program is based on the newly created inter-agency coordination body, the Commission for Fight against Corruption. CFC is composed of 15 members – 5 from the Executive and Legislative and 5 from the Judiciary. The Commission and the Civil Service Executive Board monitor the implementation of the program; they report to the President of Azerbaijan on the implementation status.

The program was developed in cooperation with some civil society organizations. In April and August 2004 two public hearings took place to discuss the draft of the State program with participation of NGOs, business associations, lawyers, international organizations. Some of the recommendations of the NGOs made their way to the final text of the Program. The program was published in the media and was made available at the Commission web-site. Familiarization with the program is an obligatory element of the public servants' training programs. No data suggest though that the draft of the State Program is based on sound analyses of the patterns of corruption in the country.

The Council of Ministers reports on the implementation of the Program are published in the media and are available on the Internet.

Currently the Commission for Fight against Corruption is supported by a secretariat of 5 staff members – civil servants. The Commission has a range of instruments to monitor the implementation of the State Program, such as holding hearings of all operators of the program, revealing the problem areas and issuing decisions putting tasks and suggesting the ways to resolve the outstanding problems.

Azerbaijan is largely compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

The State Program on Anti-Corruption (SPAC) 2004-2006 has come to an end. Civil society, including media and the Network of the Anti-Corruption NGO's, as well as the Commission on Fight against Corruption (CFC) have been scrutinizing the results of its implementation. As a result, a series of reports and commentaries have been issued and published in the media. The common feature of these reports was the agreement that the SPAC was become a framework for the development of necessary anti-corruption

legislation and formation of the institutional basis. The Programme has also promoted the public awareness and reduced indifference in people. Bringing corruption to the top of the agenda, the SPAC encouraged participatory process involving all the elements of the society. On the other hand, a growing number of prosecutions of corruption offenders on all levels, from rural municipalities to the ministers of the Cabinet, was pursued successfully. And crucial role in these achievements were played by the specialised anti-corruption agencies CFC and ACD (Anti-Corruption Department in the Prosecutor's Office).

The analysis of the implementation of the SPAC based on the survey of the corruption situation in the country have been reflected in the final CFC Report on the SPAC 2004-2006 Implementation. Published in the Media and posted in the Internet, the Report has objectively reflected the progress of the implementation.

The new stage of the fight against corruption marked the new approach in every aspect. The Strategy on Increasing Transparency and Ant-Corruption (SITAC) 2007-2011, was initially formulated by the Working Group on the Improvement of Legislation under the CFC. The number of the members of the working group was extended to include every national public institutions, international organizations, including ABA CEELI, Council of Europe, OSCE, US Embassy, Ombudsman and local NGOs. Representing the actors of the prospective Strategy, members of the working group have reported one their needs and capacities. The objective evaluation of the needs and capacities allowed formulating the particular measures within the general principles and tasks of the Strategy evolving from the results of the SPAC Implementation. The emphasis of the SITAC is apparent from its very title – transparency and ensuing accountability. The draft Strategy was published in the media, posted of the CFC site for comments. In addition it was provided to a number of local NGOs and international organizations. Twice the draft was the subject of the discussions at a conference in capital Baku and in province. In addition to the previously mentioned participants, the discussions involved the vast array of private business representatives, experts from UK, Slovenia, US and other countries. Finally, the SITAC 2007-2011 was promulgated by the Decree of the President dated 28/07/07.

The distinctive features of the SITAC in comparison to SPAC is that it is more specific, first of all, in terms of the particular measures specified in the Attachment, called SITAC Action Plan. The measures listed are less in numbers (compared to SPAC Action PLAN) and describe not only the actions to be taken, but also the indicators of performance, actors and partner and funding sources. Thus, for example in the Section I on the improvement of legislation it lists the names of the specific legislative acts and leaves room for adoption of the necessary acts in the course of the implementation of the Strategy. Furthermore, the SITAC is specific in determining the general scope of the application through introduction of the specifically formulated principles.

The SITAC outstanding feature is its emphasis on the cooperation with civil society and its role in the monitoring and implementation of the program that is detailed in the measures on the implementation of the Recommendation 2.

The new strategy obliges the public institutions to pass their institutional anti-corruption plan and report on its implementation. The reporting process is a part of the general task of increasing the transparency of the public institutions. The reports will have to address a series of crucial issues and will be presented no only to the specified bodies, but also to the general public.

The SITAC is to ensure the participation of the civil society and citizens in the evaluation of the implementation work, ensure the clarification of the terms of reference for each public institution and participation of the public in the decision making process in these public institutions.

Finally, the Strategy contains a whole new section on the public awareness raising, cooperation and research of the corruption situation in the areas and the country in general. Those measures are to be carried out only through active participation civil society and citizens.

The CFC and Cabinet of Ministers will be collecting, analysing and reporting twice a year on the implementation of the SITAC 2007-2011.

Recommendation 2

Ensure involvement and participation of civil society in general and through associations with experience in the area of anti-corruption, as well as representatives of the private sector / business community in the work of the existing Commission for Fight against Corruption at the Civil Service Executive Board.

The Commission for Fight against Corruption is a main organizer of and a participant in the Information and Cooperation NGO Network, comprised of 14 NGOs, including the National chapter of Transparency International. The mission of the Network is to stimulate the anti-corruption activities of the civic organizations in Azerbaijan.

Non-governmental and international organizations were invited also to participate as members in the Working group on legislation drafting with the Commission. Among these NGOs are TI Azerbaijan, ABA/CEELI, Constitutional Research Fund (chair of Anticorruption Network), Entrepreneurship and Market Economy Development Assistance Foundation and the OSCE Office in Baku. The tasks of the Commission include proposals for improvements of legislation, participation in the formation of the state policy on corruption; analysis of the state and efficiency of the fight against corruption; public awareness programs etc.

The legislation in preparation by the group is not adopted yet and the input of the NGOs is difficult to assess. The criteria for inclusion of NGOs in the Working group do not seem to be formalized.

The wording of the recommendation requires representatives of the civil society to be included in the work of the Commission; and legislation drafting is only one of the aspects of the Commission work.

Azerbaijan is partially compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

Participation of the NGOs in the work of the Commission on Fighting Corruption Information has undergone the process of evolution. Initially, the Commission involved the NGOs and other civil society elements to the process of reviewing the draft of the SPAC 2004-2006. The NGOs were invited to the working groups under CFC and participated in the formulation of the number of legislation, including the Code of Ethic Conduct of Civil Servants Act. The Commission organized and participated in the numerous round tables, seminars and conferences with various NGOs and media. During these events the members Commission expressed its support of their activity, studied their reports on the anticorruption situation in various areas and took note of their recommendations. Increasing role of the NGOs lead to the establishment of the Information and Cooperation NGO Network, comprised of 14 NGOs, including the National chapter of Transparency International. This network has been active in the fostering of public discussion on the drafts of legislation and the current strategy.

Furthermore, the NGOs were directly involved in the elaboration of the new Strategy and secured the inclusion of the number of the progressive provisions providing for the participation of NGOs in its

implementation and monitoring. The SITAC specifically requires the public institutions fighting against corruption to ‘develop its work in cooperation with partners in the civil society’.

The NGOs are seen as the main actors in the implementation of the sections of the SITAC on awareness raising, research and cooperation.

Simultaneously with the SITAC, the President has enacted Decree introducing the *Concept of State Support to NGOs*. The Concept is aimed at building of new model of relationship between the state and NGOs, with a view to ensure that the swift economic development of the country has its positive effect on the development of the civil society. In particular, the concept envisages the modernization of the civil society institutions, encouraging the operation of NGOs in a number of areas, including promotion of transparency in public institutions, involvement of the NGOs in the resolution of social problems and financing of the NGO projects. To this end the new entity is to be formed that will promote the implementation of the Concept channelling the support and funds to the NGOs from the Special NGO Support Foundation, that is to be founded expediently.

Recommendation 3

Speed-up activities to implement the President’s Decree “On Application of Anti-corruption Law” of 3 March 2004 and support the work of the Special Anti-corruption Department within the Prosecution Service with adequate resources for its proper functioning. This Department should be empowered to detect, investigate and prosecute corruption offences, as an autonomous Department with a special status integrated in the Prosecutor’s Office with officers seconded from the main law enforcement agencies. This Department should have investigative, prosecutorial, administrative and analytical tasks. It is important that it includes specialized prosecutors. Apart from working on actual corruption cases, one of the main tasks of this Department would be to enhance inter-agency cooperation between a number of law enforcement, security and financial control bodies in corruption investigations (e.g. by adopting clear guidelines for reporting and exchange of information, introducing a team-work approach in complex investigations etc.); and to increase analytical capacities and ensure more efficient statistical monitoring of corruption and corruption-related offences in all spheres of the Civil Service, the Police, the Public Prosecutor’s Offices, and the Courts on the basis of a harmonized methodology, which would enable comparisons among institutions.

The Special Anti-corruption Department with the Prosecution Service was substantially strengthened. The idea behind its creation is that it is going to deal with the high-level corruption. It consists of three divisions, one of them is charged with analytical functions. The total number of staff of the Department is 60 people, including 40 prosecutors and investigators. Some of them have experience with tax frauds, corruption and evasion. The department is directly subordinate to the Prosecutor General. It has broad competence to co-ordinate task forces; to investigate and prosecute corruption; and reportedly to also detect corruption.

The Department staff receive higher remuneration compared to the “regular” prosecutors. Since its establishment it investigated 20 cases and indicted 47 persons. There were twelve convictions. At least to the extent of its own operations the Department maintains regular and up-to-date statistics on the cases it works on.

The analytical division of the Department is responsible for gathering, analysing and summarising data on corrupt offences and developing proposals on improving the anti-corruption activities.

No clear guidelines for reporting and exchange of information were adopted. The team-work approach in the complex investigations is effectively introduced; however the mode of cooperation is

based rather on established practice and not on clearly documented procedures. No harmonized methodology was developed to allow for comparisons among institutions.

The Anticorruption Department may consider to facilitate and speed up the process of drafting and adoption of such guidelines and of the methodology by initiating a consultation process with the relevant government bodies that may result in a joint document (Memorandum of Understanding, Instruction etc) to be signed that may contain the guidelines for reporting and exchange of information.

Azerbaijan is largely compliant with this recommendation

National Action Since December 2006 to Implement the Recommendation Further

Now fully-fledged, ACD is carrying out its activities in all areas of its statutory duties. The Department carries out investigation of the criminal case, performs analytical tasks, considers applications of citizens and deals with internal investigation issues.

Until December 2007, the ACD has investigated and refereed to trial 68 criminal cases charging 153 persons. Making use of the newly adopted legislation on confiscation, in compliance with the UNCAC provisions, the ACD secured recovery of 1,1 million Azerbaijani Manat (1,29 million US dollars) out of total 1,5 million Azerbaijani Manat (1,77 million US Dollars) damage inflicted by the investigated corruption offences.

ACD has continued its work of detecting corruption instances and launching criminal investigations. Those instances ranged from corruption at the level of ministries to the local municipalities. The cases of local municipalities were investigated by the ACD due to the matters of significant public interest, such as breaking of environmental rules and violation of land allotment rules though the abuse of public office. Mostly, the detected and investigated offences concerned bribery, embezzlement of property (private and public), abuse of office and the range of other corruption crimes. In gathering intelligence and use of operational-detective activity, the ACD closely cooperated with the anti-corruption units of other ministries.

In the field of internal investigations, the competent division of the ACD has successfully detected corruption infringements and launched criminal cases where the infringements were qualified as criminal offences in respect of officials in the police, prosecutor's office and other agencies.

The working group of the clear guidelines for reporting and exchange of information, introducing a team-work approach in complex investigations

In order to enhance inter-agency cooperation between a number of law enforcement, security and financial control bodies in corruption investigations a number of measures are provided for in the SITAC. In addition, the installing of the database on corruption offences is planned under the new Strategy. The ACD has elaborated its proposals on increasing analytical capacities and ensuring more efficient statistical monitoring of corruption-related offences.

Recommendation 4

Continue with corruption-specific joint trainings for police, prosecutors, judges and other law enforcement officials; provide adequate resources for the enforcement of anti-corruption legislation.

Azerbaijan continued to provide some anti-corruption training, including joint trainings for prosecutors, police and judges; 2 seminars for total of approximately 60 participants were held in 2005.

Several seminars and study tours were organized for the staff members of the anti-corruption department. The training centres at the Justice Ministry and the Prosecutor General's Office included in their curricula specialised courses on corruption.

The goal of this recommendation is to ensure that there is common understanding among the law-enforcement officials, the prosecution and the judiciary on the dangers of corruption; the ways to detect it; and the prosecution and investigation techniques to be employed in counteracting corruption – in order to build a critical mass of civil servants that share similar goals and vision and are equipped with compatible tools. This goal is still to be achieved; and though the initial efforts of Azerbaijan are to be commended, the number of trainings and, respectively, trained officials ought to be substantially higher in order for this goal to be met.

Azerbaijan is partially compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

Azerbaijan has increased its efforts to involve greater number of law enforcement officials in the training activities. Trainings have been arranged in cooperation with the STT Lithuania, US Embassy, USAID, ABA CEELI, Council of Europe (where the anti-corruption was a part of the greater topic) and other organizations. The participants were selected from the police, national security agency, tax and justice ministries, prosecutor's office and judges.

Even in trainings that were carried out specifically for prosecutors or police or other law enforcement officials, the arranging institution invited representatives of other institutions.

However, in order to make the trainings more systematic, the General Prosecutor's Office has continued its work on establishing interagency *ad hoc* groups that are elaborating programs for continuous cascade trainings. The trainings will cover such areas as investigation of corruption offences, application of operational-search measures in the course of detection of the corruption offences, implementation of the new legislative provisions on interim measures and confiscation. The *ad hoc* groups are to comprise the representatives of law enforcement and financial institutions, as well as judges. The international organizations have been approached for technical assistance and the launch of the training series is expected for early autumn 2007.

Recommendation 5

Conduct further surveys and relevant research, based on transparent, internationally comparable methodology, to obtain more precise information about the scale of corruption in the country, and in order to ascertain the true extent to which this phenomenon affects specific institutions, such as the police, judiciary, public procurement, tax and custom services, education, health system, etc.

The analytical division of the Anti-corruption Department does receive and analyze some information from (mainly) Government bodies on the spread of corruption in the country. Attention was paid to the areas of education and health care; and vulnerabilities are detected in these spheres. A similar department in the Ministry of Interior was established to analyze certain aspects of the corruption in the economy of the country, mainly the private-to-private corruption.

However, no surveys were carried out by the Government to establish the degree of the spread of corruption; and to the extent there is research on the topic it does not meet the standard of being based on transparent, internationally comparable methodology.

A number of surveys were carried out by NGOs and international organizations. The Commission has supported and helped some of these surveys and has taken into consideration the results in its daily work. The Commission has also conducted such a survey through its website.

Examples of these surveys include:

- “Transparency Azerbaijan”: Country Corruption Assessment, 2004; Public Opinion Survey in Azerbaijan “The Impact of Corruption on Business. Survey of South Caucasus Countries”
- “Fund of Struggle against Corruption”: Social research project, 2005; “Problem of corruption in small and medium businesses and the ways of eliminating it”
- The citizens’ Labor Rights Protection League: Monitoring project 2006 “Access to Information in the Republic of Azerbaijan – Legislation and Practice”;
- National Confederation of Entrepreneurs (Employers’) Organizations of Azerbaijan Republic; "Strengthening of the Role of Entrepreneurs - Employers and their social unions in combating corruption" Conducted social survey 2006 “Impact of the corruption to development of entrepreneurship”.

Azerbaijan is partially compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

In the time covered by the up-date period, a number of surveys were conducted that were quite transparent. As the main destination of information provided by public institution and civil society CFC has performed a considerable work on analysing the information. The surveys have been based through the examination of the results of the web polls and the analysis of the incoming applications of citizens in substantial numbers. Making use of these sources of information, the CFC has been capable of identifying the major areas of concern of the population. Among the other sources of information could be quoted the reports of the various state institutions. Among the measures envisaged by the SITAC is the approximation of the methods applied in the collection and producing of information on the state of corruption.

Another important source of information comes from the surveys conducted by the civil society. The data derived from analysis of corruption-related application of citizens to the regional centres within the project run by TI’s local chapter; the polls conducted by the NGOs, such as Foundation on Fight against Corruption (the most recent one conducted in the city of Sumgayit in July 2007) could be quoted as examples of the civil society surveys.

Conducting of surveys has been prioritised through the activation of the role of the CFC in this area, inclusion of the special provisions in SITAC 2007-2011 (it envisages conducting of the surveys) and the *Concept of State Support to NGOs*.

Recommendation 6

Conduct awareness raising campaigns and organize training for the relevant public associations, state officials and the private sector about the sources and the impact of corruption, about the tools to fight against and prevent corruption, and on the rights of citizens in their interaction with public institutions.

The public campaigns in Azerbaijan were aimed primarily at informing the public of the existence of “hotlines” to report corruption to certain administrative bodies. It seems that the goal of this information campaign was to a certain degree achieved, because the hotlines are operative and corruption complaints are regularly received. The line Ministries and the Government agencies have their own web-sites that inform the public about certain aspects of their work; they also contain the relevant legislation and instructions on how to submit a complaint.

The Commission for Fight against Corruption has, with the involvement of NGOs, compiled, printed and disseminated a codification of the Azerbaijan anti-corruption legislation. The National Audit Office has published brochures and leaflets with anti-corruption content, under the titles “Anti-corruption” and “Corruption – the social disaster”.

The Ministry of Education has developed special anti-corruption training modules to be included in the subject “Azerbaijan Constitution - Basic legal knowledge”. The Commission for Combating Corruption requested the Ministry of Education to organise special courses on anticorruption in secondary and higher education schools. The State Academy on Public Administration, Police Academy, and all the training centres of the ministries have included anticorruption programs in their academic programs. Newly appointed civil servants have obligatory induction training courses (from 1 to 3 months) at the training centres before beginning their work.

With the support and participation of the Commission different talks shows and discussions on radio and TV stations were organised. In its decision of December 2005 the Commission asked all the state bodies to organise special seminars for the civil servant on the newly adopted Law on Freedom of information.

These important efforts however could not be regarded as a comprehensive awareness raising campaign. They lack the holistic approach, the single goal and many other important aspects of the awareness raising campaigns. Their goal was to deliver some information to the citizens; and to a large extent the goal may have been achieved. However there was no sustained effort to educate the public at large of its rights and responsibilities; of the dangers of corruption; and to build practical skills among the civic and private sector to work against corruption. The visibility of the efforts listed above was not high.

Azerbaijan is partially compliant with this recommendation

National Action Since December 2006 to Implement the Recommendation Further

During the update period, the Government of Azerbaijan has proceeded with its efforts on awareness raising through a number of measures. Firstly, a number of seminars and conferences were organized in a manner to secure the broad scope of participation. Among the significant events was the Transparency International for Europe and Central Asia on ‘Fight against corruption and reforms in the transitional countries’ in May 2007. All the interested stakeholders of the process of fight against corruption, including the specialised anti-corruption agencies, law-enforcement agencies, other public institutions, NGOs, international organizations, private business and media took part in the discussion of the possible ways of increasing the efficiency of fight against corruption. The government has encouraged media participation, hence media coverage of the event as a means of intensification of vigilance of the population against corruption.

The government has welcomed the initiatives in the civil society, such as ‘Anti-corruption virtual advocacy’ run by the Anti-Corruption Foundation in cooperation with the US partner organization. Within the framework of this project, the geographical area of trainings of project workers with the local public officials will cover 11 regions of Azerbaijan.

Senior educational officials, including regional representatives participated in the training on 'Anticorruption in the Education Sector' conducted in cooperation with the Centre for Modern Education and Assistance to Education in May 2007. Another important event related to the area of education took place earlier in November 2006. The Ministry of Education has conducted a conference on 'Corruption in Higher Education' in conjunction with OSCE and ABA CEELI.

A series of measures were taken to raise awareness and attention to the issues of corruption at the municipal level. The officials of the appropriate unit of the Ministry of Justice, State Registry of Real Estate, Committee on Land and Mapping and other concerned public institutions conducted training on the issues of possible sources of problems, including corruption, in the course of land allotment in September and October 2006.

Training, including the anti-corruption training, has been a mandatory segment of the judge-selection process conducted in the up-date period. The candidates to judicial posts have been trained, among other issues, on the liability of judges for corruption related infringements and corruption offences.

The awareness raising has also continued in the form of numerous talks shows and discussions on radio and TV stations, as well as media publications.

Training centers of the Prosecutor's Office, Internal Affairs, National Security, Tax ministries and other institutions have kept the anti-corruption training in their training curricula.

Recommendation 7

Ratify the UN Convention against Corruption.

Azerbaijan is fully compliant with this recommendation

II) LEGISLATION AND CRIMINALISATION OF CORRUPTION AND THE RELATED MONEY-LAUNDERING OFFENCE

Recommendation 8

Speed up the adoption and implementation of the draft legislation which should harmonize the criminal legislation in the area of corruption with the relevant international standards (such as the United Nation's Convention on Corruption, the Council of Europe's Criminal Law Convention on Corruption and the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions).

Azerbaijan speeded up the adoption of legislation that harmonizes its criminal legislation in the area of corruption with some but not all of the relevant international standards. With this respect the very recent changes and amendments to the Criminal Code that were adopted by the Milli Majlis (National Assembly) of the Republic of Azerbaijan in April 2006 are to be welcomed. They bring significant improvements in criminalizing corruption, introducing the offence of money laundering and streamlining the confiscation of proceeds of corruption regime. They have come into force in May 2006.

However it has to be noticed that not all changes and amendments necessary for bringing the legislation of the Republic of Azerbaijan entirely in line with relevant international standards were adopted. Recommendations 9, 11 and 14 deal with these issues.

It is not possible to address the issue of implementation before the adoption of the legislation in question. It is also obvious that the recommendation at least to a certain extent presupposed that in the moment of its assessment new legislation would already be applicable and therefore the quality of its implementation could be assessed as well. The overall process of harmonizing criminal legislation is not complete yet.

Azerbaijan is partially compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

This recommendation is deemed to require mark “not applicable”, as it repeats Recommendations 9, 11 and 14.

Recommendation 9

Amend the incriminations of corruption offences to meet international standards. In particular ensure that undue benefits include material as well as non-material benefits, and that bribery through intermediaries is fully covered.

The amended provisions on the active and passive bribery in public sector are now in line with the relevant international standards. The criminal offence of trading in influence was also introduced in the criminal legislation of Azerbaijan. The legislation covers both the material and non-material benefits; as well as the act of bribery through the third person.

However, Azerbaijan has not introduced the specific (separate) criminal offences of active and passive bribery in the private sector - a requirement of the UN Convention against Corruption as well as CE Criminal Law Convention on Corruption. Enlarging the application scope of the relevant provisions through interpreting the definition of “official” in the Note 1 to Article 308 to persons carrying out functions of authority in private sector as well does not appear to be sufficient. Nature of corruption offences in private sector is as a rule different from those committed in relation to performing official duties and this difference has to be recognized and find its place in specific incriminations in the Criminal Code, in line with the international documents, named above. However, the authorities are investigating cases of private corruption based on the current corruption.

Azerbaijan is largely compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

The implementation of this recommendation is deemed to be under-evaluated. All necessary measures have been taken to ensure that undue benefits include material as well as non-material benefits, and that bribery through intermediaries is fully covered. These measures are successfully applied in practice.

The corruption in private sector is not a part of this recommendation, as it has not been specifically mentioned in the text of this recommendation.

In any case, the relevant provisions of the Criminal Code are deemed to be sufficient to criminalise bribery in private sector. The relevant authorities are successfully prosecuting the instances of private sector ‘officials’ taking bribes.

Recommendation 10

Take steps to make the actual period of limitation for corruption cases longer and consider increasing the punishment for active bribery.

Azerbaijan is fully compliant with this recommendation.

Recommendation 11

Ensure the criminalisation of bribery of foreign and international public officials, either through expanding the definition of an “official” or by introducing separate criminal offences in the Criminal Code.

Separate criminal offences of bribery of foreign and international public officials are not introduced in the Criminal Code. The definition of an official in the Criminal Code has been expanded in a right direction and now covers representatives of international organizations as a category of international (foreign) public officials.

The authorities also made an attempt to address the bribery of foreign officials through amending the title of Chapter 33. However, this approach is not sufficient to meet the international standards, which require a full coverage of all categories of foreign public officials, through further expansion of the definition of an official to include foreign public official or establishing of a separate office of bribery of foreign public official.

Azerbaijan is partially compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

No legislative measures have been taken in relation to this recommendation.

Recommendation 12

Introduce procedures and clear criteria for lifting immunities enjoyed by judges.

This recommendation aims at introducing procedures and defining criteria for lifting immunity of judges in the course of criminal proceedings. On the basis of written and oral responses from the Azerbaijan authorities and after looking into the relevant legislation (Law on Courts and Judges) it can be concluded that the recommendation fails to be entirely implemented. Namely, procedures and criteria for lifting immunity of judges have to be addressed in both ways: procedurally and substantively. The procedural aspect is adequately dealt with in Article 101 of The Law on Courts and Judges, that is addressing all relevant issues of procedural actions taken with respect to deciding on lifting immunity of judges. In order to ensure that immunity does not shield the judge from criminal prosecution for corruption, and in the absence of substantive legal criteria for lifting immunities of judges, the issue can be addressed through a requirement to the Judicial Council to provide written grounded decisions in each case explaining why the immunity has or has not been lifted. It is important to ensure that these immunities do not prevent the law-enforcement authorities from gathering all evidence and information relevant for lifting immunities. In addition no statistics were provided from Azerbaijan concerning the number of cases when the lifting of immunity was requested, granted or refused.

Azerbaijan is largely compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

Judges enjoy immunity as stated in the Section 128 of the Constitution. A judge may be called to criminal responsibility only in accordance with law. The purported law is the Courts and Judges Act 1997. Section 101 specifies the procedure of lifting immunity. The substantial legal criterion for lifting immunity, as specified in the observations, is the presence of the reasonable ground to belief in the criminal behavior. Furthermore, the obligation to provide a substantiated decision is prescribed by the Judicial Legal Council Act 2004.

The current legislation of Azerbaijan is no mean to be used as a shield from prosecution. This is obvious from the figures provided by the Judicial Legal Council (JLC). During the last year and a half, the JLC has initiated 79 disciplinary proceedings against judges. 59 of them were disciplined through various measures. JLC has terminated the judicial authority of three judges before expiration of their term of office. In August the JLC decided, as a measure of disciplinary punishment to abstain from proposing the candidacy of the 30 then sitting judges for next term, i.e. their judicial authorities were relinquished because of the violations in their activity.

Recommendation 13

Amend the legislation on confiscation of proceeds from crime to comply with international standards (such as the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime). Introduce a proposal to amend the Criminal Code ensuring that the 'confiscation of proceeds' measure applies mandatory to all corruption and corruption-related offences. Ensure that confiscation regime allows for confiscation of proceeds of corruption, or property the value of which corresponds to that of such proceeds or monetary sanctions of comparable effect. Review the provisional measures to make the procedure for identification and seizure of proceeds from corruption in the criminal investigation and prosecution phases efficient and operational.

Azerbaijan is to a large extent in line with the standards concerning confiscation of proceeds from crime. According to the Amendments to the Criminal Code, the confiscation of proceeds of corruption related criminal offences is now mandatory and according to Article 51.3 a corresponding value may be confiscated as well in cases where the proceeds are inalienable.

There are no official statistics of the number of cases where these measures have been applied and of the amount of confiscated value. Therefore, the review of the efficiency of provisional measures for identification and seizure of proceeds from corruption in the criminal investigation and prosecution phases was not possible. In its responses to the Questionnaire Azerbaijan only indicates the regulations from the Code of Criminal Procedure, dealing with this issue. There is no evidence of any substantive review of these measures in order to be able to assess how efficiently they are being implemented and applied.

Azerbaijan is largely compliant with this recommendation.

National Action since December 2006 to Implement the Recommendation Further

In view of the recent observation, the interim and confiscation measures under new legislation have been subject of detailed review and analysis. Making use of the newly adopted legislation on confiscation, in compliance with the international instruments, the ACD secured recovery of 1,1 million Azerbaijani Manat (1,29 million US dollars) out of total 1,5 million Azerbaijani Manat (1,77 million US Dollars) damage inflicted by the investigated corruption offences. As the comprehensive information has not been provided in the previous reports, the figures quoted are appropriate for the entire period of operation of the ACD.

The results of the analysis show that the introduction of new confiscation tools, in particular the value-based confiscation, has substantially increased the efficiency in this area. The police investigation statistics quote: out of 6,4 million Manat (7,5 million US Dollar) damage as a result of corruption related crime, 3,98 million Manat (4,7 million US Dollar) were recovered through interim measures in 2006. Out of 4,4 million Manat (5,2 million US Dollar) damage 2,7 million Manat (3,17 million US Dollar) were recovered in the I half year of 2007.

Recommendation 14

Recognising that the responsibility of legal persons for corruption offences is an international standard included in all international legal instruments on corruption Azerbaijan should, with the assistance of organisations that have experience in implementing the concept of liability of legal persons (such as the OECD and the Council of Europe), consider how to introduce into its legal system efficient and effective liability of legal persons for corruption.

Azerbaijan is a State Party to the relevant international instruments and therefore legally bound to introduce into its legal system the institute of responsibility of legal persons for corruption related criminal offences.

A working group was established and together with some international experts – organizations it considered the issue of introducing the institute of responsibility of legal persons for corruption related criminal offences in Azerbaijan legislation. The first obvious result of these considerations is a draft law on Amendments to the Criminal Code concerning responsibility of legal persons for criminal offences. It is not yet possible to comprehensively assess the quality of this draft and its compliance with legally binding international standards, especially because it is not clear what is going to be the scope of criminal offences, for which responsibility of legal persons might be invoked and it therefore remains opened if this draft envisages establishing responsibility of legal persons for corruption related criminal offences as well (unfinished draft). Besides this, many important issues such as distinguishing between the terms “criminal liability” and “liability for criminal offences” or the request for establishment of responsibility of legal persons for omissions (negligent acting) of responsible bodies still have to be properly addressed.

Azerbaijan is partially compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

The Bill on Criminal Liability of Legal Persons was submitted for expert’s review to the Council of Europe. The expert of the Council of Europe reviewed the text of the Bill and submitted his proposals. With the remarks of the experts taken into consideration, the Bill addresses the issues raised in the commentaries to this recommendation. The review process was conducted through the spring of 2007 and consumed by summer, at the time when Parliament broke for summer holiday. The adoption of the Bill will have to go through the appropriate statutory procedures.

Recommendation 15

Recognising that a strong nexus can exist between organised crime and corruption, with the possible assistance of organisations that have experience in fighting against these forms of criminal activity, study the interrelations between the two.

The Working Group was informed from the representatives of the Ministry of Interior that they are analysing and following the possible connections and interrelations between corruption and organized crime. The Group recognized from the information obtained that there have been cases of kidnapping,

extortion and drug trafficking committed by organized criminal groups. In none of these cases evidence of possible nexus between these crimes and corruption had been found.

Although some activities have been carried out concerning this recommendation more could be expected from other institutions in the area and especially from scientific institutions, such as Criminological Institutes and similar. This question needs a harmonized, balanced and multidisciplinary approach; efforts of a single institution can not give a complete picture.

Azerbaijan is largely compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

During the update period, the Ministry of Interior, General Prosecutor's Office and Ministry of National Security proceeded with the studying and analysing of the possible connections and interrelations between corruption and organized crime. The methodologies and tactics elaborated in the course of analysing allowed to detect a number of cases of involvement of public officials in the organized crime cases.

III) TRANSPARENCY OF THE CIVIL SERVICE

Recommendation 16

Strengthen recruitment and promotion process to the civil service by enhancing the significance of objectively verifiable and merit-related criteria and limiting to the extent possible opportunities for discretionary decisions.

Azerbaijan has taken some measures concerning the implementation of this recommendation such as increasing salaries of civil servants; introducing a centralized system of anonymous examinations (tests) in the recruitment procedure; establishing the Civil Service Commission under the President of the Republic with functions to prepare and approve competition rules for recruitment to civil service and control correct and transparent holding of such competition. There is also a system of rotation for some categories of civil servants such as tax, customs authorities, and police. The use of this mechanism in an appropriate manner could prevent the establishment of ongoing corruptive links between officials and citizens.

However, the general situation in the sphere of civil service has not been significantly changed since the review.

According to articles 28 and 29 of the Law on Civil Service, citizens shall be recruited to the sixth-ninth grades of administrative posts through a competition. Appointments to administrative positions of first-fifth grades (positions) shall be carried out on the basis of an interview and promotion.

The procedure of promotion and evaluation of professional skills of civil servant is mainly based on an attestation system. However, the frequency of the attestation procedure (once per five years) and a lack of clear criteria for evaluating professionalism of the civil servants give reason to doubt in effectiveness of this procedure. These provisions gives to the head of state body a discretionary power to recruit to high-ranking administrative positions (first to fifth grade) candidates by its own decision without competition and verifying professional skills and other merit-related criteria.

Azerbaijan is partially compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

In the update period, substantial developments took place in line with this recommendation and observation of experts during the monitoring mission. Civil Service (Amendment) Act 2007 introduced the concept of the ongoing evaluation of the civil servant. New Section 30-1 prescribed the annual evaluation of the activity of a civil servant that shall determine his accomplishment rate, coping with his/her duties, and potential for future development. Carried out by the direct superior of the civil servant, the evaluation shall cover civil servant's professional knowledge; attitude to his duties; analytical, problem-solving and decision making abilities; creativity and initiative; discipline; work experience and ability to share it; team playing, communication and relations with other employees. The civil servants at the managerial level are also to be evaluated for their analytical and forecasting abilities, administrative skills; capacity to build a team; leadership and raising team's spirit. The results of the evaluation are reflected in the document to be kept in the personal file. It shall contain substantiation on the part of the evaluator and opinion of the person that is evaluated. As a result of the systematic approach applied by the Government of Azerbaijan, the recruitment to positions of 6-9th categories of civil service (see Civil Service Act) has been arranged through the competitive examinations. The Commission on Civil Service coordinates competitive examinations consisting of two stages: written and oral examination. In the update period the Commission has held three rounds of recruitment to the aggregate 772 vacancies in more than 25 ministries, committees and other public institutions, as follows:

1st round: (commenced) February 14, covered 189 vacancies in 15 ministries and institutions;

2nd round (commenced) April 18, covered 200 vacancies in 15 public institutions;

3rd round (commenced and ongoing) September 7, covers 383 vacancies in 25 public institutions.

The newly adopted Strategy contains specific measures on further intensification? Improvement and enlargement of this process.

Recommendation 17

Screen the system for the control of assets of public officials to detect any possible loopholes and develop proposals to eliminate such loopholes. Consider increasing responsibility (not just disciplinary) for public officials for failure to comply with requirement to declare income, assets and liabilities. Consider disclosing publicly the declarations of certain groups of public officials.

The Law on Combating Corruption and Law on Submission of Financial Information by Public Officials obliges public officials to submit an asset declaration. Article 3 of the Law on Submission of Financial Information by Public Officials defines the following authorities to collect asset declarations:

- The Commission on Combating Corruption under the State Council on Management of the Civil Service for high-level officials;

- The authority identified by the Milli Mejlis (Parliament) of the Azerbaijan Republic, Supreme Mejlis of Nakhichevan Autonomous Republic for relevant members of mentioned Mejlisses; relevant local authorities for relevant servants of local governments;

- The relevant financial (accounting) authority determined of the head of their respective state body.

The Cabinet of Ministers was assigned by Decree of President of Azerbaijan Republic of 09.08.2005 to prepare rules for the submission of information of financial character by the officials and the form of the

declaration of assets considered in the Law on Combating Corruption. However, to date, such rules and declaration forms were not adopted and no declarations of high-level officials are being made. In addition, there is no requirement for declaring officials expenditures.

The system of declaring of assets is ineffective also due to the lack of mechanism of control under the incomes and expenditures of civil servants. According to the Law on Combating Corruption, the asset declarations shall not be submitted to the tax authorities. One of the main objectives of the Commission on Combating Corruption under the State Council on Management of the Civil Service is to collect financial declarations envisaged in the Law on Combating Corruption and supervise the submission process of such financial declarations. The Commission, once it will receive the declarations, will have authority to send the materials for examination to the competent authority, shall it contain the constitutive elements of the corruption related offences. It is doubtful that the Secretariat has enough capacity to check these asset declarations systematically.

Another critical issue is the lack of transparency of the asset declaration system. According to the Law on Submission of Financial Information by Public Officials, all information mentioned in an asset declaration is considered as private secret. A dissemination of that information is restricted according to this Law. These provisions significantly decrease the effectiveness of civil society control.

Azerbaijan is partially compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

The observations of the monitoring mission are not fully reflecting the real situation in this area. The Cabinet of Ministers was indeed assigned by Decree of President of Azerbaijan Republic of 09.08.2005 to prepare form for the submission of information of financial character by the officials considered in the Law on Combating Corruption, and not the rules. The rules are described in the Asset Declaration Rules for Public Official enacted by the appropriate Act that entered into force in December 2005.

However, the Form of the Asset Declaration has not been adopted yet. The draft of the form was prepared under the decree of the President by the Cabinet of Ministers and further submitted to the international experts. The expert's opinion was received and the asset declaration form is in the process of re-drafting.

Recommendation 18

Adopt a uniformed Code of Ethic / Code of Conduct for Public Officials modelled on international standards (e.g. such as Council of Europe Model Code of Conduct for Public Officials) as well as specific codes of conduct for professions particularly exposed to corruption, such as police officers, prosecutors, tax officials, lawyers, accountants, etc. In addition, prepare, and widely disseminate, comprehensive and practical guidelines for public officials on corruption, conflict of interests, ethical standards, sanctions and reporting of corruption.

The Ministry of Tax (for tax authority officials), the Ministry of Internal Affairs (for Police officers) and the State Customs Commission (for customs officials) have developed and published codes of conduct for some specific categories of officials. The Code of Honour of Judges of Azerbaijan has been approved in 2002. The Judicial Council is currently drafting a new code of conduct for judges.

All these Codes (except the one for the judges) provides for mandatory acquaintance of relevant officials with its content. Thus officials are obliged to know and execute rules of conduct in performance

of their duties. However, there is no form practice of implementation of provisions of these Codes concerning liability for abuse, as basically no corruption cases have been investigated in these authorities.

There is little progress on the establishment of ethical standards for all categories of civil service and for some independent professions (lawyers, notaries, auditors and accountants). The Draft Code of Ethics and Conduct of Civil Servants is currently tabled in Parliament.

Azerbaijan is partially compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

Civil Servant's Rules of Ethical Behaviour Act has been passed by the Parliament and became effective as of 21.08.2007. The Act applies to all categories of civil service and is aimed at rising the prestige of and public confidence in the civil service, increasing of transparency and efficiency of the public institutions, elimination of the conflict of interests, awareness raising about the freedom of information and increasing the impact of the of the citizens on the evaluation of the civil servants. Rules are based on the principles of ethical behaviour, such as include conscientious behaviour, raising of the professional and individual accountability, loyalty, public confidence, upholding human rights and interests of legal persons, cultural behaviour, impartiality, inadmissibility of obtaining material and immaterial benefits and advantages, prevention of corruption, restrictions on the gifts, prevention of the conflict of interest, use of the assets, use of information, political and public behaviour. The Act also foresees the mechanism of implementation that encompasses the system of safeguard system, dual supervision and liability for violating of the rules. The compliance with the rules shall be supervised by the management of the civil servant and the Commission on Civil Service. The Act describes in details the competence and the management and the competence of the Commission. The violation of the rules shall be subject to disciplinary, administrative or criminal liability.

The ACN has already been informed about the existing codes of ethics for police, tax, customs, judges, etc. The SITAC envisages further developing of institutional codes of ethics; identifying responsibility for the violation of the code of ethics; organization of trainings on issues related to code of ethics and increasing opportunities to file complaints on non-ethical conduct of the civil servants.

Recommendation 19

Set up a state authority body to supervise the implementation of laws and regulations in the civil service and, particularly, control the observance of conflict of interest regulations. Where needed, introduce legally binding regulations to directly address conflicts of interest in the civil service.

The Presidential Decree dated 19/01/2005 established the Civil Service Commission under the President of the Republic with status of a central executive agency responsible for the state policy in the area of civil service. The regulations on this Commission were adopted by the Decree of the President of the Republic of 3rd July 2005. Under the Regulation the main duties of the Commission are such as follows:

to take part in formation of the common state policy in civil service and other recruitment issues, implementation of this policy;

to prepare proposals In the field of forecasting of recruitment in civil service, to coordinate activity of the state authorities in the area of professional preparation, re-preparation and professional training of the civil servants, analyse state of affairs in this field and prepare proposals;

to develop centralized database on civil servants management and ensure its efficient application;

to arrange in centralized order realization of citizens' recruitment to the civil service on competitive and transparent basis according to Articles 2.3 and 28.1 of the Law of the Republic of Azerbaijan "On Civil Service".

The Commission has the functions to arrange preparation and implementation of programs and other documentation on civil service improvement; to control enforcement of the civil service legislation in the state institutions; to prepare and approve competition rules for recruitment at civil service, and control correct and transparent holding of such competitions; to determine training demands and prepare training strategy for civil servants; to coordinate activity of the state institutions in preparation, re-preparation and professional training of the civil servants; to make proposals on cancellation of the state authorities' resolutions passed with violation of the civil service legislation.

In order to implement its duties the Commission is authorized to make proposals to the President of the Republic on civil service improvement; to inquiry and receive from state authorities, organizations, officials information required for fulfilling its duties and carrying out its functions; if facts of the legislation requirements violation are revealed, then to make proposals to state authorities and officials on elimination of these facts and take other measures provided by the legislation; to hold competitions for civil servants recruitment in the order provided by the legislation; to pass statutory legal acts within its powers regulating relations in civil service area.

The Commission is empowered with some controlling functions. In the meantime the Commission does not have authority to issue enforceable decisions or to bring to responsibility in order to react on any violation of legislation. The Commission is not entitled to issue any regulations concerning conflict of interest regulations and to control execution of legislation on conflict of interests.

There is no special act that addresses the issue of conflict of interests in the civil service. The definition of such phenomena, as well as special regulations will be provided in the Draft Law on prevention of a conflict of interests, which is currently developed by the working group at the Commission for Development of the Anticorruption Legislation. In the meantime, some issues of preventing of conflict of interests are treated in the above mentioned Codes of Conduct.

Azerbaijan is partially compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

The observations of the monitoring mission in connection with the implementation of this recommendation has been dealt with through the adoption of the Civil Servant's Rules of Ethical Behaviour Act 2007. The specified Act specifies the powers of the Civil Service Commission in the enforcement of the Rules of the Ethical Behaviour. The CSC is entitled to study the state of compliance to the rules and summarise the information collected in the course of the studying. It is further empowered to receive the complaints of the citizens related to the implementation of the Act. In the outcome of the consideration of the complaints the CSC is entitled to issues proposals, recommendations and motions that differ according to their mandatory nature. Accordingly the motions have comparatively the highest degree of obligation. The Act also allows the Commission to research the public opinion and conduct awareness raising measures. In the outcome of the research, the CSC is to issue recommendations and reports. The commission shall work in cooperation with the NGOS, independent experts and media.

The issue of prevention of conflict of interests is addressed in the Section 15 of the Act. However, the progress in this are not limited to this development. The CFC Working Group on the Improvement of Legislation has formulated and obtained the international experts' opinion on the draft of the Conflict of Interest Prevention Act (CIPA).

Recommendation 20

Adopt measures for the protection of employees in state institutions against disciplinary action and harassment when they report suspicious practices within the institutions to law enforcement authorities or prosecutors, and launch an internal campaign to raise awareness of those measures among civil servants. Adopt regulations on the protection of “whistleblowers”.

There is no information about any measures have been taken by Azerbaijan authorities to establish comprehensive regime of protection of “whistleblowers”.

Azerbaijan is non-compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

The protection of the reporting employees is foreseen in the draft of the Conflict of Interest Prevention. See recommendation 19

Among the legislative measures, the SITAC envisages elaboration of the Act on protection of whistleblowers.

Recommendation 21

Enact and implement clear rules on disclosure (making information accessible) and transparency of public expenditure. Consider possibilities to increase transparency in public procurement and with regard to credit agreements with international financial institutions.

The Law on State Budget asks for publication of the draft budget for the next year, together with relevant attachments as well as quarterly reports on its implementation. These reports include, in addition to other data, a comparative analysis of incomes and expenditures, and if there are any discrepancies between the approved and actual expenditures, relevant explanations should be attached thereto. The annual and quarterly reports published in the press also include data on incomes, expenditures, amount of public debt, credits, etc. According to this Law, control over the execution of the budget is exercised by the Finance Ministry (current supervision) and the Chamber of Audit.

Reports and statistical data on expenditures of the State Oil Fund of the Azerbaijan Republic are also available to the public. Other initiatives in Azerbaijan in the sphere of increasing transparency in public expenditures are unknown.

As regard the transparency of public procurement, an electronic system of public procurement is being developed and installed on the website of the State Agency for Public Procurement. In order to raise the qualification of specialists involved in the public procurement procedures, the Agency holds periodical training courses on public procurement issues for public and private sectors representatives. However, there is a strong believe from representatives of private businesses that the process of public procurement lacks of transparency, especially with regard to breaching the rule of obligatory publishing of tender proposals. Business representatives also believe that many tenders, mainly the ones involving large sums, are not published at all.

The State Agency for Public Procurement is authorized to monitor the legitimacy of public procurement but has power only to raise the question of abolishing results of tender (article 4 of the Law on Public Procurements). The State Treasury that executes the procurement transactions does not have the competence to check compliance with the relevant procurement legislation. There is no practice in Azerbaijan to carry out joint examinations (State Agency for Public Procurement and Treasury) in area of the public procurement.

Azerbaijan is partially compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

Further to the substantial measures related to disclosure and transparency of public expenditures in place, the Government of Azerbaijan pursues its efforts to increase transparency in public procurement and with regard to credit agreements with international financial institutions.

The State Debts Act 2007 was passed by the Parliament in early August. This Act regulates the process of taking of state debts and providing the state guarantees for debts, as well as clarifies relations between the bodies participating in the management of the state debts. In particular, the Act prescribes the purpose of the debts, determines the mode of their management, determines the limits for state debts, provides for supervision of the utilization of assets obtained under the debts, and formulates the forms of the foreign debts and conditions for state guarantees. The Act further foresees the establishment of the Registry for state debts and debts guaranteed by the state,

Section 3.2 states that the assets of the Republic of Azerbaijan, its international reserves as well as reserves that may originate in the future shall not be bailed for obligations raising from state debts or debts guaranteed by the state.

The observations of the monitoring mission regarding the strong believe from representatives of private businesses that the process of public procurement lacks of transparency, especially with regard to breaching the rule of obligatory publishing of tender proposals are debatable. The html document on the publication of the tenders (attached to this update report) shows the number of the tenders announced by various types of institutions.

Seminars “public procurement” are regularly held for specialists of the ministries, committees, administrations and organizations as well as for specialists of departments of education, public health, culture of cities and regions of the republic, local executive authorities, municipalities to improve qualification level of specialists of procurement organizations involved in public procurement. In order to provide wide involvement of small and middle entrepreneurs carrying out activity in Azerbaijan in public procurement, seminars are held for representatives of such companies.

In the update period 5-day trainings have been in the regions with a to raise the professional level of specialists in the area of public procurement as follows:

- Naftalan city 25 -29 December 2007;
- Beylaqan 2-06 July 2007;
- Imishli 9-13 July 2007;
- Dashkasan 16-20 July 2007.

Recommendation 22

Introduce legislation that fully covers the international standard as to combating money laundering, namely, as to criminalize the laundering of proceeds of all serious crimes (including corruption). Establish a financial intelligence unit.

The new article 193/1 of the Criminal Code covers the legalization of proceeds of crime with regard to all crimes. Bribery and other corruption related crimes are now covered by the Criminal Code. As the provision has only been introduced recently, it has not yet been tested in court.

The Financial Intelligence Unit (FIU) has not been created yet. Azerbaijan is one of the few remaining ACN countries without FIU. The draft legislation that would introduce the establishment of an FIU and a set of preventive measures to fight money laundering is still pending in Parliament. No decision has been taken where to locate the FIU. Azerbaijan falls short of the international standard on this issue.

Azerbaijan is partially compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

The matter of establishment of an FIU and a set of preventive measures to fight money laundering is a subject of wide public discussions in Azerbaijan. The Government of Azerbaijan continues its intensive efforts to build an effective institution operating within the comprehensive legislation on money laundering. Seminars have been held in the area of investigation of money laundering cases through the assistance of the US Justice Department.

Recommendation 23

Encourage non-governmental participation in the solving of policy issues and continue efforts to prevent obstacles for NGO registration and activities in practice.

NGOs play an increasing role in Azerbaijan. Thirteen nongovernmental organisations, including Transparency Azerbaijan, are organised in the Government sponsored Net for Information and Cooperation whose task includes the invigoration of the role of NGOs in anticorruption measures. Representatives of the Net take part in some Governmental initiatives such as organizing seminars; participating in working groups for developing legislations. Representatives of Transparency International Azerbaijan and other organisations are included in the Working Group for the Development of Legislation at the Anticorruption Commission.

However, there is room to continue and improve cooperation and mutual trust between Government and the civil society, for example by:

- Involving NGOs in the processes of monitoring of implementation of legislation,
- Mandating NGOs to conduct surveys on different issues of anticorruption policy or executing mutual surveys,
- Jointly organising public awareness campaigns.

The Law “On State Registration of Legal Entities in the State Register” has been adopted on 28 December 2005. This Law envisages the shortening of the period of a registration application (which can take a long time under the current legislation) to 5 days for commercial entities. The maximum period for

registration for NGOs remains 40 days as before; however in case there is no response, the registration is granted automatically. The greater success would be accurate practical implementation of this Law with respect to European practice registration of NGOs as a formal legal act, allowing them to acquire legal personality and thus become capable of possessing rights and obligations and of entering into legally binding contracts.

Azerbaijan is partially compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

The Anticorruption NGO Network mounts its role in the raising of public involvement and activeness in the elaboration of anti-corruption legislation and pursuance of the anti-corruption initiatives. The public institutions are closely cooperating with the NGO, especially in the collecting and considering corruption-related information through TI Azerbaijan's ALAC project and Virtual Advocacy project of the Anti-Corruption Foundation. Furthermore, the civil society participated actively in the formulation and discussion of the SITAC 2007-2011. In order to boost the activity of the NGOs, the Government has adopted the NGO Support Concept.

Numerous international organizations are cooperating with the Ministry of Justice and file no complaints on this matter. The statistics on registration of the legal persons speaks for itself: 2001 – 23; 2002 – 50; 2003 – 100; 2004 – 164; 2005 – 379; 2006 – 548; 2007 (semiannual)– 229.

See recommendation 2

Recommendation 24

Revise the access to information legislation to determine more precisely procedures and mechanisms for access to information and ensure that in practice the discretion of public officials is reasonably limited.

Azerbaijan has made some important steps forward on the way of ensuring the right to access information. The new Law on Right to Obtain Information, in force since December 2005, prescribes the rules and procedures for request and for information as well as the rules to execute or to refuse the requests; rights and obligations of information owners; regimes of access to information. According to this Law the position of special Ombudsman on information issues is established to ensure control over the observance of the relevant legislation. The Anti-Corruption Commission instructed executive authorities to carry out training on the implementation of the new Law.

In order to detect the whole range of possible deviations, a mechanism of monitoring of implementation of Law provisions in association with NGOs could be introduced. In doing so, the concerns expressed by surveys of the implementation of the Access to Information legislation, carried out by the NGOs, should be given full attention.

Azerbaijan is largely compliant with this recommendation.

National Action Since December 2006 to Implement the Recommendation Further

The matter of access to information has been prioritised in the SITAC 2007-2011. The promotion of political, legal and cultural environment strengthening free access to information, freedom of speech and protection of human rights has been stipulated prerequisite for ensuring effective public monitoring. Among the measures in the field of activity of public institutions and self-governing bodies, the SITAC

Action Plan envisages the measures aimed at improvement the access to information (Measure 11). Activities to be undertaken are Improving rules and forms for access to information, improving activity of units in charge of accessing to information, conducting of training in this area.

*Approved by the Decree of the President of the Republic of
Azerbaijan dated July 28, 2007*

National Strategy on Increasing Transparency and Anti-Corruption

2007-2011

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With the purpose of strengthening achievements made as a result of economic-social reforms conducted in the Republic of Azerbaijan,

Continuing anti-corruption measures implemented in the area of combating corruption as per the State Program on Combating Corruption for the 2004-2006,

Providing for the functioning of the Government agencies in accordance with contemporary requirements,

Strengthening the public trust in Government agencies, eliminating conditions leading to corruption, and taking preventive measures,

Bringing to justice persons having committed acts of corruption, protection of the rights of persons who suffered from acts of corruption, improvement of the control mechanisms in combating corruption,

With the purpose of strengthening exemplary conduct of the government officials and civil servants in terms of integrity and professional behavior,

Taking into consideration that corruption creates obstacles for economic development, violates principles of human rights, rule of law, equality and social justice,

Noting that increasing transparency in the activities of government agencies is an important precondition for the fight against corruption,

Emphasizing that transparency promotes accountability and responsibility in the government agencies activity, proper management of the state property and facilitates the formation of the culture of anti-corruption,

Recalling the provisions of the laws of the Republic of Azerbaijan, conventions of the United Nations Organization and the Council of Europe as well as provisions of other international documents in the field of combating corruption,

Promoting the importance of the awareness raising measures and cooperation with the civil society institutions in combating corruption,

Taking into consideration importance of international cooperation and supporting the initiatives and efforts made in this area,

The Republic of Azerbaijan once again confirming its political will in fighting corruption adopts this National Strategy on Increasing Transparency and Combating Corruption.

I. THE OBJECTIVES AND TASKS OF THE NATIONAL STRATEGY ON INCREASING TRANSPARENCY AND FIGHTING CORRUPTION

The National Strategy on Increasing Transparency and Fighting Corruption (hereafter “the National Strategy”), being a continuation of the State Program on Anti-corruption for 2004-2006, determines comprehensive, consistent and phase-by-phase, long-term and short-term anti-corruption measures to be carried out within the framework of the democratic state building and socio-economic reforms.

The National Strategy specifies measures aimed at developing anti-corruption legislation, engaging the civil society in closer co-operation, enhancing anti-corruption culture, providing for the functioning of government agencies, law enforcement bodies and the judiciary in line with contemporary requirements, and eliminating factors impeding the economic and social development.

The National Strategy provides for the increasing transparency in the functioning of government agencies as a main pre-condition for fighting corruption. Ensuring the transparency in itself does not aim at elimination of corruption. It has been identified as a key means for fighting corruption.

When transparency is ensured, the public is more aware of decisions to be taken by the state authorities, there are opportunities for public discussions, there is trust in state authorities, and there is increased accountability and responsibility of state authorities. Transparency contributes to the improvement of the functioning of state authorities, more effective analysis and assessment of the functioning of state authorities. Transparency is also a key pre-condition for the development of the economy, a favorable business environment, and attracting foreign investment.

The National Strategy provides for the activities aimed at increasing transparency in decision-making mechanisms and rules, admission to the civil service, revenues and expenditures of the state budget, financing of political parties, government procurements, privatization, the functioning of state authorities and municipalities, and other areas.

The provision of individuals’ free access to information is one of the pre-conditions for ensuring transparency in the functioning of state authorities and local self-governance bodies. The Action Plan for the implementation of the National Strategy for 2007-2011 (hereafter “the Action Plan”) envisages increasing the effectiveness of the legislation on access to information, ensuring citizens access to information on the functioning of the state authorities and municipalities, and working out proposals on establishment of the institution of a Commissioner for the Information.

II. MAIN PRINCIPLES OF INCREASING OF TRANSPARENCY AND FIGHTING CORRUPTION

1. Rule of law and respect for human and citizen's rights and freedoms

Measures in the area of combating corruption, as well as duties and authorities of government agencies in this regard are performed as per principles of supremacy of law, respect to human and citizens' rights and freedoms.

2. Provision of access to information

State authorities, with the exception of information access to which is restricted by the legislation, shall provide the public with the information on their activities. State authorities take necessary measures to enable individuals, the media and civil society institutions to obtain information on the functioning of state authorities.

3. Provision of Accountability

Accountability aims at increasing the responsibility of state authorities and government officials. The state authorities shall provide the public with periodic reports and other information.

4. Control over the functioning of state authorities

All state authorities with the purpose of fighting corruption shall carry out effective control over the entities under their supervision.

5. Prevention of Corruption and responsibility for corruption related violations

Combating of corruption shall not be limited only to the prosecution of the corruption related violations, it must also provide for the identification, analysis and elimination of the circumstances leading to corruption, and take preventive anti-corruption measures.

6. Good governance

In order to perform their duties, discharge their roles and functions state authorities shall take purposeful and effective measures, and have necessary skills and flexibility/promptness.

7. Awareness raising and cooperation in combating corruption

To combat corruption efficiently relevant measures shall be taken with the purpose of raising public awareness, international experience shall be utilized, international initiatives shall be taken part in, there shall be co-operation with various government and non-government organizations, the private sector, the mass media, international organizations and other partners in the area of combating corruption.

III. MEASURES IN THE NATIONAL STRATEGY

The National Strategy provides four measures in the following areas, which aim for increasing transparency and fighting corruption:

1. Improvement of the legislative framework

To continue activities for the full implementation of the UN Convention against Corruption, the civil law and criminal law conventions of the Council of Europe against corruption, and other international documents which the Republic of Azerbaijan is a part to, into the domestic legislation of the Republic of Azerbaijan.

It is envisaged to work out a number of normative legal acts intended for increasing transparency and fighting corruption, including providing for the corporate criminal liability, prevention of money laundering, prevention of conflict of interests, increasing transparency in financing of political parties, as well as drafting other legal acts specified in the Action Plan.

In order to improve the legislative framework, the anti-corruption expertise of normative legal acts as well as drafts thereof shall be carried out.

With purpose of ensuring transparency in law-making, public discussions of draft laws of importance in terms of fighting corruption shall be organized. The public discussion will enable interested parties to take part in the law-making process, contribute to the development of the legislative framework and increase the effectiveness of the implementation of laws. The activity of civil society institutions in drafting of the pieces of legislation which are of significance for the development of the state and society shall be supported.

In order to ensure transparency in the legislative area, measures shall be taken to improve the single electronic database of legislative acts on the Internet, and updating thereof on a regular basis.

2. The functioning of state authorities and local self-government bodies

The activities in the area of the functioning of state authorities are designed for the improvement of the functioning of these bodies, advancement of their professionalism and enhancement of accountability and responsibility.

The state authorities shall take measures for defining precise decision-making procedures, and improving the work and rules for consideration of the applications and complaints.

The state authorities as well as local self-government bodies shall issue annual reports intended for conveying the information on their functioning to the public. The reports will include information on admission to civil service and other pertinent issues, budget, activities carried out in the field of review of applications and complaints, increasing transparency and fighting corruption. The Anti-corruption Commission will work out guidelines on the preparation of the anti-corruption reports.

To increase transparency and efficiency, all state authorities and municipalities are thought to finalize their work on the development of web-sites reflecting comprehensive information on their activities, and enable submission of applications and complaints through electronic means.

The conduct of legislative as well as other organizational measures, aimed at more clearly defining the authorities of state agencies, and eliminating duplication in the authorities/competencies of state agencies, will be continued

It is planned to work out and implement a comprehensive anti-corruption action plans within central and local executive authorities as well as municipalities, and carry out specialized researches on anti-corruption issues within governmental and private sectors.

The National Strategy requires improving of civil service, ensuring of more transparent procedures regarding admission to civil service, promotion in civil service, dismissal from the latter, evaluation of the civil servants performance, introducing rotational system into the civil service. According to the Action Plan, institutional mechanisms and rules governing admissions to the civil service shall be improved, and admission to any fields of the civil service, as well as the staff of municipalities shall be conducted in a transparent way and on the basis of competition. Besides, it is planned to carry out measures aimed at promoting the reputation of civil service, implementation of special programs for supporting/stimulating civil servants, and recruiting specialized and professional staff members.

With the purpose of improving ethical conduct of civil servants and government officials measures will be taken to adopt codes of conduct for different areas, involve civil servants in ethics trainings on regular basis, and raise public awareness on ethical behavior rules.

In order to enhance professional skills of civil servants, it is planned to organize special educational and training programs on issues related to combating corruption

To improve material-technical, social, and financial guarantees for civil servants, it is planned to introduce stage-by-stage increase of the state-funded salaries, and take other necessary measures.

To combat corruption, it is envisaged to strengthen internal control units within state authorities, and enhance their material-technical resources. Opportunities shall be provided to enable individuals apply to those units directly, and for these units to have a more prompt decision-making process. To strengthen relationship with the public, measures are thought to establish hot-lines and a system aimed for taking prompt action on the information received through hot-lines, and inform the public of these hot-lines. It is envisaged to improve the legislation regulating the protection of whistleblowers.

Relevant activities will be implemented to enforce rules on asset disclosure and financial statement by public officials.

In accordance with the UN and the Council of Europe recommendations as well as international practice, measures will be taken to increase the transparency in the political parties expenditures, and for this purpose identify of the monitoring mechanisms, and improve the monitoring of political parties financing.

3. The functioning of specialized anti-corruption institutions, law enforcement bodies and the judiciary

It is envisaged to improve the functioning of Anti-corruption Commission, its Secretariat and working groups, strengthen their material-technical resources, and provide for additional resources.

Provision of more effective mechanisms for the co-operation between the Anti-Corruption Department under the General Prosecutor's Office of the Republic of Azerbaijan and other law enforcements bodies, generalization/analysis of their work experience, creation of a single database of crimes of corruption will ensure more swift information exchange between the bodies carrying out criminal prosecution.

Measure will be taken to increase professional knowledge and skills of relevant employees of the Anti-corruption Department and other law-enforcement bodies on the detection, investigation and prosecution of crimes of corruption. The application of operative-search measures aimed at detection of crimes of corruption will be improved.

To achieve effective functioning of specialized anti-corruption bodies, additional measures will be taken to ensure independence of these bodies and their protection from any influence.

The specialized anti-corruption bodies will conduct their activities through co-coordination with the representatives of the public, non-governmental organizations and the private sector. In order to increase public trust in the bodies fighting against corruption, their functioning shall be as transparent as possible.

Providing law enforcement employees with high salaries is one of the major factors in combating corruption. With this purpose a number of measures are thought to continue stage-by-stage increase of the salaries of law-enforcement employees, as well as strengthen their social protection.

To improve the functioning of the courts, it is planned to conduct specialized trainings and education for judges on combating corruption, and promote study of the pertinent international experience. Additional measures will be taken to publish court decisions.

Measures are planned to be taken to improve execution of court decisions. Non-execution of the court decisions must be seen as a violation of the right to judicial protection.

Measures will be worked out to improve the protection of witnesses, as well as persons co-operating with the bodies conducting criminal prosecution in anti-corruption cases.

4. Measures in economic and social sphere

The National Strategy intends to adopt legislative acts and take administrative measures in order to establish a financial control, promote investments, privatization, increase transparency in state procurement and auditing processes, as well as for the strengthening of a competition and business environment. Measures on reforms in the areas of licensing and grant of permissions, taxes and customs, education and healthcare constitute an integral part of these measures.

To ensure fair competition, it is envisaged to adopt certain normative legal acts and provide for their effective application and take other necessary measures.

Activities will be carried out to increase transparency in privatization, and advance control over the privatization.

Proposals will be prepared to increase transparency in granting of licenses and permissions, simplify conditions/requirements for granting thereof, and transit to the electronic system of granting licenses and permissions.

Measures are envisaged to prepare relevant legislative acts aimed at providing for fair competition in the field of state procurement, increase the control by financial bodies in this field, restrict participation of persons, who have committed violations of law related to state procurement, in these procurements, and consideration of complaints without delay. In order to promote transparency in state procurements and increase relevant professional skills, measures will be taken to raise public awareness, enhance use of internet resources, carry out electronic state procurements, and organize education and trainings for specialists working in this field.

For the purpose of strengthening the struggle against legalization of revenues obtained from corruption related violations of law, it is planned to improve the domestic legislation of Republic of Azerbaijan in accordance with the UN and the Council of Europe conventions in this field and the recommendations of the Financial Activity Task Force (FATF), and strengthen institutional mechanisms.

It is considered to undertake measures to increase the volume of non-cash payments in transactions among participants of civil circulation, with a purpose to ensure transparency of financial operations and transactions among commercial actors.

Measures for transition to the full application of international audit standards, improvement of internal audit service, and improvement of monitoring systems regarding auditors' activity are planned to be taken with the purpose of advancement of the audit service.

Measures are conducted to strengthen cooperation of audit organizations with the agencies engaged in combating corruption and to raise their responsibilities in struggle against corruption.

For the purpose of improving tax and customs services, measures are aimed at simplification of regulations on tax and customs fees, improvement of the review process of the appeals against the decisions of customs and tax agencies, and simplification of the provision of tax payers with the necessary information.

In order to provide for the transparency and effectiveness of customs procedures, measures are planned to create in customs points special information services advising on relevant normative legal acts, customs fees as well as customs rates, accelerating goods circulation at the customs borders and creation of favorable conditions for businesses, transfer to non-cash payment system in customs payments.

Measures will be implemented for improvement of legislation as well as performance of agencies in charge of financial monitoring, and development of financial monitoring procedures and the rules regulating these procedures. Preparation of periodical reports will be continued by the agencies engaged in financial monitoring in order to ensure transparency of their activity. It is intended to improve mechanisms and procedures for monitoring of local budget implementation.

Measures will be implemented to improve legislative framework on budget system and budget classification, as well as ensuring transparency of fund raising for local municipalities and spending of these funds for the achievement of the goals for which they had been allocated.

Measures in the field of education and healthcare include preparing of proposals on the status of teachers and doctors, ensuring that teachers and doctors' admission to the work is carried out transparently and on a competitive basis, adoption of codes of ethical conduct for teachers and doctors, increase in the salaries of teachers and doctors, and strengthening of their social security.

5. Awareness raising measures

The awareness on the substance of corruption, its reasons and threats caused by the corruption shall be followed on. The involvement of civil society institutions, private sector and the mass media in the public awareness raising will be supported.

6. Cooperation in combating corruption

The civil society institutions, mass media and private sector are seen as partners in the implementation of the Action Plan.

Bodies fighting corruption will further enhance their co-operation with international organizations and relevant bodies of foreign states as per the legislation of the Republic of Azerbaijan and the international treaties to which it is a party to.

IV. IMPLEMENTATION OF THE NATIONAL STRATEGY AND CONTROL OVER THE IMPLEMENTATION

The Cabinet of Ministers of the Republic of Azerbaijan and the Anti-corruption Commission monitors the implementation of the National Strategy and reports to the President of the Republic of Azerbaijan on the implementation of measures envisaged in the Action Plan on semi-annual basis.

The central executive authorities adopt action plans related to implementation of the National Strategy and submit them to the Anti-corruption Commission for the monitoring of the status of their implementation. These agencies semi-annually provide information on the status of implementation of the National Strategy to the Anti-corruption Commission and the Cabinet of Ministers of the Republic of Azerbaijan. Other institutions responsible for the implementation of the Strategy also provide the Anti-corruption Commission with the information on the status of implementation of the National Strategy in a similar way.

Besides this, public monitoring of the implementation of the National Strategy is provided through increasing of transparency, co-operation with civil society institutions and public awareness. In order to ensure effective public monitoring, a political, legal and cultural environment strengthening free access to information, freedom of speech and protection of human rights will be promoted. Trainings will be conducted to advance professionalism, ethical behavior and responsibility of journalists specialized in anti-corruption issues.

The Cabinet of Ministers of the Republic of Azerbaijan in its annual report to the Milli Mejlis of the Republic of Azerbaijan will also continue to also provide information on the measures carried out in the field of combating corruption.

It is envisaged that the Anti-Corruption Commission will prepare annual national report on the fight against corruption. The report will be prepared with the participation of relevant state authorities, and information provided by the civil society institutions will be used in the preparation of the report.

The annual national report will assess the status of implementation of the UN Convention against Corruption, the Council of Europe conventions on criminal and civil-legal liability for, as well as the National Strategy. This assessment will serve for making analysis of reforms conducted, identification of priorities and next steps.

In order to assess the implementation of the National Strategy new governance indicators of the World Bank and other international organizations will be used.

With the purpose of studying the level of corruption in the government and private sectors, the National Strategy also envisages to conduct specialized researches and opinion polls. Researched and opinion polls will be carried out as per advanced international methodologies.

V. PRIORITIES FOR IMPLEMENTATION OF THE NATIONAL STRATEGY

The National Strategy sets the priorities for the measures designed to increase transparency and combat corruption. The priority measures are ought to be implemented during a shorter period of time as per the Action Plan.

VI. FUNDING OF THE NATIONAL STRATEGY

The measures indicated in the Strategic Plan are funded from the state budget and other sources not prohibited by the legislation. Every year during the preparation of the draft of the state budget State authorities provide the relevant entities with their proposals on the allocation of funds necessary for the implementation of measures set forth in the National Strategy.

With the aim of supporting the activities stipulated in the National Strategy, state authorities will be able to use consultative, methodical, technical and other assistance from international partners

ACTION PLAN

FOR THE IMPLEMENTATION OF THE NATIONAL STRATEGY ON INCREASING TRANSPARENCY AND ANTI-CORRUPTION 2007-2011

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I. IN THE AREA OF IMPROVING LEGISLATION

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
1.	Continuing undertaking measures for the implementation into the national legislation of the conventions of the UN and CoE as well as of other international treaties in the area of combating corruption	<ul style="list-style-type: none"> - conducting general assessment for compliance with conventions and preparation of the final reports - preparation of the draft normative legal acts for the compliance of the legislation with the international documents 	Cabinet of Ministers, Commission on Combating Corruption, Ministry of Justice, other relevant agencies	NGOs, independent experts, international partners	2008 2007-2008	
2.	Preparation of the draft legislative acts or proposals in the area of combating corruption	<ul style="list-style-type: none"> - Preparation of the draft law on legal persons' liability - Preparation of the draft law on conflict of interests in the activity of civil servants and other public officials - Preparation of the proposals to the draft law on prevention of the legalization of the illegally obtained funds or other property and the financing of terrorism - Preparation of the legislative proposal on protection of the whistle-blowers on corruption cases - Undertaking relevant measures to approve declaration form on financial disclosure of public officials - Preparation of the proposals for improvement of the legislation aimed at developing monitoring mechanisms in the area of financing political parties and transparency of expenditures - Adoption of the Code of Competition - Adoption of the Administrative Procedural Code 	Cabinet of Ministers, Executive Office of the President Recommended: Milli Majlis	NGOs, independent experts, international partners, Group on improvement of the Criminal Code	Jan.-Mar. 2008 Nov.-Dec. 2007 2007 2008 2007-2008 2008 2007-2008	
3.	Conduct of expertise of the normative legal related to combating corruption	<ul style="list-style-type: none"> - assessment of the normative legal acts in force as well as normative legal acts 	Cabinet of Ministers, Commission on	NGOs, independent experts, international	Constant	State budget and other

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
		<ul style="list-style-type: none"> - preparation of the amendments and changes to the normative legal acts for regulation of the legal relations not covered by the legislation - inclusion of the anti-corruption measures into the draft to-be-adopted state programs 	Combating Corruption, Ministry of Justice, other relevant government agencies	partners		sources not prohibited by the legislation
4.	Creation of the single electronic database of the normative legal acts	<ul style="list-style-type: none"> - regular update of the electronic database - keeping electronic database constantly operational - making electronic database open to the public 	Ministry of Justice	Independent experts, international partners	As of January 2008	State budget and other sources not prohibited by the legislation
5.	Provision of public participation in the process of preparation of the draft normative legal acts in the area of anti-corruption	<ul style="list-style-type: none"> - conduct of the public hearings with the participation of the civil society institutions, private sector representatives, media and independent experts - promotion of the draft law proposals from civil society institutions, private sector representatives, media and independent experts to the subjects empowered with legislative initiative - assessment and consideration of the proposals and conclusions in the legislation area 	Commission on Combating Corruption, subjects empowered with legislative initiative	NGOs, international experts, international partners, media	Regularly	State budget and other sources not prohibited by the legislation
6.	Evaluation of the necessity to pass law on lobbying activity	<ul style="list-style-type: none"> - learning international experience - investigating possibility of lobbying activity in the context of the national legislation - preparation of the final document on this issue 	Commission on Combating Corruption	NGOs, international experts, international partners	June 2008	State budget and other sources not prohibited by the legislation

II. IN THE AREA OF ACTIVITY OF STATE AND SELF-GOVERNING BODIES

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
7.	Specification of the authorities of the government agencies and continuing efforts to eliminate duplications in their	<ul style="list-style-type: none"> - Conduct of expertise of Charters of government agencies and of other normative legal acts regulating their activity 	Cabinet of Ministers, Executive Office of the President,		2007-2011	

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
	activities	<ul style="list-style-type: none"> - Elimination of the duplications in the activity of government agencies, as well as providing legislative and other proposals with the purpose of the increasing efficiency of the government agencies - Clear identification of authorities of the government officials in the charters of agencies which are part of state body structures - Prevention of the implementation of both regulatory and commercial functions by the same agency 	Ministry of Justice, other relevant government agencies			
8.	Improving processing of the applications, references and complaints in connection with the corruption related violations	<ul style="list-style-type: none"> - Preparation of the proposals on improving rules for processing of applications, references and complaints - Conduct of the efficient investigation of the references and complaints - Organization of the receipt of the references and complaints through e-mail 	Cabinet of Ministers, Central and local executive authorities Recommended: courts, General Prosecutor's Office, Judicial-Legal Council, municipalities	NGOs, independent experts, international partners	June 2008 Regularly 2008-2009	
9.	Improving system of filing complaints on administrative decisions	<ul style="list-style-type: none"> - Undertaking measures to develop institutional mechanisms for the enforcement of the Administrative Procedures Code - Conduct of relevant training for civil servants and judges after the adoption of the Administrative Procedures Code 	Cabinet of Ministers, Executive Office of the President Recommended: Supreme Court, Judicial-Legal Council	International partners	After adoption of the Administrative Procedures Code	State budget and other sources not prohibited by the legislation
10.	Improving use of freedom of information	<ul style="list-style-type: none"> - Improving rules and forms for access to information - Improving activity of units in charge of accessing to information - Conduct of training in this area - Preparation of proposals related to the activity of the institute of information ombudsman 	Central and Local executive authorities Recommended: courts, General Prosecutor's Office, Judicial-Legal Council, Human Rights Ombudsman	NGOs, independent experts, international partners	2007-2009	State budget and other sources not prohibited by the legislation

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
			(Ombudsman, municipalities)			
11.	Conducting specialized researches and public surveys with the purpose of studying the level of corruption	<ul style="list-style-type: none"> - Acquiring information on causes, characteristics and level of a corruption as a whole and sectoral corruption - Assessment of the efficiency of measures undertaken in the area of combating corruption - Identification of new anti-corruption measures based upon the results 	Commission on Combating Corruption	NGOs, independent experts, international partners	Regularly	State budget and other sources not prohibited by the legislation
12.	Preparation of the annual reports on activity of state bodies	<ul style="list-style-type: none"> - Inclusion in reports of issues related to acceptance and other issues related to service, budget, references and complaints, issues related to increasing transparency and measures undertaken in the area of combating corruption - Publishing annual reports and disclosing them to public - Development of the sample guidelines by the Commission on Combating Corruption for the preparation report 	Cabinet of Ministers, Commission on Combating Corruption, Central and Local executive authorities Recommended: Supreme Court, Judicial Legal Council, General Prosecutor's Office, municipalities		Till January 30 of every year	
13.	Improving the work of internal monitoring bodies of state agencies	<ul style="list-style-type: none"> - Creation of opportunities for individuals to file complaints directly to internal monitoring bodies - Rapid consideration and processing of the references by the internal monitoring bodies within short period of time - Informing law enforcement agencies about the corruption related crimes discovered by the internal monitoring bodies - Provision of internal monitoring bodies with material and technical resources, specialized human resources 	Central and Local Executive Authorities Recommended: General Prosecutor's Office, Judicial Legal Council		Regularly	State budget
14.	Developing website comprehensively reflecting activity of the government agencies	<ul style="list-style-type: none"> - Regular update of information on the web pages - Placing information required by the law "on access to information" on web pages - Using web pages as service tool for the 	Central and Local Executive Authorities Recommended: General Prosecutor's		June 2008	State budget and other sources not prohibited

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
		population	Office, Judicial Legal Council Municipalities			by the legislation
15.	Improving collection of fees, tariffs and other payments in connection with the activity of government agencies and increasing transparency	<ul style="list-style-type: none"> - Ensuring that information on fees, tariffs, taxes and information on payments for other rendered services is easily visible in the government agencies' buildings - reducing cash collection of the fees, taxes, or other payments - ensuring that payment of salaries, pensions, social benefits and other social payments are done through plastic cards - conducting measures in the area of increasing transparency and learning advanced anti-corruption experience and its application 	Cabinet of Ministers, Central and Local Executive Authorities Recommended: Courts, municipalities		Regularly as of January 2008	
16.	Strengthening public relations	<ul style="list-style-type: none"> - establishment of the hotlines in government agencies and informing the public about those hotlines - establishment of the system of operational response to the information received through hotlines - investigating decisions affecting public interests - organization of the information dissemination campaigns on activity of government agencies to increase public trust into government agencies 	Central and Local Executive Authorities	NGOs, independent experts, international partners	Regularly as of January 2008	State budget and other sources not prohibited by the legislation
17.	Improving activity of municipalities	<ul style="list-style-type: none"> - provision of transparent and competition based hiring policies at the municipality apparatus - organization of the anti-corruption training courses and seminars for the staff of the municipalities - strengthening administrative control over the municipalities' activity 	Municipalities Recommended: Ministry of Justice	NGOs, independent experts, international partners	Regularly	
18.	Prevention of the conflict of interest in the activity of civil servants and other public officials	<ul style="list-style-type: none"> - conduct of training in the area of implementation of legislation on prevention of conflict of interests - development of the efficient monitoring 	Cabinet of Ministers, Central and Local Executive Authorities	NGOs, independent experts, international partners	After passing of the relevant	State budget and other sources not prohibited

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
		mechanisms for the prevention of the conflict of interests - provision of the monitoring agencies for the prevention of the conflict of interests with the necessary material and technical resources			law	by the legislation
19.	Improving code of ethics of civil servants and other officials	- developing sectoral codes of ethics - identifying responsibility for the violation of the code of ethics - organization of trainings on issues related to code of ethics - increasing opportunities to file complaints on non-ethical conduct of the civil servants - informing public about the code of ethics	Central and Local Executive Authorities Recommended: General Prosecutor's Office, Judicial Legal Council, Municipalities	NGOs, independent experts, international partners	Regularly as of January 2008	
20.	Improving recruitment to civil service and increasing transparency	- conduct of recruitment in all areas of civil service transparently and based on competition - development of the necessary monitoring mechanism in this area - providing the public with the information on terms of hiring for the civil service	Cabinet of Ministers, Civil Service Commission under the President, relevant government bodies		2007-2009 Regularly	State budget and other sources not prohibited by the legislation
21.	Strengthening material benefits of civil servants	- gradual increase of salaries of civil servants, strengthening their social welfare - conducting systematic merit-based increase in salaries - increasing the image of civil service - attraction of the specialized cadres to civil service	Cabinet of Ministers, Executive Office of the President		2008-2011	State budget
22.	Increasing professionalism of the civil servants	- identification the needs for increasing the proficiency of the civil servants and organization of the trainings for them - improving activity of the educational institutions and centers at the government agencies - learning international experience - organization of the joint trainings for the personnel of the government agencies - organization of the anti-corruption education	Executive office of the President, Central and Local Executive Authorities	NGOs, independent experts, international partners	Regularly	State budget and other sources not prohibited by the legislation

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
		programs and trainings (code of ethics, conflict of interest, freedom of information, etc)				
23.	Development of a system of appraisal of the civil servants' activity	<ul style="list-style-type: none"> - adoption of the evaluation guidelines and enforcement of the system - consideration of the results of evaluation in civil servants' promotion 	Civil Service Commission under the President, Central and Local Executive Authorities		As of 2008	
24.	Enforcing the rotation system in the civil service	<ul style="list-style-type: none"> - identification of the areas where rotation system will be applied and enforcing the principle of rotation 	Central and Local Executive Authorities, other relevant government agencies		Regularly	

III. AGENCIES SPECIALIZED IN COMBATING CORRUPTION, LAW ENFORCEMENT AGENCIES AND COURTS

1. Improving activity of the specialized agencies in combating corruption

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
25.	Improving activity of the Commission on Combating Corruption	<ul style="list-style-type: none"> - Organization of the professional trainings for the staff of the Secretariat of the Commission and members of the Working Groups - Engagement of the representatives of the civil society institutions, private sector, mass-media and academia - Strengthening relations with international partners and participation in the international initiatives - Conduct of surveys and monitoring, analyzing the results and undertaking appropriate measures - Preparing proposals on strengthening the material-technical resources of the Secretariat of the Commission on Combating Corruption - Preparing proposals on improving the activity of the Commission 	Commission on Combating Corruption	NGOs, independent experts, international partners, media	Constantly	State budget and other sources not prohibited by the legislation

26.	Improving the activity of the Anti-Corruption Department of the General Prosecutor's Office	<ul style="list-style-type: none"> - Ensuring the Department is provided with full staff - Engaging personnel of the Anti-Corruption Department to the specialized trainings in the area of combating corruption - Ensuring the Department has a new building and strengthening its logistics 	General Prosecutor's Office Recommended: Cabinet of Ministers		2007-2008 2007-2008	State budget and other sources not prohibited by the legislation
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2. Improving the activity of law enforcement agencies

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
27.	Improving cooperation among the agencies conducting criminal investigation of the corruption related violations	<ul style="list-style-type: none"> - Undertaking measures for the efficient organization of the mutual cooperation among the agencies - Ensuring efficient information and experience sharing among the agencies with the use of the new technology - Establishment of the single database of the corruption related crimes 	General Prosecutor's Office Recommended: Ministry of Interior, Ministry of National Security, Ministry of Taxes		2007-2008 Regularly 2008	
28.	Increasing the professionalism of the personnel of the law enforcement agencies	<ul style="list-style-type: none"> - Specialization of the relevant employees in the detection, investigation and prosecution of the corruption related crimes - Conduct of criminal prosecution of corruption related crimes by specialized employees - Organization of education and training courses on criminal prosecution of the corruption related crimes and on newly adopted legislation in this area - Establishment working groups consisting of the staff of the training centers of the law enforcement agencies, development of the joint training programs on investigation of the corruption related crimes - Learning and applying international experience in the area of prosecution of corruption related crimes 	General Prosecutor's Office Recommended: Ministry of Interior, Ministry of National Security, Ministry of Taxes	NGOs, independent experts, international partners,	Regularly as of January 2008	State budget and other sources not prohibited by the legislation

29.	Strengthening of operational investigation measures for the detection of corruption related crimes	<ul style="list-style-type: none"> - Wider use of operational-investigation measures in the detection of the corruption related crimes - Strengthening cooperation among the subject of the operational investigation activity and conduct of joint trainings - Preparing proposal on improving the efficiency of the operational investigation measures in combating corruption 	General Prosecutor's Office Recommended: Ministry of Interior, Ministry of National Security	International partners	2008-2009	State budget
30.	Stimulating provision of the competent agencies with useful for investigation information by the individuals engaged in corruption related violations and undertaking measures to stimulate cooperation with them	<ul style="list-style-type: none"> - Learning agreements on cooperation with the criminal prosecution agencies - Improving protection of the witnesses and persons cooperating with the agencies conducting criminal persecution of corruption related crimes 	General Prosecutor's Office Recommended: Ministry of Interior, Ministry of National Security	International Partners	2008-2009	State budget and other sources not prohibited by the legislation

3. Improving activity of the judges and courts

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
31.	Improving publishing court decisions	<ul style="list-style-type: none"> - Placing court decisions on the web pages and regular update of the information 	Recommended: Supreme Court, Appellate Courts	International Partners	Regularly	
32.	Improving legislation regulating the activity of courts and judges, including making judges subject to administrative liability	<ul style="list-style-type: none"> - Reconsideration of the grounds for involving judges to administrative liability - Learning international experience - Preparation of the relevant draft normative legal acts 	Recommended: Judicial-Legal Council	International Experts	2008	
33.	Undertaking measures to improve enforcement of the court decisions	<ul style="list-style-type: none"> - Increasing monitoring of the enforcement of the court decisions by the same judges who took those decisions - Elimination of the existing shortcomings - Punishing employees responsible for shortcomings during the enforcement of the court decisions - Preparing draft changes to the legislation in connection with enforcement of court decisions 	Ministry of Justice Recommended: Courts	International Partners	Regularly	

34.	Improving advocate activity	<ul style="list-style-type: none"> - Improving material-technical resources of the Collegiums of Advocate - Increasing payments of advocates for the state provided legal assistance - Adoption of the code of ethics of the advocates 	Cabinet of Ministers Recommended: Collegiums of Advocates	International Partners	2008-2011 2008 2007	State budget and other sources not prohibited by the legislation
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IV. ECONOMIC AND SOCIAL SPHERE

1. Entrepreneurship development and improving privatization

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
35.	Measures on entrepreneurship development	<ul style="list-style-type: none"> - Development and strengthening of the protection system of the entrepreneurs' investment activity - Increasing opportunities to benefit from credits for entrepreneurs - Prevention of the illegal intervention by government agencies into the activity of entrepreneurship subjects - Identifying problems of entrepreneurs arising as a result of the relations with the government agencies and undertaking measures for their solution - Studying and analyzing reports on Azerbaijan developed by international organizations in the economic sphere, preparation of the proposals as a result 	Ministry of Economic Development, relevant government agencies	International Partners	Regularly	
36.	Improving privatization procedures	<ul style="list-style-type: none"> - Ensuring the equal right participation of all parties in the privatization process - Preparation of proposals on improving procedures for the conduct of the state auctions - Undertaking measures to prevent conflict of interests in the privatization process 	Cabinet of Ministers, State Committee for Management of State Property	International Partners	Regularly	
37.	Undertaking measures to increase transparency at the privatization	<ul style="list-style-type: none"> - Improving provision of information about the privatization process 	State Committee for Management of State	International Partners	Regularly	

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
		<ul style="list-style-type: none"> - Increasing transparency in the selection of the independent advisors (experts) to be engaged for the organization of the privatization process 	Property			

2. Improving financial monitoring

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
38.	Improving activity of the agencies in charge of conducting financial monitoring and increasing their transparency	<ul style="list-style-type: none"> - Preparation of the proposals on concretization of the authorities of the agencies conducting financial monitoring and on improving mechanisms of financial monitoring - Identification of the justified normative for budget expenditures in all spheres - Preparation of proposals on legislation regulating budget system and on improving budget content - Preparation of proposals on development and execution of the local budget, as well as on monitoring procedures and mechanisms for compliance of the spent funds with the approved budget indicators 	Chamber of Accounts, Chamber of Auditors	International Partners	2008-2009	

3. Improving state procurement

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
39.	Provision of the fair competition and equal right participation in state procurement	<ul style="list-style-type: none"> - Increasing monitoring of the financial agencies over the payments under the state procurement contracts - Development of the mechanism limiting future participation in state procurement of legal persons and individuals who were responsible for violations in the in the contests held under state 	State Agency for Procurement, Ministry of Finances, Ministry of Justice	International Partners	2007-2009	

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
		procurement contracts and in the execution of the procurement contracts - Undertaking appropriate measures for the immediate consideration of the complaints to protect rights of plaintiffs participating in the state procurement contests - Informing law enforcement agencies about the discovered fact of corruption in state procurement - Preparation of proposals for the assessment of the efficiency of the condition of state procurement and of the system of state procurement; on improving existing legislation				
40.	Increasing transparency in state procurement	- Using Internet services for the wider attraction of the participants to the state procurement contests and publication of the information on the results of the contests - Undertaking measures to organize electronic state procurement	State Agency for Procurement	International Partners	2007-2009	State budget and other sources not prohibited by the legislation
41.	Increasing professionalism in state procurement	- Preparation of the information brochures on state procurement - To increase level of proficiency of the experts engaged in organization and conduct of the electronic state procurement, arranging specialized training for them - Increasing responsibility of the tender commissions in the organization and conduct of tender procedures	Cabinet of Ministers, other relevant state agencies	International Partners	Regularly	State budget and other sources not prohibited by the legislation

4. In the area of state registration of the estate property

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
42.	Increasing transparency in state registration of the estate property	- Preparation of proposals on simplification of rules and periods for the registration of the estate property rights, acquisition of the technical	Cabinet of Ministers, State Service for Estate Property	International Partners	2008	State budget and other sources not

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
		<p>passport of the estate property, abstract of state record, for the limitations for the acquisition of the references from the state registry; elimination of the artificial obstacles in these processes</p> <ul style="list-style-type: none"> - Ensuring the possibility to acquire information and documents from the state registry through Internet network 	Registration			prohibited by the legislation

5. Prevention of legalization of the assets acquired at the result of corruption

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
43.	Prevention of legalization of the assets acquired at the result of illegal activity and strengthening institutional mechanisms	<ul style="list-style-type: none"> - Provision of the cooperation and information sharing among the agencies combating money laundering - Improving mechanisms for registration and recording of the financial operations - Undertaking measures to increase volume of non-cash payments among the actors of civil circulation 	Cabinet of Ministers, other relevant government agencies	International Partners	Regularly	
44.	Implementing international standards on prevention of financing of terrorism and money laundering	<ul style="list-style-type: none"> - Instructing relevant employees of the government agencies on measures against money laundering - Informing financial institutions and relevant government agencies on international standards and organization of trainings for them - Undertaking measures for the implementation of Financial Activity Task Force (FATF) 	Cabinet of Ministers, other relevant government agencies	International Partners	2008-2009	State budget and other sources not prohibited by the legislation

6. Improving audit service

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
45.	Implementation of the international	<ul style="list-style-type: none"> - Preparation of manuals and recommendations 	Cabinet of Ministers,	International Partners	2008-2009	

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
	audit standards	regulating activity of the internal audit service in accordance with international standards - Complying the monitoring system over the auditors' activity with the international standards	other relevant government agencies Recommended: Chamber of Auditors			
46.	Increasing the quality of the audit service	- Preparation of the normative legal acts on increasing the auditors' responsibility - Improving normative legal database regulating activity of the internal audit service - Ensuring transparency in accountancy and financial reports of commercial subjects	Cabinet of Ministers, other relevant government agencies Recommended: Chamber of Auditors	International Partners	2008-2009	

7. Improvement license and permission granting process

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
47.	Improvement work of state bodies in issuing licenses and ensuring transparency	- Preparation of recommendations for simplification of terms and conditions of license issuing process - Preparation of recommendations for transition of consent functions (registration, granting licenses, approvals, certificates, etc) to electronic system	Cabinet of Ministers, other relevant agencies	International Partners	2008-2009	

8. Improving taxation and customs work

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
48.	Increasing efficiency of tax control and inspections	- Computerization of selection process of tax audit - Application of automation system for formalization of tax control and results - Preparation of standard indicators system and software program for implementation of cameral and mobile tax inspections - Improving complaint mechanism against decisions of tax bodies	Cabinet of Ministers, Ministry of Taxes	International Partners	2008-2009	

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
		<ul style="list-style-type: none"> - Organization of control over implementation decisions made by tax bodies - Taking actions to prevent cases of evasion by entities which are subject to compulsory audit according to legislation 				
49.	Simplifying provision of necessary information to taxpayers	<ul style="list-style-type: none"> - Creating access to information on budget accounts through internet for taxpayers - Creating access to taxpayer's information via Internet which is not considered a commercial secret - Presenting electronic submission of tax declarations through Internet - Taking actions to adapt the work of tax bodies to the International Monetary Fund's code on the best practices on transparency in taxes 	Cabinet of Ministers, Ministry of Taxes	NGOs, independent experts, International partners	2007-2009	
50.	Improving process of customs tariffs and fees accumulation	<ul style="list-style-type: none"> - Creating information service on customs tariffs and fees in customs offices - Posting information on customs tariffs and fees on a webpage - Transition to non-cash payment system for customs transactions - Improving complaint mechanism against decisions of customs bodies - Organization of effective control over implementation of decisions made by customs bodies - Accelerating commodity turnover on the customs border and creation of favorable conditions for entrepreneurial entities 	State Customs Committee	International Partners	2007-2009	

9. Improving health system

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
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	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
51.	Gradual application of compulsory insurance	<ul style="list-style-type: none"> - Preparation of recommendation for improvement of legislation on compulsory insurance - Determination of institutional mechanisms for implementation of compulsory insurance - Application of compulsory insurance 	Cabinet of Ministers, Ministry of Health, Ministry of Justice, Ministry of Finance	International Partners	2008-2010	State budget and other sources not prohibited by the legislation
52.	Actions related to determination of doctors' status and material-technical resource base	<ul style="list-style-type: none"> - Preparation of recommendations on doctors' status - Implementation of doctors' recruitment based on transparency and competition - Adoption of rules of behavioral ethics for doctors - Raise of doctor's salaries and strengthening of social security 	Cabinet of Ministers, Ministry of Health, Ministry of Justice	NGOs, independent experts, International partners	2008-2010 2008 2008 2008-2011	State budget and other sources not prohibited by the legislation

10. Improving education system

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
53.	Improving management mechanism in educational institutions	<ul style="list-style-type: none"> - Improving mechanism of conducting examinations, ensuring transparency and strengthening public monitoring - Increasing efficiency of complaints resolution mechanism in educational institutions 	Ministry of Education	NGOs, independent experts, International partners	Regularly 2008	
54.	Actions related to determination of teachers' status and material-technical resource base	<ul style="list-style-type: none"> - Preparation of recommendations on teachers' status - Implementation of teachers' recruitment based on transparency and competition - Adoption of rules of code of ethics for teachers - Raise of teachers' salaries and strengthening social security 	Cabinet of Ministers, Ministry of Education	NGOs, independent experts, International partners	2008-2010 2008 2008 2008-2011	State budget and other sources not prohibited by the legislation

V. PUBLIC AWARENESS AND COOPERATION

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implement ation Period	Financial sources
55.	Bringing information to public attention on the actions geared towards combating corruption and implementation of the National Strategy	<ul style="list-style-type: none"> - Conducting workshops, conferences and seminars, public hearings - Preparation of educational publications, films, drawings and other aids - Conducting interviews and discussions with government officials by mass media - Inclusion of training courses on anti-corruption struggle into curricula of higher and special education schools, training centers and centers for improving professional skills 	Cabinet of Ministers, Commission on Combating Corruption, Ministry of Education, central and local executive bodies, Television and Radio Broadcasting Closed Joint Stock Society, Prosecutor-General's Office, Judicial-Legal Council, Ombudsman	NGOs, independent experts, International partners, mass media	Regularly	State budget and other sources not prohibited by the legislation
56.	Increasing role of civil society institutions in implementation of the National Strategy	<ul style="list-style-type: none"> - Involvement of NGOs, private businesses and other stakeholders in the implementation of the National Strategy - Implementation of courses and trainings to increase professionalism, ethics and responsibilities of journalists that specialize in the field of combating corruption - Supporting initiatives of civil society institutions related to the implementation of the National Strategy 	Cabinet of Ministers, Commission on Combating Corruption, central and local executive bodies, other relevant bodies are recommended: Prosecutor-General's Office, Judicial-Legal Council, Ombudsman	NGOs, independent experts, International partners, mass media, Press Council	Regularly	State budget and other sources not prohibited by the legislation
57.	Implementing cooperation in the field of combating corruption	<ul style="list-style-type: none"> - Cooperation with international and regional organizations and participation in various international programs and projects with a purpose of implementing actions of the National Strategy - Continuing cooperation with international organizations and corresponding bodies of foreign countries in the field of combating corruption - Involving technical assistance and consulting of 	Cabinet of Ministers, Commission on Combating Corruption, central and local executive bodies, other relevant bodies are recommended: Prosecutor-General's Office, Judicial-Legal	NGOs, independent experts, international partners	Regularly	

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
		<p>international partners in support for corresponding actions considered in the Action Plan</p> <ul style="list-style-type: none"> - Taking appropriate actions with a purpose of implementing recommendations in the field of combating corruption prepared within the frameworks of GRECO and Istanbul Anti-Corruption Action Plan of OECD - Taking appropriate actions to implement recommendations in the field of combating corruption prepared by Transparency International 	Council, Ombudsman			

VI. MONITORING SYSTEM FOR IMPLEMENTATION OF THE NATIONAL STRATEGY

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
58.	Actions implemented by the state bodies related to implementation of the National Strategy	<ul style="list-style-type: none"> - Preparation of annual plan by central executive bodies and its submission to the Commission on Combating Corruption - Submitting information on the implementation status of the National Strategy by the central and local executive bodies to the Commission on Combating Corruption and the Cabinet of Ministers every six months - Submitting information on the implementation status of the National Strategy by other agencies responsible for its implementation to Commission on Combating Corruption every six months 	Relevant state bodies		<p>By December 20th of each year</p> <p>By 30th December and 30th June of each year</p> <p>By 30th December and 30th June of each year</p>	

	Name of the measure	Activities to be undertaken and expected outcomes	Responsible body for implementation	Partner organizations	Implementation Period	Financial sources
59.	Actions related to implementation of the National Strategy taken by Commission on Combating Corruption and the Cabinet of Ministers	<ul style="list-style-type: none"> - Assessment of implementation status of the National Strategy actions conducted by Commission on Combating Corruption and the Cabinet of Ministers - Conduct of monitoring process with a purpose of inspection of implementation status of the National Strategy by Commission on Combating Corruption - Preparation of annual report on combating corruption Commission on Combating Corruption <p>Providing information on actions implemented in the field of combating corruption within the annual reports of the Cabinet of Ministers of Azerbaijan Republic to Milli Majlis of the Republic of Azerbaijan</p>	Cabinet of Ministers, Commission on Combating Corruption	<p>NGOs, international partners</p> <p>NGOs, international partners</p>	<p>By January 30th and July 30th of each year</p> <p>2008-2011</p> <p>By January 30th of every year</p> <p>2008-2011</p>	

