

D E C R E E
of the President of the Republic of Azerbaijan

On Development of Institutions of Justice

Socioeconomic transformation, modernisation of public administration mechanisms, improvement of judicial legal system, strengthening of democratic institutions in our country necessitate the development of system of institutions of justice and its building in accordance with international standards.

Reforms undertaken within the legal system and legislative acts passed during the last years broadened operation directions of institutions of justice, entrusted them with new tasks and significantly raised their responsibility. Modernisation of public administration mechanisms in the field of justice stipulated enforcement of qualitatively new changes, reformation of the activity of institutions of justice on the basis of principles of transparency and publicity, organization of the activity and structure of the Ministry of Justice in more optimal manner, setting up new regional and domestic bodies in order to meet demands of population in respect of legal institutions and legal assistance. All of these are of great importance for the future of justice system.

In order to facilitate access of citizens to institutions of justice, set up state registration of legal and natural persons, notarial and other legal services in accordance with modern requirements, improvement of the operation of penitentiary facilities and bailiffs as well as law-making activity, increase the quality of forensic expertise, improve legal awareness and information supply with application of new technologies, train highly qualified specialists and secure development of institutions of justice in other spheres, I hereby decree:

1. To establish following bodies within the structure of the Ministry of Justice:

1.1 General Department of Legislation – on the basis of Department of Legislation and Legal Awareness and Department of Legal Scrutiny and Registration of Normative Legal Acts – in order to improve legal scrutiny of normative legal acts and law-drafting activity;

1.2 General Department of Registration and Notary – on the basis of Department of State Registration of Legal Persons and Department of Notary and Civil Status Acts – in order to facilitate state registration activity and increase efficiency of notarial services for legal and natural persons;

1.3 Academy of Justice – on the basis of Legal Training Centre under the Ministry of Justice of the Republic of Azerbaijan – in order to increase professional skills of persons with higher legal education for their appointment to certain positions according to their qualifications as well as improve professional training of justice employees, judges and other legal professionals;

1.4 Department of Human Rights and Public Relations – in order to improve legal awareness and information supply, reinforce relations with public, expand relations with non-governmental organizations;

1.5 Regional Justice Divisions – in order to co-ordinate the activity of institutions of justice locally and strengthen control over them, facilitate access of population to institutions of justice and increase efficiency of administrative control over municipal activity;

1.6 District (City) Registration Divisions (locally) – on the basis of Regional Divisions of State Registration of Legal Persons and Units of State Registration of Civil Status Acts – in order to facilitate activity of state registration of legal and natural persons.

2. To refer to General Department of Enforcement of Court Judgments and Scientific Research Institute of Forensic Expertise, Criminalistics and Criminology Problems which are within the structure of the Ministry of Justice of the Republic of Azerbaijan accordingly as Penitentiary Service and Centre for Forensic Expertise.

3. To approve the structure of the Ministry of Justice of the Republic of Azerbaijan.

4. To determine numerical strength of the central staff of the Ministry of Justice of the Republic of Azerbaijan in number of 344 staff units.

5. To approve composition of the Plenary Board of the Ministry of Justice of the Republic of Azerbaijan.

6. To approve the list of high special rank positions in institutions of justice of the Republic of Azerbaijan.

7. To commission the Ministry of Justice of the Republic of Azerbaijan with the following:

7.1 To secure improvement of law-drafting activity, establishment of Internet information resource of normative legal and related acts as well as its regular update;

7.2 To secure organization of legal services rendered in notary and other fields corresponding to modern requirements;

7.3 To formulate draft Statute of the Academy of Justice and submit it to the President of the Republic of Azerbaijan within three months for its approval;

7.4 To secure formation of highly professional staff in the justice system, improvement of professional education and training system of justice employees, evaluation of the activity of employees, implementation of recruitment of justice employees on the basis of transparent procedures;

7.5 To submit proposals on rules for competition and interview related to recruitment to the service in institutions of justice and provided in Article 4.6 of the Law of the Republic of Azerbaijan On Passing Service in Institutions of justice to the President of the Republic of Azerbaijan;

7.6 To submit proposals on improvement of mechanisms of the human rights protection to the President of the Republic of Azerbaijan;

7.7 To take measures on organization of the activity on explanation normative legal acts passed and legal enlightenment of population on the basis of modern requirements;

7.8 To determine fields of activity and authorities of Regional Justice Divisions;

7.9 To take measures on formation and development of State Register of Population of the Republic of Azerbaijan;

- 7.10 To solve the issue of establishment of new penitentiary facilities in the regions;
- 7.11 To take measures on expansion of types of forensic expertise and promotion of efficiency of the scientific research activity of the Centre of Forensic Expertise using the latest scientific and technological achievements;
- 7.12 To take measures on improvement of operation of Penitentiary Service, elimination of shortcomings existing in this field, observance of prisoners' rights, rendering assistance to re-integrate them to the society;
- 7.13 To take effective measures on increasing efficiency of enforcement of court judgments;
- 7.14 To secure implementation of obligations undertaken by the Republic of Azerbaijan on issues regulated by the international agreements and related to the competence of the Ministry of Justice of the Republic of Azerbaijan.

8. To commission central and local executive authorities with and recommend National Bank of the Republic of Azerbaijan, National TV and Radio Council and local self-management bodies to secure submission of all adopted normative legal and related acts to the Ministry of Justice of the Republic of Azerbaijan in term provided by the legislation for their state registration.

The Ministry of Justice of the Republic of Azerbaijan shall take measures on securing compliance of registered normative legal and related acts to the national legislation.

9. To commission the Cabinet of Ministers of the Republic of Azerbaijan with the following:

9.1 To take measures for provision of institutions of justice with premises, equipment, communication, transport and other necessary organizational-technical means for creation of conditions required for their operation bearing in mind new structure of the Ministry of Justice of the Republic of Azerbaijan and solve financial issues thereof;

9.2 To determine numerical strength of justice employees bearing in mind structural changes in the system of the Ministry of Justice of the Republic of Azerbaijan, including establishment of Academy of Justice, new Court offices, penitentiary facilities and Regional Justice Divisions and foresee the allocation of relevant financial assets in 2007 draft budget of the Republic of Azerbaijan for enlargement of staff units;

9.3 To formulate proposals on bringing legislative acts in force to conformity with the present Decree and submit them to the President of the Republic of Azerbaijan within a month;

9.4 To secure bringing normative legal acts of the Cabinet of Ministers of the Republic of Azerbaijan and relevant central executive authorities to conformity with the present Decree and inform the President of the Republic of Azerbaijan thereof;

9.5 To solve, within its competence, other issues arising from the present Decree.

10. Present Decree shall enter into force from the day of its signing.

Ilham Aliyev
President of the Republic of Azerbaijan
Baku, 17 August 2006