

Azerbaijan – national procedures for mutual legal assistance in criminal matters
Updated 09/12/2015

States Parties are requested to fill in this table with the necessary information and return it to the Secretariat of the PC-OC. The information contained in this table should be updated on a yearly basis.

The competent authority (name of the institution, address, telephone, fax and e-mail where available) responsible for rendering mutual legal assistance:	International Co-operation Department of the Ministry of Justice of the Republic of Azerbaijan Tel: (+99412) 430 01 67; Fax: (+99412) 510 29 40; E-mail: international@justice.gov.az
Language requirements:	In accordance with Law of Azerbaijan Republic on Legal Assistance in Criminal Matters dated 29 June 2001 (thereafter-Law) documents submitted in regard to legal assistance shall be translated into Azeri or with consent of Ministry of Justice of Azerbaijan Republic into one of official languages of United Nations. (Law, Article 16).
Time limits:	
Documentation required:	The request for rendering legal assistance sent by the competent authority of a foreign state to the Ministry of Justice of the Republic of Azerbaijan shall include the following: <ul style="list-style-type: none"> - name of the competent authority of the requesting state; - name of the relevant authority investigating the case concerned; - subject and content of the request; - elements of the criminal offence, description of facts, legal evaluation, text of the relevant criminal law of the requesting state; - name, patronym, surname, and place of residence of the person whose documents are being requested; - other information needed for consideration of the request for legal assistance; - information on identity and residence of the person from whom information and material evidence is

	<p>to be obtained;</p> <ul style="list-style-type: none"> - information about identity and presumed location of the person whose location is being requested; - description of the place, person, and material evidence (objects) to be searched; - list of the questions to be given to the person; - the amount to be given to the person sought abroad and information about payment of fees; <p>When needed the Ministry of Justice of the Republic of Azerbaijan may ask for additional information. (Law, Article 4)</p>
<p>List of possible actions sought:</p>	<p>The execution of legal assistance defined by the National Legislation of Azerbaijan Republic consists of the following:</p> <ul style="list-style-type: none"> - obtaining witness statement and explanation; - providing court documents; - conducting search or seizure; - reviewing objects, living or other areas; - providing files, information or material evidence; - providing expert opinion; - providing original or certified copies of documents, including banking and financial documents; - determining identity or place of residence; - conducting search of property or putting arrest on property; - determining criminally obtained income, property, and means for committing crime; - other actions taken in accordance with national legislation of the Republic of Azerbaijan (Law, Article 2.3)
<p>Double criminality requirement, if applicable:</p>	<p>If a request is made for action that is not considered criminal according to the legislation of Azerbaijan Republic rendering of legal assistance will be denied (Law, Article 3.1.4)</p>
<p>Statutes of limitation for special</p>	

offences, if applicable:	
Limitation of use of evidence obtained:	Upon request by Ministry of Justice of the Republic of Azerbaijan, the requesting authority of the foreign state shall return the files, documents and material evidence within the agreed period of time (Law, Article 13)
Means of communication:	Communication for rendering legal assistance is provided by the Ministry of Justice of the Republic of Azerbaijan or other competent authority (Law, Article 15)
Other particularly relevant information (such as national legislation, national guides on procedure, links to national web sites):	Agreements which the Republic of Azerbaijan is a Party to, 1959 European Convention on Mutual Assistance in Criminal Matters, 29 June 2001 Law of Azerbaijan Republic on Legal Assistance in Criminal Matters, Criminal Procedural Code of Azerbaijan Republic (Chapter LVII).