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**Eastern Partnership-Council of Europe Facility Project on  
“Good Governance and Fight against Corruption”**

Activity 1.4: “Risk Assessment: Typologies of underlying causes of corruption”

Technical Paper  
**Country risk assessment – Azerbaijan**

**“Ethics in Civil Service”**

prepared by  
Tilman Hoppe  
Project Long-Term Adviser

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For any additional information please contact:

Economic Crime Cooperation Unit  
Action against Crime Department  
Directorate General Human Rights and Rule of Law  
Council of Europe  
F-67075 Strasbourg Cedex  
Tel: +33 3 90 21 42 14/Fax: +33 3 88 41 27 05  
Email: [maia.mamulashvili@coe.int](mailto:maia.mamulashvili@coe.int)  
Web: [www.coe.int/eap-corruption](http://www.coe.int/eap-corruption)

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## 1 SUMMARY

Azerbaijan has undertaken substantial reforms in public administration during the last years. One of the issues that remains challenged is poor conduct by a part of the civil servants' workforce. This study is the result of a desk review of legislation and a field mission to Baku (23-27 April 2012), and focuses on patterns of ethical weaknesses, possible explanations, and most importantly, recommendations for action.

The three most common **ethical violations** seem to be:

- Lack of service culture;
- Bribe and "gift" taking;
- Abuse of conflict of interest.

Possible **explanations** for these shortcomings are:

- Remains of previous Soviet standards;
- Lack of ethical leadership;
- Lack of training on how to deal with ethical dilemmas;
- Lack of enforcement of ethical rules;
- Working conditions;
- The myth of the "unquestionable state";
- The tendency to hide ethical violations;
- Lack of respect for public assets;
- Lack of public awareness.

The following actions could each enhance the ethical culture in Azerbaijan's public administration:

- Introducing competitive reporting on agencies;
- Ensuring a higher independency of Ethics Commissioners;
- Having Ethics Commissioners reporting to the Civil Service Commission rather than to heads of agencies;
- Elaborating regulations on investigations by Ethics Commissioners and on disciplinary proceedings;
- Considering assignment of competency for disciplinary proceedings to Ethics Commissioners; Strengthening and specialising the ethics unit at the Civil Service Commission (staffing and creation of specialised unit);
- Coordinating ethics at all state institutions through one body (e.g. Civil Service Commission);
- Rolling out interactive trainings on ethical dilemmas nationwide, supported by strategic planning;
- Considering appropriate actions to ensure high ethical leadership and public awareness by adopting and implementing a conflict of interest law, an asset declaration system and abolishing immunities of high public officials;
- Making integrity testing a standard prevention and monitoring measure.

## **2 SCOPE OF ASSIGNMENT**

This Paper is part of the Project's regional Activity 1.4 "Risk Assessment: Typologies of underlying causes of corruption". The aim of this activity is to analyse causes and risks of corruption, and identify weaknesses in countermeasures and need for action in integrity systems of the Eastern Partnership countries by addressing a specific sector in each country.

For Azerbaijan, "Ethics in Civil Service" has been chosen as a topic. The purpose of this study is twofold: it serves as a risk assessment for addressing corruption risks related to general ethical violations in civil service, and it will contribute to trainings of trainers on ethics for civil servants to be conducted on 16-17 October 2012 in Baku in the framework of this Project. This study is thus focusing on patterns of poor conduct, possible explanations, and most importantly, recommendations for action. It does not, and cannot – given the resources and time allocated for this exercise within the Project – give an exhaustive picture of the state of civil service in Azerbaijan.

## **3 KEY FIGURES**

### **3.1 Statistics**

About 28,648 civil servants are employed in the public administration system of Azerbaijan (as of end of 2010). This is about 0.7 % of all working people. 28% of civil servants are women (8,115). See Appendix 8.2 for further statistics.

### **3.2 Salary and social security**

The average national monthly salary for civil servants is 425 Manat (about €430 as of June 2012), ranging from 170 Manat on some regional level to 572 Manat in Baku. Whereas teachers might earn as low as 120 Manat, civil servants at the Presidential Administration can earn beyond 1,000 Manat.

Several laws and bylaws are aimed at guaranteeing social security of civil servants, for example regulations:

- "About the Providing of Civil Servants with Pension";
- "About Compulsory Insurance of Civil Servants";
- "About Increasing the Coefficient of the Addition to the Salary for Those of Civil Servants Whose Activity is Connected with a Danger to the Life".

However, it appeared from the interviews that the Regulations "About the Compulsory Insurance of Civil Servants" are still in the process of being fully implemented.

## **4 ETHICAL FRAMEWORK**

### **4.1 Laws**

The legal framework of the civil service in Azerbaijan is contained in numerous laws, decrees and orders of the President, decisions of the Parliament and of the Cabinet of Ministers. There are about 90 various pieces of legislation, both primary and secondary, which regulate civil service in different sectors and in different areas.<sup>1</sup>

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<sup>1</sup> OECD/ACN Monitoring Report, 2<sup>nd</sup> Round, 31 March 2010, p. 31, [www.oecd.org/dataoecd/8/11/44996103.pdf](http://www.oecd.org/dataoecd/8/11/44996103.pdf).

#### 4.1.1 Law on Civil Service

The Law on Civil Service of 2000 became effective as of 1 September 2001 (n°926IQ). It remains the main legal act for civil servants, but does not cover **law enforcement** officials, officials of the National Bank and of regional and local administration, and some other officials, who are regulated by sector specific acts.

Article 20 of the Law on Civil Service contains rules on incompatibilities:

*“20.1. The civil servant shall not be entitled to the following:*

*20.1.1. to hold an additional paid position (except for temporary position in order provided for by the labour legislation), no elective or appointed in state bodies;*

*20.1.2. except for scientific and creative activity, to be involved in pedagogical and other paid activity without a permission of the head of state body he/she serves in;*

*20.1.3. to be an attorney of the third persons on cases of state or local self-governing bodies;*

*20.1.4. to use for the benefit of third persons an information on issues concerning his/her civil service and state secret or any other secret being protected by the law within the terms specified by the legislation of the Republic of Azerbaijan after civil service termination;*

*20.1.5. to travel abroad at the expense of foreign country not notifying the head of the state body he/she is serves in;*

*20.1.6. to take part in activity of the political parties during fulfilment of service duties;*

*20.1.7. to participate in strikes and other actions damaging work of the state authorities;*

*20.1.8. to use the status of civil servant in order to promote a religion and to officialise religious actions in the objects being subordinated to the state bodies;*

*20.2. Member of the Election commission with a decisive vote must not be engaged in civil service.*

*20.3. If actions of civil servant conflict with requirements of this article, he/she shall upon receipt of notification determine for himself/herself whether he/she prefers civil service or other activity and inform the head of the state body he/she serves in on this decision within thirty (30) days unless otherwise is provided in the legislation.”*

It should be noted that Article 15 of the Council of Europe’s Model Code of Conduct for Public Officials<sup>2</sup> extends incompatibilities to unpaid positions and activities as well, with the option of receiving permission and guidance in unclear cases:

*“Article 15 – Incompatible outside interests*

*1. The public official should not engage in any activity or transaction or acquire any position or function, whether paid or unpaid, that is incompatible with*

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<sup>2</sup> Recommendation No. R (2000) 10 of the Committee of Ministers to Member states on codes of conduct for public officials (Adopted by the Committee of Ministers at its 106<sup>th</sup> Session on 11 May 2000), [http://www.coe.int/t/dghl/cooperation/economiccrime/corruption/default\\_en.asp](http://www.coe.int/t/dghl/cooperation/economiccrime/corruption/default_en.asp).

*or detracts from the proper performance of his or her duties as a public official. Where it is not clear whether an activity is compatible, he or she should seek advice from his or her superior.*

2. *Subject to the provisions of the law, the public official should be required to notify and seek the approval of his or her public service employer to carry out certain activities, whether paid or unpaid, or to accept certain positions or functions outside his or her public service employment.*

3. *The public official should comply with any lawful requirement to declare membership of, or association with, organisations that could detract from his or her position or proper performance of his or her duties as a public official.”*

Including unpaid activities would have the advantage of preventing circumventions by pretending activities to be unpaid, or from owning (and running) own businesses which might not be necessarily understood as a “paid position”.

According to Article 23.1 Law on Civil Service, “*violations of ethical conduct rules shall be a ground for calling civil servant to disciplinary responsibility.*”

The proceedings are regulated in Article 25 of the Law on Civil Service which foresees the following disciplinary **sanctions**:

- rebuke;
- reduction in salary from 5% up to 30% for a period of one year;
- transfer to the same grade position but with the lower official salary;
- transfer to the lower grade position;
- demotion of professional rank for one level;
- dismissal from the civil service.

#### **4.1.2 Ethics Conduct Rules**

The Law on Rules of Ethics Conduct of Civil Servants has become effective as of 16 August 2007.

The main ethical areas addressed by the Law are (respective articles in brackets):

- Honesty (4)
- Respect for rights and freedoms of individuals and legal persons (8.1)
- Civilised behaviour (9)
- Loyalty (6)
- Obedience (10)
- Transparency (7.3, 17.1)
- Confidentiality (8.3, 17.2-3)
- Impartiality (11)
- Conflict of interest (15)
- Receipt of gifts and benefits (12,13.1, 14)
- Use of public property (16)
- Public/political activity (18)
- Incompatibilities (revolving doors) (23)

Many government entities have adopted their own codes of ethics, as for example the Ministry of Economic Development.

In addition, there are ethical standards and courts in place for some independent professions, including lawyers, notaries, auditors and accountants.

#### **4.1.3 Draft Law on Prevention of Conflict of Interest**

A Law on Prevention of Conflict of Interest has been debated for years<sup>3</sup> and the current draft defines conflict of interest and rules of incompatibility but has not been passed by the Parliament yet.<sup>4</sup> The National Action Plan for Combating Corruption for 2012-2015 foresees as Action 9.1 the “submission of proposals on improvement of legislation related to the prevention of conflict of interests in the activity of the civil servants and other officials working in the state institutions”. However, it does not contain an explicit commitment for adopting the draft Law on Conflicts of Interest.

#### **4.1.4 Gifts**

The Law on Combating Corruption includes a provision on accepting gifts with a monetary limit per year. The Law on Rules of Ethics Conduct of Civil Servants 2007 and the Law on Combating Corruption 2005 set the limits on gifts that may be accepted by civil servants in section 14 and section 8 respectively. The limit is the value of 55 Manats per year (about €55).

#### **4.1.5 Asset declarations**

The Law on Combating Corruption requires public officials since 2005 to submit asset declarations. However, submission and verification of declarations is not yet operational. Under current legislation, declarations cannot be disclosed to the public.

The National Action Plan for Combating Corruption for 2012-2015 does not contain an explicit commitment for making the asset declaration system operational, but rather touches only on one aspect of it (Action 9.3: “Preparation of proposals on electronic submission of financial declarations by officials”).

### **4.2 Institutions**

#### **4.2.1 Civil Service Commission**

The Civil Service Commission (CSC) under the President of the Republic of Azerbaijan was established by Decree of the President of the Republic of Azerbaijan No 180 of 19 January 2005. The CSC is mandated to:

- Carry out competitive exams for entry into the civil service;
- Carry out/conduct competitive promotions for vacant positions;
- Organise training and re-training of civil servants;
- Draft legislation and bylaws in the area of civil service;
- Oversee implementation of the civil code of ethics;
- Manage the registry of civil servants;

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<sup>3</sup> See Council of Europe AZPAC Project “[Expert opinion on the draft Law on the Prevention of Conflicts of Interest in the Activities of the Public Officials](http://www.coe.int/t/dghl/cooperation/economiccrime/corruption/Projects/AZPAC/951-AZPAC-TP-draftCol%20law.pdf)” by Quentin Reed, 2008, <http://www.coe.int/t/dghl/cooperation/economiccrime/corruption/Projects/AZPAC/951-AZPAC-TP-draftCol%20law.pdf>.

<sup>4</sup> OECD/ACN, *ibid*.



- Carry out awareness raising campaigns;
- Exercise strategic oversight over the civil service.

The legal department of the CSC consists of 3 staff members, two of which conduct trainings. The staff currently shares one office, but will be moving into a new office on the new premises of the CSC that are under construction.

#### **4.2.2 Civil Service Management Board**

The Civil Service Management Board (hereinafter the “Board”) consists of 18 members. The President, the Chairman of Milli Mejlis (Parliament) and the Chairman of the Constitutional Court of Azerbaijan each appoint 6 members. The board is not recognised as a state body but is a high-level, mainly consultative organ. The main objective of the Board is to supervise the implementation of the Law on Civil Service and to elaborate relevant legal acts and methodical guidance on civil service.

#### **4.2.3 Ethics Commissioners**

As implied by Article 22 of the Law on Ethical Rules, each state body has to appoint an Ethics Commissioner who will be in charge of overseeing the implementation of ethical rules. In practice, those Ethics Commissioners are either from human resources or internal audit departments, or heads of agencies themselves. Most Ethics Commissioners are high-level officials. In some cases, Ethics Commissioners are appointed from the expert ranks. This poses a challenge, as they cannot make use of the additional resources (staff, office, etc.) which are available to heads of departments.

### **4.3 Enforcement**

#### **4.3.1 Trainings**

Training on ethics is provided as a part of vocational trainings, but is not included in inductive trainings.

Trainings have been concentrating so far on presenting the ethical regulations, and on clarifying possible questions in a classroom discussion. Trainings do not contain interactive or group work on ethical dilemmas. There is also no training available for Ethics Commissioners on good practices and challenges in disciplinary proceedings. There is yet no training plan available on how ethics trainings could reach all civil servants within a given timeframe.

There is no formal incentive to take part in trainings, such as the requirement for civil servants to have taken part in an ethics training one year prior to promotion.

Training statistics are not available on the CSC’s website as numerical charts, but only as narrative information for the years 2010 and 2011 lacking key data such as number of participants and duration of trainings:

*“500 booklets on ethics were published in 2010 and distributed among civil servants and citizens. Investigation for complaints and information entered from civil servants and citizens to the Commission about violations of the ethics conduct rules was held. In relation with implementation of the Action Plan of the “National Strategy on Transparency Increase and Fighting against Corruption” (2007-2011) by the Commission, delivery of trainings and workshops for central and local executive power bodies on ethics conduct issues was included into the Action Plan as regular (quarter) activity in 2010.*

*The representatives of the Commission delivered trainings on the actual topics – essence and principles of ethics conduct rules, ethics conduct rules required from civil servants and their observance, implementation of the Law of the Republic of Azerbaijan “On ethics conduct rules of civil servants” for employees of Ministry of Economic Development on 18 March, 15 April, 6 May, 16 June, 13 July, 12 November; for employees of the Ministry of Ecology and Natural Resources on 21 April; for employees of the Ministry of Communication and Informational Technologies on 9 June and for employees of the State Committee for Securities on 28 September. Presentation on the “Ethics conduct rules of civil servants” was made for employees of 11 administrative executive power bodies of Baku city on 24 February.*

*The Commission sent relevant letters to central and local executive power bodies and in the letters the Commission recommended on delivery of trainings for ethics conduct rules, and required semi-annual information about delivered trainings and results of complaints entered because of violation of ethics conduct rules and applied disciplinary actions in accordance with article 20.0.2 of the Law of the Republic of Azerbaijan “On ethics conduct rules of civil servants”.*

*Results of summarizing information presented by the central executive power bodies about ethics conduct issues showed that trainings on ethics conduct rules of civil servants were organized in the Ministry of Transport, Ministry of Finance, Ministry of Economic Development and Ministry of Education during 2010 due to approved schedule.”<sup>5</sup>*

2011:

*“[...] In cooperation with United Nations Development Programme (UNDP) and the German International Cooperation (Giz), and together with local authorities, central executive bodies and local divisions, regional trainings were organized for the employees of judicial bodies. 600 civil servants took part [...] in 75 cities and districts. [...]”<sup>6</sup>*

#### **4.3.2 Disciplinary proceedings**

Ethics Commissioners propose the initiation of disciplinary proceedings based on ethical violations. The decision to initiate proceedings resides with the head of the respective state body. The civil servant in question can appeal against any disciplinary sanction to the CSC, and in next instance to the administrative courts.

Information about disciplinary sanctions is kept in the human resources files of the civil servants concerned.

As with training statistics, statistics on disciplinary proceedings are not available on the CSC’s website as numerical charts, but only as narrative information for the year 2011 lacking key data such as category of violation, sanction applied, number of complaints and investigations, etc.:

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<sup>5</sup> Report for performance of the Civil Service Commission in 2010 in the field of human resources management in civil service, 9 February 2011, [http://dqm.az/aze/index.php?option=com\\_content&view=article&id=2525%3Akomissiyann-2010-cu-il-rzind-faliyyti-bard-hesabat&catid=90%3Akomissiyann-faliyyti-bard-illik-hesabatlar-&Itemid=89&lang=en](http://dqm.az/aze/index.php?option=com_content&view=article&id=2525%3Akomissiyann-2010-cu-il-rzind-faliyyti-bard-hesabat&catid=90%3Akomissiyann-faliyyti-bard-illik-hesabatlar-&Itemid=89&lang=en).

<sup>6</sup> Annual Report of the Civil Service Commission 2011, [http://www.dqm.az/aze/index.php?option=com\\_content&view=article&id=2681%3Akomissiyann-2011-ci-il-rzind-faliyyti-bard-hesabat&catid=90%3Akomissiyann-faliyyti-bard-illik-hesabatlar-&Itemid=89&lang=en](http://www.dqm.az/aze/index.php?option=com_content&view=article&id=2681%3Akomissiyann-2011-ci-il-rzind-faliyyti-bard-hesabat&catid=90%3Akomissiyann-faliyyti-bard-illik-hesabatlar-&Itemid=89&lang=en) (in Azerbaijani).

2011:

*“The civil servants serving in the Ministry of Labour and Social Protection of the Population, Ministry of Economic Development, State Committee for Securities, State Statistics Committee, Ministry of Industry and Energy, State Committee of Land and Cartography, Executive Power of Gubadli region, Executive Power of Kurdemir region, Executive Power of Kalbadjar region, Executive Power of Imishli region, Executive Power of Nasimi district of Baku city, Executive Power of Lachin region violated ethics conduct rules and relevant disciplinary actions were applied against them.”<sup>7</sup>*

### **4.3.3 Internal and external complaints**

Public officials can complain to their superiors, or, directly to the Ethics Commissioners within their state body.

Citizens can complain about ethical violations to the respective state body, to its Ethics Commissioner, or to the Civil Service Commission. Statistical data on the number of complaints by citizens is not publicly available.

### **4.3.4 E-governance**

The website “etika.az” provides comprehensive information on ethical regulations. Citizens can lodge complaints there online, which are forwarded to the Civil Service Commission. This website also contains contact information of all Ethics Commissioners (name, position, contact details) in central and local state bodies.

The website of CSC contains all ethical regulations and provides some information about implementation (trainings, disciplinary proceedings).<sup>8</sup>

### **4.3.5 Public awareness**

Public awareness of ethics seems to be growing, with the number of reported violations increasing. Still, information about ethical rules does not seem to be displayed in all public agencies.

## **4.4 Policy**

The National Action Plan for Combating Corruption for 2012-2015 makes reference to ethics reforms as follows:

*“Article 10. Improvement of Ethical Conduct Rules*

*Actions and indicators of implementation*

*10.1 Arrangement of regular ethical conduct trainings and study courses for civil servants*

*Implementation: Central and local executive authorities and Civil Service Affairs Commission with the President of the Republic of Azerbaijan in 2012-2015*

*10.2 Preparation, submission to the Commission on Combating Corruption and publication of the annual reports on ethical conduct, which shall include*

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<sup>7</sup> Report for performance of the Civil Service Commission in 2010 in the field of human resources management in civil service, 9 February 2011, [http://dqmk.az/aze/index.php?option=com\\_content&view=article&id=2525%3Akomissiyann-2010-cu-il-rzind-faliyyti-bard-hesabat&catid=90%3Akomissiyann-faliyyti-bard-illik-hesabatlar-&Itemid=89&lang=en](http://dqmk.az/aze/index.php?option=com_content&view=article&id=2525%3Akomissiyann-2010-cu-il-rzind-faliyyti-bard-hesabat&catid=90%3Akomissiyann-faliyyti-bard-illik-hesabatlar-&Itemid=89&lang=en).

<sup>8</sup> <http://dqmk.az/aze/index.php?lang=en>.

*information on awareness raising, instances of violation and disciplinary punishment measures applied*

*Implementation: Central and local executive authorities and Civil Service Affairs Commission with the President of the Republic of Azerbaijan in 2012-2015*

*10.3 Elaboration of an effective mechanism for investigation of complaints on violation of the ethical behavior conduct*

*Implementation: Central and local executive authorities and Civil Service Affairs Commission with the President of the Republic of Azerbaijan in 2013-2014*

*10.4 Allocation of the ethic conduct section on the web-pages of the state institutions, which shall contain mechanism of electronic submission of complaints on unethical behavior, ethic rules, reports, etc.*

*Implementation: Central and local executive authorities in 2013*

*10.5 Development of the ethical conduct training and study module and definition of the minimum requirements thereof*

*Implementation: Commission on Combating Corruption and Civil Service Affairs Commission with the President of the Republic of Azerbaijan in 2013-2014”*

Several other strategies/action plans touch upon civil service reform from different angles as well.<sup>9</sup>

## **5 ETHICAL WEAKNESSES**

### **5.1 Patterns**

As mentioned above, there is no statistical data available on the number and categories of ethical violations. The interviews conducted during the field mission point to the following ethical issues being the main challenges.

#### **5.1.1 Lack of service culture**

Civil servants tend to treat citizens not as clients, but as subjects dependant on their power and discretion. This attitude manifests itself as follows:

- choice of disrespectful words and tone;
- lack of assistance to citizens in need (provision of advice or other available resources, etc.);
- unwillingness to proceed with matter.

This pattern of ethical violations is related to Article 8.1 of the Law on Rules of Ethics Conduct of Civil Servants “Respect for rights and freedoms of individuals and legal persons”.

#### **5.1.2 Abuse of conflict of interest**

Civil servants, especially in local and regional contexts, would let their family or friendship loyalties influence their decision-making. This pattern has also been reported on the central level, where high-level officials of different ministries would be connected and influenced by cross-cutting family interests. This pattern of ethical violation is related to Article 11 of Law on Rules of Ethics Conduct of Civil Servants, which deals with impartiality.

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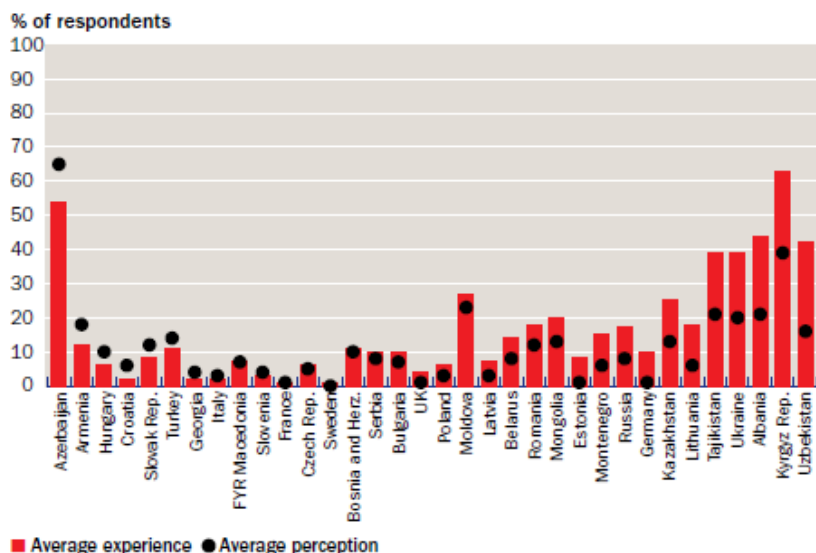
<sup>9</sup> [http://dgmk.az/aze/index.php?option=com\\_content&view=article&id=2259&Itemid=247&lang=en](http://dgmk.az/aze/index.php?option=com_content&view=article&id=2259&Itemid=247&lang=en).

### 5.1.3 Bribe and gift taking

One of the three most cited ethical violations is bribe and “gift” taking. It is probably the most serious ethical violation as it constitutes a criminal offence at the same time.

A high level of bribery in public service in Azerbaijan is not only suggested by perception-based surveys, but also by experience-based surveys, such as the “Life in Transition Survey” (LiTS) by the European Bank for Reconstruction and Development<sup>10</sup>:

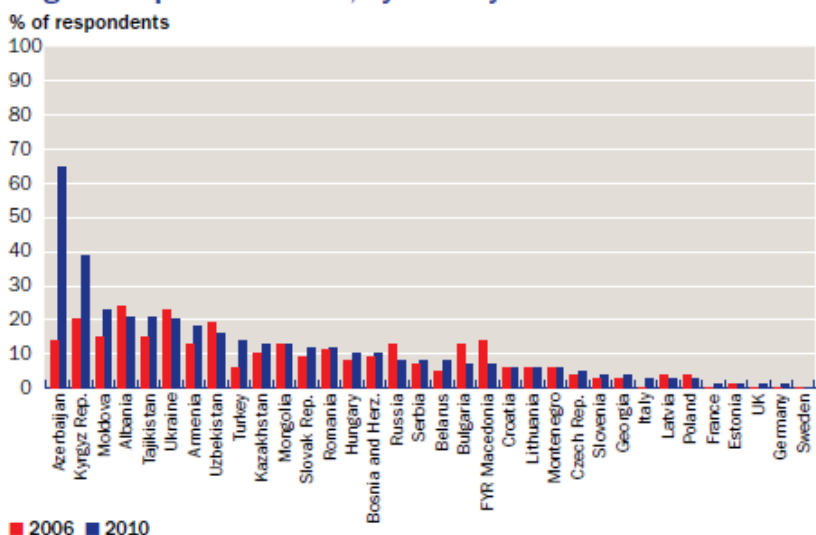
#### Perception versus experience of corruption



Source: LiTS II (2010).

Note: "Average perception" refers to the proportion of respondents who say people like themselves usually or always have to make unofficial payments or gifts averaged across all public services covered by the survey. "Average experience" refers to the proportion of respondents who say they or a member of their household have made an unofficial payments or a gift in the past 12 months averaged across all public services covered by the survey.

#### Average level of perceived necessity of unofficial payments or gifts for public services, by country



Source: LiTS I (2006), LiTS II (2010).

Note: "Perception of unofficial payments" refers to the proportion of respondents who say people like themselves usually or always have to make unofficial payments or gifts averaged across all public services covered by the survey.

<sup>10</sup> European Bank for Reconstruction and Development, “Life in Transition Survey” (2010), p. 39, [www.ebrd.com/downloads/research/surveys/LiTS2e\\_web.pdf](http://www.ebrd.com/downloads/research/surveys/LiTS2e_web.pdf).

## 5.2 Occurrence

Most respondents of the interviews have pointed out that ethical violations occur more frequently on local level than on central level.

As for sectors, traffic police and prosecutor's office/judiciary seem among the most challenged sectors.

Ethical violations are not limited to contacts between public officials and citizens, but reportedly occur among public officials, especially from officials in a higher level of hierarchy towards subordinates.

## 6 POSSIBLE EXPLANATIONS

The following reasons were given for the poor standards of conduct in the public sector:

- Certain ethical attitudes are simply a legacy of **soviet standards** of treating clients that are visible in elder civil servants. These attitudes are handed down to some extent from elder civil servants to new ones as part of the "formation process". The (partial) perpetuation of this systemic ethical abuse generates apathy and fear, both among potentially progressive civil servants and among citizens;
- In some state bodies the **leadership** is lacking enough visible ambition for high ethical standards; without such leadership there is little courage or even motivation in the lower hierarchies for change. Surveys among civil servants in other countries show that a need for ethical leadership is among the top necessities for changing ethical attitudes among civil servants;<sup>11</sup>
- Civil servants are not sufficiently aware of ethical values in civil service. There seems to be also a lack of awareness and **training** on how to deal with ethical dilemmas. In addition, there seems to be a misconception that a conflict of interest is already corruption, and not only the wrong handling of it;
- There seems to be a clear lack of **enforcement** in some parts of public administration. Some state bodies report outstandingly low numbers of disciplinary proceedings to the Civil Service Commission; some state bodies do not even report any numbers at all. This is in stark contrast to the frequent and almost systemic ethical violations reported by virtually all interviewees;
- The lack of cooperation in reporting disciplinary proceedings to the Civil Service Commission seems to be facilitated by the misunderstanding that a high number of investigated and adjudicated ethical cases would be a sign of an administration with a high number of ethical violations, and thus, a general poor conduct;
- **Public awareness** of ethics seems to be growing, with the number of reported violations increasing. Still, information about ethical rules does not seem to be displayed in all public agencies;
- Interviewees for this Study, as well as past assessments pointed out systemic and long-standing conflicts of interest by high public officials owning companies in lucrative sectors.<sup>12</sup> Ethical violations in conflicts of interest situations and personal

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<sup>11</sup> A Comparative Approach towards Public Service Ethics in Estonia, Latvia and Lithuania by Jolanta Palidaukaite (Lithuania), Aive Pevkur (Estonia), Iveta Reinholde (Latvia), Paper presented at EGPA annual conference in Madrid, 2007 <http://www.law.kuleuven.be/integriteit/egpa/previous-egpa-conferences/madrid-2007/palidaukaite.pdf>.

<sup>12</sup> C. W. Johnson (2006). Improving Program Design and Management to Enhance Anti-Corruption Impact in the USAID Azerbaijan Portfolio. Paper produced by Development Alternatives Inc. for USAID/Caucasus-Azerbaijan, January 2006, [http://pdf.usaid.gov/pdf\\_docs/PNADP875.pdf](http://pdf.usaid.gov/pdf_docs/PNADP875.pdf); Quentin Reed, Regulating conflicts of interest in challenging environments: The

enrichment of leadership would always reflect negatively down to the ethical motivation of ordinary civil servants (and citizens);

- **Working conditions** seem to be a factor for civil servants to perform on a high standard, including ethically. This would concern mainly salaries and office space;
- The “**unquestionable state**” seems to be a strong cultural belief and value in Azerbaijan. This belief has a strong impact on the attitude of civil servants as well as on the willingness of citizens to stand up for their rights;<sup>13</sup>
- Strongly connected with the “unquestionable state” is the tendency to perceive a **transparent** dealing with ethical violations in public administration as “washing dirty linen in public.” A related Turkish saying is: “a broken arm should remain inside the sleeve”;<sup>14</sup>
- A large part of society was isolated from the state elite of the Ottoman and Soviet government. As a consequence, there is **little respect**, in practice, to the protection of **public assets**. Therefore, citizens and civil servants tend to see no problem in capturing public assets in illegal ways, as they feel it is now their time to use them.

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case of Azerbaijan, U4 Issue 2010:2, <http://www.u4.no/publications/regulating-conflicts-of-interest-in-challenging-environments-the-case-of-azerbaijan/downloadasset/184>.

<sup>13</sup> See for Turkey: Omurgonulsen/Oktem, Towards An Understanding Of The Cultural Pillars Of Ethical Administration In Turkey: A Qualitative Research Endeavour, <http://www.law.kuleuven.be/integriteit/egpa/previous-egpa-conferences/milan-2006/omurgunulson.pdf>.

<sup>14</sup> Alan Doig, Background Review, Council of Europe TYEC Project, 2009, [http://www.coe.int/t/dghl/cooperation/economiccrime/corruption/Technical%20Papers/TYEC/1062\\_TYEC\\_TP\\_17\\_RP\\_Draft\\_CorruptionRewTR\\_AD\\_March09.pdf](http://www.coe.int/t/dghl/cooperation/economiccrime/corruption/Technical%20Papers/TYEC/1062_TYEC_TP_17_RP_Draft_CorruptionRewTR_AD_March09.pdf).

## 7 RECOMMENDATIONS

### 7.1 Competitive reporting on agencies

The Civil Service Commission provides narrative information on trainings delivered and disciplinary proceedings carried out on the basis of information submitted by state bodies. There is room for further improvement, as the narrative information does not allow for a transparent comparison of all state bodies. As a consequence, there is no competition among agencies and thus no incentive for performing well.

Charts on trainings and disciplinary proceedings should show all state bodies, including those that did not provide any information at all. All charts need to show total figures and what these numbers mean in percentages. For example:

Template Training Chart:

Ethics trainings	2009		2010		2011		Total				
	Participants	Training	Participants	Training	Participants	Training	Short trainings	Longer trainings	Total staff	Trained staff	% trained staff
Ministry A	50	short	0	short	0	short	1	0	3.000	60	2
Ministry B	70	long	30	short	50	short	2	1	300	140	50
etc.											

“Short” training: Presentation of ethical rules, question and answer (short training)

“Long” training: Interactive training involving group work on case scenarios with ethical dilemmas, discussion (longer training)



Template Disciplinary Proceedings Chart:

Disciplinary proceedings	2009				2010				2011				Total		
	Complaints	Proceedings initiated	Salary sanctions	transfer, demotion, dismissal	Complaints	Proceedings initiated	Salary sanctions	transfer, demotion, dismissal	Complaints	Proceedings initiated	Salary sanctions	transfer, demotion, dismissal	Complaints	Sanctions	% Sanctions
Ministry A	20	2	1	0	15	1	0	0	5	0	0	0	40		2
Ministry B	2	2	2	0	1	1	0	0	0	0	0	0	3		67
etc.															

“Salary sanctions”:

Art. 25.2.2. and Art. 25.2.3. Civil Service Law

“transfer, demotion, dismissal”:

Art. 25.2.4., 25.2.5. and 25.2.6. Civil Service Law

“Rebukes” under (Art. 25.2.1. Civil Service Law) are not counted.

A high number of complaints and a low percentage of sanctions normally indicate a low level of ethical practice and disciplinary enforcement. It is important to show the number of complaints received within or concerning each Ministry, not just the number of disciplinary proceedings. Otherwise there will be a counterincentive for Ministries not to initiate disciplinary proceedings in order to lower statistical figures.

For the number of complaints, all data should be incorporated, including complaints received via [www.etika.az](http://www.etika.az) and by the Civil Service Commission itself.

## Template Chart on Complaints:

Complaints	2009				2010				2011				Total				%	
	to agency	to etika.az	to civil service commission	total	to agency	to etika.az	to civil service commission	total	to agency	to etika.az	to civil service commission	total	to agency	to etika.az	to civil service commission	total	Number of staff	Ratio complaints/staff
Ministry A	1	0	0	1	0	0	0	0	0	2	1	3	1	2	2	5	500	1
Ministry B	2	0	0	2	1	0	2	3	0	8	1	9	3	8	3	14	100	14
etc.																		

Such a chart could create an incentive for state bodies to enhance the ethical culture and thus reduce the number of complaints.

## 7.2 Ethics Commissioners

### 7.2.1 Independence

As long as Ethics Commissioners are dependent in their decisions about ethical violations on the heads of agencies, this will create the following problems:

- Heads of agencies or other internal policy considerations (e.g. worries about the agency's image) might influence Ethics Commissioners in their decisions about ethical violations;
- A lack of unified application of ethical rules.

It is therefore recommended to make Ethics Commissioners independent from their heads of agencies.

### 7.2.2 Reporting to Civil Service Commission

At the same time, though, Ethics Commissioners should be responsible to one unified body - the Civil Service Commission.

A similar regulation is indicated for example in Turkish Law, Art 29 of the Ethics Code<sup>15</sup>, which states: "Ethics Commission works in cooperation with the [National] Council [of Ethics at the Prime Minister's Office]." An indication of the independence of ethics commissions is also found in Art. 30 of the Ethics code: "The [Ethics] Commission is authorized to deliver opinion about the problems faced during the practice of the principles of ethical behaviour."

<sup>15</sup> "Regulation on the Principles of Ethical Behavior of the Public Officials and Application Procedures and Essentials", entered into effect as published in Official Gazette dated 04/13/2005 and numbered 25785; <http://www.antalya.gov.tr/yukleme/dosya/80cd296afe348cf9f60ddf6057df1e11.pdf> (English); <http://www.mevzuat.adalet.gov.tr/html/23127.html> (Turkish).

## **7.3 Investigations and disciplinary proceedings**

### **7.3.1 Regulation**

The current Law on Ethics does not elaborate on how Ethics Commissioners can carry out their investigations, what the procedure is, what their rights are, the evidence used, and the rights of the officials in questions. It is recommended to clarify this investigative role of Ethics commissioners in the law. The ethics investigations should be merged with disciplinary proceedings in order to avoid overlaps or confusion between the two.

The Law on Civil Service regulates disciplinary proceedings in one article (Art. 25 “Liability of civil servants”) which comprises about 550 words.

Legislation in other countries often goes into much more detail: the Federal Law on Disciplinary Proceedings of Germany<sup>16</sup> is comprised of 12,700 words, which is about 23 times more than the Azerbaijani regulation. If one includes bylaws<sup>17</sup>, this rises up to about 45 times more words (24,000 words). The Austrian law on disciplinary proceedings comprises 45 articles with 5,400 words (Art. 91-135 of Civil service Law, bylaws not counted), 10 times more than the Azerbaijani regulation.<sup>18</sup>

This purely numerical comparison indicates what is lacking in terms of substance in the Azerbaijani law:

- Competencies and initiation of disciplinary procedures;
- Rights of the public official;
- Taking of evidence;
- Decision-making;
- Appeal procedures;
- Appeal procedures at court.

### **7.3.2 Competency for disciplinary proceedings**

Currently, the head of agency is the body competent for disciplinary decisions. This might not be the ideal solution, for the same reason that Ethics commissioners should not be dependent on heads of agencies (see above 7.2):

- Worries about the agency’s image might influence heads of agencies in their decisions about sanctioning ethical violations;
- A lack of unified application of ethical rules.

Therefore, it seems preferable to assign this task to the Ethics commissioners, who coordinate their investigations and decisions with the Civil Service Commission. The Civil Service Commission should have – if possible under new legislation – the authority to seize jurisdiction over a case at its own discretion.

On the other hand, it does not seem recommendable to administer disciplinary sanctions by a separate, independent disciplinary committee in each state agency, as is the case in Turkey. Experts have criticized this separation in the past as ineffective.

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<sup>16</sup> <http://www.gesetze-im-internet.de/bdg/BJNR151010001.html>.

<sup>17</sup> [http://www.verwaltungsvorschriften-im-internet.de/bsvwvbund\\_25092003\\_ZA4dP10600810001.htm](http://www.verwaltungsvorschriften-im-internet.de/bsvwvbund_25092003_ZA4dP10600810001.htm).

<sup>18</sup> <http://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10008470>.

## **7.4 Civil Service Commission**

### **7.4.1 Ethics unit and funding**

The Civil Service Commission has assigned ethical matters to the Legislative Department. In this Department two out of a total of three staff take care of all ethical matters (regulation, trainings, public awareness, reporting) in addition to general legal tasks. In order to roll out ethics trainings to a total public workforce of 28,500 civil servants in Azerbaijan, more staffing and a more specialised ethics unit at the Civil Service Commission would appear to be necessary. This would be even more the case if the Civil Service Commission would be more involved in the coordination of ethical investigations.

### **7.4.2 Streamlining ethics oversight**

It is somewhat unfortunate that the Civil Service Commission would not have at least partial jurisdiction also over ethics at law enforcement agencies, judiciary, parliament, etc. There might be some sectors where regulating and implementing ethics might be regarded as a matter of independence (e.g. judiciary, parliament). However, at least reporting on ethical violations and sanctions, trainings, and prevention in general should be brought together nationally at the Civil Service Commission.

## **7.5 Trainings**

Experience shows that ethical change in attitudes is possible. As an auditor's rule of thumb, it might be assumed that 5-10 % of civil servants are "immune" to temptation to engage in ethical violations, 5-10% will always be prone to such violations, and the other 80-90% are generally decent but may be in need of guidance or at risk of succumbing to temptation in certain situations. These 80-90% are the target group of trainings and will in the end make the impact visible.<sup>19</sup> In 2008, the Council of Europe provided a "Proposed National Strategy for Training on Ethics and Conflict of Interest for civil servants of the Republic of Azerbaijan"<sup>20</sup> as part of the AZPAC Project "Support to the anti-corruption strategy of Azerbaijan". The recommendations formulated in the proposed strategy are still fully valid today. A few points are highlighted below:

### **7.5.1 Substance**

Often trainings are only conducted by presenting the code of ethics to participants, pointing out what civil servants are not allowed to do, and answering a few questions. The impact of such trainings tends to be rather low and could be even counterproductive. In order to achieve a positive, high impact, the following should be considered:

- Trainings should focus on the code of ethics as a useful tool for civil servants;
- Ethics is not about memorizing solutions, but about raising awareness concerning ethical dilemmas, and how officials should use the principles contained in rules of conduct to make the right decision on what to do. Therefore, trainings should have participants actively discussing relevant, real life scenarios with ethical dilemmas.

A joint Council of Europe and European Union Project on Ethics for the prevention of corruption in Turkey (TYEC) was implemented by the Council of Europe from 2007 to

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<sup>19</sup> Quentin Reed, AZPAC-Project Presentation "Training for Azerbaijan Civil Service Commission, 11 March 2008: Implementation of Rules of Ethical Conduct", unpublished.

<sup>20</sup> Technical Paper: Proposed National Strategy for Training on Ethics and Conflict of Interest for civil servants of the Republic of Azerbaijan, Quentin Reed (United Kingdom), <http://www.coe.int/t/dghl/cooperation/economiccrime/corruption/Projects/AZPAC/951-AZPAC-TP-Strategy%20on%20ethics%20trainings-Reed.pdf>.

2009.<sup>21</sup> Besides reviewing existing ethics regulations, the Project focused on eventually reaching the whole Turkish public administration through an ethics training programme. The Project trained members of the ethics commissions in each public agency to be ethics trainers. Those trained trainers would either train further trainers, or train civil servants on ethics. The ethics trainings were designed as interactive, using case scenarios on ethical dilemmas. A second phase of the Project is currently being implemented for the years 2012-2014.

The methodology and training materials developed within the TYEC project will be used by the EaP/CoE Facility Project for the two pilot trainings of trainers to be conducted on 16-17 October 2012 in Baku.

Future trainings should include:

- A guided classroom discussion on:
  - o What is ethics?
  - o What are the reasons for poor ethical conduct?
- A presentation and discussion of the ethical framework in Azerbaijan.
- Group work on ethical case scenarios, followed by a classroom discussion.
- A presentation of real life case scenarios on how disciplinary proceedings are carried out, and a guided classroom discussion on what the appropriate sanctions would have been in these cases.

Trainings and training materials on interactive ethics trainings should be available to all Ethics Commissioners.

## **7.5.2 Strategic Planning**

A planning document would need to lay out answers to the following questions: How can ethics trainings be rolled out to all 28,600 civil servants? How many training sessions will be conducted and how many trainers would be needed during which timeframe?

## **7.6 Policy**

### **7.6.1 Ethical leadership**

Surveys among civil servants in other countries show that a need for ethical leadership is among the top necessities for changing ethical attitudes among civil servants.<sup>22</sup> It seems, however, as if there are limits to having such a clear ethical leadership. Some of interviewees for this Study, as well as past assessments have pointed out systemic and long-standing conflicts of interest by high public officials owning companies in lucrative sectors.<sup>23</sup> Ethical violations in conflicts of interest situations and personal enrichment of leadership would always reflect negatively down to the ethical motivation of ordinary civil servants (and citizens). Hence, the adoption and implementation of laws on conflict of

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<sup>21</sup> [http://www.coe.int/t/DGHL/cooperation/economiccrime/corruption/projects/TYEC/TYEC\\_en.asp](http://www.coe.int/t/DGHL/cooperation/economiccrime/corruption/projects/TYEC/TYEC_en.asp).

<sup>22</sup> A Comparative Approach towards Public Service Ethics in Estonia, Latvia and Lithuania by Jolanta Palidaukaite (Lithuania), Aive Pevkur (Estonia), Iveta Reinholde (Latvia), Paper presented at EGPA annual conference in Madrid, 2007 <http://www.law.kuleuven.be/integriteit/egpa/previous-egpa-conferences/madrid-2007/polidaukaite.pdf>.

<sup>23</sup> C. W. Johnson (2006). Improving Program Design and Management to Enhance Anti-Corruption Impact in the USAID Azerbaijan Portfolio. Paper produced by Development Alternatives Inc. for USAID/Caucasus-Azerbaijan, January 2006, [http://pdf.usaid.gov/pdf\\_docs/PNADP875.pdf](http://pdf.usaid.gov/pdf_docs/PNADP875.pdf); Quentin Reed, Regulating conflicts of interest in challenging environments: The case of Azerbaijan, U4 Issue 2010:2, <http://www.u4.no/publications/regulating-conflicts-of-interest-in-challenging-environments-the-case-of-azerbaijan/downloadasset/184>.

interest and asset declaration system, as well as the abolishment of immunities might be among the first visible steps in dealing with this challenge. Regulation of incompatibilities in the current civil service law should also be reviewed.

### **7.6.2 Reducing immunities**

The question of immunities is connected to ethical leadership. The privilege of immunity from prosecution (and most often disciplinary proceedings) supports perception of impunity, and thus of ethical weakness of high public officials.<sup>24</sup> This perception reflects negatively on the ethical motivation of “ordinary” civil servants as well as of citizens.

In Azerbaijan, the following categories of functionaries are immune from criminal prosecution:

1. President (Art. 106 Constitution)
2. Deputies (Art. 90, 91 Constitution)
3. Prime Minister (Art. 126 Constitution)
4. Judges (Art. 128 Constitution)

It must be noted that there are countries in West- and Eastern Europe with much more progressive immunities regulations. In Bosnia and the Netherlands for example, only one category of functionaries enjoys comprehensive criminal immunity: the President/the Queen. Deputies only enjoy immunities for acts performed in official function (speeches, votes). In the United Kingdom, deputies do not even enjoy this privilege.

### **7.6.3 Public awareness**

Information about ethical rules needs to be displayed in all public agencies, and the Civil Service Commission should ensure this through the network of ethics commissioners for example.

## **7.7 Integrity testing**

Sometimes not only public officials, but also citizens will profit from ethical violations: the policeman will pocket the “fine” (bribe), and his superiors often partially profit from the money collected during the day; at the same time, the taxi-driver will pay only half of the fine to the policeman than he would owe to the State.

Sometimes citizens could even be regarded as the instigators of ethical violations. For example, in some countries citizens generally do not like to fasten their seat-belts. Some are more willing to bribe police officers if caught than abide by the rules. As they pay a much smaller bribe to the police officer than would be the fine for the violation, those citizens have a keen interest in keeping a corrupt environment.

This ethical collusion between public officials and citizens will not be broken, unless there is a targeted intervention: integrity testing. It has proved to be successful in some environments with weak integrity and would be recommended for sectors with a reported systemic occurrence of bribery and other ethical violations.<sup>25</sup>

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<sup>24</sup> See e.g. Transparency International's Bribe Payers Survey 1999, p. 4 (63% of respondents to a survey by Gallup International see 'public official's immunity' as one of the 'main factors that have contributed to an increase in corruption', ranking it the 2nd most important factor),

[www.transparency.org/policy\\_research/surveys\\_indices/bpi](http://www.transparency.org/policy_research/surveys_indices/bpi).

<sup>25</sup> See: OSCE, Best practices in combating corruption, 2004 (English, Russian and Azerbaijani), p. 141 (English version), [www.osce.org/eea/13738](http://www.osce.org/eea/13738).

Since 1994, the New York City Police Department has conducted integrity tests within the following framework<sup>26</sup>:

- Any ethical violation can be an objective of the testing: bribery, service mentality, police brutality, discrimination, etc.;
- Realistic scenarios such as the offering of cash from an arrested drug dealer, but played by officers of the integrity unit;
- Integrity tests are recorded using audio and video electronic surveillance as well as the placement of witnesses at the scene;
- Targeted tests: these aim at specific officers who are suspected of corruption, based upon previous allegations by citizens, criminals or colleagues;
- Random tests: aimed at a random selection of officers;
- All officers are aware that such a program exists, but are not told about the frequency or occurrence of such tests;
- No police officer can now know whether or not a corrupt offer is an integrity test.

The integrity tests have had the following impact so far:

- Officers believe that it is better to be safe and to report the incident, instead of overlooking it or accepting the bribe offer;
- About 20% of the officers who were tested based on previous suspicions failed the test, and were prosecuted and removed from the force;
- Only 1% of the officers who are subjected to random tests fail.

The objectives of integrity testing are:<sup>27</sup>

- Identifying public officials, agencies and citizens prone to corrupt practices;
- Collecting evidence for prosecution;
- Increasing the perceived risk of detection and thus deter corruption among officials and citizens;
- Encouraging officials to follow on their obligation of reporting bribe offerings (as any offer could be an integrity test);
- Identifying public officials who are honest and trustworthy, which can be credited for promotions;
- Identifying the training needs of public officials, i.e. patterns of misconduct which could go back on a lack of awareness for ethical challenges;
- Showing to the public that government is serious about prosecuting corruption.

Overall, integrity testing is an extremely effective and cost-efficient deterrent to corruption. However, any real crackdown on bribery as well as on other ethical violations would dry out sources of income that normally run from ordinary policemen up to the highest officials. Application of integrity testing is in this regard a litmus test for the willingness to seriously change the course. In order to avoid abuse for personal gain or against political opponents, the unit carrying out the tests must be of the highest integrity itself.

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<sup>26</sup> The following text is based on the OSCE, Best practices in combating corruption, 2004 (English and Russian), Chapter 12, page 142-144 ("Integrity testing"); Chapter 6 ("Building an ethical administration"), [www.osce.org/eea/13738](http://www.osce.org/eea/13738).

<sup>27</sup> The following text is based on "The United Nations Handbook on Practical Anti-Corruption Measures for Prosecutors and Investigators" (2004), pages 91-97, [www.unodc.org/pdf/corruption/publications\\_handbook\\_prosecutors.pdf](http://www.unodc.org/pdf/corruption/publications_handbook_prosecutors.pdf).

## 8 APPENDIX

### 8.1 Interviews

<b>Monday, 23 April 2012, Baku</b>
<ul style="list-style-type: none"><li>- Lawyers Association</li><li>- Ombudsman's Office</li></ul>
<b>Tuesday, 24 April 2012, Baku</b>
<ul style="list-style-type: none"><li>- Legal Department, Civil Service Commission</li><li>- Department of Civil Service and Personnel, Ministry of Economics</li></ul>
<b>Wednesday, 25 April 2012, Baku</b>
<ul style="list-style-type: none"><li>- Civil Service Commission</li><li>- Human Resources Department of State Committee for Securities</li><li>- Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)</li><li>- Council of Europe Office in Baku</li><li>- Secretariat of the Commission on Combating Corruption, Administration of the President</li></ul>
<b>Friday, 27 April 2012, Baku</b>
<ul style="list-style-type: none"><li>- Secretariat of the Commission on Combating Corruption, Administration of the President</li></ul>
<b>Phone Interviews</b>
<ul style="list-style-type: none"><li>- Mr Quentin Reed, Team Leader, former Council of Europe Project "Support to the Anti-Corruption Strategy of Azerbaijan (AZPAC)"</li></ul>

A request for a meeting with UNDP Office, Baku, about the 2012 Project "Good Governance through Civil Service Reform, Phase III" remained unanswered.<sup>28</sup>

<sup>28</sup> <http://www.un-az.org/undp/sehife.php?lang=eng&page=020011>.



## 8.2 Statistics: workforce, wages, etc.

The following information is taken from the webpage of the State Statistical Committee of the Republic of Azerbaijan:<sup>29</sup>

### 2.1 Distribution of employed population by economic activities

thsd. persons

	2005	2006	2007	2008	2009	2010
On economy, total	4062,3	4110,8	4162,2	4215,5	4271,7	4329,1
Agriculture, forestry and fishing	1573,6	1583,2	1597,6	1611,3	1628,6	1655,0
Mining	42,3	44,1	44,3	44,2	42,7	41,5
Manufacturing	198,4	203,4	206,7	211,4	214,2	208,9
Electricity, gas and steam production, distribution and supply	27,9	30,9	34,6	34,9	30,0	30,6
Water supply; waste treatment and disposal	23,9	24,3	25,4	27,5	25,3	25,2
Construction	211,9	217,0	222,5	226,0	229,0	287,5
Trade; repair of transport means	634,8	649,2	656,5	670,0	678,9	626,7
Transportation and storage	174,6	176,7	178,9	181,2	183,6	179,1
Accommodation and food service activities	25,1	25,3	25,7	26,0	26,3	46,9
Information and communication	32,3	32,7	33,2	33,5	34,0	55,8
Financial and insurance activities	18,1	20,9	21,2	21,5	21,8	24,4
Real estate activities	82,1	83,0	84,1	85,2	86,3	69,6
Professional, scientific and technical activities	43,4	43,9	44,4	45,0	45,6	45,6
Administrative and support service activities	38,7	38,0	34,9	33,8	38,7	46,5
Public administration and defence; social security	256,6	259,6	262,9	266,3	269,8	279,1
Education	345,1	342,8	348,9	355,2	361,0	349,8
Human health and social work activities	188,8	189,1	192,6	192,4	201,9	170,3
Art, entertainment and recreation	52,4	53,2	53,2	54,3	56,9	59,6
Other service activities	92,3	93,5	94,6	95,8	97,1	127,0

Note: Number of employed persons by economic activity was precise since 2005 based on results of 2009 population census and NACE rev.2

<sup>29</sup> [http://www.azstat.org/statinfo/labour/en/005\\_1.shtml](http://www.azstat.org/statinfo/labour/en/005_1.shtml).

### 5.1 Number of employees holding the civil service positions in 2005-2010

person

Administrative posts according to classification	2005	2006	2007	2008	2009	2010
<b>On Republic, Total</b>	25735	26970	27566	27977	28482	28648
including female	7350	7474	7821	7982	8096	8115
Administrative posts according to I-IV classification - total	757	793	608	615	619	866
including female	142	158	136	142	139	210
Administrative posts according to V-IX classification - total	20731	21746	22181	22283	22627	22467
including female	4482	4626	4898	4857	4888	4811
head of division	3479	3312	3428	3465	3516	3472
including female	268	185	250	223	220	215
deputy head of division	2133	2177	2242	2279	2291	2339
including female	241	221	230	232	220	219
head of sector	1737	1767	1855	1853	1873	1872
including female	274	287	307	297	307	308
chief consultant	5057	5308	5450	5474	5579	5572
including female	1203	1199	1284	1273	1275	1278
senior consultant	1176	1195	1160	1212	1224	1180
including female	244	267	251	282	278	270
leading consultant	2925	3150	3157	3079	3176	3138
including female	876	899	933	941	939	915
consultant	4224	4837	4889	4921	4968	4894
including female	1376	1568	1643	1609	1649	1606
Supplementary posts in civil service - total	4247	4431	4777	5079	5236	5315
including female	2726	2690	2787	2983	3069	3094
chief specialist	2267	2345	2512	2733	2854	2929
including female	1510	1467	1505	1639	1727	1788
senior specialist	791	852	1038	1125	1172	1207
including female	526	563	656	685	711	720
leading specialist	393	423	418	418	450	453
including female	272	281	258	282	282	274
specialist	796	811	809	803	760	726
including female	418	379	368	377	349	312

**5.4 Average monthly nominal wages of civil servants  
by economic regions in 2005-2010**

manat

Indicators	2005	2006	2007	2008	2009	2010
On Republic						
Total	181,6	185,1	237,5	345,4	420,8	425,7
of which: officials according to administrative posts	237,5	229,5	285,8	397,4	481,1	496,2
including female	238,9	227,8	289,8	433,9	508,6	498,5
Baku city						
Total	267,3	253,8	331,2	489,0	572,0	572,1
of which: officials according to administrative posts	524,9	416,9	516,2	733,9	832,5	849,8
including female	449,9	377,0	465,8	731,5	816,1	725,4
Absheron economic region						
Total	125,4	136,4	166,3	234,5	300,0	301,7
of which: officials according to administrative posts	174,3	184,3	232,7	335,5	423,3	434,7
including female	131,6	165,8	206,9	287,6	373,9	370,0
Ganja-Gazakh economic region						
Total	131,3	144,1	171,3	247,7	321,0	323,3
of which: officials according to administrative posts	157,9	176,6	214,3	291,9	379,7	387,3
including female	145,8	165,3	202,9	278,7	355,6	373,5
Shaki-Zagatala economic region						
Total	121,4	135,8	167,7	238,9	309,1	314,9
of which: officials according to administrative posts	161,6	176,1	213,4	296,3	385,1	388,9
including female	156,8	164,2	236,1	341,7	430,5	449,4
Lankaran economic region						
Total	129,7	145,5	177,2	252,5	317,0	321,4
of which: officials according to administrative posts	154,6	173,2	212,0	302,5	379,7	386,9
including female	129,5	152,7	189,7	272,8	342,3	367,9
Guba-Khachmaz economic region						
Total	125,3	138,7	166,8	241,6	312,6	317,6
of which: officials according to administrative posts	143,8	174,8	213,0	290,4	377,5	397,9
including female	121,7	154,3	191,1	280,6	376,5	394,9
Aran economic region						
Total	128,5	140,7	174,5	244,7	314,9	322,3
of which: officials according to administrative posts	161,5	172,2	212,2	292,2	375,5	396,4
including female	160,2	161,0	213,8	302,4	372,8	412,9
Yukhari Garabagh economic region						
Total	137,1	145,4	193,5	260,7	331,2	332,6
of which: officials according to administrative posts	165,9	176,8	233,1	310,2	379,1	395,0
including female	138,7	146,7	198,3	268,9	333,3	364,1
Kalbajar-Lachin economic region						
Total	132,3	151,6	189,2	305,1	332,1	336,4
of which: officials according to administrative posts	161,4	177,6	221,7	367,3	385,8	400,5
including female	140,7	175,7	209,2	361,5	368,0	408,2
Daghlig Shirvan economic region						
Total	124,4	139,2	175,7	266,3	315,5	321,3
of which: officials according to administrative posts	161,3	177,7	220,9	332,2	375,7	388,8
including female	149,7	167,8	200,6	309,5	370,4	370,1
Nakhchivan economic region						
Total	167,2	178,7	219,4	291,6	379,3	389,4
of which: officials according to administrative posts	199,3	218,3	277,0	351,7	470,0	506,5
including female	246,5	232,4	320,0	415,1	534,8	580,4

### 5.9 Average monthly nominal wages of civil servants in 2010

in manat

Indicators	Calculated wages fund for civil servants	Social payments not included in wages fund	Average monthly nominal wages
<b>On Republic</b>			
Total	146048956,7	82688,4	425,7
of which: officials according to administrative posts	44263424,4	17896,8	496,2
including female	4294717,2	3851,9	498,5
<b>Baku city</b>			
Total	76875017,7	47123,3	572,1
of which: officials according to administrative posts	15266591,1	1067,9	849,8
including female	1854134,9	-	725,4
<b>Absheeron economic region</b>			
Total	2520167,2	-	301,7
of which: officials according to administrative posts	714676,1	-	434,7
including female	119865,3	-	370,0
<b>Ganja-Gazakh economic region</b>			
Total	11232929,4	4101,3	323,3
of which: officials according to administrative posts	4852173,9	540,9	387,3
including female	600659,5	180,9	373,5
<b>Shaki-Zagatala economic region</b>			
Total	5759275,8	-	314,9
of which: officials according to administrative posts	2170212,8	-	388,9
including female	226499,5	-	449,4
<b>Lankaran economic region</b>			
Total	5650651,0	9458,0	321,4
of which: officials according to administrative posts	2367940,0	2360,0	386,9
including female	119194,0	-	367,9
<b>Guba-Khachmaz economic region</b>			
Total	3948171,7	-	317,6
of which: officials according to administrative posts	1666566,6	-	397,9
including female	203775,5	-	394,9
<b>Aran economic region</b>			
Total	16293886,3	12874,8	322,3
of which: officials according to administrative posts	6864920,9	8541,0	396,4
including female	475708,5	1876,0	412,9
<b>Yukhari Garabagh economic region</b>			
Total	5272791,2	5982,0	332,6
of which: officials according to administrative posts	2536158,7	5387,0	395,0
including female	200961,3	1795,0	364,1
<b>Kalbajar-Lachin economic region</b>			
Total	3839549,8	805,0	336,4
of which: officials according to administrative posts	2129252,8	-	400,5
including female	171426,5	-	408,2
<b>Daghlig Shirvan economic region</b>			
Total	3427920,5	-	321,3
of which: officials according to administrative posts	1464893,8	-	388,8
including female	106589,0	-	370,1
<b>Nakhchivan economic region</b>			
Total	11228596,1	2344,0	389,4
of which: officials according to administrative posts	4230037,7	-	506,5
including female	215903,2	-	580,4