



**Reference data 2022 (01/01/2022 - 31/12/2022)**

**Start/end date of the data collection campaign : 15/03/2023 - 01/10/2023**

**Objective :**

The CEPEJ decided, at its 39th plenary meeting, to launch the ninth evaluation cycle 2024, focused on 2022 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 46 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan).

The present questionnaire was developed by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, in service of the European citizens.

For better understanding of the questions it is necessary to consult the Explanatory note that gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, You can download the Explanatory note as a whole document on the CEPEJ website. In addition to the Explanatory note, there is also the User manual that is a technical document to help you navigate through this application for data collection.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

**Instruction :**

Explanatory note: <https://rm.coe.int/explanatory-note-2024-cycle-cepej-2023-2-en/1680aae30a>

Word version of the questionnaire - <https://rm.coe.int/evaluation-scheme-2024-cycle-cepej-2022-9rev1-en-30-march-2023/1680aae309>

CEPEJ COLLECT - User manual – you can download under Documentation tab

---

## 1. General and financial information

### 1.1. Demographic and economic data

#### 1.1.1 Inhabitants and economic general information



##### 001. Number of inhabitants (if possible on 1 January of the reference year +1)

[ 10 063 300 ]

Comments

=



### 003. Per capita GDP (in €) in current prices for the reference year

[ 7 338 ]

Comments The growth of GDP per capita based on factors such as stabilizing oil prices, increasing gas exports, positive reforms in the non-oil sector. Confidence in Azerbaijan's economic stability is also founded on the fact that the country's strategic foreign exchange reserves amounts \$59.6 billion, while Azerbaijan has managed to maintain the stability of its currency (AZN) exchange rate. In the structure of GDP, industry accounted for 51.1%, trade and repair of vehicles - 8.2%, transport and warehousing - 6%, construction - 4.8%, agriculture and forestry, fish farming - 4, 8%, information and communication sector - 1.4%, tourism and HoReCa - 1.6%, other sectors - 22.1%.

### 004. Average gross annual salary (in €) for the reference year

[ 5 500 ]

[ ] NA

Comments Annual gross salary growth correlates with the growth of economy, as well as indexation of salaries in accordance with inflation rate in 2022

### 005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1:

[ 1.8114 ]

Allow decimals : 5

[ ] NAP

Comments

### A1. Please indicate the sources for answering the questions in this part

Sources: Sources: The State Statistical Committee of the Republic of Azerbaijan, Letter of the Central Bank of the Republic of Azerbaijan

### 1.1.2 Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budget of public prosecution services and/or the one allocated to legal aid, please go to question 7. If you are able to answer this question, please answer NA to question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	109 426 328 [ ] NA [ ] NAP	106 544 254 [ ] NA [ ] NAP
1. Annual public budget allocated to (gross) salaries	64 964 287 [ ] NA [ ] NAP	62 450 543 [ ] NA [ ] NAP

<b>2. Annual public budget allocated to computerisation (2.1 + 2.2)</b>	27 626 188 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 599 769 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.1 Investments in computerisation</b>	25 678 040 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25 673 333 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.2 Maintenance of the IT equipment of courts</b>	1 948 148 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 926 436 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Annual public budget allocated to court buildings (maintenance, operating costs)</b>	10 807 493 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 632 283 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>5. Annual public budget allocated to investments in new (court) buildings</b>	276 030 <input type="checkbox"/> NA <input type="checkbox"/> NAP	276 030 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>6. Annual public budget allocated to training</b>	5 752 330 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 585 629 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>7. Other (please specify)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: The primary factors contributing to the budgetary increment allocated to all courts in 2022 pertained to the elevation of judges' salaries, the provision of supplementary judicial personnel in select courts, the complete computerization of court systems, and the expansion of training initiatives, encompassing IT proficiency programs.

**007. If you cannot answer question 6 because you cannot isolate the public budget allocated to courts from the budget allocated to public prosecution services and/or the one allocated to legal aid, please fill in only the appropriate line in the table according to your system:**

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to all courts and the public prosecution services together</b>	177 864 394 <input type="checkbox"/> NA <input type="checkbox"/> NAP	174 716 493 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Total annual public budget allocated to all courts and legal aid together</b>	112 759 753 <input type="checkbox"/> NA <input type="checkbox"/> NAP	109 877 679 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Total annual public budget allocated to all courts, public prosecution services and legal aid together</b>	181 197 819 <input type="checkbox"/> NA <input type="checkbox"/> NAP	178 049 918 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: The predominant growth within this sector pertains to the budgetary allocations designated for courts and legal aid. Conversely, there has been negligible expansion in the realm of prosecution. The augmentation of the budget for legal aid is correlated with the escalating caseload within the courts, primarily stemming from the surge in court applications subsequent to the conclusion of the COVID-19 pandemic.

=



**008. Are litigants in general required to pay a court fee to initiate a proceeding at a court of general jurisdiction:**

	<b>Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?</b>
<b>for criminal cases</b>	<input type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input checked="" type="checkbox"/> No
<b>for other than criminal cases</b>	<input checked="" type="checkbox"/> Yes, at the beginning of the procedure <input type="checkbox"/> Yes, at a later stage <input type="checkbox"/> No

Comments - If there are exceptions to the obligation to pay these court fees, could you please provide comments on those exceptions?

**008-1. Please briefly present the methodology of calculation of these court fees:**

- According to the amendments dated July 9, 2021 to the Law of 2001, the rates of the court fee paid for the cases pending in the courts were differentiated according to the value of the claims.

**008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:**

[ 41 ]  
 NA  
 NAP

Comments According to the amendments dated July 9, 2021 to the Law of 2001, the rates of the court fee paid for the cases pending in the courts were differentiated according to the value of the claims. Henceforth, in alignment with the claim's value of 3,000 euros, the fee amounts to 41 euros.

**009. Annual income of court fees received by the State (in €):**

[ 4 831 622 ]  
 NA  
 NAP

Comments The augmentation of annual income of court fees is correlated with the escalating caseload within the courts.

**012. Annual approved public budget allocated to legal aid, in €.**

	<b>TOTAL</b>	<b>Criminal cases</b>	<b>Other than criminal cases</b>
<b>TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)</b>	3 333 425 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 317 823 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 602 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>12.1 for cases brought to court (court fees and/or legal representation)</b>	3 333 425 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 317 823 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 602 <input type="checkbox"/> NA <input type="checkbox"/> NAP

12.2 for cases not brought to court (legal advice, ADR and other legal services)	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

Comments The augmentation of the budget for legal aid is correlated with the escalating caseload within the courts, primarily stemming from the surge in court applications subsequent to the conclusion of the COVID-19 pandemic. Approved annual public budget allocated to legal aid increased in accordance with statistics forecasts/expectations confirmed for the year of 2022. Regarding legal aid for cases not brought to court no funds are allocated from the budget since legal assistance in those cases is provided by lawyers on a voluntary basis.

### 012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	3 333 425 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 317 823 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 602 <input type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	3 333 425 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 317 823 <input type="checkbox"/> NA <input type="checkbox"/> NAP	15 602 <input type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: The augmentation of the budget for legal aid is correlated with the escalating caseload within the courts, primarily stemming from the surge in court applications subsequent to the conclusion of the COVID-19 pandemic.



=

### 012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:

	Amount calculated/estimated included
Coverage of court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP (Legal aid does not include coverage of court fees)
Exemption from court fees	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP (Legal aid does not include exemption from court fees)

Comments

### 013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	68 438 066 <input type="checkbox"/> NA <input type="checkbox"/> NAP	68 172 239 <input type="checkbox"/> NA <input type="checkbox"/> NAP
13.1. Annual public budget allocated to training of public prosecution services	1 327 970 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 321 053 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: The augmentation of the budget allocated for prosecutors is closely tied to their heightened activity across various domains, encompassing increased effectiveness and a general upsurge in their workload. The increase in the number of in-person or live training during the post-pandemic period has led to a corresponding increase in the budget allocated to this field.

## A2. Please indicate the sources for answering the questions in this part

Sources: Sources: Law "On state budget for 2022";  
 Law "On state fees" dated 2001;  
 Letter of the Ministry of Finance;  
 Letter of the General Prosecutor Office

### 1.1.3 Budgetary data concerning the whole justice system



**015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)**

	Approved budget (in €)	Implemented budget (in €)
<b>Total annual public budget allocated to the whole justice system in €</b>	324 184 498 [ ] NA [ ] NAP	318 448 475 [ ] NA [ ] NAP

Comments - Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: The increase in the budget allocated to the entire justice system can primarily be attributed to the allocations made for the judiciary system. Concurrently, other components within the justice system have also witnessed an augmentation in their budgetary allocations. The predominant factor contributing to the escalation of the overall justice system budget is the augmentation of resources directed towards increasing salaries, computerization, training, maintenance expenditures, and operational costs.

### 015-2. Elements of the judicial system budget (Q6, Q7, Q12, Q13)

	Included
<b>Courts</b>	( X ) Yes ( ) No [ ] NAP
<b>Legal aid</b>	( X ) Yes ( ) No [ ] NAP
<b>Public prosecution services</b>	( X ) Yes ( ) No [ ] NAP

Comments

015-3. Other budgetary elements

	Included
Prison system	( X ) Yes ( ) No [ ] NAP
Probation services	( X ) Yes ( ) No [ ] NAP
High Judicial Council	( X ) Yes ( ) No [ ] NAP
High Prosecutorial Council	( ) Yes ( ) No [ X ] NAP
Constitutional court	( X ) Yes ( ) No [ ] NAP
Judicial management body	( ) Yes ( ) No [ X ] NAP
Service for legal representation of the State	( ) Yes ( X ) No [ ] NAP
Enforcement services	( X ) Yes ( ) No [ ] NAP
Notariat	( X ) Yes ( ) No [ ] NAP
Forensic services	( X ) Yes ( ) No [ ] NAP
Judicial protection of juveniles	( ) Yes ( ) No [ X ] NAP
Functioning of the Ministry of Justice	( X ) Yes ( ) No [ ] NAP
Refugees and asylum seekers services	( ) Yes ( ) No [ X ] NAP
Immigration Service	( ) Yes ( X ) No [ ] NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	( ) Yes ( X ) No [ ] NAP

Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
-------	--

If "Other", please specify:

### A3. Please indicate the sources for answering the questions in this part

Sources: Law «On state budget for 2022»

## 2. Access to justice and all courts

### 2.1. Legal Aid

#### 2.1.1 Scope of legal aid

#### 016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Legal advice, ADR and other legal services	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

#### 016-1. Please briefly describe the organisation of the legal aid system in your country.

-- During the investigation, a low-income person (LIP) is provided with a lawyer at the expense of the State based on the decision of the institution conducting the investigation.

In criminal cases, a lawyer is appointed for a LIP in court on the basis of a court decision. In civil cases, to this day, a lawyer can be appointed at the expense of the state on the basis of Court (Appellate or Supreme) decision for LIP in connection with a cassation appeal only to the Supreme Court.

According to the proposed new draft law, by the decision of the Court, in civil cases, a judge will be appointed for a LIP in all court instances.

#### 018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

Yes

No



If yes, please specify:

**019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?**

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify:

## 2.1.2 Information on legal aid



**020. Please indicate the number of cases for which legal aid has been granted:**

	Total	Cases brought to court	Cases not brought to court
<b>TOTAL</b>	45 402 [ ] NA [ ] NAP	32 228 [ ] NA [ ] NAP	13 174 [ ] NA [ ] NAP
<b>In criminal cases</b>	45 184 [ ] NA [ ] NAP	32 010 [ ] NA [ ] NAP	13 174 [ ] NA [ ] NAP
<b>In other than criminal cases</b>	218 [ ] NA [ ] NAP	218 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments - Please specify when appropriate: In the year 2022, there was a notable increase in the number of criminal cases, which subsequently had an impact on the demand for legal aid services.

In civil cases, provision of a lawyer at the expense of the state budget is available only in cassation and additional cassation proceedings in the Supreme Court. According to the amendments to the MPM dated July 9, 2021, Article 402 of the MPM (Right to file a cassation appeal) is given in the following version. A cassation appeal can be filed against the resolutions of the civil and commercial panels of the appeal courts, except for resolutions on property claims in the contested part of the resolution adopted in civil cases, the cost of the claim is less than five thousand manats, and in cases of commercial disputes less than ten thousand manats, respectively. In the previous edition, these amounts were indicated as two thousand and five thousand manats, respectively. The single form of cassation appeal is defined in the Civil Procedure Code. It led to the return of many complaints in the period leading up to the establishment of uniform practice. Thus, the conditions listed above have led to a decrease in the number of cassation cases provided with mandatory legal aid.

**020-0. Please indicate the number of recipients of legal aid:**

	Total	Cases brought to court	Cases not brought to court
<b>TOTAL</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>In criminal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

<b>In other than criminal cases</b>	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments - Please specify when appropriate:

**020-0-1. Are there statistical data disaggregated by gender in respect of recipients of legal aid?**

- Yes  
 No

Comments

**020-0-2. If yes, please provide details on distribution by gender of recipients of legal aid:**

	Total	Males	Females
<b>Number of recipients of legal aid</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**020-0-3. Is it possible to divide the number of recipients of legal aid per different categories of cases?**

- Yes  
 No

Comment: If yes, please specify for which categories of cases:

**020-0-4. Are there situations where legal aid is automatically granted depending on categories of cases?**

- Yes  
 No

Comment: If yes, please specify:

**020-0-5. How many of the recipients of legal aid are alleged victims of domestic violence?**

	Total	Males	Females
<b>Number of recipients of legal aid who are alleged victims of domestic violence</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final decision on the legal aid request:**

Time in days
--------------

<b>Maximum duration prescribed in law/regulation</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Actual average duration</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases, please provide more information: There is no time limit in the legislation.

=

**021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?**

	<b>Assisted by a free of charge lawyer</b>
<b>Accused individuals</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Victims</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If yes, please specify:

**022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?**

	<b>free selection of lawyer</b>
<b>Accused individuals</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Victims</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

**023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?**

Yes

No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above:

**023. If yes, please specify in the table:**

	<b>Annual income value (for one person), (in €)</b>	<b>Assets value (for one person), (in €)</b>
<b>Full legal aid to the applicant for criminal cases</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Full legal aid to the applicant for other than criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid to the applicant for criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid to the applicant for other than criminal cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

**024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?**

- Yes  
 No

Comments - If yes, please specify the exact criteria for denying legal aid:

**025. Is the decision to grant or refuse legal aid taken by:**

- the judge(s) dealing with the main case  
 another judge or official  
 an authority external to the court  
 several authorities (court and external bodies)

Comments

**027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:**

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
in other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If no, please specify how legal costs are distributed:

**B1. Please indicate the sources for answering the questions in this part**

Sources: Law "On Advocates and Advocate Activities" No.783-IG dated 28.12.1999; Civil Procedure Code; Criminal Procedure Code.

## 2.2.Court users and victims

### 2.2.1Rights of the users and victims

**028. Are there official internet sites/portals (e.g. Ministry of Justice, Judicial Council etc.) where**

general public may have free-of-charge access to the following:

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	<input checked="" type="checkbox"/> e-qanun.az	<input type="checkbox"/>
Case-law of the higher court/s	<input checked="" type="checkbox"/> courts.gov.az	<input type="checkbox"/>
Information about the judicial system (organisation of courts, court proceedings, etc)	<input checked="" type="checkbox"/> courts.gov.az	<input type="checkbox"/>
Other documents (e.g. forms, downloadable forms, online registration forms)	<input checked="" type="checkbox"/> courts.gov.az	<input type="checkbox"/>

Comment - Please specify what documents and information are included in "Other documents" Other documents include for example templates of various documents for court submission. Citizens can access the appropriate forms on the justice.gov.az and jlc.gov.az portals, which pertain to the operations of the Ministry of Justice and the Judicial-Legal Council, respectively.

**029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?**

Yes, always

No

Yes, only in some specific situations

Comment - If "Yes, only in some specific situations", please specify:

**030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:**

	Information system
General for citizens	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for victims of offences	<input type="checkbox"/> Online information <input type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input checked="" type="checkbox"/> No
Specific for minors (child-friendly systems)	<input type="checkbox"/> Online information <input type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input checked="" type="checkbox"/> No

Comments - Please provide more information on these systems and specify how this assistance is provided:

**031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:**

	<b>Information mechanism</b>	<b>Special arrangements in hearings</b>	<b>Other specific arrangements</b>
<b>Victims of sexual violence/rape</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Victims of terrorism</b>	( ) Yes ( X ) No	( X ) Yes ( ) No	( ) Yes ( X ) No
<b>Minors (witnesses or victims)</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Victims of domestic violence</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Ethnic minorities</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Persons with disabilities</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Juvenile offenders</b>	( X ) Yes ( ) No	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)</b>	( ) Yes ( X ) No	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments - If “Other vulnerable person” and/or “Other specific arrangements”, please specify:

**031-0. If there are special arrangements for minors, what are the settings / tools / facilities / practises employed to protect them when they participate in judicial proceedings?**

- Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)
- Special room in court designated for child-friendly hearings
- Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings
- Special ways to communicate and explain meaning of court decisions
- Interagency/multidisciplinary structure such as “Children’s Houses”
- Other, please specify .....
- NAP

Comment

**031-1. What are the main criteria for a person under 18 years of age to act in court proceedings or to be a witness?**

<b>Civil proceedings</b>	<b>Criminal proceedings</b>
--------------------------	-----------------------------

<b>Capacity to initiate a proceeding and take other procedural actions in his/her own name</b>	<input checked="" type="checkbox"/> Age threshold [Comment] Upon reaching the age of 16 <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Age threshold [Comment] 14 years old within the appropriate limits by the prosecuting authority <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input type="checkbox"/> NAP
<b>To be a witness</b>	<input type="checkbox"/> Age threshold [Comment] <input checked="" type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input checked="" type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP

Comments - Please specify if you selected "Other".

- Capacity to initiate a proceeding and take other procedural actions in his/her own name: According to Article 49.2 of the Code of Civil Procedure, if a minor who has reached the age of sixteen is declared fully capable (emancipation), he may exercise his rights and obligations in court in person. This provision related to minors who are at least 16. In addition, according to Article 49.5 of the same Code, in cases provided by law, juveniles defend their protected interests in court and may exercise their rights, freedoms and the law on transactions arising from civil, family, labor, administrative and other legal relations and related to the disposal of wages or income from entrepreneurial activities. [According article 100.6 of the mentioned Code the capacity of parties to criminal proceedings who are under full age but have reached the age of 14 shall be recognized within the appropriate limits by the prosecuting authority] - Exceptions from the threshold: A victim, civil party, suspect, accused or defendant to a civil claim may be regarded as lacking legal capacity in criminal proceedings if he is unable to exercise his rights and fulfil his duties independently as a result of mental illness, temporary mental disorder or imbecility. A party to criminal proceedings who lacks legal capacity in accordance with this Code may not exercise his rights independently. These rights shall be exercised by his legal representative in accordance with this Code.

Capacity for discernment.

• To be a witness:

- Civil proceedings: According to Article 62.1 of the Code of Civil Procedure, any person who has information about the circumstances of the case may be questioned by a court as a witness in order to properly resolve the dispute. Pursuant to Article 197 of this Code, the interrogation of a witness under the age of fourteen and witnesses between the ages of fourteen and sixteen at the discretion of the court shall be conducted in the presence of a representative of the institution he/she is studying. If necessary, the parents, adoptive parents, guardians or custodians of the juvenile witness shall also be summoned to court.

- Criminal proceedings: According to the article 228.1 of the Code of Criminal Procedure if an under-age witness can provide information of significance to the case either verbally or in another form, he may be questioned notwithstanding his age. [Article 228.2 of this Code states that If a witness is under 14 years old, or, at the investigator's discretion, under 16 years old, the interview shall be held with the participation of his teacher or, where necessary, a doctor and the witness's legal representative.]

**031-2. If a person under 18 years of age cannot act in court proceedings in his/her own name, who can represent him/her in judicial proceedings?**

	Civil proceedings	Criminal proceedings
<b>Parent/legal guardian</b>	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No

<b>Another representative (instead of parent/legal guardian)</b>	<input checked="" type="checkbox"/> Social care services or other public institution <input type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input type="checkbox"/> Other
--	---	--

Comment • Parent/legal guardian

- Civil proceedings:

According to Article 49.3 of the Code of Civil Procedure, the rights, freedoms and legally protected interests of minors between the ages of fourteen and eighteen, as well as persons with limited legal capacity, are protected in court by their legal representatives. - Criminal proceedings: Article 101.1 of the Code of Criminal Procedure states If a victim, civil party, suspect, accused or defendant to a civil claim lacks or has limited legal capacity and has no parents, adoptive parents or guardian, the prosecuting authority shall appoint the guardianship institution as legal representative of that person.

At the same time, we note that according to Article 102.2 of the Code, the following persons may participate in the criminal proceedings as representatives of the victim, civil plaintiff or civil defendant:

- a lawyer with a notarized power of attorney to represent the legitimate interests of the victim, civil plaintiff or civil defendant;
- a close relative of the injured individual with a notarized power of attorney to represent the legitimate interests of the civil plaintiff or the civil defendant (in case if civil claims issued within criminal proceeding);

Article 100.4 of Code of Criminal Procedure states that between the ages of 14 and 18 a victim, civil party, suspect, accused or defendant to a civil claim shall have limited legal capacity. The possibility of such persons exercising their rights independently as parties to criminal proceedings shall be limited with the consent of their legal representatives. The capacity of parties to criminal proceedings who are under full age but have reached the age of 14 shall be recognized within the appropriate limits by the prosecuting authority. Yes, always

- Other representative (instead of parent/legal guardian)

- Civil proceedings: Article 35.4 of the Civil Code states that the guardians and trustees of individuals requiring guardianship or trusteeship and staying in the relevant social welfare institutions or placed in them, are these institutions. - Social care services or other public institution : [According to Article 59.1 of the Code of Civil Procedure, state bodies, individuals and legal entities may apply to the court to protect the rights, freedoms and legally protected interests of other persons at their request or to protect the interests of other persons. In order to protect the interests of minors, a lawsuit can be filed without the request of interested parties.] - Legal professional: [According to Article 59.1 of the Code of Civil Procedure, state bodies, individuals and legal entities may apply to the court to protect the rights, freedoms and legally protected interests of other persons or to protect the interests of other persons. In order to protect the interests of minors, a lawsuit may be filed without the request of interested parties for protection of minors.] Criminal proceedings: In accordance with Article 91.9 of the Criminal Procedure Code, the rights of a person who has not reached the age of competence or lacks the capacity to engage in activities and is accused are protected in a manner prescribed by this Code. According to this code, the legal representatives of the person, who represent the legal interests of the person, are parents, adoptive parents, guardians, trustees, as well as the guardianship and trusteeship authority. Individuals in need of guardianship or trusteeship according to the legislation, and the guardians and trustees of individuals placed in relevant social service institutions, are considered as guardians and trustees in those institutions. According to Article 432.2 of the Code, criminal proceedings against a person who has not reached the age of competence must be conducted without any delay. The participation of their legal representative is mandatory in the proceedings concerning the person who has not reached the age of competence.

### 031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)

- Age threshold(s)
- Capacity for discernment
- Other criteria

Comment • Age threshold(s): Under article 20.1 of the Criminal Code the person who has reached age of 16, to time of committing a crime shall be subjected to the criminal liability. The persons who have reached the age of 14, to time of committing a crime, shall be subjected to the criminal liability for deliberate murder, deliberate causing of heavy or less heavy harm to health, kidnapping of the



person, rape, violent actions of sexual nature, theft, robbery, extortion, illegal occupation of the automobile or other vehicle without the purpose of plunder, deliberate destruction or damage of property under aggravating circumstances, terrorism, capture of the hostage, hooliganism under aggravating circumstances, plunder or extortion of fire-arms, ammunition, explosives and explosives, plunder or extortion of narcotics or psychotropic substances, reduction unsuitability of vehicles or means of communication.

• Capacity for discernment: Diminished responsibility issues are regulated by article 21 of the Criminal Code. Thus the person, who at the time of committing publicly dangerous act (action or inaction), was in a condition of diminished responsibility, and could not realize actual nature and public danger of the acts (actions or inaction) or supervise over them in order to chronic mental disease, timed infringement of mental activity, dementia or other mental disease shall not be subjected to the criminal liability. To the person, who has committed publicly dangerous act (action or inaction) in a condition of diminished responsibility, court can appoint the forced measures of medical nature provided by the present Code. To the person, who has committed a crime in a condition of legal capacity, but before adopting by court of a decision, he has become emotionally diseased, and depriving opportunity to realize actual nature and public danger of his acts (actions or inaction) or supervise over them, court can appoint forced measures of medical nature as it provided by the present Code.

### 031-3-1. What is the age threshold for the criminal liability of minors?

#### Criminal liability resulting in sentence without privation of liberty (for example, educational measures)

[ 16 ]

[ ] NA

[ ] NAP

#### Criminal liability resulting in sentence of privation of liberty

[ 16 ]

[ ] NA

[ ] NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how? [According to the article 85.1 of the Criminal Code to minors shall be appointed penalty, public works corrective works and restraint of

freedom. The penalty shall be appointed only at presence at a minor of independent earnings or property on which collecting can be inverted. The penalty is appointed at a rate up to six hundred manats. Public works shall be appointed for the term from eighty to three hundred twenty hours, consist in performance of works, feasible for the minor condemned in free from study or basic work time. Duration of execution of the given kind of punishment by persons in the age of till fifteen years can not exceed two hours per day, and persons in the age from fifteen till sixteen years - three hours per day. Corrective works shall be appointed to minor for the term from two months up to one year. In this case from earnings of condemned shall be made deduction to state at a rate, established by a decision of court, in limits from five up to twenty percents. The restraint of freedom is imposed on minors for a term of two months to two years.

It should be emphasized under article 88 of the Criminal Code the minor, who for the first time has committed a crime, that does not represent big public danger or less serious crime, can be released from a criminal liability if will be recognized, that his correction can be achieved by application of forced measures of educational influence. To minor can be applied the following forced measures of educational influence:

- warning;
- transfer under supervision of parents or persons, replacing them, or appropriate state body;
- assignment of duty to remove the caused harm;
- restrictions of leisure and an establishment of special requirements to behavior of the minor]

#### Criminal liability resulting in sentence of privation of liberty

[Article 85 of the Criminal Code states that minors can be subject to imprisonment on a certain term. Imprisonment can be appointed to minor for the term not over ten years. According article 86 of the Criminal Code at assignment of punishment to a minor court takes into account conditions of life and education of this person, a level of mental development, other features of his individual, and also influence on him of extraneous persons. At the same time at assignment of punishment as softening circumstance to minor shall be taken into account in aggregate with other circumstances mitigating and aggravating punishment]

-

-



**032. Does your country allocate compensation for victims of offences?**

- Yes, but only if the offender is unknown
- Yes, but only if compensation could not be obtained from the offender
- Yes, in both situations
- No

Comment

**032-0. If yes, for what types of offences the compensation is allocated?**

- For all types of offences
- For some types of offences
- NAP

Comment - Please specify:

**032-1. Is a court decision necessary in the framework of the compensation procedure?**

- Yes
- No

Comments

**032-0. If yes, for what types of offences the compensation is allocated?**

- For all types of offences
- For some types of offences
- NAP

Comment - Please specify:

**032-1. Is a court decision necessary in the framework of the compensation procedure?**

- Yes
- No

Comments

**032-0. If yes, for what types of offences the compensation is allocated?**

- For all types of offences
- For some types of offences
- NAP

Comment - Please specify:

**032-1. Is a court decision necessary in the framework of the compensation procedure?**

- Yes
- No

Comments

**034. Is there a regular monitoring (official studies, reports etc.) allowing the evaluation of the**

**recovery rate of the damages awarded by courts to victims?**

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

**035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?**

Yes

No

Comments - If yes, please specify:

**035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?**

Yes

No

Comment - If yes, please specify:

-  
-

**036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".**

Yes

No

NAP

Comment - If necessary, please specify:

**037. Is there a system of compensation in the following circumstances:**

	Number of requests for compensation	Number of compensations granted	Total amount of compensations granted (in €)
<b>Total</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Excessive length of proceedings</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Non-execution of court decisions</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Wrongful arrest/detention</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

<b>Wrongful conviction</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Other</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g., the amount per day for unjustified detentions or convictions):

**037-1. Please specify which authorities are responsible for dealing with the requests and whether a legal time limit exists to deal with these requests:**

	Responsible authorities	Legal time limit
<b>Court concerned</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Other court</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Ministry of Justice</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>High Judicial Council</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Other external bodies (e.g. Ombudsman)</b>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

**037-2. Are there statistical data disaggregated by gender concerning the number of:**

	Existence of statistical data disaggregated by gender
<b>Persons who initiate a case in other than criminal matters</b>	<input type="checkbox"/> Yes - If yes, please specify for which categories of cases: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
<b>Victims recognised as such by the court</b>	<input type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
<b>Perpetrators of criminal offences</b>	<input type="checkbox"/> Yes - If yes, please specify for which types of offences: [Comment] <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

Comments

**037-3. Are there statistical data on the relation between the perpetrator of the criminal offence and the victim recognised by the court?**

Yes

No

If yes, please specify:

## 2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?

	National level	Court level
Surveys for judges	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for court staff	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for public prosecutors	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for lawyers	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other professionals	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the parties	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for victims	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for minors	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the general public	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

NA

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above:

## 3. Organisation of the court system

### 3.1. Courts

### 3.1.1 Number of courts

#### 042. Number of courts - legal entities.

	Number of courts
<b>Total number of all courts - legal entities (1 + 2)</b>	116 [ ] NA [ ] NAP
<b>1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)</b>	92 [ ] NA [ ] NAP
<b>1.1 First instance courts of general jurisdiction - legal entities</b>	85 [ ] NA [ ] NAP
<b>1.2 Second instance courts of general jurisdiction - legal entities</b>	6 [ ] NA [ ] NAP
<b>1.3 Highest instance courts of general jurisdiction - legal entities</b>	1 [ ] NA [ ] NAP
<b>2 Total number of specialised courts - legal entities</b>	24 [ ] NA [ ] NAP

Comments In 2021 a new regional court, the Sumgayit Court for Grave Crimes, was established. In 2022 two general jurisdiction courts, namely the Ganja Kapaz District Court and the Ganja Nizami District Court, were merged to form a single court known as the Ganja District Court.

#### 043. Number of specialised courts – legal entities.

	First instance	Higher instances
<b>Total number of specialised courts - legal entities</b>	24 [ ] NA [ ] NAP	[ ] NA [ X ] NAP
<b>Commercial courts (excluded insolvency courts)</b>	6 [ ] NA [ ] NAP	[ ] NA [ X ] NAP
<b>Insolvency courts</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Labour courts</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Family courts</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Rent and tenancies courts</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Enforcement of criminal sanctions courts</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

<b>Fight against terrorism, organised crime and corruption</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Internet related disputes</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Administrative courts</b>	6 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Insurance and / or social welfare courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Military courts</b>	6 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Juvenile courts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Other specialised courts</b>	6 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If “Other specialised courts”, please specify: Other specialised courts: Courts on grave crimes. In 2021 a new regional court, the Sumgayit Court for Grave Crimes, was established.

#### 044. Number of courts - geographic locations.

	Number of courts (geographic locations)
<b>First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)</b>	109 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)</b>	116 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

#### C. Please indicate the sources for answering the questions in this part

Sources: Judicial-Legal Council

### 3.2. Court staff

#### 3.2.1 Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled for all types of courts - general jurisdiction and specialised courts)



	Total	Males	Females
<b>Total number of professional judges (1 + 2 + 3)</b>	547 [ ] NA [ ] NAP	438 [ ] NA [ ] NAP	109 [ ] NA [ ] NAP
<b>1. Number of first instance professional judges</b>	384 [ ] NA [ ] NAP	297 [ ] NA [ ] NAP	87 [ ] NA [ ] NAP
<b>2. Number of second instance (court of appeal) professional judges</b>	125 [ ] NA [ ] NAP	107 [ ] NA [ ] NAP	18 [ ] NA [ ] NAP
<b>3. Number of Supreme Court professional judges</b>	38 [ ] NA [ ] NAP	34 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP

Comment - Please provide any useful comment for interpreting the data above: To ensure gender equality, leadership, existing gender policy and national and international legislation in this area, appropriate measures are being taken. As a result of these measures the number of women judges have increased in first and second instance and this tendency continues. At the Supreme Court level, two female judges have been removed from their positions due to retirement and upon their own request.

=

**046-1-1. Does your system allow part-time work for professional judges with proportionally reduced remuneration?**

- ( ) Yes
- ( X ) No

Comments

**046-1-2. If yes, please specify in which situation(s) part-time work can be granted (multiple replies possible).**

- [ ] Child-care
- [ ] Elderly care or other dependant persons' care
- [ ] Training
- [ ] For the purposes of early retirement
- [ ] No specific reason required
- [ ] Other reason, please specify: .....

Comments

**046-1-3. If yes, what is the number of professional judges working part-time with reduced remuneration?**

	Total	Males	Females
<b>Total (1 + 2 + 3)</b>	[ ] NA [ ] NAP	[ ] NA [ ] NAP	[ ] NA [ ] NAP



<b>1. At first instance level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. At second instance (court of appeal) level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. At Supreme Court level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**046-1-4. Are there other possibilities (apart from part-time) for regular adjustment of working time or conditions with or without reduced remuneration?**

	<b>Adjustment of working time or conditions with or without reduced remuneration</b>
<b>Temporary reduction of the workload</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Temporary reduction of the working time / special leave</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Other measures</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?

**046-1-5. If yes, please specify in which situation(s) these possibilities can be used?**

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new judges
- No specific reason required
- Other reason, please specify: .....
- NAP

Comments

=

**046-2. Number of judges (FTE) by case type:**

	<b>Total</b>	<b>Civil and/or commercial</b>	<b>Criminal</b>	<b>Administrative</b>	<b>Other</b>
<b>Total number of judges</b>	547 <input type="checkbox"/> NA <input type="checkbox"/> NAP	274 <input type="checkbox"/> NA <input type="checkbox"/> NAP	213 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>First instance</b>	384 <input type="checkbox"/> NA <input type="checkbox"/> NAP	193 <input type="checkbox"/> NA <input type="checkbox"/> NAP	162 <input type="checkbox"/> NA <input type="checkbox"/> NAP	29 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>Second instance</b>	125 [ ] NA [ ] NAP	60 [ ] NA [ ] NAP	41 [ ] NA [ ] NAP	24 [ ] NA [ ] NAP	[ ] NA [ X ] NAP
<b>Supreme Court</b>	38 [ ] NA [ ] NAP	21 [ ] NA [ ] NAP	10 [ ] NA [ ] NAP	7 [ ] NA [ ] NAP	[ ] NA [ X ] NAP

If "Other", please explain which types of cases:



=

**047. Number of court presidents .**

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Total number of court presidents (1 + 2 + 3)</b>	104 [ ] NA [ ] NAP	101 [ ] NA [ ] NAP	3 [ ] NA [ ] NAP
<b>1. Number of first instance court presidents</b>	97 [ ] NA [ ] NAP	94 [ ] NA [ ] NAP	3 [ ] NA [ ] NAP
<b>2. Number of second instance (court of appeal) court presidents</b>	6 [ ] NA [ ] NAP	6 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>3. Number of Supreme Court presidents</b>	1 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments In pursuit of safeguarding and promoting gender equality, a comprehensive set of measures has been set in motion. These measures are closely aligned with established gender policies and are in strict compliance with both national and international legislation governing this domain. As a direct consequence of these coordinated initiatives, there has been indeed an increase in the number of female judges, including those holding presiding positions within the court system (from 2 female court presidents in 2020 to 3 in 2022). In 2021 the female president of second instance court was transferred to another court of appeal which explains the decrease from 1 female court president at second instance in 2020 to 0 in 2022).

**048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible, on 31 December of the reference year):**

	<b>Figure</b>
<b>Gross figure</b>	[ ] NA [ X ] NAP
<b>In full-time equivalent</b>	[ ] NA [ X ] NAP

Comments - If necessary, please provide comments to explain the answer provided:

**048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?**

- ( ) Yes If yes, please give specifications on the types of cases and an estimate in percentage. ....
- ( ) No
- [ X ] NAP

Comments

**049. Number of non-professional judges who are not remunerated but who may receive a simple defrayal of costs (if possible, on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting on a jury):**

	Figure
Gross figure	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In full time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

**049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:**

	Yes	No	Echevinage / mixed bench
Criminal cases (severe)	( )	( )	( )
Criminal cases (misdemeanour and/or minor)	( )	( )	( )
Family law cases	( )	( )	( )
Labour law cases	( )	( )	( )
Social law cases	( )	( )	( )
Commercial law cases	( )	( )	( )
Insolvency cases	( )	( )	( )
Other civil cases	( )	( )	( )

NAP

Comments - If “Other civil cases”, please specify:

**050. Does your judicial system include trial by jury with the participation of citizens?**

( ) Yes

( X ) No

Comments

**050-1. If yes, for which type(s) of case(s)?**

Criminal cases

Other than criminal cases

**051. Number of citizens who were involved in such juries for the year of reference:**

[            ]

[ ] NA

[X] NAP

=

**052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled)**

	Total	Males	Females
<b>Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)</b>	2 892 [ ] NA [ ] NAP	1 495 [ ] NA [ ] NAP	1 397 [ ] NA [ ] NAP
<b>1. Rechtspfleger (or similar bodies) (see Explanatory Note)</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP
<b>2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case preparation, assistance during the hearing, helping to draft the decisions)</b>	1 244 [ ] NA [ ] NAP	671 [ ] NA [ ] NAP	573 [ ] NA [ ] NAP
<b>3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)</b>	1 251 [ ] NA [ ] NAP	618 [ ] NA [ ] NAP	633 [ ] NA [ ] NAP
<b>4. Technical staff</b>	397 [ ] NA [ ] NAP	206 [ ] NA [ ] NAP	191 [ ] NA [ ] NAP
<b>5. Other non-judge staff</b>	[ ] NA [X] NAP	[ ] NA [X] NAP	[ ] NA [X] NAP

Comments - If "Other non-judge staff", please specify:

**052-1. Number of non-judge staff by instance (if possible, on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled).**

Total	Males	Females

<b>Total non-judge staff working in courts (1+2+3)</b>	2 892 [ ] NA [ ] NAP	1 495 [ ] NA [ ] NAP	1 397 [ ] NA [ ] NAP
<b>1. Total non-judge staff working in courts at first instance level</b>	2 155 [ ] NA [ ] NAP	1 122 [ ] NA [ ] NAP	1 033 [ ] NA [ ] NAP
<b>2. Total non-judge staff working in courts at second instance (court of appeal) level</b>	488 [ ] NA [ ] NAP	247 [ ] NA [ ] NAP	241 [ ] NA [ ] NAP
<b>3. Total non-judge staff working in courts at Supreme Court level</b>	249 [ ] NA [ ] NAP	126 [ ] NA [ ] NAP	123 [ ] NA [ ] NAP

Comments

=

**053. If there are Rechtspfleger (or similar bodies), please specify in which fields they have a role:**

- Legal aid
- Family cases
- Payment orders
- Registry cases (land and/or business registry cases)
- Enforcement of civil cases
- Enforcement of criminal cases
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and exact duties:

**054. Have the courts outsourced certain services under their responsibilities to external providers?**

- Yes
- No

Comments

**054-1. If yes, please specify which services have been outsourced:**

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify): .....

Comments - If "Other types of services", please specify:

NA

**C1. Please indicate the sources for answering the questions in this part**

### 3.3. Public prosecution

#### 3.3.1 Public prosecutors and staff

**055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled.)**

	Total	Males	Females
<b>Total number of prosecutors (1 + 2 + 3)</b>	1 229 [ ] NA [ ] NAP	1 142 [ ] NA [ ] NAP	87 [ ] NA [ ] NAP
<b>1. Number of prosecutors at first instance level</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Number of prosecutors at second instance (court of appeal) level</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Number of prosecutors at Supreme Court level</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Comments - Please indicate any useful comment for interpreting the data above:

=

**055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?**

( ) Yes

( X ) No

Comments

**055-1-2. If yes, please specify in which situation(s) part-time work can be granted? (multiple replies possible)**

[ ] Child-care

[ ] Elderly care or other dependant persons' care

[ ] Training

[ ] For the purposes of early retirement

[ ] No specific reason required

[ ] Other reason, please specify: .....

Comments

**055-1-3. If yes, what is the number of prosecutors working part-time with reduced**

**remuneration?**

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Total (1 + 2 + 3)</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. At first instance level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. At second instance (court of appeal) level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. At Supreme Court level</b>	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

**055-1-4. Are there other possibilities (apart of part-time work) for regular adjustment of working time or conditions with or without reduced remuneration?**

	<b>Adjustment of working time or conditions with or without reduced remuneration</b>
<b>Temporary reduction of the workload</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Temporary reduction of the working time / special leave</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Other measures</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comment: If such possibilities for regular adjustment exist, please specify if they imply or not a reduction of the remuneration?  
Adjustment of working time or conditions is feasible without reduced remuneration.

**055-1-5 . If yes, please specify in which situation(s) these possibilities can be used?**

- Child-care
- Elderly care or other dependant persons' care
- Training
- For the purposes of early retirement
- As part of induction process for new prosecutors
- No specific reason required
- Other reason, please specify: .....
- NAP

Comments Article 91 of the Labor Code of the Republic of Azerbaijan regulates issues related to reduced working hours. According to the provisions of this article, the duration of reduced working hours should not exceed 36 hours for pregnant women and parents who are independently raising children up to one and a half years old.

Article 94 of the Labor Code of the Republic of Azerbaijan addresses matters concerning part-time work. According to this article, part-time work, which includes reduced working days or a shortened workweek, may be determined by mutual agreement between the employee and the employer when entering into an employment contract or during the course of employment relationships. The duration of

part-time work and its term, whether it be on a monthly or yearly basis, is established through an agreement between the parties. If the health and physical condition of the employee (e.g., pregnancy, disability) or the health of a child with a chronic illness or another family member, as determined by a medical report, require the performance of work on a part-time basis, the employer is obligated to specify the part-time work schedule (either a shortened workday or workweek) in their statement. Payment for part-time work is determined either proportionally to the time spent on performing job duties or by mutual agreement between the parties. Under no circumstances should the labor rights of employees performing part-time work, as defined by this Code or the employment contract, be restricted in any way.

**056. Number of heads of prosecution offices.**

	Total	Males	Females
<b>Total number of heads of prosecution offices (1 + 2 + 3)</b>	100 [ ] NA [ ] NAP	98 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
<b>1. Number of heads of prosecution offices at first instance level</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Number of heads of prosecution offices at second instance (court of appeal) level</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Number of heads of prosecution offices at Supreme Court level</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP

Please provide any useful comment for interpreting the data above:

**057. In your judicial system, do other persons have similar duties to those of public prosecutors?**

- ( ) Yes
- ( X ) No

Comments - If yes, please specify their titles and functions:

**057-1. If yes, please provide the number (in full-time equivalent):**

[            ]  
[ ] NA

**059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?**

- ( ) Yes
- ( ) No
- [ ] NAP

Comments

**059-1. Do prosecution offices have prosecutors who are specially trained in areas of domestic violence and sexual violence?**

-



<b>Domestic violence</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Sexual violence</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify

=

**060. Number of staff (non-public prosecutors) attached to the public prosecution services, if possible, on 31 December of the reference year and without the number of non-judge staff, see question 52 (in full-time equivalent and for posts actually filled).**

	Total	Males	Females
<b>Number of staff (non-public prosecutors) attached to the public prosecution service</b>	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comment – please describe which categories of staff you have included in your reply:

## **C2. Please indicate the sources for answering the questions in this part**

Sources: General Prosecutor Office

### **3.4. Gender equality**

#### **3.4.1 Specific provisions for facilitating gender equality**

**061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :**

	Yes, please specify	No
<b>judges</b>	( )	( X )
<b>prosecutors</b>	( )	( X )
<b>non-judge staff</b>	( )	( X )
<b>lawyers</b>	( )	( X )
<b>notaries</b>	( )	( X )

enforcement agents	( )	( X )
--------------------	-----	-------

[ ] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify:

**061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :**

	Yes, please specify	No
judges	( )	( X )
prosecutors	( )	( X )
non-judge staff	( )	( X )
lawyers	( )	( X )
notaries	( )	( X )
enforcement agents	( )	( X )

Comments - If the situation changed since the reference year or you have additional comments, please specify:

**061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:**

	Yes / No
Court president	( ) Yes If “yes”, please specify:[Comment] ( X ) No
Head of prosecution services	( ) Yes If “yes”, please specify:[Comment] ( X ) No

Comments

**3.4.2 At national level**

**061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?**

- ( ) Yes
- ( X ) No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us?

**061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner) /**

**institution dealing with gender issues in the justice system concerning:**

	Yes, please specify	No
The recruitment of judges	( )	( X )
The promotion of judges	( )	( X )
The recruitment of prosecutors	( )	( X )
The promotion of prosecutors	( )	( X )
The recruitment of non-judge staff	( )	( X )
The promotion of non-judge staff	( )	( X )

Comments - Please specify the status of this person/institution and if it has a consultative function or if its opinions/decisions have legal consequences: State Committee for Family, Women and Children Affairs is an institution dealing with gender issues in all areas.

According

to the article 8.12 of the Statute of this body one of the duties of this body is supervising the insurance of gender equality in all areas.

**3.4.3 At court/public prosecution services level**

**061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work?**

	Yes	No
in courts (judges)	( )	( X )
in public prosecution services (prosecutors)	( )	( X )
for courts' non-judge staff	( )	( X )

Comments - Please specify the details of this person/institution, in particular its titles and function:

**061-9. In order to improve gender balance in access to different judicial professions and gender equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:**

have been already implemented (please specify) : Pursuant to Article 19 of the 2006 Law of the Republic of Azerbaijan on gender equality, the State Committee for Family, Women and Children's Affairs of the Republic of Azerbaijan (SCFWCA) shall exercise control over ensuring gender equality and submit annual reports on the results of its relevant activities to the Milli Majlis (National Assembly) of the Republic of Azerbaijan. Based on the data provided by the central executive authorities, the analysis indicates that in general there is a positive dynamic in the direction of maintaining gender balance in state institutions. In comparison with previous years, there is an increase in the representation of women in state management and decision-making. Gender equality in the judiciary is ensuring. The number of female judges in the judicial system has been constantly increasing, including in 2013, women made up 13% of the judicial body, and now this number has increased year by year and made up 21.5%.

Also, up to 50% of the candidates who successfully passed the exams held for position of judges and were appointed to the respective positions of judges are women.

All this is a manifestation of the observance of the principles of gender equality in our country, and the activity of women in various spheres of public life.

The comprehensive information is provided in the reports as per following links: AZ-[https://courts.gov.az/en/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi\\_3224](https://courts.gov.az/en/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi_3224)EN-[https://courts.gov.az/az/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi\\_3224](https://courts.gov.az/az/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi_3224)

are planned (please specify) : Above mentioned and other measures are planed to continue. The comprehensive information is provided in the reports as per following links:

AZ-[https://courts.gov.az/en/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi\\_3224](https://courts.gov.az/en/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi_3224)EN  
[https://courts.gov.az/az/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi\\_3224](https://courts.gov.az/az/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi_3224)

The comprehensive information is provided in the reports as per following links:

AZ-[https://courts.gov.az/en/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi\\_3224](https://courts.gov.az/en/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi_3224)EN  
[https://courts.gov.az/az/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi\\_3224](https://courts.gov.az/az/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi_3224)

are planned (please specify) : Above mentioned and other measures are planed to continue. The comprehensive information is provided in the reports as per following links:

AZ-[https://courts.gov.az/en/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi\\_3224](https://courts.gov.az/en/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi_3224)EN  
[https://courts.gov.az/az/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi\\_3224](https://courts.gov.az/az/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi_3224)

Comments - If the situation changed since reference year, please specify in the comments. The comprehensive information is provided in the reports as per following links:

AZ-[https://courts.gov.az/en/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi\\_3224](https://courts.gov.az/en/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi_3224)EN  
[https://courts.gov.az/az/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi\\_3224](https://courts.gov.az/az/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi_3224)

NAP

## 061-10. Are there evaluation studies or official reports regarding the main causes of possible gender inequalities with regard to:

- Recruitment procedures, please specify: .....
- Appointment to the position of court president, please specify: .....
- Appointment to the position of head of prosecution services, please specify: .....
- Promotion procedures and access to the functions of responsibility, please specify: .....
- Other studies, please specify: .....

NAP

Comments - Please specify also the reference documents.

### 3.5. Use of information technologies in courts

#### 3.5.1 Governance

#### ICT STRATEGY

**062-01. Do you have an overall Information and Communication Technology (ICT) strategy in the judicial system?**

Yes

No

Comments

**062-02. If there is an overall ICT strategy in the judicial system, who was involved in the process of its definition?**

Judges (Judicial council)

Prosecutors (Prosecutorial or judicial council)

Ministry of justice

Lawyers (bar association)

Notaries (association of notaries)

Enforcement agents (association of enforcement agents)

Other (please specify) .....

NA

NAP

Comments

#### LEGISLATION

**062-03. Does a national legislation/regulation of ICT in the judicial system exist?**

Yes

No

Comments

**062-04. If yes, how is this legislation/regulation of ICT in the judicial system structured?**

Relevant norms are included in the general e-government legislation/regulation

Relevant norms are included in specific legislation/regulation only for the judicial system

Relevant texts are included in dedicated technical documents/specifications

Other, please specify .....

NA

Comment - If more than one of the proposed models exist in your country, please select them all and explain the details Criminal Procedural Code, Civil Procedural Code, Administrative Procedural Code, Decree of the President of the Republic of Azerbaijan dated 13.02.2014 on the establishment of the "Electronic court" information system, Statute on the "Electronic court" information system approved by the presidential decree dated 01.06.2020, Instructions on conducting clerical work in the courts of the Republic of Azerbaijan, Rules for using "Electronic court" information system, Rules for using "Electronic court" information system in criminal proceedings.

## IMPACT OF IMPLEMENTATION OF ICT SYSTEMS



**062-05. Have you already organised audits/evaluations/assessments of the impact of the implementation of the ICT system?**

( ) Yes

(X) No

Comments

**062-06. If these audits/evaluations/assessments were already organised, please specify their modalities:**

	<b>Format</b>	<b>Last conducted audit</b>
<b>ICT Governance</b>	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Security and risk management</b>	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Impact on efficiency and quality of the business processes and workflow</b>	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Impact on human resources (number, workload, wellbeing)</b>	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA
<b>Other, please specify in comments</b>	<input type="checkbox"/> Internal <input type="checkbox"/> External <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA	<input type="checkbox"/> In the last 2 years <input type="checkbox"/> Between 2 and 5 years ago <input type="checkbox"/> More than 5 years ago <input type="checkbox"/> NAP - no audit has been organised <input type="checkbox"/> NA

Comment - If you have selected other area, please provide details. Please also add details on the content of the last organised evaluation.

**062-07. If these audits/evaluations/assessments were organised in the last 5 years, how did you apply their recommendations/results?**

- Update applications
- Define new ICT projects/modules
- Adjust legislation
- Adjust working processes
- Withdraw/stop use of a module/application
- Reporting purpose only
- Other, please specify .....
- NA
- NAP

Comments

**3.5.2 Electronic case processing**

**ELECTRONIC SUBMISSION OF CASES**

**062-08. If it is possible to submit a case to a court electronically, what are the deployment and usage rates?**

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic submission is not possible <input type="checkbox"/> NA

<b>Criminal</b>	<input type="checkbox"/> 95-100 %	<input type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input checked="" type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input checked="" type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input type="checkbox"/> NAP - electronic submission is not possible	<input type="checkbox"/> NAP - electronic submission is not possible
	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Comments

**062-09. If it is possible to submit a case to a court electronically, please specify the modalities:**

	<b>Electronic or paper</b>	<b>Possible to be submitted electronically by:</b>	<b>Data integration</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input checked="" type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA



<b>Criminal</b>	<input checked="" type="checkbox"/> Paper submission is still possible <input type="checkbox"/> Paper submission is not possible anymore (electronic submission is the only way) <input type="checkbox"/> Double submission (paper must accompany the electronic submission) <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input checked="" type="checkbox"/> Other, please specify <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the Case Management System (CMS) <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic submission is not possible <input type="checkbox"/> NA
-----------------	---	--	--

Comments

## SENDING ELECTRONIC DOCUMENTS TO COURT

062-10. If it is possible to send case-related documents to the courts electronically, what are the deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input checked="" type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic delivery is not possible <input type="checkbox"/> NA

<b>Criminal</b>	<input type="checkbox"/> 95-100 %	<input type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input checked="" type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input checked="" type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input type="checkbox"/> NAP - electronic delivery is not possible	<input type="checkbox"/> NAP - electronic delivery is not possible
	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Comments

**062-11. If it is possible to send electronically case related documents to the courts, please specify the modalities:**

	<b>Electronic or paper</b>	<b>Possible to be submitted electronically by:</b>	<b>Data integration</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> Paper delivery is still possible <input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way) <input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one) <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Documents sent by a lawyer <input checked="" type="checkbox"/> Documents sent by a party not represented by a lawyer <input type="checkbox"/> Documents sent by another person/institution <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS <input type="checkbox"/> The data are manually re-entered in the CMS <input type="checkbox"/> NAP – electronic delivery is not possible <input type="checkbox"/> NA

<b>Criminal</b>	<input checked="" type="checkbox"/> Paper delivery is still possible	<input checked="" type="checkbox"/> Documents sent by a lawyer	<input checked="" type="checkbox"/> The data are electronically transferred to the CMS
	<input type="checkbox"/> Paper delivery is not possible anymore (electronic delivery is the only way)	<input type="checkbox"/> Documents sent by a party not represented by a lawyer	<input type="checkbox"/> The data are manually re-entered in the CMS
	<input type="checkbox"/> Double delivery (Paper delivery must accompany the electronic one)	<input type="checkbox"/> Documents sent by another person/institution	<input type="checkbox"/> NAP – electronic delivery is not possible
	<input type="checkbox"/> NAP – electronic delivery is not possible	<input type="checkbox"/> NAP – electronic delivery is not possible	<input type="checkbox"/> NAP – electronic delivery is not possible
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Comment - If you have selected the option “Documents sent by another person/institution”, please specify details.

## ELECTRONIC NOTIFICATIONS

062-12. If it is possible for courts to send electronic notifications, what are the deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic notifications are not possible <input type="checkbox"/> NA

Comments

062-13. If it is possible for courts to send electronic notifications, please specify the modalities:

	Electronic or paper	Type of notification	Data integration
<b>Civil</b>	<input checked="" type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer <input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> Paper notification is still possible <input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way) <input type="checkbox"/> Double notification (paper notification must accompany the electronic one) <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer <input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer <input type="checkbox"/> Notifications with attached official documents sent by the courts <input type="checkbox"/> Notifications sent to other persons/institutions <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS <input type="checkbox"/> The electronic notification is manually generated <input type="checkbox"/> NAP – electronic notifications are not possible <input type="checkbox"/> NA

<b>Criminal</b>	<input checked="" type="checkbox"/> Paper notification is still possible	<input checked="" type="checkbox"/> Notifications sent by the court to the lawyer	<input checked="" type="checkbox"/> The electronic notification is generated from the CMS
	<input type="checkbox"/> Paper notification is not possible anymore (electronic notification is the only way)	<input checked="" type="checkbox"/> Notifications sent by the court to the party not represented by a lawyer	<input type="checkbox"/> The electronic notification is manually generated
	<input type="checkbox"/> Double notification (paper notification must accompany the electronic one)	<input type="checkbox"/> Notifications with attached official documents sent by the courts	<input type="checkbox"/> NAP – electronic notifications are not possible
	<input type="checkbox"/> NAP – electronic notifications are not possible	<input type="checkbox"/> Notifications sent to other persons/institutions	<input type="checkbox"/> NAP – electronic notifications are not possible
	<input type="checkbox"/> NA	<input type="checkbox"/> NAP – electronic notifications are not possible	<input type="checkbox"/> NA

Comment - If you have selected the option “Notifications sent to other persons/institutions”, please specify details.

## CONSULTATION OF A CASE ONLINE

062-14. If it is possible for external users to consult a case online, what are the deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input checked="" type="checkbox"/> NAP - online consultation is not possible <input type="checkbox"/> NA

<b>Criminal</b>	<input type="checkbox"/> 95-100 %	<input type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input checked="" type="checkbox"/> NAP - online consultation is not possible	<input checked="" type="checkbox"/> NAP - online consultation is not possible
	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Comments

**062-15. If it is possible for external users to consult a case online, please specify the modalities:**

	<b>Content</b>	<b>Access</b>	<b>Consultation format</b>
<b>Civil</b>	<input type="checkbox"/> Case status <input type="checkbox"/> Documents <input type="checkbox"/> Notifications <input type="checkbox"/> Events/calendar <input type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> Case status <input type="checkbox"/> Documents <input type="checkbox"/> Notifications <input type="checkbox"/> Events/calendar <input type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> Case status <input type="checkbox"/> Documents <input type="checkbox"/> Notifications <input type="checkbox"/> Events/calendar <input type="checkbox"/> Court decision <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Lawyer <input type="checkbox"/> Party not represented by a lawyer <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA	<input type="checkbox"/> Electronic access at the court premises <input type="checkbox"/> Other, please specify <input checked="" type="checkbox"/> NAP – online consultation is not possible <input type="checkbox"/> NA

Comment - If you have selected the option “Other”, please specify details.

**REMOTE HEARINGS**



**062-16. If it is possible to organise remote hearings what are the deployment and usage rates?**

	Deployment rate	Usage rate
<b>Civil</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - remote hearings are not possible <input type="checkbox"/> NA

Comments

**062-17. If it is possible to organise remote hearings, please specify the functionalities and modalities:**

Functionalities	Modalities

<p><b>Civil</b></p>	<p><input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Agreement of the parties is needed</p> <p><input checked="" type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>
<p><b>Administrative</b></p>	<p><input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts</p> <p><input type="checkbox"/> Publicly available tools used by courts</p> <p><input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers</p> <p><input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion)</p> <p><input type="checkbox"/> Tools for simultaneous interpretation</p> <p><input type="checkbox"/> Tools for automatic subtitling (speech-to-text)</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>	<p><input checked="" type="checkbox"/> Agreement of the parties is needed</p> <p><input checked="" type="checkbox"/> The judge can impose a remote hearing</p> <p><input type="checkbox"/> NAP – remote hearings are not possible</p> <p><input type="checkbox"/> NA</p>



<b>Criminal</b>	<input checked="" type="checkbox"/> Dedicated tool specially designed for the use by courts <input type="checkbox"/> Publicly available tools used by courts <input type="checkbox"/> Organisation of private sessions within online hearings for consultation between parties and their lawyers <input type="checkbox"/> Tools for witness protection (voice distortion, picture distortion) <input type="checkbox"/> Tools for simultaneous interpretation <input type="checkbox"/> Tools for automatic subtitling (speech-to-text) <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Agreement of the parties is needed <input checked="" type="checkbox"/> The judge can impose a remote hearing <input type="checkbox"/> NAP – remote hearings are not possible <input type="checkbox"/> NA
-----------------	--	---

Comments

## ELECTRONIC ARCHIVES



062-18. If electronic archives of cases exist, what are the deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - electronic archives do not exist <input type="checkbox"/> NA

<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 %	<input checked="" type="checkbox"/> 95-100 %
	<input type="checkbox"/> 75-95 %	<input type="checkbox"/> 75-95 %
	<input type="checkbox"/> 50-75 %	<input type="checkbox"/> 50-75 %
	<input type="checkbox"/> 25-50 %	<input type="checkbox"/> 25-50 %
	<input type="checkbox"/> 1-25 %	<input type="checkbox"/> 1-25 %
	<input type="checkbox"/> 0 %	<input type="checkbox"/> 0 %
	<input type="checkbox"/> NAP - electronic archives do not exist	<input type="checkbox"/> NAP - electronic archives do not exist
	<input type="checkbox"/> NA	<input type="checkbox"/> NA

Comments

**062-19. If an electronic archive of cases exists, please specify the modalities:**

	<b>Electronic or paper</b>
<b>Civil</b>	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input checked="" type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
<b>Administrative</b>	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input checked="" type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> Paper archiving is still possible <input type="checkbox"/> Paper archiving is not possible anymore (electronic archiving is the only way) <input checked="" type="checkbox"/> Double archiving (paper archiving must accompany the electronic one) <input type="checkbox"/> NAP – electronic archives do not exist <input type="checkbox"/> NA

Comments

**3.5.3 Tools**

**CASE MANAGEMENT SYSTEMS (CMS)**

**062-20. If one or more case management system(s) (CMS) exist, what are the deployment and usage rates?**

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - CMS does not exist <input type="checkbox"/> NA

Comments

**062-21. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):**

<b>Functionalities</b>
------------------------

<p><b>Civil</b></p>	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input checked="" type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input type="checkbox"/> Case weighting</p> <p><input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input checked="" type="checkbox"/> Anonymisation of decisions to be published</p> <p><input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input checked="" type="checkbox"/> Electronic signature</p> <p><input checked="" type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>
<p><b>Administrative</b></p>	<p><input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases</p> <p><input checked="" type="checkbox"/> Active case management dashboard</p> <p><input checked="" type="checkbox"/> Random allocation of cases</p> <p><input type="checkbox"/> Case weighting</p> <p><input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number)</p> <p><input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court</p> <p><input checked="" type="checkbox"/> Anonymisation of decisions to be published</p> <p><input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register)</p> <p><input checked="" type="checkbox"/> Access to closed/resolved cases</p> <p><input checked="" type="checkbox"/> Advanced search engine</p> <p><input checked="" type="checkbox"/> Protected log files</p> <p><input checked="" type="checkbox"/> Electronic signature</p> <p><input checked="" type="checkbox"/> Other special functionality, please specify</p> <p><input type="checkbox"/> NAP – CMS does not exist</p> <p><input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, because of its importance please specify details. “Other special functionality” means "early warning signals", "electronic audio-video recording of court proceedings".

**062-22. If one or more case management system(s) (CMS) exist, please specify the functionalities of these system(s):**

	Functionalities
<b>Criminal</b>	<input checked="" type="checkbox"/> Centralised and/or interoperable CMS databases <input checked="" type="checkbox"/> Active case management dashboard <input checked="" type="checkbox"/> Random allocation of cases <input type="checkbox"/> Case weighting <input checked="" type="checkbox"/> Identification of a case between instances (unique or linked id number) <input checked="" type="checkbox"/> Electronic transfer of a case to another instance/court <input checked="" type="checkbox"/> Anonymisation of decisions to be published <input checked="" type="checkbox"/> Interoperability with prosecution system <input checked="" type="checkbox"/> Interoperability with other systems (civil register, tax register, insolvency register) <input checked="" type="checkbox"/> Access to closed/resolved cases <input checked="" type="checkbox"/> Advanced search engine <input checked="" type="checkbox"/> Protected log files <input checked="" type="checkbox"/> Electronic signature <input checked="" type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – CMS does not exist <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details. “Other special functionality” means "early warning signals", "electronic audio-video recording of court proceedings".

## WRITING ASSISTANCE TOOLS

062-23. If writing assistance tools exist in courts, what are their deployment and usage rates?

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - writing assistance tools do not exist <input type="checkbox"/> NA

Comments

**062-24. If writing assistance tools exist in courts, please describe their functionalities:**

	<b>Functionalities</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA

<b>Criminal</b>	<input checked="" type="checkbox"/> Templates <input type="checkbox"/> Automatically generated text <input type="checkbox"/> Automatically suggested decision <input type="checkbox"/> Speech-to-text <input checked="" type="checkbox"/> Electronic signature <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – writing assistance tools do not exist <input type="checkbox"/> NA
-----------------	---

Comment - If you have selected the option “Other special functionality”, please specify the details.

## RECORDING OF COURT HEARINGS

**062-25. If a tool to record court hearings exists, what are the deployment and usage rates?**

	Deployment rate	Usage rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input checked="" type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA	<input type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input checked="" type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there is no tool for recording hearings <input type="checkbox"/> NA

Comments

**062-26. If a tool to record court hearings exist, please specify its functionalities:**

<b>Functionalities</b>
------------------------

<p><b>Civil</b></p>	<p><input checked="" type="checkbox"/> Audio recording  <input checked="" type="checkbox"/> Video recording  <input type="checkbox"/> Systematic recording for all hearings  <input checked="" type="checkbox"/> Automatically indexed recording  <input type="checkbox"/> Automatic transcript from recording  <input checked="" type="checkbox"/> Possibility to request a copy of the recording  <input type="checkbox"/> Other special functionality, please specify  <input type="checkbox"/> NAP – there is no tool for recording hearings  <input type="checkbox"/> NA</p>
<p><b>Administrative</b></p>	<p><input checked="" type="checkbox"/> Audio recording  <input checked="" type="checkbox"/> Video recording  <input type="checkbox"/> Systematic recording for all hearings  <input checked="" type="checkbox"/> Automatically indexed recording  <input type="checkbox"/> Automatic transcript from recording  <input checked="" type="checkbox"/> Possibility to request a copy of the recording  <input type="checkbox"/> Other special functionality, please specify  <input type="checkbox"/> NAP – there is no tool for recording hearings  <input type="checkbox"/> NA</p>
<p><b>Criminal</b></p>	<p><input checked="" type="checkbox"/> Audio recording  <input checked="" type="checkbox"/> Video recording  <input type="checkbox"/> Systematic recording for all hearings  <input checked="" type="checkbox"/> Automatically indexed recording  <input type="checkbox"/> Automatic transcript from recording  <input checked="" type="checkbox"/> Possibility to request a copy of the recording  <input type="checkbox"/> Other special functionality, please specify  <input type="checkbox"/> NAP – there is no tool for recording hearings  <input type="checkbox"/> NA</p>

Comment - If you have selected the option “Other special functionality”, please specify the details.

## **DATABASE OF COURT DECISIONS**

**062-27. If there is a national database of court decisions, please provide the percentage of the decisions published at each instance.**

Percentage of 1st instance decisions published	Percentage of 2nd instance decisions published	Percentage of Supreme court decisions published
--	--	---



<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - There is no database for these decisions <input type="checkbox"/> NA

Comments

**062-28. If there is a national database of court decisions, please specify the modalities in publishing these decisions:**

	<b>1st instance</b>	<b>2nd instance</b>	<b>Supreme court</b>
<b>Civil</b>	<input type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA

<b>Administrative</b>	<input type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA
<b>Criminal</b>	<input type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA	<input type="checkbox"/> Published online (public website) <input checked="" type="checkbox"/> Published in an internal database <input type="checkbox"/> Other, please specify <input type="checkbox"/> NAP– There is no database for these decisions <input type="checkbox"/> NA

- If you have selected the option “Other” because the court decisions are published online in some other way than the presented modalities, please describe.

**062-29. If there is a database of court decisions at national level, what are the functionalities of this database?**

	<b>Functionalities</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Automatic anonymisation <input type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

<b>Administrative</b>	<input checked="" type="checkbox"/> Automatic anonymisation <input type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> Automatic anonymisation <input type="checkbox"/> Manual anonymisation <input checked="" type="checkbox"/> Free public online access <input type="checkbox"/> Link to the case law of the European Court of Human Rights (ECHR) <input type="checkbox"/> Open data <input checked="" type="checkbox"/> Advanced search engine <input type="checkbox"/> Machine-readable content <input type="checkbox"/> Structured content <input type="checkbox"/> Metadata <input type="checkbox"/> European Case Law Identifier (ECLI) <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – There is no database for these decisions <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details.

## STATISTICAL TOOLS

062-30. If there are statistical tools for analysing court case data, what is their deployment rate?

	Deployment rate
<b>Civil</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

<b>Administrative</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> 95-100 % <input type="checkbox"/> 75-95 % <input type="checkbox"/> 50-75 % <input type="checkbox"/> 25-50 % <input type="checkbox"/> 1-25 % <input type="checkbox"/> 0 % <input type="checkbox"/> NAP - there are no statistical tools <input type="checkbox"/> NA

Comments

**062-31. If there are statistical tools for analysing court case data, please describe their functionalities and the data available for statistical analysis:**

	<b>Functionalities</b>	<b>Data available for statistical analysis</b>
<b>Civil</b>	<input checked="" type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input checked="" type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

<b>Administrative</b>	<input checked="" type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input checked="" type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA
<b>Criminal</b>	<input checked="" type="checkbox"/> Integration/connection with the CMS <input type="checkbox"/> Business intelligence software <input checked="" type="checkbox"/> Generation of predefined statistical reports <input type="checkbox"/> Generation of customised statistical reports <input checked="" type="checkbox"/> Internal page and/or dashboard <input type="checkbox"/> External page with statistics (public website) <input checked="" type="checkbox"/> Real-time data availability <input type="checkbox"/> Automatic consolidation of data at the national level <input type="checkbox"/> Other special functionality, please specify <input type="checkbox"/> NAP – there are no statistical tools <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Case flow data (number of incoming, resolved, pending) <input checked="" type="checkbox"/> Age of a pending case <input checked="" type="checkbox"/> Length of proceedings <input checked="" type="checkbox"/> Number of hearings <input checked="" type="checkbox"/> Cases per judge <input type="checkbox"/> Case weights <input checked="" type="checkbox"/> Number of parties in a case <input checked="" type="checkbox"/> Indicator of appeal <input checked="" type="checkbox"/> Result of the appeal <input type="checkbox"/> NAP– there are no statistical tools <input type="checkbox"/> NA

Comment - If you have selected the option “Other special functionality”, please specify the details

## OTHER TOOLS

**062-32. Is there any application for online court-related dispute resolution?**

( ) Yes

( X ) No

Comments

**062-33. If yes, is there a maximum value over which online court-related dispute resolution cannot be organised?**

- Yes, please specify the maximum value .....
- No

Comments

**062-34. If yes, can the online court-related dispute resolution be used in the following areas?**

- Small claim litigation
- Undisputed claim
- Payment order
- Misdemeanour criminal cases
- Enforcement of civil cases
- Other, please specify .....

Comment: Please describe the existing online procedures:

**062-35. Is there a computerised national record centralising all criminal convictions?**

- Yes
- No

Comments

**062-36. If yes, please specify the following information:**

- The computerised record includes biometric data (ex. fingerprint data, picture)
- The computerised record is linked to other European records of the same nature (ex. ECRIS)
- The content is directly available through computerised means for judges and/or prosecutors (ex. interoperability with the CMS)
- The content is directly available for purposes other than criminal (ex. civil and administrative matters)
- The record contains conviction information on third-country nationals and stateless persons

Comments

**062-37. Is there a Document Management System (DMS) in the registry of courts?**

- Yes
- No

Comment: If yes, please provide details on the purposes and usage of this system. (See the general comment)

**062-38. In addition to the tools listed in the ICT section of this questionnaire does your judicial system use other innovative ICT tools?**

- Yes
- No

Comment: If yes, please list and describe these ICT tools. (See the general comment)

### 3.6. Performance and evaluation

#### 3.6.1 National policies applied in courts and public prosecution services

**066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?**

Yes

No

Comments - If yes, please specify:

**067. Do you have specialised personnel entrusted with implementation of these national level quality standards?**

	Yes / No
within the courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
within the public prosecution services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

#### 3.6.2 Measuring court/public prosecution services

**070. Do you regularly monitor court activities (performance and quality) concerning:**

number of incoming cases

length of proceedings (timeframes)

number of resolved cases

number of pending cases

backlogs

productivity of judges and court staff

satisfaction of court staff

satisfaction of users (regarding the services delivered by the courts)

costs of the judicial procedures

number of appeals

appeal ratio

clearance rate

disposition time

other (please specify): .....

Comments

**070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:**

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify): .....

Comments

**071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:**

- civil law cases
- criminal law cases
- administrative law cases

Comments

**072. Do you monitor waiting time during judicial proceedings?**

	Yes (If yes, please specify)	No
<b>within the courts</b>	( X )	( )
<b>within the public prosecution services</b>	( X )	( )

Comments

**073. Do you have a system to evaluate regularly court performance based on the monitored indicators of question 70?**

- Yes
- No

Comments

**073-0. If yes, please specify the frequency:**

- Annual
- Less frequent
- More frequent



Comments - If "Less frequent" or "More frequent", please specify:

**073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?**

Yes

No

Comments

**073-2. If yes, which courses of action are taken (multiple replies possible)?**

Identifying the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance)

Reengineering of internal procedures to increase efficiency

Other (please specify): .....

Comments

**073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based on the monitored indicators of question 70-1?**

Yes

No

Comments

**073-4. If yes, please specify the frequency:**

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify:

**073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?**

Yes

No

Comments

**073-6. If yes, which courses of action are taken (multiple replies possible)?**

Identifying the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance)

Reengineering of internal procedures to increase efficiency

Other (please specify): .....

Comments

=



**079. Who is responsible for evaluating the performance of the courts (multiple replies possible)?**

- High Judicial Council
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other (please specify): .....

Comments

**079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple replies possible)?**

- Public Prosecutorial Council
- Ministry of Justice
- Head of the organisational unit or hierarchically superior public prosecutor
- Prosecutor General /State public prosecutor
- External audit body
- Other (please specify): .....

Comments

**3.6.3 Information regarding courts /public prosecution services activity**

**080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?**

- Yes (please indicate the name and the address of this institution):Ministry of Justice
- No

Comments

**080-1. Are the statistics on the functioning of each court published?**

- Yes, on the internet (please provide the link) .....
- No, only internally (on an intranet website)
- No

Comments

=

**080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?**

- Yes (please indicate the name and the address of this institution):General Prosecutor Office
- No

Comments

**080-3. Are the statistics on the functioning of each public prosecution service published?**

( ) Yes, on the internet (please provide the link) .....

( X ) No, only internally (on an intranet website)

( ) No

Comments

=

**081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?**

( X ) Yes

( ) No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is primarily intended):

**081-1. If yes, please specify in which form this report is released:**

[ ] Internet

[ X ] Intranet (internal) website

[ ] Paper distribution

Comments

**081-2. If yes, please, indicate the periodicity at which the report is released:**

( X ) Annual

( ) Less frequent

( ) More frequent

Comments

=

**081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?**

( X ) Yes

( ) No

Comments - If yes, please describe the content of the report and its audience (i.e. for whom the report is primarily intended):

**081-4. If yes, please specify in which form this report is released:**

[ ] Internet

[ ] Intranet (internal) website

[ X ] Paper distribution

Comments

**081-5. If yes, please, indicate the periodicity at which the report is released:**

- Annual
- Less frequent
- More frequent

Comments

**3.6.4 Performance and evaluation of judges and public prosecutors**

**083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?**

- Yes
- No

Comments

**083-1. Who is responsible for setting these targets for each judge?**

- Executive power (for example the Ministry of Justice)
- Legislative power
- Judicial power (for example the High Judicial Council, Supreme Court)
- President of the court
- Other (please specify): .....
- NAP

Comments

**083-1-1. What are the consequences for a judge if these targets are not met?**

	Consequences:
<b>Without disciplinary procedure</b>	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input checked="" type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
<b>With disciplinary procedure</b>	<input type="checkbox"/> Warning by court's president <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment]
-	<input type="checkbox"/> No consequences
-	<input type="checkbox"/> NAP (no targets defined)

Comments

**114. Is there a system of individual evaluation of the judges' work?**

	<b>Existence of a system of individual evaluation of the judges' work</b>
<b>Quantitative</b>	( X ) Yes ( ) No
<b>Qualitative</b>	( X ) Yes ( ) No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

**114-1. Please specify the frequency of this evaluation:**

( ) Annual

( ) Less frequent

( ) More frequent

( X ) Different frequencies used, please specify: The activity of judges appointed for a period of 3 years for the first time is evaluated by the Judicial-Legal Council at the end of that period, and the activity of other judges not less than once in five years.

[ ] NAP

=

**083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?**

( X ) Yes

( ) No

Comments

**083-3. Who is responsible for setting these targets for each public prosecutor?**

[ ] Executive power (for example the Ministry of Justice)

[ X ] Prosecutor General /State public prosecutor

[ ] Public Prosecutorial Council

[ ] Head of the organisational unit or hierarchically superior public prosecutor

[ ] Other (please specify): .....

[ ] NAP

Comments

**083-3-1. What are the consequences for a prosecutor if these targets are not met?**

	<b>Consequences:</b>
<b>Without disciplinary procedure</b>	[ ] Warning by head of prosecution [ ] Temporary salary reduction [ X ] Reflected in the individual assessment [ ] Other, please specify: [Comment] [ ] NAP

<b>With disciplinary procedure</b>	<input type="checkbox"/> Warning by head of prosecution <input type="checkbox"/> Temporary salary reduction <input type="checkbox"/> Reflected in the individual assessment <input type="checkbox"/> Other, please specify: [Comment] <input type="checkbox"/> NAP
<b>No consequences</b>	<input type="checkbox"/> No consequences <input type="checkbox"/> NAP

Comments

**120. Is there a system of individual evaluation of the public prosecutors' work?**

	<b>Existence of a system of individual evaluation of the public prosecutors' work</b>
<b>Quantitative</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Qualitative</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comment: Please specify the criteria on which the assessment is based, the authority competent for carrying out the assessment, the purposes for which the results of the assessment are used:

**120-1. Please specify the frequency of this evaluation:**

- Annual
- Less frequent
- More frequent
- Different frequencies used, please specify: .....
- NAP

Comments

**C4. Please indicate the sources for answering the questions in this part**

Sources: Letter of the General Prosecutor Office

**4.Fair trial**

**4.1.Principles**

**4.1.1Principles of fair trial**

**084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?**

- 
- NA

NAP

Comments - Please add methodology for calculation used.

### 085. Is there a procedure to effectively challenge a judge (recusal), if a party considers that the judge is not impartial?

Yes

No

Comments - Please could you briefly specify:

#### 085-1. If yes, what are:

	-
<b>The total number of the initiated procedures in the reference year</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>The total number of recusals pronounced in the reference year</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Please, could you briefly specify: According to Article 107.3.3 of the Criminal Procedure Code of the Republic of Azerbaijan, the judge can be informed by any participant of the criminal process only before the court investigation has begun, and after the court investigation has begun, only if any participant of the criminal process has objected before directly objecting to the circumstances that exclude the participation of the relevant person in the process. it is objected when it is proved that it is.

Objection to the judge (court composition) must be justified.

Briefly an objection may be made if there are grounds for objection appears during the court review and if it is proved.

Article 109 of the Code defines the range of circumstances that exclude a person from participating as a judge in criminal proceedings.

According to Article 109.4 of the Code, the opinion of the participants of the criminal process and the protested judge is studied, and the relevant decision is made by considering the self-protest or the protest.

### 086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

For civil procedures (non-enforcement)

For civil procedures (timeframe)

For criminal procedures (timeframe)

NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations):

#### 086-1. Is there in your country a possibility to review/reopen a case after a finding of a violation of the European Convention on Human Rights by the European Court of Human Rights?

For civil cases

For criminal cases

For administrative cases

NAP

Comments Criminal, civil and administrative procedural codes.

## D1. Please indicate the sources for answering the questions in this part

Sources: Criminal, civil and administrative procedural codes.

### 4.2. Timeframe of proceedings

#### 4.2.1 General information

##### 087. Are there specific procedures for urgent matters regarding:

- civil cases  
 criminal cases  
 administrative cases  
 There is no specific procedure for urgent matters

Comments - If yes, please specify:

##### 088. Are there simplified procedures for:

- civil cases (small disputes)  
 criminal cases (misdemeanour cases)  
 administrative cases  
 There is no simplified procedure

Comments - If yes, please specify:

##### 088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

- civil cases  
 criminal cases  
 administrative cases

Comments - If yes, please specify:

##### 089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions etc.)?

	Yes	No
Agreement on general arrangements	( )	( X )
Agreement in specific cases	( )	( X )

Comments



## 4.2.2 Case flow management – first instance



### 091. First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	36 186 [ ] NA [ ] NAP	215 108 [ ] NA [ ] NAP	210 081 [ ] NA [ ] NAP	41 213 [ ] NA [ ] NAP	722 [ ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	28 451 [ ] NA [ ] NAP	191 711 [ ] NA [ ] NAP	189 874 [ ] NA [ ] NAP	30 288 [ ] NA [ ] NAP	562 [ ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.3. Other non-litigious cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Administrative law cases</b>	7 735 [ ] NA [ ] NAP	23 397 [ ] NA [ ] NAP	20 207 [ ] NA [ ] NAP	10 925 [ ] NA [ ] NAP	160 [ ] NA [ ] NAP
<b>4. Other cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments Due to the SARS Covid-19-related lockdowns and operational restrictions in 2020, there was a noticeable decrease in incoming and resolved civil, commercial, as well as administrative cases. However, in 2021 and 2022, there has been a significant increase in the number of these aforementioned figures, which can be attributed to the lifting of all restrictions.

After the lifting of Covid-19 restrictions, increased activity has been observed within the court system. Indeed, this coincides with the ongoing process of computerization of courts and the expansion of the number of judges, both of which have had a positive impact on the increased number of resolved cases and, consequently, a reduction in pending cases, including those that have been pending for more than two years, in civil and commercial matters.

Regarding the reduction of pending civil and commercial litigious cases, in addition to the cessation of Covid-19 restrictions, a primary factor has been the amendments made to the Civil Procedure Code through the Law of July 9, 2021. These amendments stipulated that an expert must issue a written opinion within one month from the date of the court's decision on the appointment of an expert, and no later than ten days in certain cases. Prior to these amendments, cases were processed within a reasonable timeframe. Since the majority of these pending cases were those requiring expert evaluation, their consideration has been expedited both within the court system and in forensic bodies.

The increase in administrative cases is also attributable to the rise in certain categories of cases, such as those related to real estate and social benefits (calculation of pensions and others), which, in turn, are influenced by specific legislative changes in this field. The increase in the number of pending administrative cases including those that have been pending for more than two years can be attributed to two primary factors: a substantial rise in the total number of cases in comparison to the year 2020, coupled with the fact of processing these cases within a reasonable timeframe.

**092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:**

. No comment

**093. Please indicate the case categories included in the category "other cases":**

. No comment

**094. First instance courts: number of criminal law cases.**

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Total of criminal law cases (1+2+3)</b>	3 910 [ ] NA [ ] NAP	18 276 [ ] NA [ ] NAP	17 118 [ ] NA [ ] NAP	5 068 [ ] NA [ ] NAP	147 [ ] NA [ ] NAP
<b>1. Severe criminal cases</b>	1 182 [ ] NA [ ] NAP	3 391 [ ] NA [ ] NAP	3 077 [ ] NA [ ] NAP	1 496 [ ] NA [ ] NAP	62 [ ] NA [ ] NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	2 728 [ ] NA [ ] NAP	14 885 [ ] NA [ ] NAP	14 041 [ ] NA [ ] NAP	3 572 [ ] NA [ ] NAP	85 [ ] NA [ ] NAP

<b>3. Other criminal cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
--------------------------------	--	--	--	--	--

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify In 2022, there is an increase of resolved cases related to lifting of all restrictions. There is also an increase of incoming cases as in 2022, the fight against crime, including illegal drug trafficking, was further strengthened in the Republic of Azerbaijan, illegal drug trafficking was prevented by the use of modern telecommunications and information media by law enforcement agencies, large quantities of potent drugs were seized. Appropriate additional measures have been taken to improve the quality of preventive measures.”

The increase in the number of pending criminal cases can be attributed to a rise in the total number of cases in comparison to the year 2020.

The decrease in the number of cases pending for more than 2 years can be attributed to the fact that the Supreme Court and the Council for Judicial Law regularly conduct monitoring of criminal cases that have been under consideration for an extended period of time, and the reasons for this are investigated and addressed.

#### 4.2.3 Case flow management – second instance



#### **097. Second instance courts (appeal): Number of “other than criminal law” cases.**

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
<b>Total of other than criminal law cases (1+2+3+4)</b>	5 145 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	24 329 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	24 442 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	5 032 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	158 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	3 806 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	18 942 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	19 460 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	3 288 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	135 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>2.2.1. Non litigious land registry cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.2.2 Non-litigious business registry cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.2.3. Other registry cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2.3. Other non-litigious cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Administrative law cases</b>	1 339 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 387 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 982 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 744 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>4. Other cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If “Other cases” please specify Several reasons can be cited in relation to increasing the efficiency of the court's activities and consequently reducing the number of pending cases. This includes the lifting of all SARS Covid-19-related lockdowns and operational restrictions, as well as a relative decrease in the number of civil cases submitted for consideration by the appellate court and so on. There has also been an increase in the number of administrative incoming, resolved and pending cases in the courts of appeal, which is explained by the increase in the number of cases in the lower courts.

#### 098. Second instance courts (appeal): Number of criminal law cases.

	<b>Pending cases on 1 Jan. ref. year</b>	<b>Incoming cases</b>	<b>Resolved cases</b>	<b>Pending cases on 31 Dec. ref. year</b>	<b>Pending cases older than 2 years from the date the case came to the second instance court</b>
<b>Total of criminal law cases (1+2+3)</b>	856 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 995 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 018 <input type="checkbox"/> NA <input type="checkbox"/> NAP	833 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Severe criminal cases</b>	416 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 076 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 093 <input type="checkbox"/> NA <input type="checkbox"/> NAP	399 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	440 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 919 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 925 <input type="checkbox"/> NA <input type="checkbox"/> NAP	434 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Other criminal cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify: There has also been an increase in the number of criminal incoming, resolved and pending cases at the beginning of the year in the courts of appeal, which is explained by the increase in the number of cases in the lower courts.

Indeed, the decrease in the number of pending cases at the end of the year can be attributed to the monitoring and investigation efforts carried out by the Judicial-Legal Council and the Supreme Court. These efforts are focused on addressing stagnant cases and identifying their underlying causes in order to facilitate their resolution.

The number of pending older than 2 years, while having increased compared to the year 2020, remains relatively stable when considering the overall rise in criminal cases. This stability can be attributed to the monitoring and investigation efforts conducted by the Judicial-

Legal Council and the Supreme Court, aimed at addressing stagnant cases and identifying their root causes for resolution. Upon analyzing these categories of cases, it was determined that the majority of them remain pending due to the issuance of warrants for individuals related to these cases.



#### 4.2.4 Case flow management – Supreme Court

##### 099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of other than criminal law cases (1+2+3+4)</b>	1 650 [ ] NA [ ] NAP	9 111 [ ] NA [ ] NAP	9 283 [ ] NA [ ] NAP	1 478 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)</b>	1 228 [ ] NA [ ] NAP	6 647 [ ] NA [ ] NAP	6 957 [ ] NA [ ] NAP	918 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>2. Non litigious cases (2.1+2.2+2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2. Registry cases (2.2.1+2.2.2+2.2.3)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.1. Non litigious land registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.2 Non-litigious business registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.2.3. Other registry cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2.3. Other non-litigious cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>3. Administrative law cases</b>	422 [ ] NA [ ] NAP	2 464 [ ] NA [ ] NAP	2 326 [ ] NA [ ] NAP	560 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

<b>4. Other cases</b>	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

Comments - If “Other cases”, please specify The reduction in civil pending cases can be linked to the court's improved efficiency, which consequently leads to a decrease in the overall number of pending cases.

There has also been an increase in the number of administrative pending cases, which is explained by the increase in the number of cases.

### 099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

( ) Yes, please indicate the number of cases closed by this procedure: .....

( X ) No

Comments

### 100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
<b>Total of criminal law cases (1+2+3)</b>	480 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	2 275 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 930 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	825 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>1. Severe criminal cases</b>	240 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 265 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 038 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	467 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>2. Misdemeanour and / or minor criminal cases</b>	240 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 010 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	892 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	358 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>3. Other criminal cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify There has also been an increase in the number of criminal incoming, resolved and pending cases in the court of highest instance, which is explained by the increase in the number of cases in the lower courts.

### 4.2.5 Case flow management and timeframes – specific cases

#### 101. Number of specific litigious cases received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
<b>Litigious divorce cases</b>	3 898 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	18 699 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	16 849 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	5 748 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Employment dismissal cases</b>	83 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	669 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	661 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	91 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

<b>Insolvency</b>	1 [ ] NA [ ] NAP	7 [ ] NA [ ] NAP	8 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>Robbery case</b>	35 [ ] NA [ ] NAP	83 [ ] NA [ ] NAP	57 [ ] NA [ ] NAP	61 [ ] NA [ ] NAP	8 [ ] NA [ ] NAP
<b>Intentional homicide</b>	124 [ ] NA [ ] NAP	243 [ ] NA [ ] NAP	241 [ ] NA [ ] NAP	126 [ ] NA [ ] NAP	18 [ ] NA [ ] NAP

Comments The decrease in the number of pending cases is primarily associated with the decrease in the volume of litigious divorce cases. The increase in the number of pending Intentional homicide and Robbery cases is primarily associated with the rise in the volume of criminal cases.

The number of Insolvency filings has historically been low, with the majority of lawsuits originating from the same plaintiffs. As a result, as these cases are resolved, both the incoming and pending case counts decrease accordingly.



=

### 101-0. Number of cases relating to asylum seekers and to the right of entry and stay for aliens.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases for more than 2 years
<b>Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)</b>	1 [ ] NA [ ] NAP	29 [ ] NA [ ] NAP	10 [ ] NA [ ] NAP	20 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>Court cases relating to the right of entry and stay for aliens</b>	10 [ ] NA [ ] NAP	47 [ ] NA [ ] NAP	25 [ ] NA [ ] NAP	32 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments There is no specific explanation for the decrease of incoming Court cases relating to asylum seekers between 2020 and 2022. The primary reason for the increase in cases related to the right of entry and stay for aliens is the lifting of all SARS Covid-19-related lockdowns and operational restrictions. This trend of increasing cases in these categories continues.

### 101-1. Could you briefly describe the system in your country dealing with legal remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. According to clause 9.20 of the Statute of the State Migration Service, the status of refugee (asylum seeker) and issuance of refugee status, as well as admission and temporary accommodation and registration of asylum-seekers are within the competence of the agency. Decisions of the Migration Service on these issues may be appealed to the administrative court.

### 101-2. Number of cases relating to child sexual abuse and child pornography received and processed by first instance courts.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court

<b>Child sexual abuse</b>	0 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP	1 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>Child pornography</b>	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

Comments - Please explain what are the legal definitions of these categories of offences in your system: Child sexual abuse for the purposes of the Article 171 of the Code means involving of minor to prostitution or commitment of other immoral actions“Child pornography” for the purposes of the Article 171-1 of the Code means any items or materials that reflect participation of the minor or person creating an image of a minor, in real or simulated activities of explicitly sexual nature or reflect the genitals of minors for sexual purposes including realistic images that reflect the minor participating in explicit sexual acts. Distribution, advertising, sale, transfer to others, sending, offer, creating conditions for acquisition or manufacture, acquisition or possession with intent to distribute or advertise child pornography

**102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in criminal cases as well as enforcement procedure.**

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average length of the entire procedure (in days)	% of cases pending for more than 3 years for all instances
<b>Civil and commercial litigious cases</b>	_____ Allow decimals : 2 [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP
<b>Litigious divorce cases</b>	_____ Allow decimals : 2 [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP
<b>Employment dismissal cases</b>	_____ Allow decimals : 2 [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP
<b>Insolvency cases</b>	_____ Allow decimals : 2 [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP
<b>Robbery cases</b>	_____ Allow decimals : 2 [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP
<b>Intentional homicide cases</b>	_____ Allow decimals : 2 [ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	_____ Allow decimals : 2 [ X ] NA [ ] NAP



Comments Comments According to Civil Procedural Code of Azerbaijan case must be considered no later than 4 months after the application is received by the court. Cases on employment, alimony, shall be considered and resolved within 2 month, the cases on mortgage and

bankruptcy within 3 month. According to the Family Code, if one of the parties does not agree to the dissolution of the marriage, the court may adjourn the case by setting a period of 3 months for the couple to reconcile. The appeal shall be considered within 3 months from the date of its receipt by the court and the cassation appeal within 3 months from the date of its receipt.

#### **104. How is the length of proceedings calculated for the six case categories of question 102?**

**Please give a description of the calculation method.**

. According to the Civil Procedural and Criminal Procedural codes it is provided timeframes for considering and finalizing the cases in all instances. For example for most of civil cases 4 months, in appeal court three month, Supreme Court three months.

### 4.2.6 Case flow management – public prosecution

#### **105. Role and powers of the public prosecutor in the criminal procedure (multiple replies possible):**

- [ X ] to conduct or supervise investigation
- [ ] when necessary, to request investigation measures from the judge
- [ X ] to charge
- [ X ] to present the case in court
- [ X ] to propose a sentence to the judge
- [ X ] to appeal
- [ ] to supervise the enforcement procedure
- [ X ] to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- [ ] to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- [ ] other significant powers (please specify): .....

Comments

#### **106. Does the public prosecutor also have a role in:**

- [ X ] civil cases
- [ X ] administrative cases
- [ ] insolvency cases

Comments - If yes, please specify:

=

#### **107. Public prosecutors: Total number of 1st instance criminal cases.**

Number of cases

<b>1.Pending cases on 1 Jan. ref. year</b>	5 857 [ ] NA [ ] NAP
<b>2.Incoming/received cases</b>	32 733 [ ] NA [ ] NAP
<b>3.Processed cases (3.1+3.2+3.3+3.4)</b>	31 478 [ ] NA [ ] NAP
<b>3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)</b>	15 706 [ ] NA [ ] NAP
<b>3.1.1 Discontinued by the public prosecutor because the offender could not be identified</b>	6 870 [ ] NA [ ] NAP
<b>3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation</b>	2 625 [ ] NA [ ] NAP
<b>3.1.3 Discontinued by the public prosecutor for reasons of opportunity</b>	1 097 [ ] NA [ ] NAP
<b>3.1.4 Discontinued for other reasons</b>	5 114 [ ] NA [ ] NAP
<b>3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor</b>	[ ] NA [ X ] NAP
<b>3.3.Cases brought to court</b>	15 772 [ ] NA [ ] NAP
<b>4.Pending cases on 31 Dec. ref. year</b>	7 112 [ ] NA [ ] NAP

Comments In 2022, there is an increase of incoming cases related to lifting SARS Covid-19 related lock-down and operations restriction. There is also an increase of incoming cases as in 2022, the fight against crime, including illegal drug trafficking, was further strengthened in the Republic of Azerbaijan, illegal drug trafficking was prevented by the use of modern telecommunications and information media by law enforcement agencies, large quantities of potent drugs were seized. Appropriate additional measures have been taken to improve the quality of preventive measures.”

**107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?**

	<b>Total</b>	<b>Severe criminal cases</b>	<b>Misdemeanour and / or minor criminal cases</b>
<b>Total number of guilty plea procedures</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>Before the main trial</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>During the main trial</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments

**109. Do the figures provided in Q107 include traffic offence cases?**

( ) Yes

( X ) No

Comments

**D2. Please indicate the sources for answering the questions in this part**

Sources: General Prosecutor Office

**5. Career of judges and public prosecutors**

**5.1. Recruitment and promotion**

**5.1.1 Recruitment and promotion of judges**

**110. How are judges recruited?**

[ X ] through a competitive exam (open competition)

[ X ] through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

[ ] other (please specify): .....

Comments

**110-1. Please briefly describe the recruitment procedure(s) for judges in your country:**

. The selection procedure, which consists of multi-stage examinations and interviews, as well as long-term courses and internships, is carried out by an independent body, the Judges' Selection Committee.

According to the Constitution of Republic of Azerbaijan in order to become a judge you one needs at least 5 years of experience in legal profession. The Law on Courts and Judges specify the requirements and procedures to become a judge. According to the said law we have two possible ways of becoming judge: first and most applicable way is via competition, which includes multiple exams, training at Judicial Academy, etc. This procedure is regulated in detail by bylaw adopted by Judicial-Legal Council. In order to qualify for this procedure you need to have 5 years of experience in legal profession, pass all the exams (including tests, written and oral examinations, as well as oral and written examinations on the results of teaching) and training at Justice Academy.

Second way of becoming judge is via special procedure. According to Article 93-4 of the Law on Courts and Judges, outside procedures

prescribed above, the person who meets the requirements provided by paragraph 1 Article 126 of the Constitution of the Republic of Azerbaijan, is prominent in the legal area, has 20 years of experience as a law practitioner and has high moral qualities, on proposal of the Judicial-Legal Council may be appointed to the high judicial posts according to the procedures provided by the legislation. They are not subject to examination and training at the Justice Academy. But in practice it is a very rarely used procedure.

Candidates have the right to complain about the exam results.

So far, more than 500 candidates have been appointed to the position of judges after passing the examination process with transparent and objective procedures.

At present, such competitions continue.

---

**110-2. What are the recruitment requirements for judges (multiple replies possible)?**

- Age
- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for judges
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify:

**110-3. In the frame of these recruitments, please indicate the number of applicants for the position of judge and the number of recruitments actually made during the reference year:**

	Total	Males	Females
<b>Number of applicants</b>	663 <input type="checkbox"/> NA	478 <input type="checkbox"/> NA	185 <input type="checkbox"/> NA
<b>Number of recruited persons</b>	123 <input type="checkbox"/> NA	68 <input type="checkbox"/> NA	55 <input type="checkbox"/> NA

Comments

**110-4. If the number of applicants decreased in the last years did you take any remedial measures?**

- Yes
- No

Comments

**110-5. If yes, please specify what remedies you implemented:**

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new judges
- Other

Comments: If "other", please, specify:

=

**111. Authority(ies) responsible for recruitment - are judges initially/at the beginning of their career recruited and nominated by:**

- An authority made up of judges only
- An authority made up of non-judges only
- An authority/authorities made up of judges and non-judges
- Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

**111-1. How many members compose this authority?**

	Total	Males	Females
<b>Members</b>	15	14	1
	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members:

**111-2. May non-selected candidates appeal against the decision on recruitment/appointment?**

- Yes
- No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal: Decisions of Judges’ Selection Committee are appealed to Judicial-Legal Council and decisions of Judicial-Legal Council are appealed to the Presidium of Supreme Court.

**112. Is the same authority (Q111) competent for the promotion of judges?**

- Yes
- No

Comments - No, please specify which authority is competent for promoting judges

**113. What is the procedure for the promotion of judges? (multiple replies possible)**

- Competitive test / Exam
- Previous individual evaluations
- Other procedure(s) (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured: The judges' promotion procedure is based on assessment of judges performance. Procedure is carried out in accordance with Article 13 of the Law “on the Judicial-Legal Council” and “the Rules for the Evaluation of Judges' Performance” approved by the Judicial-Legal Council on 06.03.2020.

The participation of the judge in the evaluation process is ensured, his activity is evaluated on the basis of various and multifaceted criteria, as well as criteria that reflect the quantitative and qualitative indicators.

**113-0. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:**

	Total	Males	Females
Number of applicants	52 [ ] NA	45 [ ] NA	7 [ ] NA
Number of promoted persons	52 [ ] NA	45 [ ] NA	7 [ ] NA

Comments

**113-1. Please indicate the criteria used for the promotion of a judge? (multiple replies possible)**

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

### **5.1.2 Status, recruitment and promotion of prosecutors**

**115. What is the status of public prosecution services?**

- Has an independent status as a separate entity among state institutions
- Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the executive power (without functional independence)
- Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the judicial power (without functional independence)
- Is a mixed model (please explain)
- Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.). Furthermore, if "mixed model" or "other", please specify.

**115-1. Are specific instructions addressed to a public prosecutor to prosecute or not prohibited by law or other regulation?**

- Yes
- No

Comments - If yes, please specify:

**115-2. If they are prohibited by law or other regulation, are there exceptions?**

- Yes
- No

NAP

Comments - Please describe these exceptions:

### 115-3. Which authority can issue such specific instructions?

- General Prosecutor  
 Higher prosecutor/Head of prosecution office  
 Executive power  
 Other  
 NAP

Comments - If "Other", please specify: According to the Code of Criminal Procedure, the public prosecutor refuses (or may refuse to prosecute) if there are circumstances that preclude criminal prosecution or allow non-prosecution.

### 115-4. What form these instructions may take?

- Oral instruction  
 Oral instruction with written confirmation  
 Written instruction  
 Other  
 NAP

Comments - If "Other", please specify:

### 115-5. In that case, are the instructions:

- Issued seeking prior advice from the competent public prosecutor  
 Mandatory  
 Reasoned  
 Recorded in the case file  
 Other  
 NAP

Comments - If "Other", please specify:

### 115-6. What is the frequency of this type of instructions:

- Exceptional  
 Occasional  
 Frequent  
 Systematic  
 NAP

Comments

### 115-7. Can the public prosecutor oppose/report an instruction to an independent body?

- Yes  
 No  
 NAP



=

## 116. How are public prosecutors recruited?

- through a competitive exam (open competition)
- through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- other (please specify): .....

Comments

### 116-1. Please briefly describe the recruitment procedure(s) for prosecutors in your country:

. In accordance with Article 4 of the Law of the Republic of Azerbaijan "On Service in the Prosecutor's Office," candidates who have submitted an application for service in the prosecutor's office and whose documents have been accepted undergo a competitive selection process that is open and transparent. This competition consists of qualifying examinations and interviews. Candidates who successfully pass the competition for admission to the prosecutor's office for the first time are required to undergo mandatory training at the Scientific and Educational Center of the General Prosecutor's Office of the Republic of Azerbaijan. Candidates who successfully complete this training are then admitted to the prosecutor's office. The appointment to service in the prosecutor's office is formalized by an official order, and a copy of this order is signed and handed to the employee on the same day.

### 116-2. What are the recruitment requirements for prosecutors (multiple replies possible)?

- Age
- Nationality
- Physical/Psychological capacity
- General studies in law
- Advanced studies in law (Master, PhD)
- Number of years of relevant experience
- Traineeship/judicial functions in courts
- Validation of a general state examination in law
- Validation of a specific examination for prosecutors
- Clean criminal record
- Foreign languages
- Personal requirements (related to integrity)
- Other
- NAP

Comments - If "other", please specify: Recruitment to work in the prosecutor's office is carried out in accordance with the laws of the Republic of Azerbaijan, specifically the "On Prosecution," "On Service in the Prosecutor's Office," and the Regulations on the Rules for the Selection of Candidates for Employment in the Prosecutor's Office, which were approved by the Decree of the President of the Republic of Azerbaijan dated June 19, 2001.



According to Article 29 of the Law of the Republic of Azerbaijan "On Prosecution," prosecutors, investigators, and employees of the prosecutor's office must have a higher legal education, the right to participate in elections, possess the necessary professional qualities to perform the duties of a prosecutor, investigator, or authorized officer, and be proficient in the state language of the Republic of Azerbaijan.

As stated in the second part of Article 29 of this law, prosecutors, investigators, or employees of the prosecutor's office who are unable to perform their duties due to physical or mental disorders, individuals with dual citizenship, individuals with obligations to other states, religious figures, individuals declared legally incapacitated or with limited legal capacity based on a medical examination, individuals incapable of performing their duties due to alcoholism, drug addiction, substance abuse, or other severe illnesses (with medical documentation supporting this), individuals with prior convictions, individuals for whom criminal cases were terminated without justification, individuals previously involved in serious criminal offenses, individuals previously dismissed from positions due to actions incompatible with the role of a prosecutor, and individuals who have not completed compulsory military service within the legally stipulated timeframe (except for individuals with valid deferments or exemptions from military service on legal grounds) are ineligible for employment.

Furthermore, according to Article 32.1 of the Law of the Republic of Azerbaijan "On Service in the Prosecutor's Office," individuals up to the age of 30 are typically accepted into the prosecutor's office.

Employees of the courts, judiciary, and other law enforcement agencies, including emergency situations services, can be accepted into the prosecutor's office. The age limit of 30 is not considered in this case.

**116-3. In the frame of these recruitments, please indicate the number of applicants for the position of prosecutor and the number of recruitments actually made during the reference year:**

	Total	Males	Females
Number of applicants	406 [ ] NA	331 [ ] NA	75 [ ] NA
Number of recruited persons	83 [ ] NA	77 [ ] NA	6 [ ] NA

Comments

**116-4. If the number of applicants decreased in the last years did you take any remedial measures?**

( ) Yes

( X ) No

Comments

**116-5. If yes, please specify what remedies you implemented:**

- Increase of salary
- Other financial incentives
- Improving working conditions
- Workload reduction at the beginning of career
- Other adjustments in the frame of the induction of new prosecutors
- Other

Comments: If "other", please, specify:

**117. Authority(ies) responsible for recruitment - Are public prosecutors initially/at the beginning of their career recruited by:**

An authority composed of public prosecutors only

- An authority composed of non-public prosecutors only
- An authority composed of public prosecutors and non-public prosecutors
- Other

Comments - Please indicate the name of the authority(ies) responsible for the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles:

**117-1. How many members compose this authority?**

	Total	Male	Female
<b>Members</b>	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments – Please specify what is the status of this authority and who is proposing/appointing its members:

**117-2. May non-selected candidates appeal against the decision on recruitment/appointment?**

- Yes
- No

Comments – Please specify the procedure to be followed, the competent authority, the moment for exercising the right of appeal:

**118. Is the same authority (Q.117) competent for the promotion of public prosecutors?**

- Yes
- No, please specify which authority is competent for promoting public prosecutors .....

Comments

**119. What is the procedure for the promotion of prosecutors? (multiple replies possible)**

- Competitive test / exam
- Previous individual evaluations
- Other procedure(s) (interview or other)
- No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination) and how the publicity of promotion processes is ensured:

**119-1. In the frame of the promotion procedures, please indicate the number of applicants and the number of promotions actually made during the reference year:**

	Total	Males	Females
<b>Number of applicants</b>	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA
<b>Number of promoted persons</b>	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

Comments

**119-2. Please indicate the criteria used for the promotion of a prosecutor:**

- Years of experience
- Professional skills (and/or qualitative performance)
- Performance (quantitative)
- Subjective criteria (e.g. integrity, reputation)
- Other
- No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”):

### **5.1.3Mandate and retirement of judges and prosecutors**

#### **121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?**

Yes, please indicate the compulsory retirement age:66 age - for the judges of first and second instance courts, 68 age - for the judges of the Supreme Court.

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

#### **121-1. Can a judge be transferred to another court without his/her consent:**

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards): .....

No

Comments In general, for organizational reasons, it is not envisaged to have transfers without the consent of the judge. However, this situation may exist during reorganization or liquidation of courts. For example, as of 2020, administrative-economic courts were liquidated and administrative and commercial courts were established.

#### **122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?**

Yes, duration of the probation period (in years):3 years

No

Comments

#### **123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?**

Yes, please indicate the compulsory retirement age:60

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

#### **124. Is there a probation period for public prosecutors? If yes, how long is this period?**

Yes, duration of the probation period (in years):0.25

No

Comments According to Article 5.2 of the Law of the Republic of Azerbaijan "On service in the prosecutor's office", a 6-month internship period is imposed for the persons recruited to the prosecutor's office for the first time. The Prosecutor General of the Republic of Azerbaijan may recruit an employee with more than 5 years of experience in the legal profession without the internship period. At the end of the internship, if the head of the prosecutor's office where the intern is serving gives a positive opinion, the intern is appointed to a position with a probation period of 1 year (reduced to three months in 2021). An employee who has successfully passes the attestation after the end of the probation period in accordance with Article 5.3 of this Law shall be appointed to a permanent position in the Prosecutor's Office by being appointed to the 9th classification position provided for in Article 10 of this Law.

**125. If the mandate of judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?**

[            ]

[ ] NA

[ X ] NAP

Comments

**125-1. Is it renewable?**

( ) Yes

( ) No

[ X ] NAP

Comments

**126. If the mandate of public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)?**

[            ]

[ ] NA

[ X ] NAP

Comments

**126-1. Is it renewable?**

( ) Yes

( ) No

[ X ] NAP

Comments

**E1. Please indicate the sources for answering the questions in this part**

Sources: Sources: Letter of the Judicial Legal Council; Letter of the General Prosecutor Office

## 5.2. Training

### 5.2.1 Training of judges

**127. Types of different trainings offered to judges:**

	Compulsory	Optional	No training proposed
<b>Initial training (e.g. attend a judicial school, traineeship in a court)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>General in-service training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for management functions of the court (e.g. court president)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in courts</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training on ethics</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training on child-friendly justice</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training on gender equality</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Other in- service training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments

## 128. Frequency of the in-service training of judges:

	Frequency of the judges training
<b>General in-service training</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for management functions of the court (e.g. court president)</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for the use of computer facilities in courts</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed

<b>In-service training on ethics</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on child-friendly justice</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>In-service training on gender equality</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>Other in- service training</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges:

### 128-1. Do you have a minimum number of compulsory trainings per judge:

	Per judge
<b>Initial compulsory training – minimum number of trainings</b>	_____ Min numeric value allowed : 0  <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>Initial compulsory training – minimum number of days</b>	_____ Min numeric value allowed : 0 120 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of trainings per year</b>	_____ Min numeric value allowed : 0 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of days per year</b>	_____ Min numeric value allowed : 0  <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The minimum number of topic/trainings is 1 and maximum number is 15.

## 5.2.2 Training of prosecutors

### 129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
<b>Initial training</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>General in-service training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for specialised functions (e.g. public prosecutors specialised in organised crime)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training for the use of computer facilities in office</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training on ethics</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training on child-friendly justice</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>In-service training on gender equality</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Other in- service training</b>	( X ) Yes ( ) No	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments

### 130. Frequency of the in-service training of public prosecutors :

	<b>Frequency of the in-service training</b>
<b>General in-service training</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for management functions (e.g. Head of prosecution office, manager)</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training for the use of computer facilities in office</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training on ethics</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed
<b>In-service training on child-friendly justice</b>	[ X ] Regularly (for example every year) [ ] Occasional (as needed) [ ] No training proposed

<b>In-service training on gender equality</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
<b>Other in- service training</b>	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors:

### 130-1. Do you have a minimum number of compulsory trainings per prosecutor:

	Per prosecutor
<b>Initial compulsory training – minimum number of trainings</b>	_____ Min numeric value allowed : 0 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>Initial compulsory training – minimum number of days</b>	_____ Min numeric value allowed : 0 20 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of trainings per year</b>	_____ Min numeric value allowed : 0 1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>In-service compulsory trainings – minimum number of days per year</b>	_____ Min numeric value allowed : 0  <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments According to the amendments made to the Law on serving in Prosecutor's Offices in 2021, candidates who have successfully passed the competition to be admitted to the Prosecutor's Office for the first time are involved in compulsory training at the Science and Education Center of the Prosecutor General's Office of the Republic of Azerbaijan (before that, such training was held at the Academy of Justice). Although it is not directly stipulated in the legislation, the duration of compulsory training is defined as 2-3 weeks in practice.

### 5.2.3 Training institutions

#### 131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
<b>Institution(s) for judges</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Institution(s) for prosecutors</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Institution(s) for both judges and prosecutors</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments According to the amendments made to the Law on serving in Prosecutor's Offices in 2021, candidates who have successfully passed the competition to be admitted to the Prosecutor's Office for the first time are involved in compulsory training at the Science and



Education Center of the Prosecutor General's Office of the Republic of Azerbaijan (before that, such training was held at the Academy of Justice).

The Academy of Justice continues to provide continuous training for judges and prosecutors.

**131-0. If yes, what is the implemented budget of such institution(s)?**

	Implemented budget of the institution for the reference year, in €
Institution(s) for judges	1 545 977 [ ] NA [ ] NAP
Institution(s) for prosecutors	1 321 053 [ ] NA [ ] NAP
Institution(s) for both judges and prosecutors	[ ] NA [X] NAP

Comments

**131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how judges and/or prosecutors are trained?**

. No comment

**5.2.4 Number of trainings**

**131-2. Number of in-service trainings available and delivered (in days) by the public institution(s) responsible for training.**

	Number of different live (in person, hybrid, videoconference) trainings available	Number of live (in person, hybrid, videoconference) trainings delivered	Number of days of delivered live (in person, hybrid, videoconference) trainings	Number of internet-based trainings available on the e-learning platform of the training institution (not live)
<b>Total</b>	257 [ ] NA [ ] NAP	357 [ ] NA [ ] NAP	408 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP
<b>For judges</b>	195 [ ] NA [ ] NAP	270 [ ] NA [ ] NAP	279 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>For prosecutors</b>	21 [ ] NA [ ] NAP	26 [ ] NA [ ] NAP	54 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
<b>For non-judge staff</b>	40 [ ] NA [ ] NAP	57 [ ] NA [ ] NAP	57 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP

<b>For non-prosecutor staff</b>	1 [ ] NA [ ] NAP	4 [ ] NA [ ] NAP	18 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP
---------------------------------	------------------------	------------------------	-------------------------	------------------------

Comments

### 131-3. Number of participants in the trainings during the reference year.

	Number of participants in live (in-person, hybrid, videoconference) trainings	Number of participants in internet-based trainings provided on the e-learning platform of the training institution (not live)
<b>Total</b>	2 524 [ ] NA [ ] NAP	537 [ ] NA [ ] NAP
<b>Judges</b>	1 673 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>Prosecutors</b>	150 [ ] NA [ ] NAP	398 [ ] NA [ ] NAP
<b>Non-judge staff</b>	606 [ ] NA [ ] NAP	0 [ ] NA [ ] NAP
<b>Non-prosecutor staff</b>	95 [ ] NA [ ] NAP	139 [ ] NA [ ] NAP

Comments

### E2. Please indicate the sources for answering the questions in this part

Sources: Ministry of Justice, General Prosecutor Office.

## 5.3. Practice of the profession

### 5.3.1 Salaries and benefits of judges and prosecutors



### 132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
<b>First instance professional judge at the beginning of his/her career</b>	37 416 [ ] NA [ ] NAP	32 925 [ ] NA [ ] NAP	67 776 [ ] NA [ ] NAP	59 640 [ ] NA [ ] NAP
<b>Judge of the Supreme Court or the Highest Appellate Court (please indicate the highest salary of a judge at this level, excluding the salary of the Court President)</b>	50 798 [ ] NA [ ] NAP	43 818 [ ] NA [ ] NAP	92 016 [ ] NA [ ] NAP	79 372 [ ] NA [ ] NAP

<b>Public prosecutor at the beginning of his/her career</b>	17 108 [ ] NA [ ] NAP	15 257 [ ] NA [ ] NAP	30 989 [ ] NA [ ] NAP	27 637 [ ] NA [ ] NAP
<b>Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the highest salary of a public prosecutor at this level, excluding the salary of the Attorney General).</b>	44 842 [ ] NA [ ] NAP	39 808 [ ] NA [ ] NAP	81 226 [ ] NA [ ] NAP	72 109 [ ] NA [ ] NAP

Comment – Please describe briefly how the salaries are determined during the career of a judge/prosecutor: By the Decree of the President of the Republic of Azerbaijan of 2021, the social protection of the employees of the prosecutor's office was strengthened, also salaries of all employees were increased.

In accordance with the "National Action Plan for 2022-2026 to Strengthen the Fight Against Corruption," which was approved on April 4, 2022, measures have been defined to incrementally increase the salaries of judges with the aim of enhancing the social security of judges and strengthening efforts to prevent corrupt legal violations. Consequently, a law enacted on June 29, 2022, led to an increase in the salaries of judges.

### 133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
<b>Reduced taxation</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Special pension</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Housing</b>	( ) Yes ( X ) No	( ) Yes ( X ) No
<b>Other financial benefit</b>	( ) Yes ( X ) No	( ) Yes ( X ) No

Comments

### 134. If “other financial benefit”, please specify:

[ X ] NAP

=

### 135. Can judges combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
<b>Teaching</b>	( X ) Yes ( ) No	( X ) Yes ( ) No
<b>Research and publication</b>	( X ) Yes ( ) No	( X ) Yes ( ) No

<b>Arbitrator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Consultant</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Cultural function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Political function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Mediator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Other function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

### 137. Can public prosecutors combine their work with any of the following functions/activities?

	<b>With remuneration</b>	<b>Without remuneration</b>
<b>Teaching</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Research and publication</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Arbitrator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Consultant</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Cultural function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Political function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Mediator</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Other function</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify:

### 139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?

Yes

No

Comments - If yes, please specify the conditions and if possible the amounts:

## 5.3.2 Body/institution of ethics

**138. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)?**

Yes

No

Comment - Please specify:

**138-1. If yes, who are the members of this institution/body?**

Only judges

Judges and other legal professionals

Other, please specify: .....

Comments

**138-2. Are the guidelines and/or opinions of this institution / body publicly available?**

Yes

No

Comments - Please describe the work of this institution / body, the frequency of the guidelines and/or opinions, etc.:

**138-2-1. How many guidelines and/or opinions were given during the reference year?**

[            ]

[X] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

**138-3. Is there in your country an institution / body giving guidelines and/or opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)**

Yes

No

Comment: Please specify

**138-4. If yes, who are the members of this institution/body?**

Only prosecutors

Prosecutors and other legal professionals

Other, please specify: .....

Comments

**138-5. Are the guidelines and/or opinions of this institution / body publicly available?**

Yes

No

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

**138-5-1. How many guidelines and/or opinions were given during the reference year?**

[            ]

[ X ] NA

Comments – Please specify what were the topics addressed in these guidelines and/or opinions

**5.4. Disciplinary procedures**

**5.4.1 Authorities responsible for disciplinary procedures and sanctions**

**140. Who is authorised to initiate disciplinary proceedings against judges (multiple replies possible)?**

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council
- Disciplinary court
- Disciplinary body
- Ombudsman
- Parliament
- Executive power (please specify): Ministry of Justice
- Other (please specify): Chairmen of the Supreme Court, courts of appeal
- This is not possible

Comments

**141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple replies possible):**

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General / State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court
- Disciplinary body
- Ombudsman
- Professional body
- Executive power (please specify): .....
- Other (please specify): .....
- This is not possible

Comments

**142. Which authority has disciplinary power over judges (multiple replies possible)?**

- Court
- Higher Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify): .....
- Other (please specify): .....

Comments

**143. Which authority has disciplinary power over public prosecutors (multiple replies possible)?**

- Supreme Court
- Head of the organisational unit or hierarchical superior
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify): .....
- Other (please specify): .....

Comments

**5.4.2 Number of disciplinary procedures and sanctions**

**144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)**

	Judges	Prosecutors
<b>Total number (1+2+3+4)</b>	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Breach of professional ethics</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Professional inadequacy</b>	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Criminal offence</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Other</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify:

**145. Number of sanctions pronounced during the reference year against judges and public prosecutors:**

	Judges	Prosecutors
<b>Total number (total 1 to 10)</b>	27 <input type="checkbox"/> NA <input type="checkbox"/> NAP	34 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1. Reprimand</b>	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2. Suspension</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>3. Withdrawal from cases</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>4. Fine</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>5. Temporary reduction of salary</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>6. Position downgrade</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>7. Transfer to another geographical (court) location</b>	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
<b>8. Resignation</b>	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>9. Other</b>	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>10. Dismissal</b>	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Other: 10 "Remark" for judges and 1 "Remark" for prosecutor.

**E3. Please indicate the sources for answering the questions in this part**

Sources: Letter of the Judicial Legal Council; Letter of the General Prosecutor Office

**6.Lawyers**



## 6.1. Profession of lawyer

### 6.1.1 Status of the profession of lawyers

#### 146. Total number of lawyers practising in your country:

	Total	Males	Females
Number of lawyers	2 323 <input type="checkbox"/> NA	1 898 <input type="checkbox"/> NA	425 <input type="checkbox"/> NA

Comments In 2017 there has been change to the national legislation where the monopoly of the lawyers over court representation was enshrined, which mean that no one except the members of the Azerbaijani Bar Association may represent a person at the court, except close relatives. However prior that time not only members of the Bar Association, but also person who was not the member to the Association may represent any person at courts by only getting PoA from a person who wants to be represented at the court. Therefore after the changes in the legislation there was a case with the lack of the lawyers. In order to change the situation the Azerbaijani Bar Association begun to hold admission exams on regular basis that led to the rise up in the number of lawyer. This process continues.

#### 147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ( )

No (X)

Comments

#### 148. Number of legal advisors who cannot represent their clients in court:

[ ]

NA

NAP

Comments

=

#### 149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP	(X) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP
Dismissal cases	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP	( ) Yes always ( ) Yes in some cases (X) No <input type="checkbox"/> NAP	(X) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP
Criminal cases – Defendant	(X) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	(X) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP	(X) Yes always ( ) Yes in some cases ( ) No <input type="checkbox"/> NAP

<b>Criminal cases – Victim</b>	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Administrative cases</b>	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights: In accordance with Article 92 of the Criminal Procedure Code, the participation of the defense (attorney) is mandatory only in relation to the suspect and the accused. The circumstances requiring the mandatory provision of a defense attorney for the victim are not specified.

**149-0. If other than lawyers may represent a client in court, please specify who:**

	First instance	Second instance	Highest instance court (Supreme Court)
<b>Civil society organisation</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Family member</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Self-representation</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Trade union</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Other</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these representation(s): Since 01.01.2018, lawyers have exclusive competency in court representation for any type of cases. Since then non lawyer are not allowed to represent individuals in courts. However in non-criminal cases close relatives of individuals, as well as employees of legal entities could represent their individuals or legal entities respectively.

**149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?**

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other (please specify): .....

Comments "On March 29, 2019, the Republic of Azerbaijan adopted a Law on Mediation and it entered into force on July 1, 2021. Article 24.4 of the Law of the Republic of Azerbaijan on Mediation states "Parties may attend the mediation personally or through a representative. Parties at mediation process may use services of lawyers..."

**149-2. Professional lawyers may have the status of:**

- Self-employed lawyer
- Staff lawyer

In-house lawyer

Comments

**150. Is the lawyer profession organised through:**

a national bar association

a regional bar association

a local bar association

Comments

**151. Is there a specific initial training and/or exam to enter the profession of lawyer?**

Yes

No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees:

**152. Is there a mandatory general in-service professional training system for lawyers?**

Yes

No

Comments

**153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?**

Yes

No

Comments - If yes, please specify:

**F1. Please indicate the sources for answering the questions in this part**

Sources: Azerbaijan Bar Association, Law «On Advocate and Advocate Activities» dated 28.12.1999, Civil Procedure Code, Criminal Procedure Code.

**6.1.2 Practicing the profession of lawyer**

**154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?**

Yes

No

Comments

**155. Are lawyers' fees freely negotiated?**

Yes

No

Comments

**156. Do laws or bar standards provide any rules on lawyers' fees (including those freely negotiated)?**

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments

**6.1.3 Quality standards and disciplinary procedures for lawyers**

**157. Have quality standards been determined for lawyers?**

Yes

No

Comments - If yes, what are the quality criteria used?

**158. If yes, who is responsible for formulating these quality standards:**

the bar association

the Parliament

other (please specify): .....

Comments

**159. Is it possible to file a complaint about:**

the performance of lawyers

the amount of fees

Comments - Please specify:

**160. Which authority is responsible for disciplinary procedures?**

a judge

Ministry of Justice

a professional authority

other (please specify): .....

Comments

**161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)**

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	205 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Breach of professional ethics	123 [ ] NA [ ] NAP
2. Professional inadequacy	82 [ ] NA [ ] NAP
3. Criminal offence	0 [ ] NA [ ] NAP
4. Other	[ ] NA [ X ] NAP

Comments - If "other", please specify:

## 162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	86 [ ] NA [ ] NAP
1. Reprimand	13 [ ] NA [ ] NAP
2. Suspension	16 [ ] NA [ ] NAP
3. Withdrawal from cases	[ ] NA [ X ] NAP
4. Fine	[ ] NA [ X ] NAP
5. Other	57 [ ] NA [ ] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. The figure 57 in section " other" implies "Preliminary notification" - 23, "Remark" - 14, "Disbarment"- 20.

## 7. Court related mediation and other alternative Dispute Resolution

### 7.1. Court related mediation

#### 7.1.1 Details on court related mediation

### 163. Does the judicial system provide for court-related mediation procedures?

( X ) Yes

( ) No

Comments

**163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?**

- Before/instead of going to court
- Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding
- No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned:

**163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?**

- Yes
- No

Comments - If there are mandatory informative sessions, please specify which fields are concerned: The Law "On Mediation" providing for mandatory participation in the initial mediation sessions on family, labor and commercial disputes. It should be noted that the relevant provisions of the Law "On Mediation" came into force on 26.07.2021.

**164. Please specify, by type of cases, who provides court-related mediation services:**

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
<b>Civil and commercial cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Family cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Administrative cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Labour cases including employment dismissals</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Criminal cases</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
<b>Consumer cases</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

**165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?**

- Yes
- No
- NAP

Comments - If yes, please specify:

=



**166. Number of accredited or registered mediators for court-related mediation:**

	<b>Total</b>	<b>Males</b>	<b>Females</b>
<b>Number of mediators</b>	319 [ ] NA [ ] NAP	221 [ ] NA [ ] NAP	98 [ ] NA [ ] NAP

Comments Every year, according to the demand, new mediators are included in the register of mediators by passing the relevant competition. These is the main reason for the increase in the number of mediators, including women.

**166-1. Could you please describe what are the requirements and what is the procedure to become an accredited or registered mediator in your country (educational requirements, working experiences, accrediting procedure etc.)?**

. According to Article 10 (Requirements for Mediator) of the the Law on Mediation The person who wants to get the title of mediator must meet the following requirements: must have a higher education degree; must not be younger than 25 ; must have at least 3 years of work experience ; by completing training on mediators' initial preparation program and obtaining the certificate. In accordance with the Law on Mediation, the issuance of certificates is carried out by the Academy of Justice.

**167. Number of court-related mediations:**

	<b>Number of cases for which the parties agreed to start mediation</b>	<b>Number of finished court-related mediations</b>	<b>Number of cases in which there is a settlement agreement</b>
<b>Total (1 + 2 + 3 + 4 + 5 + 6 + 7)</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>1. Civil and commercial cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>2. Family cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>3. Administrative cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>4. Labour cases including employment dismissal cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>5. Criminal cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>6. Consumer cases</b>	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP	[ X ] NA [ ] NAP
<b>7. Other cases</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

=

**168. Do the following alternative dispute resolution (ADR) methods exist in your country?**

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify): .....

Comments The Law “On Mediation” was adopted on 29.03.2019. But the provisions of the Law "On Mediation" providing for mandatory participation in the initial mediation sessions (on family, labor and commercial disputes) came into force on 26.07.2021. The provisions on voluntary mediation were in force in 2020.

**G1. Please indicate the sources for answering the questions in this part**

Source: Azerbaijan Mediation Council <http://mediasiya.gov.az/>

**8.Enforcement of court decisions**

**8.1.Execution of decisions in civil matters**

**8.1.1 Number of enforcement agents, status and mandate**

**169. Number and type of enforcement agents in your country.**

	Total	Male	Female
<b>Total (1+2+3+4)</b>	479 [ ] NA [ X ] NAP	422 [ ] NA [ X ] NAP	57 [ ] NA [ X ] NAP
<b>1. Private professionals under the authority (control) of public authorities</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2. Enforcement agents working in a public institution (civil servants paid by state)</b>	479 [ ] NA [ ] NAP	422 [ ] NA [ ] NAP	57 [ ] NA [ ] NAP
<b>3. Judges</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>4. Other</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP

Comments - If other, please specify their status and competences:

**170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?**



diploma

professional experience

specific exam

appointment procedure by the State

initial training

other

Comments - If "other", please specify:

**171. Are enforcement agents appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?**

Yes, please indicate the age of retirement: 60. It can be extended up to the age of 65 by one year at a time.

No, please specify the duration of the appointment: .....

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

**8.1.2 Activities/scope of competence**

**171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?**

	Access to information	Direct electronic access to information
Address	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date of birth	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Civil status	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cohabitant	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Employer	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Motor vehicle	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Movable property	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Immovable property	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bank account	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other enforcement proceedings underway	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Other	( X ) Yes ( ) No	( X ) Yes ( ) No
-------	---------------------	---------------------

Comments - If "other", please specify: "Bank account": Direct access to bank accounts is possible only for debtors who are taxpayers.  
 "Other": At the beginning of the procedure, executive officers have direct electronic access to the debtor's military and educational status, border crossing and other such information. Bank accounts (with the exception of taxpayers) are obtained based on written requests.  
 "Insolvency proceedings": Enforcement officers lack direct electronic access to information pertaining to the debtor's bankruptcy. Nevertheless, such information may be procured through formal written requests submitted to the appropriate institutions.

**171-2. Can the enforcement agent carry out the following civil enforcement proceedings:**

	Option
<b>Seizure of movable tangible properties</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Preventive seizure of movable tangible properties</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of immovable properties</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Preventive seizure of immovable properties</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure from a third party of the debtor claims regarding a sum of money</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of remunerations</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

<b>Seizure of motorised vehicles</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Eviction measures</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizures of boats and ships</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of aircrafts</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Seizure of electronic assets (e.g cryptocurrency)</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
<b>Enforced sale by public tender of seized properties</b>	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input checked="" type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Sale of shares</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments In addition to the mandatory enforcement measures outlined above, a judicial officer may initiate several actions to collect a debtor's obligations. These actions include:

Requesting payment of the debtor's wages, pensions, and other income.

Imposing a freeze on the debtor's funds held in bank accounts through the use of an injunction.

Seizing specific items owned by the debtor, as specified in the enforcement document, and transferring them to the creditor.

Petitioning the appropriate court to impose temporary restrictions on the debtor's right to leave the country.

Petitioning the relevant court to consider imposing administrative sanctions on the debtor who evades compliance with a court decision by drafting an administrative protocol.

Initiating proceedings with the appropriate investigative authority to hold the debtor criminally liable in cases of deliberate evasion from complying with a court decision.

### **171-3. Apart from the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?**

Service of judicial and extrajudicial documents

Debt recovery

Voluntary or public auctions of moveable or immovable property

Custody of goods

Recording and reporting of evidence

Court hearings service

Provision of legal advice

Bankruptcy procedures

Performing tasks assigned by judges

Representing parties in courts

Drawing up private deeds and documents

Building manager

Other

Comments Other: Enforcement agents, in addition to the execution of decisions, only ensure order in the court

### **8.1.3 Training and ICT**

#### **172-1. Is there a system of mandatory general continuous training for enforcement agents?**

Yes

No

Comments

#### **172-2. Do you have an e-learning training system established for enforcement agents?**

Yes

No

Comments - If yes, please specify:

#### **172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?**

Yes

No

Comments - If yes, please specify:

**172-4. Have an electronic service of documents or electronic notifications been introduced in your country?**

Yes

No

Comments

**172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?**

Yes

No

Comments - Please explain: The introduction of the "Electronic Execution" information system has created conditions for immediate implementation of long-term measures.

### 8.1.4 Fees

**174. Are enforcement fees easily established and transparent for parties?**

Yes

No

Comments

**175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?**

Yes

No

Comments

**175-2. Who has to pay these fees if the enforcement proceedings are successful?**

The debtor

The creditor

Other – please specify .....

Comments

**176. Do laws provide any rules on enforcement fees (including those freely negotiated)?**

Yes

No

Comments

**H0. Please indicate the sources for answering the questions in this part**

Source: Ministry of Justice

## 8.1.5 Organisation of profession and efficiency of enforcement services



**177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?**

Yes

No

Comments

**178. Which authority is responsible for supervising and monitoring enforcement agents?**

professional body

judge

Ministry of Justice

public prosecutor

other (please specify): .....

Comments

**181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?**

Yes

No

Comments - If yes, please specify:

**182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?**

Yes

No

Comments - If yes, please specify:

**183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.**

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

insufficient supervision

excessive cost

unethical behaviour of enforcement agent

other (please specify): .....

Comments

**185. Is there a system measuring the length of enforcement procedures:**

	Existence of the system
for civil cases	( X ) Yes ( ) No
for administrative cases	( X ) Yes ( ) No

Comments It is possible to determine how long enforcement documents remain in the process through the "Electronic Execution" information system.

**186. Regarding a decision on debt collection, please estimate the average timeframe to serve and/or notify the decision to the parties who live in the city where the court sits (one option only):**

- ( X ) between 1 and 5 days
- ( ) between 6 and 10 days
- ( ) between 11 and 30 days
- ( ) more (please specify): .....
- [ ] NA

Comments

**187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)**

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	34 [ ] NA [ ] NAP
1. For breach of professional ethics	7 [ ] NA [ ] NAP
2. For professional inadequacy	25 [ ] NA [ ] NAP
3. For criminal offence	2 [ ] NA [ ] NAP
4. Other	0 [ ] NA [ ] NAP

Comments - If "other", please specify:

**188. Number of sanctions pronounced against enforcement agents:**

Number of sanctions pronounced
--------------------------------

<b>Total number of sanctions (1+2+3+4+5)</b>	34 [ ] NA [ ] NAP
<b>1. Reprimand</b>	25 [ ] NA [ ] NAP
<b>2. Suspension</b>	3 [ ] NA [ ] NAP
<b>3. Withdrawal from cases</b>	[ ] NA [ X ] NAP
<b>4. Fine</b>	[ ] NA [ X ] NAP
<b>5. Other</b>	6 [ ] NA [ ] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: «Preliminary notification» -1, «Remark» - 3, withdrawal from the position - 2. Remark is a separate independent type of disciplinary liability provided for by the law "On the passage of service in the justice authorities". This is the lowest kind of punishment and means an indication of bad performance at the work. It is rendered in writing form. "Withdrawing from the position" means the final dismissal from the position held (being fired).

### H1. Please indicate the sources for answering the questions in this part

Source: Letter of the Head Department of Enforcement under the Ministry of Justice

## 8.2. Execution of decisions in criminal matters

### 8.2.1 Functioning of execution in criminal matters

**189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple replies possible)**

- Judge
- Public prosecutor
- Prison and Probation Services
- Enforcement agent
- Other authority (please specify): .....

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). Enforcement agents bear the responsibility of executing the facets of judgments in criminal cases associated with property-related matters.

**190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?**

Yes



( X ) No

Comments

### 191. If yes, what is the recovery rate?

- 80-100%
- 50-79%
- less than 50%

Comments - Please indicate the source for answering this question:

## 9. Notaries

### 9.1. Profession of notary

#### 9.1.1 Number, status and mandate of notaries

#### 192. Number and status of notaries in your country.

	Total	Males	Females
<b>TOTAL (1+2+3+4)</b>	159 [ ] NA [ ] NAP	137 [ ] NA [ ] NAP	22 [ ] NA [ ] NAP
<b>1. Private professionals (without control from public authorities)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>2. Holders of public offices appointed by the State</b>	152 [ ] NA [ ] NAP	132 [ ] NA [ ] NAP	20 [ ] NA [ ] NAP
<b>3. Civil servants (paid by the State)</b>	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP	[ ] NA [ X ] NAP
<b>4. Other</b>	7 [ ] NA [ ] NAP	5 [ ] NA [ ] NAP	2 [ ] NA [ ] NAP

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure: "Other notaries" are not civil servants, but they execute public duties. "Holder of a public office appointed by the State" A person who has received a certificate for the right to carry out notarial activities and has concluded a compulsory insurance contract is appointed by the relevant executive authority (Ministry of Justice) by a private notary and a registration card is issued to him. The difference between a private notary and a public notary is that a private notary is not a structural unit of the executive authority, is not financed from the state budget, but is self-financed and bears personal material liability for damage caused by its actions.

According to Articles 5-6 of the Law on Notary, a specialized commission is established by the Ministry of Justice of the Republic of Azerbaijan to assess the level of knowledge of individuals wishing to engage in notarial activities, conduct interviews related to their professional preparation for notarial activities, make proposals regarding certifications and appointments, and decide on refusal to issue certifications.

The commission examines the submitted documents, conducts examinations and interviews to determine the competence of the individual, evaluates the results of professional preparation, and based on the outcome, makes a decision on the issuance of certifications and appointments or refusal to issue certifications.

#### 192-1. What are the access conditions to the profession of notary (multiple replies possible):

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify): .....

Comments

**192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?**

- yes, please indicate the age of retirement: .....
- no, please specify the duration of the appointment: 5 years

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

**9.1.2 Activities/scope of competences**

**194. What kind of activities do notaries perform (multiple options possible)?**

	Please select one option
<b>Authentication</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Certification of signatures</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Mediation</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Taking of oaths</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

<b>Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Act as civil servant (for example performing marriage, please specify)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other judicial functions (for example, payment orders)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Public auctions</b>	<input checked="" type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Other (for example collect taxes, run registers etc.)</b>	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "other", please specify. Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or, on the opposite, other bodies that also have competences for the listed activities.

## 194-2. In which areas of law do notaries perform their activities (multiple replies possible)?

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities
- Protection of vulnerable persons
- Other

Comments In "Family Law," an example can be provided to illustrate the confirmation of a marital contract.

In "Civil Law," an example can be shown to demonstrate the approval of the transfer of company shares.

n "Protection of vulnerable persons" private notaries provide free legal assistance to these individuals, and as part of this initiative, no fees are charged for the notarial services they render. This is a voluntary effort on the part of private notaries.

"Other": Notaries also perform notarial acts related to the privatization of movable property (vehicles, securities, shares, etc.), as well as combating the legalization of property obtained through criminal means and financing of terrorism. They are responsible for carrying out duties in these areas.

### 9.1.3 ICT, organisation of the profession and training

#### 194-3. Do notaries use specialised ICT systems in their activity?

In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)

In their relations with their clients

In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

#### 194-4. Which computerised registries can notaries consult?

Land registry

Business registry

Civil status / Population registry

Succession / Family law registry

Any other registry (please specify) .....

None

Comments

#### 194-5. Are there registries/ registry infrastructures run by the notaries?

Yes

No

Comments - If yes, please specify:

#### 194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?

	Directly modifying	Indirectly modifying by submitting an online request
<b>Land registry</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>Business registry</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Civil status/ Population registry</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Succession / Family law registry</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
<b>Any other registry (please specify)</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
<b>None</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments When the registration of rights over immovable property is carried out based on a contract approved in accordance with notarial procedure, the procedure for electronic recording of rights based on the contract sent electronically by the notary is applied.



=

### 194-7. What ICT tools are used by notaries in their relations with clients?

- Videoconferencing (e.g. digital advice)
- Digital act
- Digital identification
- Digital archiving
- Other, please specify Phone application "Mobile Notary"
- None

Comments

### 194-8. Who is responsible to run the digital archives?

- Notariat / Professional body
- Other public authority
- Another entity (please specify) .....

Comments

### 195. Is there an authority entrusted with supervising and monitoring the notaries' work?

- Yes
- No

Comments

### 196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

- professional body
- court
- Ministry of Justice
- public prosecutor
- other (please specify):The Ministry of Taxes

Comments

### 196-1. Is there a system of general continuous training for all notaries?

- Yes
- No

Comments According to the amendmends in 2018 to The Law on Notary Chamber of notaries was established and one of the main functions of this body is organization of different trainings for all notaries.

### 196-2. Do notaries have training on:

	Yes	No
European law	( X )	( )
Law of another Member State (cross-border training programmes)	( X )	( )

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities: Every year, in accordance with the Action Plan, training sessions are regularly held in our country on various aspects of the notarial system with the participation of the Ministry of Justice, the Judicial Academy, the Chamber of Notaries, judges, foreign experts, representatives of the Financial Monitoring Service, and notaries. During these sessions, innovative solutions and possibilities for their implementation in notarial services are extensively discussed.

In the year 2022, training sessions were organized for candidates aspiring to engage in notarial activities on the topic of "Functions of Judicial Bodies in the Protection of Human Rights and Freedoms (European Convention on Human Rights and the European Court, Essence of Human Rights, Basic Characteristics, and Trends in their Development)."

Additionally, in the same year, training sessions were also conducted on the subject of "International Legal Assistance and the Execution of European Court Judgments" for a group of 31 notaries.

## **I1. Please indicate the sources for answering the questions in this part**

Sources: Ministry of Justice

## **10.Judicial experts**

### **10.1.Profession of judicial expert**

#### **10.1.1Status of judicial experts**

### **202. In your system, what types of judicial experts can participate in judicial procedures (multiple replies possible):**

Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court

Experts appointed by the court or other authority independent of the parties

Other system of judicial expertise, please specify .....

Comments - Please specify who is proposing and appointing experts in an individual case. As per Article 13 of the Law on Judicial Expertise Activities, it is the responsibility of the expert to respond to a summons from the investigating authority, the investigator, the prosecutor, or the court (judge).

### **202-1. Are there lists or any other form of official registration for judicial experts?**

Yes

No

Comments

#### **202-1-1. If yes, at which level is the list established (multiple replies possible):**

- national
- administrative district or federal entity
- judicial district
- other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?):

**202-1-2. Are these lists publicly available?**

- Yes, available on the internet
- Yes
- No

Comments

**202-2. Which authority is competent for the registration of judicial experts?**

- Ministry of justice
- Courts
- Administrative body
- Independent body (association of judicial experts)
- Other

Comments - Please also specify the registration criteria:

**202-3. Is the registration of judicial experts limited in time?**

- Yes, for how long 5 years
- No

Comments

**202-4. Can an expert who is not on the list or not registered be appointed in a case?**

- Yes
- No

Comment - If yes, please specify in which cases:

**203. Is the title of judicial experts protected?**

- Yes
- No

Comments - If appropriate, please explain the meaning of this protection:

**203-1. Does the judicial expert have an obligation of training?**

	<b>Obligation of training</b>
<b>Initial training</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

<b>Continuous training</b>	<input type="radio"/> Yes <input checked="" type="radio"/> No
----------------------------	--

Comments

**203-2. If yes, does this training concern:**

- judicial proceedings
- the profession of expert
- other

Comments

=

**204. Is the function of judicial experts regulated by legal norms?**

- Yes
- No

Comments

**204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?**

- Yes
- No

Comments - If yes, please specify:

**205. Number of accredited or registered judicial experts:**

	Total	Males	Females
<b>Number of experts</b>	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

**206-1. Number of cases where an expert opinion was ordered by a judge or requested by the parties**

	Number of cases
<b>Total (1+2+3+4)</b>	41 803 <input type="checkbox"/> NA <input type="checkbox"/> NAP
<b>1.Civil and commercial litigious cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
<b>2.Administrative cases</b>	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP



3.Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4.Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

### 205-1. Who defines the amount of the expert remuneration?

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Defined by the court/judge	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Defined by the Ministry of Justice or another ministry (setting a tariff for example)	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Freely agreed between expert and the parties	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Comments - If other, please specify:

### 206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Quality of expertise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>

NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions:

### 207-1. Does the judge or another body control the progress of the expertise?

Yes

No

If yes, please specify:

## 207-2. Are judicial experts' associations involved in:

- Selection processes
- Initial or continuous training
- Disciplinary procedures
- NAP

Comments

### K1. Please indicate the sources for answering the questions in this part

Sources: Sources: The Civil and Criminal Procedural Codes of the Republic of Azerbaijan  
The No. 1709-VQD dated November 29, 2019 Law of the Republic of Azerbaijan "On the activity of the forensic examination"  
The No.24-N dated November 29, 2012 "About approval of the Situation on specialization of the forensic expert in the center of forensic examination"

## 11.Reforms in judiciary

### 11.1.Foreseen reforms

#### 11.1.1Reforms

**208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:**

#### 208-1. (Comprehensive) reform plans

- Yes (planned)
- Yes (adopted)
- Yes (implemented during year of reference +1)
- No
- NA

Comments - If yes, please specify: The Decree of the head of state "On the deepening of reforms in the judicial-legal system" dated April 3, 2019 stipulated the transition of judicial activity to a qualitatively new stage. As part of the implementation of the decree, access to courts has been improved, the application of the "Electronic court" information system has been expanded, and important changes have been made to the legislation on ensuring flexibility and transparency in court proceedings. The establishment of new institutions such as private expertise and mediation, as well as the creation of additional mechanisms for detection of systemic defects, and ensuring of a uniform judicial practice has significant impact on functioning of judiciary.

As part of the implementation of the decree, new, more advanced Rules for evaluating the performance of judges were also adopted. In the past period, the activity of more than 300 judges was evaluated based on those transparent rules. The judicial selection process has been improved as well.

At the same time serious efforts are being made in Azerbaijan to ensure transparency in the activities of the courts, access to justice and the right to a fair trial, consideration of cases within reasonable time, and to combat conditions for red-tape and corruption. Consistent comprehensive legislative and institutional measures are being taken to increase the prestige of the judiciary, strengthen public confidence

in the courts, and address existing problems.

In accordance with the tasks arising from the 13 February 2014 Presidential Order “On Establishing the “Electronic Court” information system”, the 3 April 2019 Presidential Decree “On Deepening Reforms in the Judicial and Legal System”, as well as the “2019-2023 State Program for the Development of Azerbaijan Justice”, substantial measures were taken in the country to ensure the principle of transparency in the activities of courts, to facilitate people's access to justice, and to modernize the court infrastructure, the "Electronic Court" information system was created, and the courts were provided with modern equipment.

In the courts connected to the “Electronic Court” system, the admission of e-claims through personal accounts and electronic court proceedings have been carried out, electronic circulation of documents and electronic signatures have been applied in court activities. At present, commercial litigation is being conducted only electronically, and such an option has been granted for the consideration of other civil disputes. In order to facilitate access to justice, the “Mobile Electronic Court” software was developed; in 2019, extensive public presentations were held thereof and it was made available to citizens.

In addition, a number of works have been carried out in the framework of the implementation of the 3 April 2019 Presidential Decree dated, being of particular importance in improving the judiciary and strengthening measures in the fight against corruption, including a Hotline set up in the Council to receive relevant information aimed at ensuring the independence of judges, eliminating interference in the work of courts and other negative aspects, and an anti-corruption body established therein, in accordance with the requirements of the criminal and civil procedural legislation, appropriate equipment was installed in the courts for the organization of audio and video recording of the proceedings and its conduction, and anonymous publication of court decisions was arranged.

By the Decree of the President of Azerbaijan dated July 19, 2019, new commercial and separate administrative courts were established in Nakhchivan Autonomous Republic, Baku, Ganja, Sumgayit, Shirvan and Sheki by abolishing existing administrative-economic courts. Measures have been taken to determine the jurisdiction of those courts, which began operating on January 1, 2020, to provide them with appropriate buildings, equipment, and other organizational and technical means, to form judicial apparatuses, and the courts have been staffed with judges who have deeper legal knowledge and experience in the relevant field. Also, electronic acceptance of claims and electronic document circulation have been established for flexible processing of commercial cases, and the number of commercial cases has increased by 50% as a result of effective determination of accessibility.

Another important issue is the humanization of penal policy. Thus, about 500 changes were made to the criminal legislation, dozens of criminal acts were decriminalized, new alternative types of punishment were established, and it can be said that every seventh convict was released from punishment or his sentence was reduced.

## **208-2. Budget**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

## **208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: In order to determine the territorial jurisdiction of the Sumgayit Serious Crimes Court, to provide

necessary conditions for the operation of the court, to take measures to provide it with buildings, equipment, communication, transport and other organizational and technical means, as well as to increase the total number of employees of judicial staff in courts.

In addition, by Presidential Decree No. 3226 dated April 25, 2022, the Kepaz District Court of Ganja and the Nizami District Court of Ganja were abolished and the Ganja City Court was established in Ganja.

In connection with the organization of the Ganja City Court, it is envisaged to make appropriate changes in the territorial jurisdiction of the courts, to determine the number of judges and to provide the court with building, equipment, communication, transport and other organizational and technical means in order to create the necessary conditions for the operation of the court.

The role of information technologies in court administration is no less important. The system we have developed in this regard allows us to prepare various analytical reports based on electronic statistics, evaluate the activity of courts and judges, and determine the productivity of their work. Our experience in this field has attracted international interest and has been awarded a special award.

The new structure of the Prosecutor General's Office of the Republic of Azerbaijan was approved by the Decree of the President dated June 10, 2020, in order to increase flexibility and efficiency in the activities of prosecutor's offices, ensure transparency, and form a professional staff. A more mobile and dynamic management system was created, some departments were abolished and on their basis were established Department for Organizational and Executive Control, Investigation Department, International Legal Cooperation Department, Department for Legal Support and Human Rights Issues, Department of Criminalistics and Information Technologies, Department for the organization of work with documents and appeals. In addition, new Department of Non-Criminal Proceedings and Department for the Coordination of Special Confiscation Issues were established.

#### **208-4. Access to justice and legal aid**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: On June 9, 2023, legal provisions regarding the provision of legal aid on behalf of the state by an attorney in civil proceedings have been added to the legislation. With these changes, the legal framework has been established to provide professional legal aid, on behalf of the state, to individuals in need of such assistance but lacking sufficient means to represent their interests and enforce their procedural rights in civil court proceedings at both the first instance and appellate court levels. It should be noted that previously, the participation of an attorney on behalf of the state was only contemplated in cases where the attorney's participation in the process was mandatory (such as in cassation instances).

#### **208-5. High Judicial Council (competent for judges and/or prosecutors)**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: New law was adopted on amendments to the Law on Judicial-Legal Council dated to 9th of June 2023, which determines new composition of the Council.

According to the law, the number of judge members in the Council is increased, the procedure for electing those members directly by their colleagues - by the judges' conference is established. It is determined that the Chairman of the Council will be selected only from among the judge members. At the same time, the number of representatives of the executive power in the Council is reduced, the status of the Minister of Justice and the Chairman of the Supreme Court as an ex officio member of the Council is eliminated. In addition, a representative of the legal community and a legal scholar are included in the list of non-judge members.

#### **208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc.**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

## **208-7. Gender equality**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Gender equality in the judiciary is ensuring as well. The number of female judges in the judicial system has been constantly increasing, including in 2013, women made up 13% of the judicial body, and now this number has increased year by year and made up 21.5%.

Also, up to 50% of the candidates who successfully passed the exams held for judges in the last 3 years and were appointed to the respective positions of judges are women.

All this is a manifestation of the observance of the principles of gender equality in our country, and the activity of women in various spheres of public life.

## **208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Civil, criminal, and administrative legislation is continually being improved, taking into account existing practices and international experience. During the reporting year, legal acts were amended to enhance legislation.

Cooperation activities: The EU has continuously supported judicial reform initiatives in Azerbaijan. Other bilateral assistance of the EU to the judicial system was implemented in the framework of the project “Support further development of Alternative Dispute Resolution services and Specialized Courts in Azerbaijan” (2020-2022). The objective of the project was “to improve access to justice for citizens and business through assistance in delivering of improved services across the judicial system” through improving the operations of the specialized courts and supporting the development of mediation and arbitration. This objective has been achieved by strengthening the functional qualities of the newly established commercial and administrative judiciary. Joint activities of the EU and the Council of Europe (CoE) under Partnership for Good Governance – PGG programme aimed at strengthening the judicial system in Azerbaijan over the 2018-2022 period. Enhanced efficiency and quality of courts through the application of Council of Europe European Commission for the Efficiency of Justice (CEPEJ) tools at national level, as well as improved enforcement of court decisions through legal and institutional modernisation of the enforcement system were the main focus of support. Within the framework of the on-going PGG project “Fostering mediation in Azerbaijan”, the Government of Azerbaijan is being supported in the digitalisation and enhancement of competences in mediation.

## **208-9. Enforcement of court decisions and in particular regarding decisions against public authorities**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: At present, extensive measures are being taken to reduce the workload of the courts, systematize executive legislation, and update the executive system to radically improve work in the field of enforcement. Drafts of the Enforcement Code of the Republic of Azerbaijan, the Law on Private Enforcement Agents and other related normative legal acts have been prepared. Intensive work is being done in the direction of their improvement, acceptance and implementation.

Furthermore, in accordance with the regulations approved by the President of Azerbaijan on September 12, 2018, regarding the "Formation, Management, Integration, and Archiving of State Information Resources and Systems," as well as the "Regulation on the Electronic Executive Information System," and as part of the "Partnership II Program for Good Governance," following the recommendations of the Council of Europe on the development of ICT solutions to support Azerbaijan's national judicial enforcement system, modules and action plans have been developed to encompass this process. At the initial stage, the new version of the system will consist of 21 modules. Among them, the modules expected to be effective in terms of time-saving and transparency include automatic distribution of executive tasks among officials, electronic delivery of procedural documents to parties, electronic realization of seized assets, integration with all electronic debt collection payment systems, and real-time payment information retrieval. Electronic monitoring modules will also be part of this system.

Additionally, work has commenced on the creation of the "Mobile Enforcement" application based on the developing information system "Electronic Enforcement," with the aim of providing online services to citizens 24/7. Through this mobile application, citizens will have the opportunity to obtain information about the enforcement of court decisions and decisions of other authorities in which they are parties, information about local enforcement agencies, and information about the officials of the Ministry of Justice responsible for executing these decisions. Furthermore, citizens will be able to pay their enforcement obligations electronically, file appeals related to the enforcement of decisions in court, inquire about temporary travel restrictions and other mandatory measures of enforcement associated with decision execution, and immediately release themselves from such restrictions by making payments through the mobile application. Currently, efforts to launch this application are ongoing.

## 208-10. Mediation and other Alternative Dispute Resolution

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The Law of the Republic of Azerbaijan "On Mediation" was adopted March 29, 2019. The purposes and principles of mediation, the scope of the mediation process, including the initial mediation session, the rules of implementation, the grounds for applying the mediation process, the procedure for the implementation of the reconciliation agreement concluded as a result of mediation, and other issues are regulated in that Law.

Pursuant to the above-mentioned Law, with the relevant decisions of the Cabinet of Ministers "Regulation on maintaining the mediation register", "Regulation on training for training and improving the qualifications of mediators", "Regulation on professional ethical behavior of mediators", "Regulation on the implementation of the mediation process" Approved.

In addition, a new draft law "On Arbitration" is being prepared in order to promote the institution of arbitration in our country.

On June 30, 2021, the Board of the Mediation Council was established.

On September 13, 2021, the Disciplinary Commission of the Mediation Council was established.

In order to accept state-registered mediation organizations as members of the Mediation Council, a Special Commission was established to determine their compliance with the requirements established by the Law of the Republic of Azerbaijan "On Mediation" and to carry out the necessary monitoring of their future activities. – (2021, December 12)

procedure for paying mediation costs from the state budget has been changed.

According to Article 36.7 of the Law of the Republic of Azerbaijan "On Mediation", the payment of the mediation costs of any party that

does not have sufficient funds to cover the costs of mediation is carried out at the expense of the state budget.

At the same time, by Resolution No. 360 of the Cabinet of Ministers of the Republic of Azerbaijan dated August 16, 2019, the "Rule of payment of mediation costs from the state budget funds" was approved, and by the Resolution of the Cabinet of Ministers dated February 26, 2022, the said Rules were amended and sufficient to cover mediation costs. members of families receiving targeted state social assistance and persons registered as unemployed in the relevant local institutions of the State Employment Agency and "DOST" centers under the Ministry of Labor and Social Protection of the Population of the Republic of Azerbaijan have been defined as natural persons without funds. Clause 1.3 of the Rule states that the Rule does not apply if one of the parties does not attend the initial mediation session without an excuse. In such a case, the circle of subjects defined in the Rules is obliged to pay the cost of mediation due to the nonparticipation of the other party when applying for mediation and cannot use the mentioned privilege of the Law. Clause 1.3 of the Regulation has been repealed in order to eliminate the existing inconsistency. (<https://nk.gov.az/az/article/2538/>) (2022, August 19) A Consultative Commission was established under the Mediation Council in order to develop mediation activities in our country and to ensure the coordinated cooperation of all parties who may participate in the mediation process (6 April 2022).

An Internal Audit and Ethics Committee was established for the purpose of checking the activities of mediation organizations and mediators (25 August 2022). For the development of the mediation institute and the flexible solution of the problems, working groups have been created for different tasks. Public and private universities carried out public awareness. Compliance training, onboarding training, and technical training will be held permanently for new mediators, mediation organisations and employees.

## 208-11. Fight against crime

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: in order to further expand the application of the principles of openness, transparency and accountability, increase financial transparency, increase the means of ensuring the rights to access information, support civil society institutions and strengthen public control, and ensure the continuity of measures taken to promote open government "National Action Plan for the Promotion of Open Government for 2020-2022" was approved by Decree No. 1859 dated February 27, 2020.

Measures related to preventing corruption and strengthening transparency in the activities of state bodies, ensuring financial transparency, improving public services, expanding the activities of civil society members, increasing public control and public participation, as well as other areas are defined in the document.

In addition, further increasing transparency in the activities of state institutions, prevention of situations that create conditions for corruption, further strengthening of accountability of state bodies to the public, further improvement and electronicization of services provided by state institutions to the population, as well as ensuring the continuity of measures taken in the fight against corruption "National Action Plan for strengthening the fight against corruption for 2022-2026" was approved by Decree No. 3199 of the President of the country dated April 4, 2022.

In the National Action Plan, measures related to the improvement of the legislative framework for the fight against corruption, strengthening the prevention of corruption and transparency, ensuring financial transparency, combating the legalization of money or other property obtained through crime and the financing of terrorism, and the improvement of public services and management mechanisms envisaged.

## 208-12. Prison system

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: As part of the modernization of the penitentiary system and infrastructure in 2022, two modern correctional facilities for women and juvenile offenders were inaugurated in Baku. These new facilities have been designed to provide

exemplary living conditions, featuring relaxation rooms, psychologist offices, prayer rooms, and various other amenities. Moreover, they have established production areas where inmates can engage in meaningful work.

In alignment with goals related to expanding production areas and involving entrepreneurs and businesspeople, inmates will work in textile, carpet weaving, sewing, and confectionery workshops within the newly established production unit.

Within the two-story medical and sanitary section of the institution, there are medical examination rooms, diagnostic and dental offices equipped with modern equipment, a laboratory, a pharmacy, a pediatric clinic, and other support facilities. Additionally, a separate building has been constructed within the new correctional facility for meetings with inmates.

In addition to educational classrooms, the two-story school building located on the premises of the facility contains vocational, computer, and other classrooms, as well as sports halls. These facilities enable inmates, especially juveniles, to pursue education and acquire professional skills.

These modern conditions are intended to safeguard the rights of the inmates, contribute to their effective rehabilitation, and facilitate their social adaptation. Furthermore, new modern penitentiary complexes are currently under construction in the other 2 cities of Azerbaijan, as well as in the suburban settlement of Umbaki.

Simultaneously, as part of ongoing reforms aimed at modernizing the country's justice system, efforts are being made to enhance the functioning of the penitentiary service, humanize the criminal enforcement policy, and take consistent measures to protect the rights of detainees, improve living conditions, and ensure medical and other guarantees.

In this regard, systematic steps are being taken to staff these facilities, with young individuals, especially those proficient in modern information and communication technologies, being selected through a competitive process.

### **208-13. Child friendly justice**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

### **208-14. Domestic violence**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Implementation of reforms as main policy indicator have been defined with related domestic violence applying widely in judicial legal system. In 2020-2023 National Action Plan (NAP) on the Prevention of Domestic Violence was approved under Decree 2307, dated November 27th, 2020, of the President of Republic of Azerbaijan. In the NAP several actions dedicated to justice system. In the Action Plan for lawyers, judges, prosecutors, police officers in the field of combating domestic violence victims, also tasks such as taking measures to ensure the timely and accurate execution of the decisions made in the field of domestic violence were included.

### **208-15. New information and communication technologies**

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA



Comments - If yes, please specify: It is planned to develop a new version of the "Electronic management system of court cases". The new version of this system envisages increasing the level of automation of court decisions and procedural measures, developing accountability and many other elements using the most modern technologies.

The Ministry of Justice, which is an active participant in the "Electronic Government" system, provides more than 30 different electronic services to citizens.

As for the innovative services created by the Ministry, it is currently possible to provide notary services online 24 hours a day through the electronic justice kiosk. The next step in the digitization of the notary is the creation of electronic notary offices for the on-the-spot formalization of notarial actions directly in banks and social services.

The new system was developed in this regard allows us to prepare various analytical reports based on electronic statistics, evaluate the activity of courts and judges, and determine the productivity of their work. This experience in this field has attracted international interest and has been awarded a special award.

The Ministry of Justice has prepared the "EN TEZ" (Fastest) concept. This concept not only provides the opportunity to apply to various judicial bodies but also relies on the principle of providing services on the spot and ensuring the expedited delivery of services. The unique feature of this service is that it allows individuals to benefit from services remotely by simply video calling an operator without requiring any document or electronic signature from the applicant. This concept, which eliminates the need for creating new infrastructures and attracting additional workforce, aims to reduce additional costs and enable simultaneous utilization of various judicial services.

## 208-16. Other

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: