



Reference data 2018 (01/01/2018 - 31/12/2018)

Start/end date of the data collection campaign : 01/03/2019 - 01/10/2019

Objective :

The CEPEJ decided, at its 31th plenary meeting, to launch the eighth evaluation cycle 2018 – 2020, focused on 2018 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 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted 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, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

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.

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)

[9 898 100]

Comments

002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	11 865 625 642 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments Comparing to previous years the state budget has significantly increased. It is related with economic rehabilitation and its following boost, as well as stability of national financial system after shock of currency volatility due to the global affect. The state budget increased by 25%

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

[4 174]

Comments GDP per capita has increased by about 25% as a result of economy boost and stabilization of global crude energy resources market. Also, economic reforms in the country with a development of downstream economy and non-oil sector brought to essential increase of GDP per capita (despite the fact of increase of population comparing to reference year).

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

[3 354]

NA

Comments

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

[1.9468]

Allow decimals : 5

NAP

Comments

A1. Please indicate the sources for answering questions 1 to 5

Sources: The State Statistical Committee of the Republic of Azerbaijan, Law on state budget for 2018, 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 budgets of public prosecution

services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NA to the 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)	52 846 130 <input type="checkbox"/> NA <input type="checkbox"/> NAP	50 514 672 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Annual public budget allocated to (gross) salaries	21 385 035 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 064 787 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Annual public budget allocated to computerisation	7 109 958 <input type="checkbox"/> NA <input type="checkbox"/> NAP	7 107 961 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	3 175 341 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 166 128 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Annual public budget allocated to investments in new (court) buildings	19 741 038 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 741 038 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Annual public budget allocated to training	1 434 758 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 434 758 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Other (please specify)	<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: Annual budget allocated to the functioning of all courts is being increased yearly (reference made to 2016 - up to date). It is related to judicial reforms and new facilities commencement. Discrepancy between approved and implemented budget occurred due to optimization of planned expenditures. Also, approved budget always contain contingency, the implementation of which is not always obligatory. The computerization budget is growing yearly which a result of new technologies development. Comparing to reference year (2016) the budget has been increased by 31% despite the currency devaluations, market fluctuations and economy shocks. The discrepancy between approved and implemented budgets is tiny (<1%), so budget fulfilled successfully. The discrepancy of annual budgets allocated to court buildings comparing to reference year is huge (5-fold difference), which is related to judicial reforms and special care by government in terms of improvement work conditions. The budget is fulfilled accurately, there is almost no discrepancy. Annual public budget allocations to investment in new court buildings also showing grow by almost 19%. The budget allocated and implemented is same. Although the e-court system and IT requirements are increasing yearly, the annual budget allocations to training has increase by 50% comparing to reference year which is result of special programs and reforms on study best international practice, etc.

Budget is fulfilled completely.

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 legal aid, please fill only the appropriate line in the table according to your system:

Approved budget (in €)	Implemented budget (in €)

Total annual public budget allocated to all courts and the public prosecution services together	86 428 310 [] NA [] NAP	83 883 401 [] NA [] NAP
Total annual public budget allocated to all courts and legal aid together	53 555 223 [] NA [] NAP	51 223 765 [] NA [] NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	87 137 403 [] NA [] NAP	84 592 494 [] NA [] 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:

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

	Litigants required to pay a court fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	() Yes (X) No
for other than criminal cases	(X) Yes () No

If there are exceptions to the rule 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:

- The amount of court fees on disputes is: 20 AZN (manat) (10.3 Euro) if the claim price is up to 500 AZN (manat) (257 Euro); 30 AZN (15.4 Euro), if the claim is more than 500 AZN (257 Euro)

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

[16]
[] NA
[] NAP

Comments

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

[1 780 722]
[] NA
[] NAP

Comments The decrease in annual income of court taxes or fees received by State is explained by decrease in civil cases received by courts.

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

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	709 093 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	709 093 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments

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)	709 093 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	709 093 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] 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:

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)	33 582 180 [] NA [] NAP	33 368 729 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	682 301 [] NA [] NAP	682 301 [] NA [] 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:

014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level

Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Other ministry	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Parliament	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP
Supreme Court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Inspection body	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No [] NAP

If any other Ministry and/or inspection body and/or other, please specify:

014-1. (Former question 61) Who is entrusted with responsibilities related to the budget within the court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Management Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Court President	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Court administrative director	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Head of the court clerk office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Comments - If "other", please specify:

A2. Please indicate the sources for answering questions 6 to 14:

Sources: Sources: Law "On state budget for 2018";
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 €)
Total annual public budget allocated to the whole justice system in €	154 246 971 [] NA [] NAP	151 447 175 [] NA [] NAP

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 budget allocated to the whole justice system decreased because of reforms of the system as well as the necessity of investment in targeted directions such as notary services, etc fell away.

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

	Included	Not included	Does not exist (NAP)
Courts (see question 6 or 7)	(X)	()	()
Legal aid (see question 12 or 7)	(X)	()	()
Public prosecution services (see question 13 or 7)	(X)	()	()

015-3. Other budgetary elements

	Included	Not included	Does not exist (NAP)
Prison system	(X)	()	()
Probation services	(X)	()	()
High Judicial Council	(X)	()	()
Constitutional court	(X)	()	()
Judicial management body	()	()	(X)
State advocacy	()	(X)	()
Enforcement services	(X)	()	()
Notariat	(X)	()	()

Forensic services	(X)	()	()
Judicial protection of juveniles	()	()	(X)
Functioning of the Ministry of Justice	(X)	()	()
Refugees and asylum seekers services	()	()	(X)
Immigration Service	()	(X)	()
Some police services (e.g. : transfer, investigation, prisoners' security)	()	(X)	()
Other	()	(X)	()

If "other", please specify: No comment

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: LAW «On state budget for 2018»

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	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice, ADR and other legal services	() Yes (X) No [] NA [] NAP	() Yes (X) No [] NA [] NAP

016-1. Please briefly describe the organisation of the legal aid system in your country both before going to court and during court proceedings.

- As per law legal aid for representation is provided in criminal cases during court proceedings, as well as, before court. In other cases, legal aid is provided for only court representation in cassation instance as per decision of court.

017. Does legal aid include the coverage of or the exemption from court fees?

- () Yes
 (X) No
 [] NAP

If yes, please specify:

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
 (X) No
 [] NAP

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	() Yes (X) No [] NA [] NAP	() Yes (X) No [] NA [] 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
TOTAL	40 190 [] NA [] NAP	22 785 [] NA [] NAP	17 405 [] NA [] NAP
In criminal cases	39 142 [] NA [] NAP	21 737 [] NA [] NAP	17 405 [] NA [] NAP
In other than criminal cases	1 048 [] NA [] NAP	1 048 [] NA [] NAP	0 [] NA [] NAP

Comments - Please specify when appropriate:

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?

Assisted by a free of charge lawyer

Accused individuals	(X) Yes () No
Victims	(X) Yes () No

Comments - If yes, please specify: Accused individuals who don't have sufficient funds should be provided with a lawyer before and during court proceedings. Expenses of a lawyer is financed by state budget. In cases with public-private accusation, victims who don't have sufficient funds could be provided with a lawyer free of charge as per court decision.

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

	free selection of lawyer
Accused individuals	(X) Yes () No [] NAP
Victims	(X) Yes () No [] NAP

Comments

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

() Yes

(X) 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:

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	[] NA [] NAP	[] NA [] NAP
Full legal aid to the applicant for other than criminal cases	[] NA [] NAP	[] NA [] NAP
Partial legal aid to the applicant for criminal cases	[] NA [] NAP	[] NA [] NAP
Partial legal aid to the applicant for other than criminal cases	[] NA [] NAP	[] NA [] 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 explain the exact criteria for denying legal aid:

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

the court

an authority external to the court

a mixed authority (court and external bodies)

Comments

026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

Yes

No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

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

B1. Please indicate the sources for answering questions 20 and 23 :

Sources: 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

2.2.1.Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, etc.) where general public may have free of charge access to the following:

	Yes	Internet adresse(es)
legal texts (e.g. codes, laws, regulations, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/> e-qanun.az

case-law of the higher court/s	()	(X) courts.gov.az
other documents (e.g. downloadable forms, online registration)	()	(X) justice.gov.az; jlc.gov.az

Please specify what documents and information are included in “other documents”:

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

(X) Yes, always

() No

() Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify:

030. Is there a public and free-of-charge specific information system to inform and to help victims of offences?

(X) Yes

() No

Comments - If yes, please specify:

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

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

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify:

031-1. Is it possible for minors to be a party to a judicial proceeding:

() Yes

No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can minor benefit from legal aid, be represented by a lawyer, etc.):

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

Yes, please specify for which kind of offences: All criminal offences

No

Comments

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

Yes

No

Comments

033. If yes, does this compensation come from:

a public fund

damages and interests to be paid by the person responsible

a private fund

Comments

034. Are there studies that evaluate 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:

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 answer with that of the question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

Yes

No

NAP

Comments - If necessary, please specify:

037. Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	<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
Excessive length of proceedings	<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
Non-execution of court decisions	<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
Wrongful arrest	<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
Wrongful conviction	<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
Other	<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 - 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):

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. Surveys aimed at 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
2. Surveys aimed at 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
3. Surveys aimed at 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
4. Surveys aimed at 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
5. Surveys aimed at 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
6. Surveys aimed at 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

7. Surveys aimed at 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
8. 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

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

040. Is there a national or local procedure for filing complaints about the functioning of the judicial system? (for example, handling of the case by a judge or the duration of a proceeding)

Yes

No

Comments

041. If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Existence of a time limit to deal with the complaint for this authority
Court concerned	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Higher court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

041-1. If yes, please specify certain aspects of this procedure:

	Number of complaints	Compensation amount granted
Court concerned	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Higher court	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Ministry of Justice	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
High Judicial Council	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

042. Number of courts considered as legal entities (administrative structures) and geographic locations.

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	86 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.2 First instance specialised courts (legal entities)	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP
42.3 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)	112 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Commercial courts (excluded insolvency courts)	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Labour courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Family courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Rent and tenancies courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Enforcement of criminal sanctions courts	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP
Administrative courts	7 [] NA [] NAP
Insurance and / or social welfare courts	[] NA [X] NAP
Military courts	6 [] NA [] NAP
Other specialised 1st instance courts	5 [] NA [] NAP

Comments - If “other specialised 1st instance courts”, please specify: There are 7 commercial-administrative courts. There are 5 grave crime courts.

044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

(X) Yes

() No

Comments - Please specify: In the Judicial and Legal System a specialized court was created with the purpose of resolution of disputes arising from tax and customs duties payments, obligatory state social insurance allocation, and other entrepreneurship related issues. Also, in above mentioned reforms the examination of disputes related to entrepreneurship by judges with deeper legal knowledge and experience on the relevant field was ensured.

045. Number of first instance courts (geographic locations) competent for a case concerning:

	Number of courts
a debt collection for small claims	86 [] NA [] NAP
an employment dismissal	86 [] NA [] NAP
a robbery	13 [] NA [] NAP
an insolvency case	7 [] NA [] NAP

Comments The number of courts examining robbery cases is 13 (comparing to reference year, this year military courts were added to the list).

045-1. Is your definition for small claims the same as the one in the Explanatory note?

() Yes

(X) No

Comments - If not, please give your definition for small claims: There was no definition for small claims in legislation in 2018. According to the amendments made to the Civil Procedural Code of the Republic of Azerbaijan by the Law on December 28 it was adopted the definition of the small claims in Azerbaijan. It has been established simplified procedures in civil and economic disputes cases related to these claims. The main purpose of the establishment of the small claim procedures is to give the possibility to citizens and entrepreneurs to speedy trial of their claims.

045-2. Please indicate the value in € of a small claim:

[0]

Comments According to the amendments made to the Civil Procedural Code of the Republic of Azerbaijan by the Law on December 28, 2018 small claims are defined as claims which do not exceed 2,000 AZN (two thousand manats) (1027 in €) for civil cases and 10,000 AZN (ten thousand manats) (5137 in €) for economic cases.

C. Please indicate the sources for answering questions 42, 43 and 45:

Sources: Judicial-Legal Council; Law «On courts and judges» dated 1997; Civil Procedural Code of the Republic of Azerbaijan

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 permanent posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	563 [] NA [] NAP	482 [] NA [] NAP	81 [] NA [] NAP
1. Number of first instance professional judges	395 [] NA [] NAP	336 [] NA [] NAP	59 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	127 [] NA [] NAP	112 [] NA [] NAP	15 [] NA [] NAP
3. Number of Supreme Court professional judges	41 [] NA [] NAP	34 [] NA [] NAP	7 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: Among the new judge candidates in 2018 the number of women increased comparing a reference year (2016).

047. Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	111 [] NA [] NAP	108 [] NA [] NAP	3 [] NA [] NAP
1. Number of first instance court presidents	104 [] NA [] NAP	102 [] NA [] NAP	2 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	6 [] NA [] NAP	5 [] NA [] NAP	1 [] NA [] NAP
3. Number of Supreme Court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments

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):

	Figure
Gross figure	[] NA [X] NAP
In full-time equivalent	[] 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 can possibly 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 in a jury):

	Figure
Gross figure	[] NA [X] NAP
In full time equivalent	[] NA [X] 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
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", 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 of case(s)?

Criminal cases

Other than criminal cases

Comments

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

[]

NA

NAP

Comments

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 permanent posts actually filled)

Total	Males	Females

Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	2 643 [] NA [] NAP	1 377 [] NA [] NAP	1 266 [] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	1 156 [] NA [] NAP	646 [] NA [] NAP	510 [] NA [] NAP
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)	1 133 [] NA [] NAP	539 [] NA [] NAP	594 [] NA [] NAP
4. Technical staff	354 [] NA [] NAP	192 [] NA [] NAP	162 [] NA [] NAP
5. Other non-judge staff	[] 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 permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	2 643 [] NA [] NAP	1 377 [] NA [] NAP	1 266 [] NA [] NAP
1. Total non-judge staff working in courts at first instance level	1 946 [] NA [] NAP	1 041 [] NA [] NAP	905 [] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	475 [] NA [] NAP	233 [] NA [] NAP	242 [] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	222 [] NA [] NAP	103 [] NA [] NAP	119 [] NA [] NAP

Comments

053. If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do 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
- other cases not mentioned (please describe in comment)
- non-litigious cases
- NAP

Comments - Please briefly describe their status and 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

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: Sources: Judicial-Legal Council;
Ministry of Justice.

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 permanent posts actually filled for all types of courts - general jurisdiction and specialised courts.

Total	Males	Females

Total number of prosecutors (1 + 2 + 3)	1 183 [] NA [] NAP	1 107 [] NA [] NAP	76 [] NA [] NAP
1. Number of prosecutors at first instance level	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Number of prosecutors at Supreme Court level	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Please indicate any useful comment for interpreting the data above: No comment

056. Number of heads of prosecution offices.

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

Please provide any useful comment for interpreting the data above:

057. Do other persons have similar duties to those of public prosecutors?

() Yes

(X) No

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

057-1. Please specify their 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 specially trained prosecutors in domestic violence and sexual

violence ?

Yes

No

Comments

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

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

Comments

C2. Please indicate the sources for answering questions 55, 56 and 60

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
judges	<input type="checkbox"/>	<input checked="" type="checkbox"/>
prosecutors	<input type="checkbox"/>	<input checked="" type="checkbox"/>
non-judge staff	<input type="checkbox"/>	<input checked="" type="checkbox"/>
lawyers	<input type="checkbox"/>	<input checked="" type="checkbox"/>
notaries	<input type="checkbox"/>	<input checked="" type="checkbox"/>
enforcement agents	<input type="checkbox"/>	<input checked="" type="checkbox"/>

NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify: it should be noted that on October 10, 2006 the Law of the Republic of Azerbaijan "On Ensuring Gender (Men and Female) Equality" was adopted. According to Article 1 of the Law, the purpose of the present law constitutes ensuring gender equality by eliminating all forms of gender discrimination, creating equal opportunities for male and female participation in political, economic,

social, cultural and other fields of social life.

In accordance with Article 6 of the Law, the state takes measures for eliminating all forms of gender discrimination, creating equal opportunities for males and females, not allowing superiority of persons belonging to any gender in state governing and decision-making. The text of the said Article is available at the following link: <http://e-qanun.az/framework/12424>.

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)

[] NA

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

3.4.2 At national level

061-4. Do you have, at national level, one or more recent surveys or reports related to - wholly or partly - the distribution males/females within the judicial system concerning:

	Yes	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, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? AZ - 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://rm.coe.int/azerbaijan-country-study-on-barriers-azeri-print/16808e9a28>

061-5. Is there a national programme or an orientation document to promote males/females equality within the judicial system?

() Yes

(X) No

Comments - if the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us? But in various state programmes mentioned about it

The Government of Azerbaijan conducts regularly women’s awareness operations. SCFWCA has organized awareness missions to promote among women the General Recommendations of the CEDAW Committee, including the CEDAW itself (the Convention on Elimination of All Forms of Discrimination against Women) and its Additional Protocols. The special project on Strengthening the Role of Civil Society in Promotion of Gender Equality and Women’s Rights is being elaborated to increase the role of non-governmental organizations in monitoring and reporting to ensure the implementation of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW). Capacity building activities has been fulfilled to accomplish this target: i) increasing of overall legal literacy of NGOs on various international mechanisms on women’s rights, and particularly, the CEDAW and its Additional Protocol; ii) increasing the knowledge of NGO sector to act as an effective advocate of women’s rights; iii) providing NGOs with resources and practical skills to conduct a monitoring and elaborate alternative reports on women’s rights. Capacity building measures have included the preparation of educational resources and tools coupled with awareness sessions and training courses. 20 NGO representatives have taken part in training sessions. Legal guidelines on CEDAW Convention are developed and printed for NGOs. At the same time, the set of core principles is formed and printed to be used in drawing the alternative CEDAW reports. A training module comprising resources related to the increasing economic and social rights of women on the basis of CEDAW is developed and circulated to different users.

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 - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments 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.

061-6-1. Please specify the text which set up this person/institution :

(title, date, nature of the text) State committee for family, women, and children affairs of Azerbaijan Republic. State committee for family, women, and children affairs was established by the Decree of the President of the Republic of Azerbaijan, dated February 6, 2006.

061-6-2. Please specify the status of this person/institution:

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality) State committee for family, women, and children affairs of Azerbaijan Republic – The State Committee for Family, Women and Children’s Issues (henceforth – the Committee) is a central executive power body implementing and regulating the state policy on family, women and children’s issues

061-6-3. Please specify if this person/institution has an information and consultative function or if its opinions/decisions have legal consequences:

(e.g. block a decision or allow an appeal) The chairman of the Committee Issues orders and decrees to be executed, adopts (signs) legal acts, arranges their execution and carries out supervision in compliance with the legislation

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 - If yes, please specify their titles and tasks. If the situation changed since the reference year, please specify in the comments. There is no specific person responsible for the respect gender equality, because of absence of the problem of gender discrimination. The selection and employment at courts and public prosecution services are based on principles of their qualification level, knowledge and experience and all candidates despite of their gender are provided with equal opportunities. If there is visible inequality in gender balance in a certain occupation it is mostly correlated with the popularity of the profession among men or women. The statistics mentioned above are changing. Thus, of the 108 candidates who succeeded in the final trial, 29 (27%) were women.

061-8. Does the feminisation of certain functions, if it exists in your country, within courts or public prosecution services, lead to concrete changes in the organisation of the work in the following areas:

	Yes	No
Assignment in different positions	()	(X)
Workload distribution	()	(X)
Working hours	()	(X)
Modalities of teleworking and presence in the work space	()	(X)
Replacement of absent persons	()	(X)
Organisation of the hearings	()	(X)
Other	()	(X)

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments. There is no feminisation and as a results, there is no specific functions distributed based on gender belonging of person.

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

have been already implemented (please specify) : 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 EN - https://courts.gov.az/az/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi_3224

are planned (please specify) : 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 EN - 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 EN - https://courts.gov.az/az/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi_3224

061-10. In your judicial system, and eventually based on evaluation, studies or official reports, what are the main causes of inequalities in:

recruitment procedures (please specify): Mostly, the possible inequalities are correlative with popularity of those or that profession among the gender representatives and their career preferences. All the candidates are provided with equal opportunities and decision made based on their skills and knowledge.

promotion procedures and access to the functions of responsibility (please specify) : Mostly, the possible inequalities are correlative with popularity of those or that profession among the gender representatives and their career preferences. All the candidates are provided with equal opportunities and decision made based on their skills and knowledge.

Comments - If the situation changed since reference year, please specify in the comments. Mostly, the possible inequalities are correlative with popularity of those or that profession among the gender representatives and their career preferences. All the candidates are provided with equal opportunities and decision made based on their skills and knowledge.

[] NAP

061-11. In your courts, is there particular attention given to gender issues regarding the public and users of justice, in particular:

	Yes, please specify	No
judges and court staff are more chosen among males or females according to the type of cases	()	(X)
the composition of hearings with several judges is always mixed	()	(X)
statistics exist concerning males and females who initiate a case/victims, accused persons, etc.	(X) Yes, such statistics exists and it is run for research purposes, and can be revealed upon request.	()

Comments - if you have additional comments please specify. If the situation changed since reference year, please specify in the comments. One of the studies or analysis is Final Draft Justice Gender Strategy and Action PLan (https://courts.gov.az/en/main/page/dliyy-Sistemi-uzr-Gender-Strategiyasi-v-Tdbirlr-Planinin-Yekun-Layihsi_3224).

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

062-1. Basic principles and models used in Information technology policies and strategies

definition

	Organisation
IT policies and strategies	<input type="checkbox"/> defined and coordinated at national level by one institution <input checked="" type="checkbox"/> defined and coordinated at national level by several institutions <input type="checkbox"/> defined and coordinated at unit/stakeholder level <input type="checkbox"/> other
IT Governance	<input type="checkbox"/> governed on national level by one institution <input checked="" type="checkbox"/> governed on national level by several institutions <input type="checkbox"/> organised at unit/stakeholder level <input type="checkbox"/> other

Comments

065-1. In case there is a national structure in charge of the strategic policy making and governance of the judicial system modernisation (including also IT) what is the composition of this structure?

- administrative, technical and scientific staff only
- mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff
- other (please specify in a comment)

Comments - (please specify if there are other modernisation approaches that have been implemented):

065-2. Which is the organisational model primarily chosen for conducting structural IT projects in courts and the management of applications (maintenance, evolution)?

	Implementing new projects	Management of applications
Mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Non
Mainly by professionals in the field (judges, prosecutors, non-judge judicial staff, etc.) with the help of an internal IT department and/or an external service provider	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Non
Other alternatives (external service provider only – specify in a comment)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Non

Comments - please also describe in case of “other alternatives” Management mainly provided by JSSIP project

065-3. Is there a device of detection and promotion of innovations regarding IT coming from personal and/or local/court level initiatives?

- Yes
- No

Comments (please specify projects that have experienced national developments)

065-4. Have you measured the impact resulting from the implementation of one or several components of your new information system?

() Yes

(X) No

065-4-1. If yes, have you measured the impact on (multiple answers possible):

[] Business processes

[] Workload

[] Human resources

[] Costs

[] Other, please specify

Comments (please specify examples of the impact)

3.5.2 Security of courts information system and personal data protection

065-5. Are there independent audits or other mechanisms to contribute to the global security policy regarding the information system of the judiciary ?

(X) Yes

() No

Comments (please specify in particular if national frameworks of information security exist):

065-6. Is the protection of personal data managed by courts ensured at legislative level?

(X) Yes

() No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.) Based on the legislation courts have rights to get access to any information within the case. Data protection is governed by special legislation.

3.5.3 Centralised databases for decision support

062-4. Is there a centralised national database of court decisions (case-law, etc.)?

(X) Yes

() Non

Comments

062-4-1. If yes, please specify the following information:

For 1st instance decisions	For 2nd instance decisions	For 3rd instance decisions	Link with ECHR case law	Data anonymised	Case-law database available free online	Case-law database available in open data
----------------------------	----------------------------	----------------------------	-------------------------	-----------------	---	--

Civil and/or commercial	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	() Yes (X) No	() Yes (X) No	(X) Yes () No	() Yes (X) No
Criminal	(X) Yes all judgements () Yes some judgements () No	() Yes all judgements (X) Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	() Yes (X) No	() Yes (X) No	(X) Yes () No	() Yes (X) No
Administrative	(X) Yes all judgements () Yes some judgements () No	() Yes all judgements (X) Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	() Yes (X) No	() Yes (X) No	(X) Yes () No	() Yes (X) No

Comments - if it exists in other matters please specify

062-6. Is there a computerised national record centralising all criminal convictions?

(X) Yes

() No

Comments

062-6-1. If yes, please specify the following information:

- Linkage with other European records of the same nature
- Content directly available through computerised means for judges and/or prosecutors
- Content directly available for purposes other than criminal (civil and administrative matters)

Comments - Please specify who is the authority delivering the access It is expected to be integrated with Electronic Court Information System for judges

3.5.4 Writing assistance tools

062-7. Are there writing assistance tools for which the content is coordinated at national level? (models or templates, paragraphs already pre-written, etc.)

(X) Yes

() No

Comment – if it exists in other matters please specify

062-7-1. If yes, please specify the following information:

Availability rate

Civil and/or commercial	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA

062-8. Are there voice recording tools?

Yes

No

Comments Court hearings audio & video recording system (Az-FEMDA) was developed in 2016 and being implemented in the courts since January 2017.

Currently the Court hearings audio & video recording system (Az-FEMDA) is implemented in all courts of jurisdiction of Baku, Sheki, Sumgait and Nakhchivan Autonomous Republic, as well as in Supreme Court of the Republic of Azerbaijan and in the seven administrative-economic courts, which in total amounts to 68 courts of the country.

062-8-1. If yes, please specify:

	Availability of simple dictation tools	Availability of multiple speakers recording tools	Voice recognition feature
Civil and/or commercial	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

Administrative	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input checked="" type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
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062-9. Is there an intranet site within the judicial system for distribution of news/novelities?

Availability rate:

- 100% - accessible to everyone in judiciary
- 50-99% - accessible for most judges/prosecutors in all instances
- 10-49% - in some courts only
- 1-9% - in one court only
- 0% (NAP) - No access

NA

Comments

3.5.5 Technologies used for administration of the courts and case management

063-1. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)

- Yes
- No

Comments - if it exists in other matters please specify

063-1-1. If yes, please specify the following information:

	CMS deployment rate	Status of case online	Centralised or interoperable database	Early warning signals (for active case management)	Status of integration/connection of a CMS with a statistical tool
Civil and/or commercial	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input checked="" type="checkbox"/> both <input type="checkbox"/> not accessible at all <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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP

Criminal	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input checked="" type="checkbox"/> both <input type="checkbox"/> not accessible at all <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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> accessible to parties <input type="checkbox"/> publication of decision online <input checked="" type="checkbox"/> both <input type="checkbox"/> not accessible at all <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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP

063-2. Computerised registries managed by courts

	Deployment rate	Data consolidated at national level	Service available online	Statistical module integrated or connected
Land registry	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<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
Business registry	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<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

Comment – if it exists in other matters please specify

063-6. Budgetary and financial management systems of courts

Tool deployment rate	Data consolidated at national level	System communicating with other ministries (financial among others)

Budgetary and financial management of courts	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Justice expenses management	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other (please specify in comments)	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments "Other" is Document Management System with module of e-staff management.

063-7. Measurement tools to assess the workload of judges, prosecutors and/or non-judge/non-prosecutor staff (tool quantifying the activity of judges, prosecutors and/or non-judge/non-prosecutor staff – for example the number of cases resolved)

Yes

No

Comments

063-7-1. If yes, please specify the following information:

	Tools deployment rate	Data used for monitoring at national level	Data used for monitoring at court local level	Tool integrated in the CMS
For judges	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For prosecutors	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For non-judge/non-prosecutor staff	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

3.5.6 Technologies used for communication between courts, professionals and/or court

users

064-2. Is there a possibility to submit a case to courts by electronic means?(possibility to introduce a case by electronic means, for example an e-mail or a form on a website)

Yes

No

Comments

064-2-1. If yes, please specify the following information:

	Availability rate	Simultaneous submission of cases in paper form remains mandatory	Specific legislative framework authorising the submission of a case	An integrated/connect ed tool with the CMS
Civil and/or commercial	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" 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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<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	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input 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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - if it exist in other matters please specify n 2018 the AZEMIS (Case Management System) was implemented at the administrative-economic courts of Azerbaijan and there have been newly introduced possibilities to submit a case by electronic means for administrative cases.

064-3. Is it possible to request legal aid by electronic means?

Yes

No

Comments

064-3-1. If yes, please specify the following information:

Requesting legal aid electronically

Availability rate	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Formalisation of the request in paper form remains mandatory	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Specific legislative framework regarding requests for legal aid by electronic means	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Granting legal aid is also electronic	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Information available in CMS	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-4. Is it possible to transmit summons to a judicial meeting or a hearing by electronic means? (a judicial meeting relates to stages prior to a court hearing, with a view to mediation or conciliation)

Yes

No

Comments

064-4-1. If yes, please specify the following information:

	Summons produced by CMS	Simultaneous summon in paper form remains mandatory	Consent of the user to be notified by electronic means	Modalities (if other please specify in comments)	Specific legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> SMS <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/>
Criminal	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> SMS <input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input type="checkbox"/>

Administrative	<input checked="" type="checkbox"/> [X]	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> []	<input checked="" type="checkbox"/> [X] SMS <input checked="" type="checkbox"/> [X] E-mail <input type="checkbox"/> [] Specific computer application <input checked="" type="checkbox"/> [X] Other	<input type="checkbox"/> []
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Comments Other – e-Filing system (personal electronic web-cabinet for parties). "Specific computer application" is understood as desktop application, therefore we made clarification selecting "Other" to indicate that we use Web-based software application.

064-6. Are there possibilities of electronic communication between courts and lawyers and/or parties? (sending of electronic files and data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

Communication between court and lawyers representing parties

(X) Yes

() No

Communication between court and parties not represented by lawyer

(X) Yes

() No

Comments

064-6-1. If yes, please specify the following information:

	Tool deployment rate	Trial phases concerned	Modalities (if there are different according to the trial phases or if other, please specify in a comment)	Specific legal framework
Civil and/or commercial	<input type="checkbox"/> [] 100% <input checked="" type="checkbox"/> [X] 50-99% <input type="checkbox"/> [] 10-49% <input type="checkbox"/> [] 1-9% <input type="checkbox"/> [] 0% (NAP) - for this matter <input type="checkbox"/> [] NA	<input checked="" type="checkbox"/> [X] Submission of a case to a court <input checked="" type="checkbox"/> [X] Phases preparatory to a hearing <input checked="" type="checkbox"/> [X] Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> [X] Transmission of court decisions	<input type="checkbox"/> [] E-mail <input type="checkbox"/> [] Specific computer application <input checked="" type="checkbox"/> [X] Other	<input checked="" type="checkbox"/> [X] Yes

Criminal	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Yes
Administrative	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Yes

Comments Other: e-Filing system (personal electronic web-cabinet for parties) "Specific computer application" is understood as desktop application, therefore we made clarification selecting "Other" to indicate that we use Web-based software application.

064-7. Terms and conditions of electronic communication used by professionals other than lawyers (sending of electronic data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

	Tool deployment rate	Modalities (if there are different according to the deeds or if other, please specify in a comment)	Specific legal framework
Enforcement agents (as defined in Q169 and following)	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Yes
Notaries (as defined in Q192 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Experts (as defined in Q202 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Judicial police services	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Comments EMF-enforcement management system has been implemented at the 40% of the enforcement agencies. Furthermore, the enforcement orders from courts to the enforcement agencies become totally electronic.

064-9. Are there online processing devices of specialised litigation? (low value litigation, undisputed claims, preparatory phases to the resolution of family conflicts, etc. – please, specify in “comments” section)

Yes

No

Comments – Please describe the system that exists. In 2017, Azerbaijan has developed and implemented "The Automated system on undisputed claims – SilkWay Project", which made available to fast-track the undisputed claims totally electronically by proceeding all judgement process issuing with AI assistance.

064-10. Videoconferencing between courts, professionals and/or users (this concerns the use of audio-visual devices in the framework of judicial proceedings such as the hearing of parties, etc.)

Yes

No

Comments

064-10-1. If yes, please specify the following information and describe in comments of this section the cases of actual use of videoconferencing and the expected benefits (for example, the use of this device to reduce the number of detainees’ transfers to the court):

	Deployment rate (chose one only)	Proceeding phase	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Criminal	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Administrative	<input type="checkbox"/> 100% <input checked="" type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments Based on the changes to the Civil Procedural Code in all administrative-economic courts was developed video-conferencing and video-recording systems.

064-11. Recording of hearings or debates (sound or audio-visual recording during the investigation and/or trial phase(s))

Yes

No

Comments Both - Integrated with CMS the Court Recording System (AZ-Femida)

064-11-1. If yes, please specify the following information:

	Tool deployment rate	Type of recording	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input checked="" type="checkbox"/> Both <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
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input checked="" type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input checked="" type="checkbox"/> Both <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
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input checked="" type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input checked="" type="checkbox"/> Both <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

064-12. Is electronic evidence admissible?

Admissibility of electronic evidence	Legislative framework
---	------------------------------

Civil and/or commercial	(X) Yes () No	(X) General law only () General and specialised law () Specialised law only
Criminal	(X) Yes () No	(X) General law only () General and specialised law () Specialised law only
Administrative	(X) Yes () No	(X) General law only () General and specialised law () Specialised law only

Comments

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)?

(X) 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	(X) Yes () No
within the public prosecution services	(X) Yes () No

Comments

3.6.2. Performance and quality objectives at court level/public prosecution services

077. Concerning court activities, have you defined performance and quality indicators?

(X) Yes

() No

Comments

078. If yes, please select the main performance and quality indicators that have been defined for courts:

[X] 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

077-1. Concerning public prosecution activities, have you defined performance and quality indicators?

- Yes
- No

Comments

078-1. If yes, please select the main performance and quality indicators for the public prosecution services that have been defined:

- 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 public prosecutors)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

073. Do you have a system to evaluate regularly court performance based primarily on the defined indicators?

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?

Identifying to the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance (treatment)

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based primarily on the defined indicators?

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?

- Identifying to the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance (treatment))
- Reengineering of internal procedures to increase efficiency (treatment)
- Other (please specify):

Comments

079. Who is responsible for evaluating the performance of the courts (multiple options 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 options possible) :

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

Comments

3.6.3. Measuring courts' / public prosecution services activity

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
within the courts	(X)	()
within the public prosecution services	(X)	()

Comments Monitoring Dashboard of the "Azemis" e-court information system allows to track procedural and/or reasonable timeframes and notify in case of delays.

3.6.4. 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):

No

Comments

080-1. Does this institution publish statistics on the functioning of each court:

Yes, on internet

No, only internally (in 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):

No

Comments General prosecutor Office

080-3. Does this institution publish statistics on the functioning of each public prosecution service?

Yes, on internet

No, only internally (in 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)?

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

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)?

Yes

No

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

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

Internet

Intranet (internal) website

Paper distribution

Comments

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

Annual

Less frequent

More frequent

Comments

3.6.5 Courts administration

082. Is there a process or structure of dialogue between the public prosecution services and courts regarding the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?

Yes

No

Comments - If yes, please specify:

082-1. Is there in general a process or structure of dialogue between lawyers and courts regarding the way cases are presented before courts in other than criminal matters (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify:

3.6.6 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 the individual 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):

Comments

114. Is there a system of qualitative individual assessment of the judges' work?

Yes

No

Comments

114-1. If yes, please specify the frequency of this assessment:

Annual

Less frequent

More frequent

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

Yes

No

Comments

083-3. Who is responsible for setting the individual targets for each public prosecutor

Executive power (for example the Ministry of Justice)

Prosecutor General /State public prosecutor

Public prosecutorial Council

Head of the organisational unit or hierarchical superior public prosecutor

Other (please specify):

Comments

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

Yes

() No

Comments

120-1. If yes, please specify the frequency of this assessment:

(X) Annual

() Less frequent

() More frequent

Comments

C4. Please indicate the sources for answering the questions in this chapter:

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

4. Fair trial

4.1. Principles

4.1.1. Principles 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)?

[]

[X] NA

[] NAP

Comments - Please add methodology for calculation used.

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

(X) Yes

() No

Comments - Please could you briefly specify:

085-1. Ratio between the total number of initiated procedures of challenges and total number of finalised challenges (in the reference year):

[]

[X] NA

Comments

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 a case after a decision on violation of human rights by the European Court of Human Rights?

Yes

No

NAP

Comments

D1. Please indicate the sources for answering questions in this chapter.

Sources: NA

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 and on dates of hearings)?

Yes

No

Comments - If yes, please specify:

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
Total of other than criminal law cases (1+2+3+4)	34 149 <input type="checkbox"/> NA <input type="checkbox"/> NAP	248 553 <input type="checkbox"/> NA <input type="checkbox"/> NAP	246 920 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 782 <input type="checkbox"/> NA <input type="checkbox"/> NAP	492 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	30 811 <input type="checkbox"/> NA <input type="checkbox"/> NAP	230 980 <input type="checkbox"/> NA <input type="checkbox"/> NAP	229 613 <input type="checkbox"/> NA <input type="checkbox"/> NAP	32 178 <input type="checkbox"/> NA <input type="checkbox"/> NAP	459 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP				
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)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP				
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP				
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP				

2.2.2 Non-litigious business registry cases	<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
2.2.3. Other registry cases	<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
2.3. Other non-litigious cases	<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
3. Administrative law cases	3 338 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	17 573 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	17 307 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	3 604 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	33 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other cases	<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 The decrease in civil cases is closely related to the devaluation of Azeri currency (devaluation coincided with the previous cycle's reference year) as the result of the processes in global economy. The mentioned impacts had effect on disputes related to the loans taken by population became insolvent. As the market has stabilized and currency is stable since then, the number of civil cases also dropped significantly.

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
Total of criminal law cases (1+2+3)	2 612 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	12 422 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	12 537 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	2 497 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	119 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Severe criminal cases	501 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 733 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 742 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	492 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	59 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	2 111 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	10 689 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	10 795 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	2 005 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

3. Other cases	<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 indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases" please specify:

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
Total of other than criminal law cases (1+2+3+4)	5 803 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	36 419 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	35 675 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	6 547 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	95 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	5 071 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	30 675 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	30 110 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	5 636 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	92 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<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
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)	<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
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<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
2.2.1. Non litigious land registry cases	<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
2.2.2 Non-litigious business registry cases	<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
2.2.3. Other registry cases	<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

2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP				
3. Administrative law cases	732 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 744 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 565 <input type="checkbox"/> NA <input type="checkbox"/> NAP	911 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP				

Comments - If "Other cases" please specify The number of cases increased for the following reasons: Increase of the level of legal awareness of citizens, the level of legal assistance provided improved, and citizen more effectively use their rights.

098. Second instance courts (appeal): 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 second instance court
Total of criminal law cases (1+2+3)	518 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 824 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 741 <input type="checkbox"/> NA <input type="checkbox"/> NAP	601 <input type="checkbox"/> NA <input type="checkbox"/> NAP	25 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	247 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 269 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 271 <input type="checkbox"/> NA <input type="checkbox"/> NAP	245 <input type="checkbox"/> NA <input type="checkbox"/> NAP	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	271 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 555 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 470 <input type="checkbox"/> NA <input type="checkbox"/> NAP	356 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other cases	<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 indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify. As a result of measures aimed at humanization of the criminal policy and decriminalization of crimes within the framework of judicial and legal reforms in the country, convicted and accused persons appealed to the court more often. No particular explanation could be provided in respect of the decrease in the number of severe criminal cases pending on 31 December 2018.

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
Total of other than criminal law cases (1+2+3+4)	1 634 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 798 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 590 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 842 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	1 242 [] NA [] NAP	9 024 [] NA [] NAP	9 093 [] NA [] NAP	1 173 [] NA [] NAP	0 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[] NA [X] NAP	[] NA [X] NAP			
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)	[] NA [X] NAP	[] NA [X] NAP			
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP			
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP			
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP			
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP			
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP			
3. Administrative law cases	392 [] NA [] NAP	2 774 [] NA [] NAP	2 497 [] NA [] NAP	669 [] NA [] NAP	0 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP			

Comments - If "Other cases", please specify The number of cases increased for the following reasons: increase of the legal awareness of citizens, the level of legal assistance provided improved and citizen more effectively use their rights.

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

() Yes

(X) No

Comments

099-1-1. If yes, please indicate the number of:

cases received by the Highest court? []

cases closed by this procedure? []

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
Total of criminal law cases (1+2+3)	502 [] NA [] NAP	1 713 [] NA [] NAP	1 661 [] NA [] NAP	554 [] NA [] NAP	0 [] NA [] NAP
1. Severe criminal cases	286 [] NA [] NAP	897 [] NA [] NAP	875 [] NA [] NAP	308 [] NA [] NAP	0 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	216 [] NA [] NAP	816 [] NA [] NAP	786 [] NA [] NAP	246 [] NA [] NAP	0 [] NA [] NAP
3. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If "Other cases", please specify

4.2.5. Case flow management and timeframes – specific cases



101. Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens 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
Litigious divorce cases	4 900 [] NA [] NAP	20 266 [] NA [] NAP	20 040 [] NA [] NAP	5 126 [] NA [] NAP
Employment dismissal cases	78 [] NA [] NAP	748 [] NA [] NAP	771 [] NA [] NAP	55 [] NA [] NAP
Insolvency	4 [] NA [] NAP	11 [] NA [] NAP	12 [] NA [] NAP	3 [] NA [] NAP
Robbery case	32 [] NA [] NAP	99 [] NA [] NAP	91 [] NA [] NAP	40 [] NA [] NAP
Intentional homicide	80 [] NA [] NAP	257 [] NA [] NAP	262 [] NA [] NAP	75 [] NA [] NAP

Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP			
Cases relating to the right of entry and stay for aliens	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments We are in the proses of establishing the mediation institute which is called to improve the situation with increased number of divorce cases.

According to the recomendation of "Doing Business" recomendations there was made a lot changes to the insolvensy legislation. According to changes to Civil Procedur Code from the 1st of January of the 2019th year The judge may postpone consideration of the case on the grounds specified in this Code, in the event of unforeseen circumstances. The case may be adjourned no more than three times. After that, the next time the trial is postponed, the judge must make a reasoned decision. Also all judicial proceedings on economic disputes including delivery, acceptance of applications, complaints, and other documents, as well as delivery of court documents to the court and process participants, are carried out through the Electronic Judicial information system in electronic order. No other form of submission of the documents submitted in the manner prescribed below may be required. Also according to this law the definition of the small claims adopted. It has been established simplified procedures in civil cases considered for claims of less than two thousand manat and claims of less than ten thousand manat for the cases of economic disputes. The main purpose of the establishing small claim procedures is to give a fair trial of the claims of citizens and entrepreneurs within a short period of time.

The main reason for reduction the robbery is preventive measures, as well as improvement of the social and economic situation of citizens.

101-1. Could you briefly describe the system in your country dealing with judicial 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.

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). 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 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 total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	90 <input type="checkbox"/> NA <input type="checkbox"/> NAP	90 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input type="checkbox"/> NAP	240 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Litigious divorce case	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	120 <input type="checkbox"/> NA <input type="checkbox"/> NAP	90 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input type="checkbox"/> NAP	270 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Employment dismissal case	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	30 <input type="checkbox"/> NA <input type="checkbox"/> NAP	90 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input type="checkbox"/> NAP	180 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	90 <input type="checkbox"/> NA <input type="checkbox"/> NAP	90 <input type="checkbox"/> NA <input type="checkbox"/> NAP	60 <input type="checkbox"/> NA <input type="checkbox"/> NAP	240 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	95 <input type="checkbox"/> NA <input type="checkbox"/> NAP	55 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 <input type="checkbox"/> NA <input type="checkbox"/> NAP	185 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	120 <input type="checkbox"/> NA <input type="checkbox"/> NAP	70 <input type="checkbox"/> NA <input type="checkbox"/> NAP	45 <input type="checkbox"/> NA <input type="checkbox"/> NAP	235 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

103. Where appropriate, please indicate the specific procedure regarding divorce cases (litigious and non-litigious):

. According to the Family Code, when a court finds out that it is impossible for a couple to live together and keep the family, the marriage is divorced.

If one of the parties fails to agree to a divorce, the court may postpone the case by setting a period of three months for reconciliation. Marriage is broken when there is no reconciliation or when one of them insists on divorce.

If the spouse with common minor children has mutual consent for the dissolution of the marriage, as well as in the cases specified in Article 19.2 of this Code, the marriage is dissolved without judicial investigation.

Husband and wife have the right to bring their children to court in accordance with Article 22.1 of this Code. In the absence of this agreement or in breach of the child's interests, the court shall take measures to protect their interests in accordance with Article 22.2 of this Code.

Divorce of the marriage shall take place not later than 1 month from the date of filing of the application by the spouses.

When a marriage is divorced, the couple will stay with the juvenile court, the rules for paying children and (or) needing and maintaining a husband (wife), the amount of that amount, and the common property of the spouse. who may submit an agreement. If there is no agreement between the spouses on the matters referred to in Article 22.1 of this Code, and if this agreement violates the interest of the child or one of the parties, the court shall:

1. Determine which of the parents of minors after divorce remain with their parents;
2. Determine which parents and in what amount the alimony is appropriated for children;
3. at the request of the spouse (one of them) to distribute the property which is jointly owned by them;
4. Determine the amount to be deducted from the husband (wife) at the request of the wife (husband), who has the right to receive funds to keep her husband (wife).

When a division of property affects the interests of a third party, the court may separate the property division claim.

Marriage is considered to have been terminated from the date of state registration of the violation in the relevant executive authority, and in the case of judicial divorce from the date of the court's decision coming into force. Judicial dissolution of marriage shall be subject to state registration in the manner prescribed for state registration of acts of civil status.

Within three days from the date of the court's decision on divorce, the court must send the extract to the relevant executive authority. A husband may not remarry until he or she obtains a divorce certificate.

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 3 months, in appeal court three month, Supreme Court two months. For criminal cases the judges discussed and approved average calculated timeframes for this type of cases.

4.2.6. Case flow management – public prosecution



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

- to conduct or supervise police investigation
- to conduct investigations
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure
- 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:

- civil cases
- administrative cases
- insolvency cases

Comments - If yes, please specify:

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	7 403	11 059		
	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

107-1. If the guilty plea procedure exists, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	[] NA [X] NAP
Before the court case	[] NA [X] NAP
During the court case	[] NA [X] NAP

Comments

108. Total number of cases which were discontinued by the public prosecutor.

	Number of cases
Total number of cases which were discontinued by the public prosecutor (1+2+3+4)	7 403 [] NA [] NAP
1. Discontinued by the public prosecutor because the offender could not be identified	3 836 [] NA [] NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	1 257 [] NA [] NAP
3. Discontinued by the public prosecutor for reasons of opportunity	2 310 [] NA [] NAP
4. Other	[] NA [X] NAP

Comments Aimed at increasing the efficiency of justice, modernizing our country's judicial and legal system, and bringing the execution of punishments in line with the modern requirements, the Presidential Order "On improving work in the penitentiary field, humanization of the penal policy and expansion of alternative punishments and procedural enforcement measures not associated with isolation from society" was signed on 10 February 2017.

To execute the Order, nearly 300 amendments were made to the Criminal Code. First of all, 15 crime compositions (corpus delicti) were decriminalized in the Code; under 3 articles, the amount constituting criminal liability was increased five-fold, thus the actions that used to be considered criminal, now fall under administrative offences category. The said amendments related to: cancelling a number of articles which stipulated criminal liability or increasing the amount of damage that gives rise to criminal liability, cancelling articles that allow the commitment of the crime by a previously convicted person to be considered an interpretative circumstance, further improving the practice of release from criminal liability and reconciliation with the victims, releasing drug addicts from criminal liability in return for receiving treatment, and other issues.

At the same time the institute of reconciliation with victims of crime was improved. The possibility of exemption from criminal liability was established by reconciliation with crime victims for more than 20 type of crimes under the condition of compensation for damages.

109. Do the figures include traffic offence cases?

() Yes

(X) No

Comments

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: Letter of the 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?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- a combination of both (competitive exam and working experience)
- other (please specify):

Comments According to the legislation of Azerbaijan judges recruitment procedures are consisted of 6 stages:

1. Test exam
2. Written exam
3. Oral exam
- After the one year training in the Justice Academy and practice in courts: 4. Written exam
5. Oral exam
6. Interview with members of the Judicial-legal Council

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 made up of judges and non-judges

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

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

- Yes
- No

Comments

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

- Competitive test / Exam
- Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination):

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

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?

statutory independent

under the authority of the Minister of Justice or another central authority

other (please specify):

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...). As an authority, prosecutor's office is independent. But only in the following situation it may act independently. Only on the basis of a court decision, the prosecutor's office may carry out procedural actions restricting the rights and freedoms of man and citizen, as provided for by the Constitution of the Republic of Azerbaijan.

115-1. Does the law or another regulation prevent specific instructions to prosecute or not, addressed to a public prosecutor?

Yes

No

Comments - If yes, please specify:

116. How are public prosecutors recruited?

mainly through a competitive exam (open competition)

mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

a combination of both (competitive exam and working experience)

other (please specify):

Comments

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

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

118. Is the same authority (Q.117) formally responsible 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 answers possible)

Competitive test / exam

Other procedure (interview or other)

No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam):

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

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

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"):

5.1.3.Mandate 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:66,68

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: 66 age - for the judges of first and second instance courts, 68 age - for the judges of the Supreme Court.

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

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

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):1

No

Comments

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

[]

NA

NAP

Comments

125-1. Is it renewable?

Yes

No

NAP

Comments

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

[]

NA

NAP

Comments

126-1. Is it renewable?

Yes

No

NAP

Comments

E1. Please indicate the sources for answering the questions in this chapter:

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
Initial training (e.g. attend a judicial school, traineeship in the court)	<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
General in-service training	<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
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<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
In-service training for management functions of the court (e.g. court president)	<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
In-service training for the use of computer facilities in courts	<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
In-service training on ethics	<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

Comments

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

	Frequency of the judges training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions of the court (e.g. court president)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<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:

5.2.2. Training of prosecutors



129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	<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
General in-service training	<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
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	<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
In-service training for management functions (e.g. Head of prosecution office, manager)	<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
In-service training for the use of computer facilities in office	<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
In-service training on ethics	<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

Comments

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

	Frequency of the in-service training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training for the use of computer facilities in office	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<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:

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

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
One institution for prosecutors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
One single institution for both judges and prosecutors	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

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

	Budget of the institution for the reference year, in €
One institution for judges	834 723 <input type="checkbox"/> NA <input type="checkbox"/> NAP
One institution for prosecutors	682 301 <input type="checkbox"/> NA <input type="checkbox"/> NAP
One single institution for both judges and prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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

Compulsory training for judges and prosecutors are conducted by the Academy of Justice of Azerbaijan Republic, additional courses for them are provided by Academy of Justice and Science and Education Center of Prosecutor's General Office of AR respectively.

131-2. Number of in-service training courses (in days) organised by the judicial training institution for judges, prosecutors, non-judge and non-prosecutor staff

	Number of training courses in days organised, without e-learning	Online training courses available during the reference year (e-learning)
Total	797 [] NA [] NAP	1 [] NA [] NAP
1. Only for judges	67 [] NA [] NAP	1 [] NA [] NAP
2. Only for prosecutors	4 [] NA [] NAP	0 [] NA [] NAP
3. Only for other non-judge staff	16 [] NA [] NAP	0 [] NA [] NAP
4. Only for other non-prosecutor staff	38 [] NA [] NAP	0 [] NA [] NAP
5. Other common training	672 [] NA [] NAP	0 [] NA [] NAP

Comments:

E2. Please indicate the sources for answering the questions in this chapter:

Sources: No comment

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
First instance professional judge at the beginning of his/her career	14 830 [] NA [] NAP	12 014 [] NA [] NAP	28 872 [] NA [] NAP	23 388 [] NA [] NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	23 984 [] NA [] NAP	19 429 [] NA [] NAP	46 692 [] NA [] NAP	37 824 [] NA [] NAP
Public prosecutor at the beginning of his/her career	3 822 [] NA [] NAP	3 248 [] NA [] NAP	7 440 [] NA [] NAP	6 324 [] NA [] NAP

Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	11 151 [] NA [] NAP	9 591 [] NA [] NAP	21 708 [] NA [] NAP	18 672 [] NA [] NAP
--	-----------------------------	----------------------------	-----------------------------	-----------------------------

Comments According to the amendments made on May 4, 2018 in the Law of the Azerbaijan Republic on Courts and Judges the salary of judges was increased approximately for more than 20%. The similar changes have been made in the legislation for prosecutors.

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	() Yes (X) No	() Yes (X) No
Special pension	(X) Yes () No	(X) Yes () No
Housing	() Yes (X) No	() Yes (X) No
Other financial benefit	() 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 other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	() Yes (X) No
Cultural function	() Yes (X) No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No

Mediator	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other function	<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 other functions/activities?

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

5.3.2 Body/institution of ethics

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

- Yes
 No

Comments

138-1. If yes, how is this institution / body formed

- only by judges
- by judges and other legal professionals
- other, please specify:

Comments

138-2. Are the opinions of this institution / body publicly available?

- Yes
- No
- NAP

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

NAP

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

- Yes
- No

Comments

138-4. If yes, how is this institution / body formed

- only by prosecutors
- by prosecutors and other legal professionals
- other, please specify:

Comments

138-5. Are the opinions of this institution / body publicly available?

- Yes
- No
- NAP

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

NAP

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 options possible)?

- Court users
- Relevant Court or hierarchical superior
- High Court / Supreme Court
- High Judicial Council

- Disciplinary court or 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 According to the article 112 of the Law on Courts and judges only Judicial-Legal Council shall be entitled to institute disciplinary proceedings against judge. Chairmen of the Supreme Court, courts of appeal, and the relevant executive body shall be bound, within their competence, to apply to the Judicial-Legal Council with motion to institute disciplinary proceedings, if there are elements on which the initiative of opening of a disciplinary procedure can be based or grounds for calling to disciplinary liability..

141. Who is authorised to initiate disciplinary proceedings against public prosecutors (multiple options 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 or 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 options 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 options 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
Total number (1+2+3+4)	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP	45 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other	<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
Total number (total 1 to 10)	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	45 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

4. Fine	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Temporary reduction of salary	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
6. Position downgrade	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Transfer to another geographical (court) location	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
8. Resignation	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP
9. Other	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" 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: 1 «Remark» for judges, 2 «Remark» for prosecutors

E3. Please indicate the sources for answering questions 144 and 145:

Sources: 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	Male	Female
Number of lawyers	1 554 <input type="checkbox"/> NA	1 305 <input type="checkbox"/> NA	249 <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. Even now the number is more than 1700. This proses 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

[X] NAP

Comments

149. Do lawyers have a monopoly on legal representation in (multiple options are possible):

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	[]	[]	[X]
Dismissal cases	[]	[]	[X]
Criminal cases – Defendant	[X]	[X]	[X]
Criminal cases – Victim	[]	[]	[X]
Administrative cases	[]	[]	[X]

[] NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' monopoly:

149-0. If there is no monopoly, please specify the organisations or persons that may represent a client in court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	(X) Yes () No	(X) Yes () No	() Yes (X) No
Family member	(X) Yes () No	(X) Yes () No	() Yes (X) No
Self-representation	(X) Yes () No	(X) Yes () No	() Yes (X) No
Trade union	(X) Yes () No	(X) Yes () No	() Yes (X) No
Other	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify. In addition, please specify for the categories mentioned 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. From since 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 law activities (please specify):

Comments

149-2. What are the statuses for exercising the profession of lawyer?

- 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 - If not, 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 questions 146 and 148:

Sources: Letter 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

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 association 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

157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used? Quality standards is determined by "Charter on the rules of conduct" adopted by Conference of members of Bar Association.

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: Person who has been provided with legal assistance could file a complaint about lawyer to Bar Association.

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)	274 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	177 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	97 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify: Since December 2017 the board of the Bar Association has been changed which impacted efficiency and quality of the disciplinary proceedings at all towards the positive. While answering the survey the Azerbaijani Bar Association considered the lawyers who are not professionally inadequate their offices were terminated (disbarred). The reason why, the number of proceedings and sanctions have been increased in comparison with previous years, is connected with raise of number of lawyers. Only in 2018 the number of lawyers increased up to 65% (from 941 to 1554). It gave impetus both increase of proceedings and sanctions as well.

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	71 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP

2. Suspension	12 [] NA [] NAP
3. Withdrawal from cases	[] NA [X] NAP
4. Fine	[] NA [X] NAP
5. Other	44 [] 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 44 in section "other" implies "Preliminary notification" - 29; "Remark" -9; "Disbarment" - 6. Since December 2017 the board of the Bar Association has been changed which impacted efficiency and quality of the disciplinary proceedings at all towards the positive. While answering the survey the Azerbaijani Bar Association considered the lawyers who are not professionally. Actually the total number of initiated disciplinary proceedings was 274 in 2018. But only in 71 of them, the violations were found. The reason why, the number of proceedings and sanctions have been increased in comparison with previous years, is connected with raise of number of lawyers. Only in 2018 the number of lawyers increased up to 65% (from 941 to 1554). It gave impetus both increase of proceedings and sanctions as well.

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?

() Yes

(X) 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

(X) No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

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

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Family cases	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Administrative cases	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Labour cases including employment dismissals	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Criminal cases	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP
Consumer cases	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments

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

- () Yes
() No
[X] NAP

Comments - If yes, please specify (only one or both options)::

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

	Total	Males	Females
Number of mediators	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
1. Civil and commercial cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

2. Family cases	<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
3. Administrative cases	<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
4. Labour cases including employment dismissal cases	<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
5. Criminal cases	<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
6. Consumer cases	<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 - Please indicate the source:

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

G1. Please indicate the source for answering question 166:

Source: NA

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning

169. Do you have enforcement agents in your judicial system?

- Yes
- No

Comments

170. Number of enforcement agents

	Total	Male	Female
Number of enforcement agents	586 <input type="checkbox"/> NA	555 <input type="checkbox"/> NA	31 <input type="checkbox"/> NA

171. Are enforcement agents (multiple options are possible):

- judges
- bailiffs practising as private professionals under the authority (control) of public authorities
- bailiffs working in a public institution
- other

Comments - Please specify their status and powers:

171-1. Do enforcement agents have the monopoly in exercising their profession?

- Yes
- No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with:

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input type="checkbox"/> Yes with monopoly <input checked="" type="checkbox"/> Yes without monopoly <input type="checkbox"/> No <input type="checkbox"/> NAP

Other

- Yes with monopoly
 Yes without monopoly
 No
 NAP

Comments

171-3. Apart of 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 sale of moveable or immoveable property at public auction
 Seizure 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

172. Is there a specific initial training or exam to become an enforcement agent?

- Yes
 No

Comments

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- Yes
 No

Comments

173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):

- a national body
 a regional body
 a local body

NAP

Comments

174. Are enforcement fees easily established and transparent for court users?

Yes

No

Comments

175. Are enforcement fees freely negotiated?

Yes

No

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments

H0. Please indicate the sources for answering question 170

Source: No comment

8.1.2. 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

179. Have quality standards been determined for enforcement agents?

Yes

No

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

180. If yes, who is responsible for establishing these quality standards?

- professional body
- judge
- Ministry of Justice
- 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
- other (please specify):

Comments

184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular regarding decisions against public authorities?

- Yes
- No

Comments - If yes, please specify: In the area of decisions execution there has been conducted a lot of reforms and as a result, electronic system for decisions execution (Electronic execution) was created and currently activities on integration of this system with the other public institutions' systems are underway. Given electronic system for decisions execution supposed to provide the services such as informing the stakeholders (individuals and legal entities) of electronic execution cases on updates, electronic applications submission for

above mentioned parties for execution of decisions, etc. Also, the measurements on legislation improvement for facilitation of judgement execution process as well as increasing of efficiency of the whole system has been taken. In this regards, the draft of new Enforcement Code is being created currently. At the same time, the alternative mechanisms of entrustment of the court and other bodies decisions to private entities is being studied based on best international practices. It is also becoming possible thanks to CEPEJ's project "Strengthening the efficiency and quality of the judicial system in Azerbaijan" the first activity of which was held on July 2 and 3, 2019 in Baku. It has been a round table on the topic « European trends regarding the status of enforcement agents ». This activity falls under the framework of the assistance provided to the Ministry of Justice of the Republic of Azerbaijan.

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

186. Regarding a decision on debt collection, please estimate the average timeframe to 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)	47 [] NA [] NAP
1. For breach of professional ethics	3 [] NA [] NAP
2. For professional inadequacy	44 [] NA [] NAP
3. For criminal offence	0 [] NA [] NAP
4. Other	0 [] NA [] NAP

Comments - If “other”, please specify: As the result of checks and tightening measures on requirements for enforcement agents the statistics doubled. Also, as a result of above mentioned checks the statistics showed this figure (44). There is no particular explanation.

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	47 [] NA [] NAP
1. Reprimand	31 [] NA [] NAP
2. Suspension	3 [] NA [] NAP
3. Withdrawal from cases	[] NA [X] NAP
4. Fine	[] NA [X] NAP
5. Other	13 [] 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» and «Remark» - 6, withdrawal from the position -7 .

H1. Please indicate the sources for answering questions 186, 187 and 188:

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 options possible)

- Judge
- Public prosecutor
- Prison and Probation Services
- Other authority (please specify):

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). Based on study of international experience, in 2017 the Probation Service (competent organization on penalties not involving the deprivation of liberty) and the electronic monitoring centre operating 24 hours were created. Until 2017 these duties were executed by the bailiffs services.

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 and status of notaries



192. Number and type of notaries in your country. If you do not have notaries skip to question 197.

	Total	Male	Female
TOTAL (1+2+3+4)	159 [] NA [] NAP	133 [] NA [] NAP	26 [] NA [] NAP
1. Private professionals (without control from public authorities)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Professionals appointed by the State	131 [] NA [] NAP	110 [] NA [] NAP	21 [] NA [] NAP
3. Public officials	28 [] NA [] NAP	23 [] NA [] NAP	5 [] NA [] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "other", please specify the status:

192-1. What are the access conditions to the profession of notary (multiple options possible):

[X] diploma

[X] professional experience/professional training

[X] exam

[X] appointment procedure by the State

[] 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: in accordance with article 6 of LAW about Notariate, upon making by the qualification commission of the decision on issuance of certificate for the period of 5 years to persons who have successfully completed the compulsory training or passed the interview for professional aptitude. A notary who wishes to continue the notarial activities shall apply with a statement to the relevant executive authority of the Republic of Azerbaijan three month prior to the expiration of the certificate, which evaluates its activities in this regard. The certificate of the notary, whose activities are evaluated positively, shall be extended for another 5 years.

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

194. What kind of activities do notaries perform (multiple options possible):

Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)

Authentication

Certification of signatures

Legality control of documents submitted by the parties

Mediation

Taking of oaths

Other, for example collect taxes, keep registers etc. (please specify):

Comments

194-1. Do notaries have the exclusive rights when exercising their profession:

Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)

Authentication

Certification of signatures

Legality control of documents submitted by the parties

Mediation

Taking of oaths

Other, for example collect taxes, keep registers etc. (please specify):

Comments - Please indicate any useful clarifications regarding the content of the notaries' exclusive rights or on the opposite regarding the competition they have to deal with: In accordance with Law about Notariate, notaries are entitled to approve the agreement about alienation of the real estate only. According to the articles 18 and 19 of the Law on Notary some activities, including «Authentication» can be provided by local executive bodies and consulates services.

194-2. In which areas of law do notaries perform their activities (multiple options possible)?

Real estate transaction

Family law

Succession law

Company law

Legality control of gambling activities

Other

Comments The "other" areas of law meant under this section are for example: verifying the accuracy of copies of documents and extracts from documents; verifying the accuracy of the translation of documents from language to language, etc.

194-3. Do notaries use specialised digital systems in their activity?

- In establishing authentic instruments
- In recording authentic instruments (archives)
- Other activity (please specify):

Comments Currently, notary documents are made through E-Notary database system. Functions of system are as follows: Electronically conduction of the register of notary deeds and issue of the single register number automatically to documents; Conduction of search in electronic database system for the documents on notary deeds; Making of statistical reports about conducted notary deeds automatically and sending of such documents electronically to other institutions; Reflecting barcode on the documents made on notary deeds; Making of draft documents about notary deeds through information system; Organization of personal electronic cabinet for the users of information system; Creating of the electronic copies base of archived notary documents; Realizing of the turnover of information and document between administrator and users; Calculation of the simplified tax on submission of real estate; Realizing of information exchange through other information systems (Information systems of State Committee on Property Issues, the ministries of Internal Affairs and Taxes and etc., Automated Register Information system "State Register of Population"); Conducting of other auxiliary services

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):

Comments

196-1. Is there a system of general continuous training for all notaries?

- Yes
- No

Comments According to the amendments 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.

I1. Please indicate the sources for answering question 192:

Sources: Ministry of Justice

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1. Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments

198. Is the function of court interpreters regulated by legal norms?

Yes

No

Comments In accordance with article 65 of the Civil Procedural Code: 65,1 Interpreter shall be a person appointed by court in cases specified by this Code and having knowledge of languages at a level sufficient for making interpretations.

65.2 Interpreter may be appointed among persons proposed by participants.

65.3 Other participants of process shall not have the right to undertake interpretation despite of knowledge of required languages.

65.4 Interpreters shall be obliged to appear before court and shall perform interpretations in full, in due manner and time.

65.5 Interpreters shall have the right to ask questions from participating persons with the purpose of clarifying interpretation.

65.6 Interpreters shall bear criminal liability for deliberately false interpretation.

199. Number of accredited or registered court interpreters:

[]

[] NA

[X] NAP

Comments

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

Yes

No

Comments - If yes, please specify (e.g. having passed a specific exam):

201. Are the courts responsible for selecting court interpreters?

[] Yes, for recruitment and/or appointment for a specific term of office

[X] Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

[] No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering question 199

Sources: No comment

11.Judicial experts

11.1.Profession of judicial expert

11.1.1.Status of judicial experts

202. In your system, what types of judicial experts can be requested to participate in judicial procedures (multiple choices possible):

- experts who are requested by the parties to bring their expertise to support their argumentation,
- experts appointed by a court to put their scientific and technical knowledge on issues of fact at the court's disposal,
- "legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).
- Other (please specify):

Comments

202-1. Are there lists or databases of registered judicial experts?

- Yes
- No

Comments - Please indicate any useful comment regarding these lists or databases of experts, if they do exist (e.g. : Does the expert take an oath? How is his/her skill evaluated? By whom?): According to the No. 758-IQ dated November 18, 1999 the law of the Republic of Azerbaijan "About the activity of the state forensic examination" was not adjusted special database for forensic experts. Each forensic expert' data has been placed in the HR office and Quality assurance section of Forensic Sciences Centre of the Ministry of Justice. Furthermore, according to the No. 1709-VQD dated November 29, 2019 Law of the Republic of Azerbaijan "On the activity of the forensic examination" covers to develop the database which is called the Register of Forensic Experts and have to include all data about state forensic experts and private forensic experts in the registry. It is going to be available 1st of March, 2020.

202-2. Who is responsible for registering judicial experts?

- Ministry of justice
- Courts
- Independent body (association of judicial experts)
- Other

Comments According to the No. 758-IQ dated November 18, 1999 the law of the Republic of Azerbaijan "About the activity of the state forensic examination" expert-candidates must take part in the special training process and expert-candidates' skills must be evaluated by the expert Qualification Commission of the Forensic Sciences Centre of Ministry of Justice. Ministry of Justice is responsible to give a certificate that is provided by unique numbered and it confirms expert's competency.

202-3. Is the registration of judicial experts limited in time?

- Yes, for how long 3 years
- No

Comments According to 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" by resolution of the College of the Ministry of Justice of the Republic of Azerbaijan, if the expert is not engaged in forensic activities for 3 years, he/she loses the right to conduct the expert examination. His/her knowledge must be assigned by the Expert Qualification Commission of the Forensic Sciences Centre of Ministry of Justice through repeated examination. n case he/she is successful, his/her expert activity is updated.

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?

	Obligation of training
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Continuous training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments Initial training is compulsory for forensic experts.

203-2. If yes, does this training concern:

judicial proceedings

the profession of expert

other

Comments nital training for judicial experts does exist and it is obligatory. Participating in the initial compulsory training on the subject of the expertise is essential for the state forensic experts.

204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments Comments In accordance with Article 63 of the Civil Procedural Code:

63.1 Expert shall be a person with special knowledge, appointed by court for the purpose of issue of an opinion required under the provisions of this Code.

63.2 Person appointed to carry out examination shall upon call appear before court and provide an impartial opinion on requested matters. Expert shall have the right to refuse to provide an opinion if s/he has not got knowledge, required for carrying out of his/her responsibilities.

63.3 Where it is required to submit an opinion, expert shall have the right to familiarise him/herself with the materials of the case, participate in court sessions, ask questions, request court to provide additional materials.

63.4 Expert shall bear criminal liability for false opinion.

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

205. Number of accredited or registered judicial experts:

Total	Male	Female

Number of experts	<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

205-1. Who sets the expert remuneration?

- The remuneration has been set to experts according for investigations that carried out by forensic experts and consists of their salary and allowances which set by their subordinate body.

206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge: Experts have to be selected among the high-educated Azerbaijan citizens who have basic education about the subject of examination field. The legislation of the Republic of Azerbaijan and the Laws that regulate the activities and behaviors of the forensic experts determine the rights and duties of the expert during the judicial proceedings.

206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties

	Number of cases
Total (1+2+3+4)	35 965 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.Civil and commercial litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.Administrative cases	<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

207. Are the courts responsible for selecting judicial experts?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects judicial experts

Comments Experts can be selected by the body / person (also by courts) conducting the expertise or by other customers.

207-1. Does the judge control the progress of the expertise?

() Yes

(X) No

Comments

K1. Please indicate the sources for answering question 205

Sources: No comment

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans No comment

2. Budget No comment

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) In order to improve the quality and efficiency of justice, on 3 April 2019, The President of Azerbaijan signed the Decree "On Deepening Reforms in the Judicial and Legal System". The Decree sets strategic priorities for the development of the judicial system and has become a real road map for the future reforms. The instructions given in the Decree are aimed to achieve a more accessible, transparent, efficient and independent judicial system, which is fully consistent with the goals of UN Sustainable Development Agenda. In the Judicial and Legal System a specialized court was created with the purpose of resolution of disputes arising from tax and customs duties payments, obligatory state social insurance allocation, and other entrepreneurship related issues. Also, in above mentioned reforms the examination of disputes related to entrepreneurship by judges with deeper legal knowledge and experience on the relevant field was ensured. These courts will start functioning in 2020 and judges will receive special training. "Hotlines" have already been set up in the Judicial-Legal Council. Appropriate monitoring was carried out in the courts, which

resulted in on-the-spot elimination of shortcomings creating conditions for non-procedural relations and citizens' discontent. It is also foreseen the number of judges by 200 staff positions, in connection with which the new selection procedure will commence shortly. In the the framework of the execution of the Decree, the widespread use of e-court and e-enforcement system, the continuous audio-recording of all court hearings, the setting up a system of private enforcement of judicial decisions, the application of alternative measures in forensic examination, and creation of effective international arbitration are also envisaged. All these measures will contribute to strengthening the independence of the judiciary, to the effectiveness of justice and its accessibility, and to citizens' satisfaction.

3.1. Access to justice and legal aid No comment

4. High Judicial Council No comment

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. In order to improve the logistics (material and technical condition) of Bar Association as well as to enhance the qualification of advocates and their legal aid to population actions are taken. Considering above, based on Presidential Decree dated 2018 on additional actions of development advocacy in Azerbaijan, material and technical equipments of Bar Association were improved, the legal aid fees were increased and other activities have been well-implemented. It is expected to be increased the number of lawyers until the end of 2019.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities No comment

7. Enforcement of court decisions In the area of enforcement of court decisions there has been conducted a lot of reforms and as a result, electronic system for decisions execution (Electronic execution) was created and currently activities on integration of this system with the other public institutions' systems are underway. Given electronic system for decisions execution supposed to provide the services such as informing the stakeholders (individuals and legal entities) of electronic execution cases on updates, electronic applications submission for above mentioned parties for execution of decisions, etc. Also, the measurements on legislation improvement for facilitation of judgement execution process as well as increasing of efficiency of the whole system has been taken. In this regards, the draft of new Enforcement Code is being created currently. At the same time, the alternative mechanisms of entrustment of the court and other bodies decisions to private entities is being studied based on best international practices. It is also becoming possible thanks to CEPEJ's project "Strengthening the efficiency and quality of the judicial system in Azerbaijan" the first activity of which was held on July 2 and 3, 2019 in Baku. It has been a round table on the topic « European trends regarding the status of enforcement agents ». This activity falls under the framework of the assistance provided to the Ministry of Justice of the Republic

of Azerbaijan. Based on study of international experience, in 2017 the Probation Service (competent organization on penalties not involving the deprivation of liberty) and the electronic monitoring centre operating 24 hours were created. Untill 2017 these duties was executed by the bailliffs services.

One of the main innovations related to the execution of punishments envisaged in the Order is the use of modern information and communication technologies in the enforcement of punishments and application of electronic means of monitoring the sentenced persons. To this end, the “List of electronic monitoring means applied to sentenced or remanded persons” and the “Rules of application of electronic monitoring means to sentenced or remanded prisoners” were approved by the Decision no. 144 of the Cabinet of Ministers, dated 10 April 2018; for the purpose of conducting control of electronic monitoring means (i.e. bracelets), the Electronic Monitoring Center of the Probation Service, which meets modern standards and is equipped with necessary apparatus, was established. This Center started its work as the body that ensures processing of all monitoring data collected while using electronic monitoring means, as well as the the body, which ensures the establishment of operative contact with the sentenced persons. The Center is equipped with the relevant technical software, and operates 24/7 all year long without interruption. After the entry into force on 15 April 2018 of the “Rules on the application of electronic monitoring means”, approved by the Cabinet of Ministers of the Republic of Azerbaijan, the application of electronic bracelets to persons sentenced to restriction of liberty, as well as to conditionally sentenced

8. Mediation and other ADR Azerbaijan adopted the Law on Mediation on March 29, 2019. The Law promotes the use of mediation in civil, commercial, family, labor and administrative disputes. The adoption of law on "Mediation" in Azerbaijan including preparatory documents served as guide to such mediation law adoption became possible due to the methods applied and managed by CEPEJ as well as close participation and strong support of CEPEJ expert team all along the process.

9. Fight against crime No comment

9.1. Prison system No comment

9.2 Child friendly justice No comment

9.3. Violence against partners No comment

10. New information and communication technologies

1. According to the amendments made to the Code of Civil Procedure of the Republic of Azerbaijan, dated December 28, 2018 (<http://e-qanun.az/framework/41165>) the e-court system was improved:

- establishment of the simplified (fast-track) electronic procedure for small claims with money claim limit (up to 2000 manat for civil cases and up to 10000 manat for commercial cases). This procedure is applicable to all civil cases, including commercial cases and the law set a cap on the value of cases that can be handled through this procedure (Chapter 23-1: art. 284-1 – 284-6);
- the case assignment system was improved in order to be fully random and automated; - reviewing the cases within shortened period of time - 30 days (before this timeframe was 3 months);
- the electronic case management system was improved in order to create automated solutions in the system such as e-filing, e-notifications, e.g. obligation to proceed all court proceedings electronically (preparing the documents, scheduling the court hearings, enforcement orders, delivering the judgments and notifications through e-Cabinet, by SMS and e-mail) (art. 135.6-135.8);
- e-court system was improved for the purpose of creation possibility to track the status of a case, to view and manage case documents;
- e-Caseflow of all commercial cases in courts (the document flow from the filing of claims via e-Cabinet to the enforcement of court decisions in commercial cases is fully paperless) (art. 10-1.3);
- setting up the time standards for key court events, including adjournments (art.166.3; 166.4; 173.2; 188.3).
- a wide range of possibilities was developed to pay court fees electronically via: e-cabinet; Government Payment Portal; payment terminals – kiosks (also directly in the court buildings)

2. Also, according to the amendments made to the Law "On Courts and Judges", dated December 28, 2018 (<http://e-qanun.az/framework/41140>) the e-court system was improved:

- obligation to publish electronically the judgments for all type of the cases including commercial cases no later than 1 month after announcement (art. 5.2);
- obligation of the automated random case allocation among the judges in all courts, including commercial courts (art. 86.3).

3. 192 new judges (including 21 of them for commercial courts) were appointed by the Presidential Decree dated December 21, 2018, numbered 836 (<http://www.e-qanun.az/framework/41025>).

11. Other Aimed at increasing the efficiency of justice, modernizing our country's judicial and legal system, and bringing the execution of punishments in line with the modern requirements, the Presidential Order "On improving work in the penitentiary field, humanization of the penal policy and expansion of alternative punishments and procedural enforcement measures not associated with isolation from society" was signed on 10 February 2017.

To execute the Order, nearly 300 amendments were made to the Criminal Code. First of all, 15 crime compositions (corpus delicti) were decriminalized in the Code; under 3 articles, the amount constituting criminal liability was increased five-fold, thus the actions that used to be considered criminal, now fall under administrative offences category. The said amendments related to: cancelling a number of articles which stipulated criminal liability or increasing the amount of damage that gives rise to criminal liability, cancelling articles that allow the commitment of the crime by a previously convicted person to be considered an interpretative circumstance, further improving the practice of release from criminal liability and reconciliation with the victims, releasing drug addicts from criminal liability in return for receiving treatment, and other issues.

At the same time, in order to reduce the application of deprivation of liberty punishment, a new form of punishment not associated with isolation from society was determined and added to the list of sanctions in 158 articles, including the new punishment type – restriction of liberty; and for 31 crimes, the deprivation of liberty punishment was alleviated.

As to the humanization of the penal policy, for the purpose of simplifying the procedure for replacing deprivation of liberty with alternative restrictive measures and further limiting the grounds for choosing imprisonment for crimes that do not pose a great danger to public safety and for less grave crimes, amendments were made to the Criminal Procedure Code. Also, in the framework of execution of the Executive Order, aiming to improve the procedure for prolonging pre-trial detention and to ensure the rule of law in the process, amendments were made to the Criminal Procedure Code. The amendments include provisions that strengthen the supervision carried out by senior prosecutors over the actions of the prosecutors conducting procedural lead of the primary investigation taken to prolong the detention, thus better ensuring the protection of human and civil rights and freedoms stipulated by

the Constitution.