

RESULTS FACTSHEET

Partnership for Good Governance in Azerbaijan

January 2022

Key figures

- Two successive phases since 2015.
- 16 projects under the PGG II
- 3 country-specific projects for Azerbaijan with a budget of EUR 2,253,000
- 3 regional projects covering Azerbaijan

What is the Partnership for Good Governance?

Through the Partnership for Good Governance (PGG) the European Union and the Council of Europe are working together to strengthen governance in the Eastern Partnership region (Armenia, Azerbaijan, Georgia, Republic of Moldova, Ukraine, Belarus).

The PGG provides tailormade support to Eastern Partnership countries to bring legislation and practice closer to European standards in the fields of human rights, rule of law and democracy.

Project: Strengthening anti-money laundering and asset recovery in Azerbaijan (Jan 2019-Feb 2023)

*The PGG II supports legislative and institutional reforms and development of capacities to **combat money-laundering, terrorism financing and recover the proceeds from crime in line with European standards.***

Legislative/policy framework improved

- Azerbaijani authorities updated a **package of draft legal amendments to improve the current national legislative framework on anti-money laundering and countering the financing of terrorism** (AML/CFT), including a new AML/CFT Law, a new Law on Targeted Financial Sanctions and draft amendments to the Criminal Procedure Code, taking into account the recommendations from the Council of Europe provided in 2020 (pending adoption).
- Azerbaijani authorities drafted amendments to the applicable legislation to **align the national legislation with international standards and best practices on transparency of beneficial ownership** and started working on legal amendments to introduce non-conviction-based confiscation.

- The **amendments to the legislation on prosecution¹ were approved** by the Azerbaijani government in April 2021, initiated by the General Prosecutor's Office to improve the emerging national asset recovery structure. The new amendments incorporated recommendations related to the international experience in the asset recovery area provided by the PGG II during the process of comprehensive assessment of the legal and institutional framework for asset recovery in Azerbaijan.

Institutional frameworks/capacities strengthened

- National authorities benefited from the development of a **comprehensive assessment of the national legal and institutional framework for asset recovery**, through multi-stakeholder workshops and meetings, as well as a technical paper to enhance their knowledge, allowing the government to improve the national asset recovery framework.
- **The Financial Monitoring Service** – the financial intelligence unit of Azerbaijan (FIU) – was restructured in May 2019 and received the support of the PGG II to enhance its capacity through a series of **specialised training sessions in targeted areas**, including on open-source intelligence, strategic and tactical analysis and data processing tools, to effectively collect and analyse information to support the formulation of evidence-based anti-money laundering policies.
- **The FIU**, building on training previously provided by the PGG, independently organised follow-up training activities on data analysis tools for AML/CFT specialists of banks operating in Azerbaijan. These follow-up activities organised and delivered at the initiative of the FIU demonstrate that the PGG II did not only assist data analysts of supervisory authorities themselves, but also created a path, enabling the further transfer of knowledge to reporting entities for them to improve the content of reports submitted to the FIU by employing available data visualisation and analytical intelligence tools. This is an encouraging sign of ownership and sustainability of the technical assistance provided through the project.
- Eight representatives of the Financial Monitoring Service learnt about the process of **development, implementation and management of the ultimate beneficial ownership (UBO) register** in one of the EU Member States, providing an opportunity for national authorities to build a clearer vision of a UBO register and further develop national plans to improve their beneficial ownership system.
- A **new Anti-Corruption Training Centre** was established within the Scientific-Advisory Council under the General Prosecutor in June 2021, to ensure sustainability in prevention and fighting corruption. The PGG II presented its handbooks on “**Anti-Corruption and Ethics in Public Service**”, developed under the PGG I in 2016, to the Scientific-Advisory Council with a view to further support their efforts.
- **The capacities of judges, prosecutors, investigators and law enforcement agents were reinforced in the field of international cooperation in mutual legal assistance**, specifically in the **application of the Council of Europe (Warsaw) Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism**, bringing new insights on the interpretation of the Convention for integration into the national context in support of the investigation, prosecution and conviction of financial crimes; as well as **on techniques and methods used in the investigation and**

¹ Amendments to the Law on the Prosecutor's Office of the Republic of Azerbaijan

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prosecution of money laundering and terrorism financing (ML/TF) cases by addressing MONEYVAL recommendations and meeting international standards. The **technical knowledge and skills of the AML/CFT structures were significantly enhanced through project interventions addressing mechanisms for international cooperation.** The Department for Coordination of Special Confiscation Issues under the General Prosecutor's Office recently announced their intention to take actions, for the first time, to confiscate and repatriate illicit proceeds of convicted individuals in foreign jurisdictions, following court decisions.

- **The capacities of 41 judge candidates, 25 judges and one employee of the judicial staff were enhanced on money laundering and other economic crime** concepts and good practices in the adjudication of related cases, thereby complementing the government's efforts to prevent and combat money laundering and contributing to the recent judicial reforms on the enhancement of transparency in the activity of courts and the efficiency of legal proceedings.
- **Capacities of 60 representatives of different stakeholders involved in the second national ML/FT risk assessment (NRA) were strengthened** to better identify, assess and understand ML/FT risks and provide a solid evidence base to enhance their national AML/CFT system. The government was further supported on ML/FT threats and vulnerabilities related to legal persons and legal arrangements by learning best practices in other jurisdictions in assessing such risks and applying relevant mitigation measures. The findings of the NRA will be translated into the national AML/CFT Action Plan in 2022.
- The PGG II and the Financial Monitoring Service helped **36 representatives of banks and investment companies enhance their compliance programme**, by rigorously determining virtual asset risk exposures and taking necessary regulatory and enforcement actions.

Public awareness raised

- Awareness of the non-profit and private sectors was raised on various aspects of the AML/CFT for the development of the **second National AML/CFT Risk Assessment.**

[A background information sheet on this project is available on the website.](#)

Project: Strengthening the efficiency and quality of the judicial system (Mar 2019-Feb 2023)

*The PGG II supports the efforts of Azerbaijan to **ensure better access to justice through strengthened efficiency and quality of the judicial system and improved enforcement of court decisions.***

Legislative/policy framework improved

- The **draft of the Code of Enforcement of court decisions**, prepared by the Ministry of Justice was finalised in July 2021. **Over 70 Council of Europe recommendations** were incorporated in the current draft Code.

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- **A Decree to reform the judicial system, including the enforcement system**, was issued by the President of Azerbaijan on 3 April 2019. With the PGG II's support, **the authorities submitted a report to the Minister of Justice in December 2019 with recommendations on how to reform the enforcement system starting with a pilot project** which would test the private bailiff system.
- An **Action Plan** for the implementation of a road map for further dissemination of the **European Commission for the Efficiency of Justice (CEPEJ) efficiency and quality measurement tools** in all courts of Azerbaijan was finalised, translated into Azerbaijani and submitted to the national authorities for their feedback.

Institutional frameworks/capacities strengthened

- **The efficiency and quality of Azerbaijani courts were improved** through the dissemination of CEPEJ tools, building on the results of the work with pilot courts under the first phase of the PGG. The Programme supported improvements in the day-to-day administration of courts, and the collection of judicial statistics.
- In order to reduce the court backlogs and case disposition time, a **standard methodology of court performance reporting for the Azerbaijani judiciary was developed and the judges and court staff were trained** on the use of key indicators and SATURN Time Management Guidelines.
- A detailed **Action for the implementation of the road map for the dissemination of CEPEJ efficiency and quality measurement tools in all courts of Azerbaijan**, developed in May 2020, was finalised in the first half of 2021 and submitted to the national authorities for their feedback. In September 2021, the PGG II helped the representatives of four project beneficiaries (Ministry of Justice, Supreme Court, Judicial Legal Council and Justice Academy) identify unified, national-level indicators to measure the effect of judicial reforms in Azerbaijan.
- The knowledge of the beneficiaries (Directorate General of Enforcement of the Ministry of Justice) of execution of court decisions on debt payments was enhanced through a **technical paper providing an overview of the domestic legislation and practices** from eight Council of Europe member States (Belgium, Estonia, Germany, France, the Netherlands, Lithuania, Poland and Romania) and sharing expertise on the European good practices related to the enforcement of court decisions on debt payments.
- 25 representatives of the Directorate General of Enforcement of the Ministry of Justice and enforcement agents enhanced their knowledge on the **use of electronic data system and ICT solutions for the enforcement of court decisions**, as well as on alternative mechanisms for enforcement of the decisions of courts and other bodies.
- 46 participants from relevant administrative and judicial bodies increased their knowledge about European good practices in the **implementation of CEPEJ tools in the regular monitoring of the work of courts and the judicial reporting system**, explored the implementation of the CEPEJ tools in other countries, and identified requirements for the creation of national database comparable to the CEPEJ-STAT.

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- **The effectiveness of the enforcement system was improved** thanks to **three expert reports** on enforcement timeframes and recovery rates, ICT solutions for the enforcement system, and compliance of the draft Code of Enforcement with the European Convention of Human Rights.
- Azerbaijani authorities were supported by the PGG II **in providing the vulnerable groups with better access to justice** by preparing and disseminating an expert report on “Access to justice for vulnerable groups”, presenting an analysis of the situation in Azerbaijan and providing recommendations to facilitate access to courts for four categories of groups (persons with physical/mental disabilities, minority members, victims of violence and minors).
- The courts and prosecutorial offices in Azerbaijan were assisted in **improving their accountability and transparency** with a technical paper on the “**Communication strategy for the judiciary of Azerbaijan**” and the Rules of communication between the judiciary, the media and the public. The strategy is accompanied by an action plan providing a set of concrete activities to improve the communication strategy.
- **The capacity of the Justice Academy of Azerbaijan was enhanced through** the setup of a **pool of 15 trainers among court chairpersons, judges and court staff, five training modules on various aspects of court management** (judicial statistics, analysis and reporting, case and time management, performance evaluation, and measuring the quality of justice) and a **training methodology and curricula** of the Academy.
- **Cascade training** was established using the modules on peer-to-peer **court management** and already facilitated online training sessions, where 130 court presidents, judges, court staff, legal advisors and assistants to judges (30 women and 100 men) from courts in Baku and other regions increased their knowledge on judicial time management and measuring the quality of justice.
- **The Azerbaijani authorities were supported in the use of sound and audio-visual recordings** in court proceedings through expert advice on relevant CEPEJ tools and standards, the case law of the European Court of Human Rights and good practices from other member States and were provided with recommendations on measures needed to further improve the relevant legal/regulatory framework and implementation practices in this area.

[A background information sheet on this project is available on the website.](#)

Project: Raising awareness of the Istanbul Convention and other Gender Equality Standards (Jul 2020-Feb 2023)

The PGG II raises awareness on the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention) and other gender equality standards in Azerbaijan.

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Legislative/policy framework improved

- A **National Action Plan (NAP) to prevent domestic violence was adopted** in November 2020.
- **The PGG II provided 27 recommendations to amend the draft law on legal aid of Azerbaijan** in order to include Council of Europe standards, with particular attention to those set by the Istanbul Convention with regard to victims of Violence against Women and Domestic Violence (VAW/DV); as well as **31 recommendations on the steps that Azerbaijan could take to align domestic policy and legislation with international standards** in the field, and supported national authorities in building capacities to implement the National Action Plan on combating domestic violence for 2020-2023..

Institutional frameworks/capacities strengthened

- 26 representatives from state authorities² responsible for the implementation of the NAP, together with 12 representatives from civil society, **were equipped with the tools and have an enhanced capacity** on the implementation of international good practice in the field of violence against women and domestic violence, emanating from the standards set in the Istanbul Convention.
- 12 legal professionals successfully completed the HELP course on violence against women and **their capacities were strengthened to deal with cases of violence against women and domestic violence** in line with international standards in the field, mainly the Istanbul Convention.
- 41 judge candidates are better equipped in **applying the main standards in the field of violence against women and domestic violence, including the Istanbul Convention**.
- The PGG II contributed to **raising awareness of the Istanbul Convention** at a roundtable with 100 participants convened by the Faculty of Law at Baku State University in May 2021, under the auspices of the Ministry of Education as part of their **plan of measures to implementation of the National Action Plan on combating domestic violence**, which led to a fruitful debate around violence against women, in particular on how the Istanbul Convention could contribute to changing stereotypes and around prosecution issues in legislation and practice.
- **12 law professors from the Faculty of Law of the Baku State University are now fully certified HELP trainers** and successfully completed the HELP course on violence against women.

Public awareness raised

- The PGG **continues to raise awareness on the Istanbul Convention** through targeted visibility actions, such as translation of the HELP course on violence against women, social media campaigns, activism against gender-based violence, awareness-raising workshops in the regions for journalists, civil society

² State Committee on Family, Women and Children Affairs, Ministry of Education, Ministry of Health, State Committee on Work with Religious Organisations, Commissioner for Human Rights office, Ministry of Labour and Social Protection of the Population

and school children. **A highlight example is the national debate around the Istanbul Convention supported by the Action through a series four webinars on specific articles of the Istanbul Convention March to December reaching a total of 1,247 people.**

[A background information sheet on this project is available on the website.](#)

More information:

<https://pjp-eu.coe.int/en/web/pgg2/azerbaijan>

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Regional projects implemented in Azerbaijan:

- ▶ Strengthening measures to prevent and combat economic crime
- ▶ Strengthening the access to justice through non-judiciary redress mechanisms for victims of discrimination, hate crime and hate speech
- ▶ Women's Access to Justice: delivering on the Istanbul Convention and other European gender equality standards

For more information, consult the Factsheet on [Regional projects](#)

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