

INFORMATION

Of the Prosecutor's Office General of the Republic of Azerbaijan on the questionnaire of the Consultative Council of European Prosecutors for the preparation of Recommendation on "The role of the public prosecution service outside the field of criminal justice"

Regarding questions considered in the questionnaire of the Consultative Council of European Prosecutors for the preparation of relevant Recommendation on "The role of the public prosecution service outside the field of criminal justice" by the Consultative Council of European Prosecutors for being submitted to the Committee of Ministers of Europe Council it is implied that according to paragraph 1 of article 96 of the Constitution of the Republic of Azerbaijan the legislative initiative in the parliament of the republic (Milli Mejlis) belongs to the Prosecutor's Office General of the Republic of Azerbaijan alongside with deputies, the President of Republic, Supreme Court and Ali Majlis (parliament) of the Autonomous Republic of Nakhchivan.

According to article 4 of law of the Republic of Azerbaijan "On Prosecutor's Office" dated 07/12/1999, the activity directions of Prosecutor's Office include pretending during trial (submitting application), participation at considering issues concerning civil and economic conflicts as a pretendant and participation at achievement of punishments assigned by courts alongside with the activity connected with criminal justice system.

According to articles 50.2 and 306.3 of the Civil Procedural Code of the Republic of Azerbaijan in the case of relevant appeal of legal people possessing administrative buildings, or organizations, public prosecutors can pretend during trial, submit applications regarding issues on possession of property on civil right, its usage, making arrangements on him/her, considering personal estate as property in abeyance and recognition of state property right on real estate.

According to article 21 of the Punishments Execution Code of the Republic, the participation of Prosecutor's Office at the achievement of punishments assigned by courts is realized in order determined by criminal procedural legislation while considering issues on carrying out another final decision of judgment or court.

According to article 430.1 of the Administrative Breaches Code of the Republic of Azerbaijan, public prosecutor can make a protest on decisions of issues regarding administrative breaches.

Among the competences of the public prosecution service acting outside the system of criminal justice the most important ones for the reinforcement of rule of law and protection of human rights are competences connected with punishments execution and revising administrative breaches.

The Prosecutor's Office General of the
Republic of Azerbaijan