

RESULTS FACTSHEET

Partnership for Good Governance in Azerbaijan

March 2023

What is the Partnership for Good Governance?

This factsheet presents examples of results achieved so far under the Partnership for Good Governance (PGG). The Programme has three successive phase PGG I (2015-2018), PGG II (2019-2022) and PGG III (2023-2027), which started in March 2023. In addition to the country specific projects mentioned below, Azerbaijan benefits from regional interventions.

The “Partnership for Good Governance” (PGG) is a joint initiative of the European Union and the Council of Europe for strengthening good governance in the Eastern Partnership region.

PGG provides tailor-made support to Eastern Partnership countries to bring their legislation and practice closer to European standards in the fields of human rights, rule of law and democracy. It supports, in particular, Eastern Partnership countries’ domestic reforms to strengthen justice, counter economic crime, promote equality and non-discrimination, advance women’s access to justice and combat violence against women.

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

The PGG II project supported legislative and institutional reforms and the development of capacities to combat money-laundering, terrorism financing and recover the proceeds from crime in line with European standards. As a result, the legislative and policy frameworks have been improved, institutional capacities were strengthened, and awareness was raised among relevant targeted groups to enhance the effectiveness of the prevention and fight against economic crime in Azerbaijan.

- The adoption of a new package of Laws on "The fight against the legalisation of criminally obtained property and the financing of terrorism" and "Targeted Financial Sanctions" (TFS), as well as related amendments to the Criminal Procedure Code (on 31 January 2023), constitutes a major achievement in enhancing the national anti-money laundering and countering the financing of terrorism (AML/CFT) framework in Azerbaijan, in line with the country’s international commitments and current international standards and best practices. The newly adopted laws incorporate over 60% of the recommendations provided under the PGG project since 2020. Important amendments to the Law on the Prosecutor’s Office of the Republic of Azerbaijan were adopted (in April 2021) with the aim to improve the emerging national asset recovery structure. National authorities were further supported in these reforms through legal analysis and advice on their draft legislation, and 70% of the recommendations for improvement of the effectiveness of the national confiscation regime were taken into account in the updated legal amendments.

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- The Government of Azerbaijan finalised its second National Risk Assessment (NRA) of money laundering and terrorist financing (ML/TF) in 2022, with continuous guidance and support provided under the Project to increase the capacity of national institutions to conduct such risk assessments effectively and adopted the National Action Plan for 2023-2025 on “The fight against the legalisation of criminally obtained property and the financing of terrorism” (on 28 February 2023). 70% of the recommendations provided by the project in the review of the draft NRA report as well as the draft Action Plan were taken into account in the final adopted documents. These policy documents form central pillars of a national system capable of preventing and fighting money laundering and terrorism financing, and thus protecting the national economy and society, as well as contributing to international efforts against these crimes. Following recommendations made by the Project in a comprehensive assessment of the national legal and institutional framework for asset recovery, the government also undertook additional legislative reforms towards parallel financial investigations and non-conviction-based confiscation – thus further demonstrating the high level of national uptake of the project’s advice.
- Additionally, the detailed review and analysis of failed Mutual Legal Assistance (MLA) requests to foreign jurisdictions submitted by national authorities helped national practitioners understand possible grounds for refusal and explore better solutions for the future success of such requests.
- The Azerbaijani authorities also benefited from substantive inputs from the Project in their efforts to align national legislation with international standards and best practices on transparency of beneficial ownership, through a detailed legal opinion on planned legislative amendments, as well as knowledge sharing from EU countries and technical advice in this area.
- 743 practitioners of the Financial Monitoring Service, law enforcement agencies, the judiciary and other relevant government institutions, as well as private sector entities (banks, investment companies), notaries, lawyers, civil society organisations and religious entities significantly sharpened their awareness, knowledge and skills in various areas of AML/CFT and asset recovery, through an extensive series of targeted and demand-based training and awareness-raising activities.
- The staff of the Financial Monitoring Service (the national Financial Intelligence Unit – FIU) not only demonstrated their practical use of the specialised training delivered by the Project, but also went on to organise follow-up training sessions for banks, by reusing on their own the training they had received from the Project – thus showing strong national ownership and sustainability of the technical assistance provided.

A background information sheet on this project is available on the PGG website.

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

The PGG II supported 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.

- The national authorities were supported in their efforts to improve the efficiency and quality of national courts by providing a Road map and Action plan for dissemination of CEPEJ efficiency and quality measurement tools in all courts of Azerbaijan. 60% of the courts in Azerbaijan developed their reports according to CEPEJ methodology and tools and using CEPEJ key performance indicators and published them on the courts' webpages. The Project also supported the national authorities in defining the indicators and track records able to demonstrate the effect of judicial reforms in Azerbaijan.
- The capacity of the Justice Academy of Azerbaijan was enhanced notably through the setup of a pool of 15 trainers among court chairpersons, judges and court staff, the preparation of 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 the development of a training methodology and curricula of the Justice Academy. As a result of cascade trainings, 344 chairpersons, judges and court staff (26% women) increased their knowledge and consolidated competences on court management.
- The draft Code of Enforcement of court decisions prepared by the Ministry of Justice was finalised and endorsed in July 2021.
- Support was provided to the Azerbaijani authorities in elaborating the study on international good practices on alternative mechanisms of enforcement of court decisions and entrustment of enforcement to private agencies, The recommendations were developed on how to reform the enforcement system starting with a pilot project launched to test the private bailiff system.
- The effectiveness of the enforcement system was enhanced through the improvement of enforcement timeframes and recovery rates, ICT solutions for the enforcement system, as well as experts support to promote European good practices related to enforcement of court decisions on debt payments.

A background information sheet on this project is available on the PGG website.

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

The PGG II aimed at strengthening domestic legislation and policies to align them with European standards and raising awareness on preventing and combating violence against women and domestic violence in line with Council of Europe standards.

- A National Action Plan to prevent domestic violence was adopted in November 2020.
- The PGG II provided recommendations to amend the draft law on legal aid of Azerbaijan in order to include Council of Europe standards in the field of preventing violence against women and domestic violence (VAW/DV). The Programme also provided recommendations on the steps that Azerbaijan could take to align domestic policy and legislation with international standards in the field, and recommendations to improve issuance and implementation of protection orders in cases of VAW/DV. It supported the national authorities in building capacities to implement the National Action Plan on combating domestic violence for 2020-2023.
- 25 representatives from state authorities responsible for the implementation of the National Action Plan, 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 Council of Europe standards.
- The HELP course on violence against women and domestic violence was adapted in Azerbaijani and is now freely available online. 12 legal professionals and 13 representatives of state authorities 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 and to change domestic legal and policy frameworks in line with international standards. 41 candidate judges are better equipped in applying the main standards in the field of violence against women and domestic violence.
- 16 representatives of state authorities (including 3 members of Parliament) and 250 law students and professors increased their awareness on the ECtHR case-law on violence against women and domestic violence and its applicability to Azerbaijan.
- A draft multi-agency co-operation protocol was developed in collaboration with representatives from state authorities and from civil society. Four capacity-building sessions on multi-agency co-operation were delivered as well. A twinning methodology (peer exchanges) on VAW/DV was developed for exchanges of international good practices in the field of VAW/DV.
- The Project continued to raise awareness of European standards for preventing and combating violence against women and domestic violence through targeted visibility actions. In particular, the Project reached 5,344 people during the 16 days of activism against gender-based violence in 2020, 2021 and 2022 through the Social Media account of the Council of Europe Office in Baku. The Project reached 108 participants (journalists, civil society representatives, school children and general public) in three regions of Azerbaijan through five awareness-raising workshops on gender stereotypes and the link to violence against women.

A background information sheet on this project is available on the PGG website.

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