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Statutes of the Department on Combat Against Corruption under the Azerbaijan Republic Chief Prosecutor's Office approved by the the Azerbaijan Republic President's Decree dated October 28, 2004

I. General provisions:

1. Department on Combat Against Corruption under the Azerbaijan Republic Chief Prosecutor's Office (hereinafter "Department") was established in accordance with the Presidential Order No 114 dated March 3, 2004.
2. The Department is a specialized agency to conduct primary investigation in respect of corruption related criminal offenses and reports to Azerbaijan Republic Chief Prosecutor's Office (hereinafter Chief Prosecutor's).
3. In implementation of its activities the Department is governed by the Azerbaijan Republic Constitution, international agreements, the Azerbaijan Republic is a party to, the Azerbaijan Republic legislation, decrees and orders of the Azerbaijan Republic President, orders and instructions of the Azerbaijan Republic Cabinet of Ministers, these Statutes, orders, instructions and commands of the Chief Prosecutor's.
4. The Department builds its work in accordance with the main principles, provisioned by the legal framework of the Azerbaijan Republic, regulating activities of the Prosecutor's office.

II. Obligations of the Department:

5. The Department fulfills the following obligations in the sphere of prevention and combat against corruption:
 - 5.1. analyses and reviews information received in connection with corruption related legal offenses;
 - 5.2. files legal cases and conducts primary investigation in connection with corruption related legal offenses;
 - 5.3. takes measures to organize investigative-search activities in order to prevent, reveal and disclose corruption related legal offenses and supervisors the subjects of the investigation-search activities to ensure their compliance with the law;
 - 5.4. takes measures to ensure that material damage incurred in the result of corruption related offenses is reimbursed, including alienation of the alienable property, in the order set forth by the legislation;
 - 5.5. researches into the state of the combat against corruption, collects data on corruption related offenses, analyses, summarizes relevant data and prepares proposals and recommendations to increase efficiency of the combat against corruption;
 - 5.6. ensures implementation of necessary measures during primary investigation of the corruption related offences, including organization of protection measures for witnesses, victims, persons who confirm information or are otherwise involved in the court hearing of criminal process;

- 5.7. on the ongoing basis informs the Azerbaijan Republic President and the Anti-corruption Commission under the Council for Public Service through Chief Prosecutor of the measures taken in the sphere of the combat against corruption;
 - 5.8. cooperates with state and other structures in the sphere of combat against corruption;
 - 5.9. ensures that measures are taken to protect staff members of the Department and their immediate family members;
 - 5.10. informs the public a large of its activities in the sphere of combat against corruption and ensures openness of its activities;
 - 5.11. organizes education and preventive measures in the sphere of combat against corruption;
6. performs other functions, as set forth by the legislation.

III. Rights of the Department:

7. In order to perform its obligations the Department enjoys the following rights:
 - 7.1. in cases and manner provisioned by the legislation, demands and takes information from individuals and legal entities, state organs and officials thereof;
 - 7.2. conducts primary audits in connection with information received on commitment of corruption related legal offenses, receives elucidations and, if need be, organizes inspections, inventory audits, expert audits and other types of inspections of organizations, in the order provisioned by the legislation;
 - 7.3. conducts investigation and other legal procedures within its power of authority;
 - 7.4. in order to prevent, reveal and disclose corruption related criminal offense, authorizes subjects of the investigative-search activities to conduct such and receives information thereon;
 - 7.5. in order to eliminate conditions favorable for corruption related offenses carries out other prosecutor's duties in accordance with provisions, set forth in the Azerbaijan Republic Law on the Prosecutor's Service;
 - 7.6. in case corruption related offenses result in criminal liability, informs the Anti-corruption Commission on the Council for Public Service of such offenses and persons who have committed such;
 - 7.7. cooperates with structures and legal entities, engaged in anti-corruption, and law enforcement bodies of other countries, takes measures to improve international cooperation in the sphere of combat against corruption, studies international experience in the sphere of combat against corruption and makes suggestions of more efficient measures to be taken in this direction;
 - 7.8. in order to improve efficiency of the combat against corruption prepares recommendations and proposals to eliminate conditions favorable for corruption, including pointing out to and elimination of mistakes, committed during the process of combat against corruption;
 - 7.9. makes proposals as to perfection of the legislation, regulating combat against corruption;
 - 7.10. ensures that measures are taken to preserve confidentiality of information on job places of the Department and information, stored in technical equipment, including to search for and find technical equipment, designed to take information out of the Department, as well as to neutralize such equipment;
 - 7.11. The Department provisions its staff members with service weapons and arms, technical means and other necessary equipment and takes measures to protect such;
 - 7.12. organizes events to improve the level of enlightenment in the sphere of combat against corruption, disseminates information on legislative acts, participates in preparation and organization of programs, related to combat against corruption;
 - 7.13. cooperates with international organizations, non-governmental organizations, mass

media, agencies, specialized in the area of combat against corruption, involves them in organization of analytic and information events;

7.14. performs other functions, as provisioned by the legislation;

IV. Organization of management of the Department

8. The status of the staff members is defined by the Azerbaijan Republic Law on Prosecutor's Service and Prosecutor's Service Bodies and other legislative acts;

9. The Department organizes its work jointly with the Chief Prosecutor's Office and its departments and other structures within the Prosecutor's Service.

10. The overall management of the Department shall be performed by the Chief Prosecutor.

11. In order to improve efficiency of investigative-search measures in prevention, revealing and disclosure of corruption related offenses, specialized and experienced in this sphere subjects of investigative-search measures shall be seconded to the Department by heads of investigative-search structures on the basis of the request of the Chief Prosecutor. Subjects of investigative-search measures, seconded to the Department in accordance with division of authority, as set forth by the legislation, fulfill orders of the Department head and inform the head of the measures they have taken.

12. Joint investigative group, comprised by investigators of the Department and subjects of investigative-search activities, may be set up.

13. In its work the Department takes measures, as set forth by the legislation, to ensure performance of state and service functions, preservation of personal and private life, keeping confidentiality of professional and commercial secrets.

14. The Department compiles an annual performance report and presents the report to the Azerbaijan Republic President and the Anticorruption Commission under the Council for Public Service through the Chief Prosecutor.

15. Structure of the Department and authority of its structural units to be established shall be determined by the Chief Prosecutor on the basis of the Azerbaijan Republic legislation and these Statutes.

16. The head of the Department shall be appointed and dismissed by the Chief Prosecutor in agreement with the Azerbaijan Republic President.

17. Deputy head of the Department and other staff members shall be appointed and dismissed by the Chief Prosecutor on the basis of a relevant recommendation by the head of the Department.

18. Salary schedule of the Department staff members shall be defined by the Azerbaijan Republic Cabinet of Ministers.

19. The head of the Department:

19.1. ensures functioning of the Department and manages its operations. The head carries personal responsibility for the fulfillment of its obligations by the Department;

19.2. distributes authority among staff members;

19.3. issues orders and instructions;

- 19.4. approves of decrees, prescribing to send cases to the court, in cases primary investigation legal procedures are led by a person without the status of a prosecutor, or in cases, which envision enforcement of medical measures, performs other authorities, as set forth by criminal and procedural legislation;
- 19.5. organizes registration of applications and other information, received by the Department in respect of corruption related offenses, already committed or planned to be committed, as well as consideration thereof, assigns individual investigators or a group thereof to organize primary investigation of a criminal case and/or individual elements of investigation process;
- 19.6. supervises timely organization of relevant measures, required to ensure that investigators disclose, investigate and prevent corruption related crimes;
- 19.7. takes serious institutional measures to ensure comprehensive, complete and objective investigation of corruption related criminal cases;
- 19.8. ensures cooperation between subjects of investigative-search measures, seconded to the Department and Department staff members and supervises their joint activities;
- 19.9. forms joint working groups, comprised by subjects of investigative-search measures, seconded to the Department and Department staff members;
- 19.10. represents the Department in relations with other structures and signs agreements and other documents within his or her authority;
- 19.11. supervises organizations of work of the structural units of the Department and ensures their coordination;
- 19.12. takes measures to annul orders and instructions of the officials of the Department, in case of their non-compliance with the legislation;
- 19.13. supervises compliance with the legislation by staff members, observation of service discipline, confidentiality provisions;
- 19.14. submits to the Chief Prosecutor proposals in connection of appointments to positions within the Department;
- 19.15. raises before the Chief Prosecutor the question of stimulation of staff members and/or their bringing to disciplinary responsibility, award of special ranks;
- 19.16. resolves all issues related to vacations of the staff members, raises before the Chief Prosecutor the question of their business trips;
- 19.17. organizes reception of citizens;
- 19.18. executes other authorities, as set forth by the legislation.
20. In absence of the head of the Department, his or her functions shall be performed by the Deputy Department head.