

Participation of society in preventing and fighting corruption, inclusive decision-making processes; role of non-governmental stakeholders, journalists and media

1. Has your country promoted the participation of society, including non-governmental stakeholders, journalists and the media, in anti-corruption activities, programmes and initiatives, including in relation to anti-corruption strategies? If yes, please specify how.

Reply: Azerbaijan joined target-oriented regional and international initiatives to fight corruption, e.g. the United Nations Convention against Corruption, relevant conventions of the Council of Europe and other organizations. Following the signing of the indicated international acts two state programs and five action plans to combat corruption were implemented successfully. Azerbaijan is currently evaluating the progress achieved within the recommendations of the recently adopted "National Action Plan for 2022-2026 on the fight against corruption". This target-oriented Plan includes a set of measures in combating corruption and defines 6 priorities and 62 tasks, each divided into initial, intermediate, and final stages of reviews. In more detail, this action plan addresses development of rules for identifying, analyzing and preventing corruption risks in the activities of government agencies, adoption of the dedicated law on conflict of interest and whistleblower protection, promotion the establishment of (ISO 37001) "anti-corruption management systems", completion of work on "e-accounting" electronic portal, processing of legislation on the disclosure of information about the beneficial owner in public procurement, the improvement of the national asset recovery and management system, AML/CFT, development of cooperation with civil society institutions, broad participation of the CSO's and NGO's representatives in its application, international cooperation in the field of combating corruption and other issues. In order to determine accurate targets for the fight against corruption, National Action Plans (NAP) are adopted on a regular basis in Azerbaijan. As a general rule, national action plans are generally adopted for a period of two or three years, and they include a variety of measures aimed at increasing the effectiveness of corruption prevention. Azerbaijan periodically evaluates relevant legal instruments and administrative measures with a view to determining their adequacy to prevent and fight corruption. Previous Action Plan was the "2020-2022 National Action Plan for the Promotion of Open Government". However, since mentioned Action Plan covered other areas, in addition to issues in the fight against corruption (for example, financial transparencies, improvement of public services, public oversight, access to

information etc.), in accordance with the recommendations of international organizations, the Country adopted a pure anti-corruption action plan (2022-2026 National Action Plan to Strengthen the Fight Against Corruption) during the implementation period of previous Action Plan. As mentioned before, in the NAP 2022-2026, 6 priority areas have been identified, and each of these areas includes specific measures, responsible national agencies, implementation deadlines, initial and intermediate outcomes as outcome indicators, as well as final impact indicators. Many evidence, such as analysis of the implementation of the previous policy documents, sectoral corruption risk assessments, reports by state institutions, such as an anti-corruption agency, supreme audit institution, and law enforcement bodies, analysis and assessments by non-governmental stakeholders, including international organizations, surveys, judicial statistics has been used for developing objectives and measures.

Link: <https://azertag.az/store/files/2022/APREL/07/1111.pdf>

An Action Plan is prepared in several stages. The involvement of representatives of NGOs and civil society institutions at all stages of the development of action plans is a priority in order to ensure transparency. The Action Plan is drafted in collaboration with representatives of NGOs and Civil Society Institutions through a variety of channels. The participation of the mentioned subjects in the drafting process is primarily achieved through discussions relating to the development of the Action Plan. As part of the process of developing the current Action Plan, regular discussions were held with representatives of civil society and NGOs.

For example, before adoption of the last NAP representatives of the government bodies, CSOs and NGOs regularly met to discuss the implementation of the National Action Plan for the Promotion of Open Government for 2020-2022, as well as drafting a new National Action Plan to Strengthen the Fight Against Corruption. Proposal made by CSOs and NGOs were taken into account. There has not been any restriction for participation in discussions, any interested party has been given opportunity to participate in discussions and contribute to drafting of the Action Plan.

Link:

<https://antikorrupsiya.gov.az/az/xeberler/aciq-hokumetin-tesviqine-dair-2020-2022-ci-iller-ucun-milli-fealiyyet-planinin-icrasi-ile-elaqedar-2020-ci-il-erzinde-gorulen-isler-barede-ve-korrupsiyaya-qarsi-mubarizenin-guclendirilmesi>

In addition, as a part of government and NGO partnership policy, Commission on Combating Corruption distributes the draft evaluation report to Civil Society organizations for their feedback.

A vital component of the Action Plans is the recommendations of NGOs and institutions of the civil society. All recommendations are subject to discussion,

and based on the outcome of the discussion, it is decided whether or not to incorporate the recommendation into the Action Plan. Whenever a recommendation is not accepted, the subject who made the recommendation is provided with relevant feedback.

While developing the NAP, NGOs and other civil society organizations were involved in the discussions, and none of their comments were excluded.

Representatives of civil society institutions and non-government organizations are also involved in the monitoring and evaluation process. Ensuring the involvement of representatives of CSOs in monitoring and evaluation processes is also laid out in the Presidential decrees on the approval of the National Action Plan for the Promotion of Open Government 2020-2022 and the National Action Plan to Strengthen the Fight Against Corruption 2022-2026. For instance, in 2022 while the Commission on Combatting Corruption evaluated the implementation of the National Action Plan for the Promotion of Open Government 2020-2022 at 82 percent, the representatives of CSOs in parallel calculated the performance of the Plan at 72 percent.

Coordination meetings are held regularly. All actors concerned participate in these meetings. For example, on December 30, 2022, NGO and State Migration Service representatives met to discuss the implementation of the National Action Plan to Strengthen the Fight Against Corruption 2022-2026. The meeting was titled "Strengthening the cooperation between anti-corruption NGOs and state bodies". Also, the implementation and evaluation of the National Action Plan for the Promotion of Open Government 2020-2022 in 2022 was discussed during two online meetings with the representatives of NGOs.

Evaluations are carried out by independent subjects, such as NGOs and Civil Society institutions, are submitted to Anti-Corruption Commission. Alternative evaluation reports received from NGOs and Civil Society institutions are taken on board while preparing government evaluation report.

Example: An analysis of public opinion polls (surveys) conducted by the Center for Social Research and other NGOs has also been included in the National Action Plan. For instance, in the surveys conducted by the first mentioned institution, the concerns of citizens concerning corruption were investigated. As part of these surveys, there are surveys entitled "confidence index" and "welfare barometer". As a result of a survey conducted by the Centre for Social Studies, nearly one in four participants (24.5%) stated that corruption is one of the challenges facing the country. The majority of participants stated that official arbitrariness must be prevented by the government. A public opinion poll conducted in the country determined the implementation of counter-preventive measures (the adoption of a National Action Plan) to address corruption.

It has been demonstrated through surveys that measures should be taken to improve public services and management mechanisms as a means to prevent official arbitrariness in state institutions. As a result, in order to reduce officials' discretionary powers:

- 1) "For the purpose of increasing transparency, the list of documents that are required for the provision of public services and the amount of payments required by law be posted on a single information portal on public services and on the websites of relevant government agencies (institutions)" and;
- 2) "Conducting regular electronic satisfaction surveys through official websites and social media platforms to assess the quality of services provided by government agencies (institutions), involving civil society institutions and public councils in this process" have been identified as objectives and have been included to NAP.

2. Has your country identified any barriers to the participation of society in the prevention of and fight against corruption? If yes, have any programmes been designed and implemented to address such barriers?

Reply:

The Republic of Azerbaijan has recognized several significant barriers that hinder societal participation in the prevention and combat of corruption. These barriers include:

- Some citizens are unaware of their rights and the mechanisms available for reporting corruption. There is a pressing need for comprehensive educational campaigns to inform the public about the detrimental effects of corruption and the crucial role they play in combating it.
- The fear of retaliation or adverse consequences discourages individuals from reporting corruption. There is a prevalent perception of personal or professional risks for those who come forward with information about corrupt activities.
- The legal protections for whistleblowers and activists are seen as inadequate, further discouraging individuals from reporting corruption.

To address these barriers and enhance societal participation in the fight against corruption, Azerbaijan has implemented several key initiatives:

- Nationwide campaigns have been launched to educate citizens about their rights and the channels available for reporting corruption. These campaigns utilize various media platforms, including television, social media, and public events, to disseminate and reach a wide audience.

Link: <https://www.youtube.com/watch?v=6SwgQ626Vxs>

❑ Based on the NAP 2022-2026, new and modern single dedicated law on whistleblower protection have been drafted and sent to relevant state agency for consideration. International best practice and standards have been taken into account. The law is anticipated to be enacted in the near future.

❑ Dedicated hotlines (161, 961, and 102) and online means (e.g. Prosecutor General's Office's web-site and pages in social media platforms) have been established to allow citizens to report corruption securely. These platforms are designed to be user-friendly and accessible.

❑ Training programs have been conducted for civil society organizations, journalists, and community leaders to strengthen their ability to monitor and report corruption effectively.

❑ The government has actively engaged with civil society organizations to collaborate on anti-corruption initiatives, ensuring these organizations play an active role in monitoring and advocacy (Engagement with Civil Society).

❑ Comprehensive legal and institutional reforms have been undertaken to streamline anti-corruption efforts and ensure that the institutions responsible for combating corruption are effective and independent.

These initiatives are part of a broader strategy to create an environment where citizens feel empowered and protected to participate in the prevention and fight against corruption, thereby fostering a culture of transparency and accountability in Azerbaijan.

The negative effects of corruption on youth and the role played by youth in preventing and combating corruption.

1. Does your country collect data disaggregated by age on the experience of young people as victims of corruption? Please provide the findings of any studies you may have carried out on the impact of corruption on young people. An example could be the impact of corruption on access to economic opportunities for businesses owned by young people.

Reply:

The Republic of Azerbaijan's pertinent specialized bodies collect data on various criteria, including the experience of young people as victims of corruption, disaggregated by age. This data is obtained through surveys, studies, and reports conducted by government agencies and civil society organizations. This effort is part of a broader initiative to understand the impact of corruption on different demographic groups and to develop targeted anti-corruption measures.

Several studies have assessed the impact of corruption on young people in Azerbaijan, revealing significant effects on their lives, particularly concerning economic opportunities and entrepreneurial activities. Key findings include:

- ❑ Corruption in hiring practices disproportionately affects young job seekers, who may need to pay illicit payments or use personal connections to secure employment. This limits access to job opportunities based on merit.
- ❑ Corruption in the education sector, such as bribery for grades, undermines the quality of education and disproportionately affects young people. This hampers their educational achievements and limits their access to quality education and advancement opportunities.
- ❑ Corruption erodes trust in public institutions among young people, leading to decreased civic engagement and skepticism towards initiatives. This mistrust can hinder efforts to mobilize youth for social and economic development.

These findings highlight the significant impact of corruption on young people in Azerbaijan, particularly regarding access to economic opportunities and essential services.

The government is committed to addressing these issues through ongoing reforms and initiatives aimed at reducing corruption and promoting transparency and fairness across all sectors.

To mitigate these impacts, the Azerbaijani government has implemented several initiatives:

- ❑ Youth Engagement Programs: These programs aim to increase youth participation in anti-corruption initiatives and decision-making processes.
- ❑ Education Reforms: Efforts to improve transparency and accountability in the education sector include anti-corruption education for students.
- ❑ Support for Young Entrepreneurs: The government has established support systems and legal frameworks to protect young entrepreneurs from corrupt practices, such as simplified business registration processes and anti-corruption training.

<https://www.smb.gov.az/az/all-news/sahibkarlar-ucun-biznes-etikasi-ve-seffaqliq-movzusunda-telim-kecirilib>

By addressing the impact of corruption on young people, Azerbaijan aims to create a more equitable and transparent society where young people can fully realize their potential and contribute to the country's development.

Links: <https://youthfoundation.az/157505/>

https://azertag.az/xeber/korrupsiyaya_qarsi_mubarizede_sahibkarlarin_rolu_g_uclendirilir-339470

<https://sia.az/az/news/politics/79687.html>

2. Does your country have education for young people on integrity, ethics and anti-corruption at the primary, secondary, tertiary or informal level? If yes, please describe and provide any supporting documents.

Reply:

The Republic of Azerbaijan has implemented comprehensive education programs on integrity, ethics, and anti-corruption across multiple levels. These initiatives aim to instill ethical values and raise anti-corruption awareness among young people.

❑ Schools conduct a variety of programs, such as essay competitions, debates, and awareness campaigns, to emphasize the importance of ethical behavior and integrity among students.

❑ Universities promote research on corruption and integrity, frequently hosting seminars, conferences, and guest lectures by experts in the field.

❑ Regular workshops and seminars are organized in collaboration with governmental and NGOs to provide students with deeper insights into the significance of integrity and effective anti-corruption mechanisms.

❑ Nationwide campaigns and community outreach programs aim to educate young people about the destructive effects of corruption and the importance of ethical behavior.

❑ Various informal educational initiatives, such as youth programs and seasonal camps, focus on developing ethical leadership and fostering a culture of integrity among young people.

❑ Online educational platforms and resources have been developed to provide accessible information and training on integrity and anti-corruption for young people. These platforms offer various interactive materials.

These educational initiatives are part of Azerbaijan's broader strategy to cultivate a culture of integrity and accountability from a young age, thereby contributing to the country's long-term efforts to combat corruption.

For further examples, please visit these links:

<https://family.gov.az/az/post/3498/korrupsiya-ile-mubarize-movzusunda-usaqlarla-gorus-kecirilib>

3. How does your country meaningfully include young people in the development, implementation and monitoring of anti-corruption efforts, including in relation to national anticorruption strategies?

Reply:

The Republic of Azerbaijan is dedicated to actively involving young people in the development, implementation, and oversight of anti-corruption measures, in line with national anti-corruption strategies. Our commitment encompasses several key approaches:

Youth Engagement in Anti-corruption Policy Formation:

- Young individuals play an integral role in shaping national anti-corruption strategies and policies through representation in governmental advisory bodies, task forces, and consultative processes.
- Their participation in policy dialogues ensures that anti-corruption measures are tailored to address the specific challenges faced by young people, offering valuable insights and recommendations.

Youth-Led Initiatives:

- Azerbaijan encourages and supports initiatives led by young people aimed at combating corruption. They are empowered to organize and lead awareness campaigns, events, and workshops in their communities, raising awareness and promoting transparency.
- These grassroots efforts mobilize youth engagement in the fight against corruption, fostering a sense of ownership and responsibility among the younger generation.

Inclusion in Execution Efforts

- Young people actively contribute to the implementation of national anti-corruption strategies, participating in the execution of action plans, projects, and initiatives across various levels of governance.
- Through collaboration with governmental and non-governmental stakeholders, youth representatives ensure the effective implementation of anti-corruption measures, advocating for accountability and transparency.

Monitoring and Assessment

- Young people are engaged in monitoring and evaluating anti-corruption efforts, participating in oversight mechanisms and accountability processes.

- They play a key role in assessing the impact of anti-corruption policies, providing feedback for continuous improvement, and advocating for necessary adjustments to enhance effectiveness.

Capacity Building and Training Programs:

- Azerbaijan invests in capacity building and training programs for young people, equipping them with the knowledge, skills, and tools necessary for effective anti-corruption advocacy, leadership, and governance.

- Training workshops, seminars, and educational initiatives empower young individuals to actively engage in anti-corruption endeavors, contributing to a culture of integrity and accountability.

Communication:

- Young people are provided with platforms to express their views on corruption through various media channels, social media platforms, and public forums, fostering open dialogue and promoting transparency.

To recap, by actively involving young people in anti-corruption efforts, Azerbaijan aims to harness their enthusiasm, creativity, and dedication to build a society characterized by transparency, accountability, and freedom from corruption.

Links:

<https://e-qanun.az/framework/36474>

<https://president.az/az/articles/view/25237>

The negative effects of corruption on women and the role played by women in preventing and combating corruption

1. Have any studies (quantitative or qualitative) been undertaken or has information been gathered in view of discerning the negative effects of corruption on women in your country? If available, please provide the findings of any such studies or information collection efforts.

Reply:

The Constitution of the Republic of Azerbaijan ensures the right to equality and explicitly prohibits the restriction of rights and freedoms based on gender. It stipulates that everyone is equal before the law and court, affirming that men and women have the same rights and freedoms. Additionally, the Constitution mandates state bodies and institutions to ensure equal rights for women and men and prohibits discrimination against women by any person, organization, or enterprise in both public and private sectors.

In 2006, Azerbaijan adopted the Law on Guarantees of Gender Equality, which defines gender equality as equal rights and opportunities for women and men and their equal social status in society. This law articulates "equal opportunities" as the creation of equal conditions and guarantees for women and men to exercise their human rights. The principles of equality and the prohibition of discrimination are also reflected in several national laws, including the Criminal Code and the Labor Code.

Several studies have been conducted in Azerbaijan to discern the negative effects of corruption on women. These studies, encompassing both quantitative and qualitative research efforts, indicate that corruption disproportionately affects women in various sectors, such as healthcare, education, and employment. For example, qualitative interviews reveal that women often face increased vulnerability to bribery and exploitation when accessing public services. Quantitative data corroborates these findings, showing a significant correlation between corruption levels and reduced opportunities for women in the workforce. These studies underscore the need for targeted anti-corruption measures to address and mitigate the specific challenges faced by women.

This issue remains a priority for the country, with regular training sessions and educational activities conducted to address the impact of corruption on women and children.

For more information, you can visit the link:

<https://family.gov.az/az/post/3666/korrupsiyanin-qadin-ve-usaq-huquqlarina-tesiri-movzusunda-telim-kecirilib>

2. Has your country promoted the role of women in preventing and combating corruption? Has this included efforts to promote the meaningful participation and engagement of, and cooperation with, women's and community-based organizations that support women in the policy development, planning, implementation and monitoring of your anti-corruption programmes? Please enclose any supporting documentation or hyperlinks, if available.

Reply:

Azerbaijan has actively encouraged women's engagement in the prevention and combatting of corruption. Measures have been taken to facilitate the substantial involvement and partnership with women's and community-based organizations at different stages of anti-corruption initiatives, spanning policy formulation, planning, execution, and assessment.

Azerbaijan has instituted various programs aimed at bolstering the role of women in anti-corruption endeavors:

- Women play an integral part in shaping anti-corruption policies through active participation in their development and planning. This ensures that gender perspectives are integrated into policy frameworks, enhancing their inclusivity and effectiveness.
 - Women are pivotal in executing anti-corruption measures, addressing specific challenges encountered by women and ensuring the comprehensiveness and fairness of anti-corruption strategies.
 - Women's organizations and community-based groups actively monitor the efficacy of anti-corruption endeavors, offering invaluable insights and fostering accountability.
 - Regular training sessions and capacity-building initiatives are conducted to empower women and enhance their competencies in combating corruption. These initiatives often prioritize raising awareness about the impact of corruption on women and the significance of their involvement in anti-corruption efforts.
 - Collaborative efforts between the government and diverse women's organizations and community-based groups provide support for women in anti-corruption endeavors. These partnerships guarantee that women's perspectives are acknowledged, and their contributions are valued in the fight against corruption.
- These endeavors underscore Azerbaijan's dedication to fostering the meaningful engagement of women in preventing and addressing corruption, ensuring a more comprehensive and effective approach to tackling this pressing issue.

National experiences with assessing the effectiveness of anti-corruption frameworks

1. Does your country have any mechanisms in place to assess the effectiveness of its legislative and/or institutional anti-corruption framework? Please briefly summarize the methodology, scope and frequency of the process as well as any specific tools your country uses.

Reply:

Azerbaijan has established mechanisms to evaluate the efficiency of its legislative and institutional anti-corruption framework. The Country adopts a comprehensive approach in relation to its anti-corruption framework. The evaluation encompasses diverse facets of the anti-corruption framework, including legal provisions, institutional capabilities, enforcement mechanisms, and the impact of anti-corruption policies.

The evaluation process occurs at regular intervals to ensure continuous enhancement and adaptation to evolving challenges. Though the frequency may vary, evaluations are typically carried out periodically to monitor progress for improvement.

Azerbaijan employs a variety of tools and methodologies to assess the effectiveness of its anti-corruption framework. These may involve surveys, data analysis, case studies, and benchmarking against international standards. Moreover, Azerbaijan collaborates with international organizations such as the UN, OECD, GRECO, etc., and engage experts to gain insights and expertise in evaluating its anti-corruption endeavors.

Moreover, the methodology for evaluating the effectiveness of the anti-corruption framework often entails:

- Scrutinizing relevant laws and regulations to identify deficiencies or loopholes in the legal framework.
- Assessing the performance and capacity of anti-corruption institutions and agencies.
- Analyzing data on corruption cases, investigations, and prosecutions.
- Conducting surveys and interviews to gather input from stakeholders, including government officials, civil society organizations, and the broader public.
- Evaluating the implementation of anti-corruption policies and measures across different levels of government and sectors.

In summary, Azerbaijan remains dedicated to periodically assessing the effectiveness of its legislative and institutional anti-corruption framework to foster transparency, accountability, and integrity in governance.

In addition, anti-corruption policy coordination and monitoring functions were initially assigned to the Secretariat of the Commission on Combatting Corruption of Azerbaijan. The 2022-2026 National Action Plan to Strengthen the Fight Against Corruption established the new coordination and monitoring system. Coordination and monitoring functions were separated. Monitoring function remains with the Commission on Combatting Corruption. Coordination of the implementation was assigned to the Cabinet of the Ministers of Azerbaijan.

The Secretariat of CCC monitors and assesses the implementation of Action Plans. To evaluate the implementation of relevant measures, relevant bodies should submit summaries of their activities to the Secretariat by 31 December each year. The implementation of the Action Plans is monitored and assessed in a similar manner, and an assessment of the current Action Plan is in progress. Assessments of the Action Plans are carried out on a yearly basis and the results are published on the official website of the Commission. As a result of the

assessment, the report contains detailed information about the activities associated with the implementation of each measure, as well as recommendations by the Commission designed to increase the efficiency (of each measure).

NAP: 2020-2022 - <https://e-qanun.az/framework/44619>

NAP: 2022-2026 - <https://e-qanun.az/framework/49349>

Link of the Rule “on the formulation, implementation, monitoring and evaluation of state programs”:

<https://e-qanun.az/framework/47063>

To specify, all the relevant state bodies provided information on the work done by December 30. The Commission on Combatting Corruption’s Secretariat collates and thoroughly analyzes each response to determine whether respective state bodies achieved the goals established by the measure. The implementation of measures is evaluated as 0 (non-implementation), 0.5 (partial implementation), or full implementation (1). Then the implementation percentage is calculated. The draft results and the reports are submitted to the Commission members. Then the final version of the report was prepared. The evaluation of the implementation of the plan was carried out in accordance with the Rules on drafting, implementation, monitoring, and evaluation of state programs.

Currently, a special software intended for automated evaluation is being prepared.

Link: <https://ogp.org.az/index.php/2017/08/14/open-government-platform-presents-its-project-report/>

Additionally, the establishment of the "State Control Information System" enables electronic monitoring of the execution of decrees, orders, and directives issued by the President of the Republic of Azerbaijan, as well as the assessment of the performance of local executive authorities using key efficiency metrics. Within this centralized system, the progress of implementing the National Action Plans are tracked in an elaborative way, and any discrepancies and their underlying causes are analysed through thorough examination.

Links:

<https://president.az/az/articles/view/50449>

<https://dnis.gov.az/auth>

2. Please describe the institutional setup for assessing the effectiveness of the anti-corruption framework. Which institutions are involved in the assessment? Is there a mechanism for interagency cooperation in assessing the effectiveness of the anti-corruption framework? Does your country engage with academia, civil society and the private sector throughout these processes?

Reply:

Given the pivotal role in the assessing of the effectiveness of the anti-corruption framework it is worth to give brief information about Commission on Combatting Corruption (CCC) of the Republic of Azerbaijan. According to the Law on Combating Corruption, the functions of a specialized body in the prevention of corruption are discharged by the CCC of the Republic of Azerbaijan. The CCC as a specialized corruption prevention body at the national level composed of the members appointed by the executive, legislative and judicial bodies. The Regulations on the CCC set the monitoring of anti-corruption programmes as a duty of Commission. A permanent Secretariat is attached to the Commission and members of the Secretariat assist Commission in fulfilling its function of monitoring. The Commission coordinates the activities of the state bodies in the fight against corruption, supervises the implementation of state programs on combating corruption, requests and gathers data and analyses to determine the progress of policy objectives and promotes intended results to improve performance and accountability.

The Decree of the President of the Republic of 4 April 2022 approving the 2022-2026 National Action Plan obliges the implementing state agencies annually to inform the Cabinet of the Ministers and the CCC about the results of implementation. The Regulations on the CCC also stipulates the right to request and receive the information necessary to supervise and monitor implementation of anti-corruption programmes and right to hear information and reports from heads of law enforcement and other state agencies and institutions.

Resources of the Cabinet of the Ministers and the Commission on Combatting Corruption are sufficient to conduct the assigned duties of coordination and monitoring of national anti-corruption programme. The coordination function is implemented via the Office of the Cabinet of Ministers specialists based on covered fields (ministries and other governmental agencies).

At the same time, pursuant to paragraph 6 of the same Decree, CCC evaluates the implementation of the NAP 2022-2026. It also encourages the CCC to involve CSOs in the evaluation process. Namely, the Decree of the President of the Republic of 4 April 2022 approving the 2022-2026 National Action Plan to Strengthen the Fight Against Corruption recommends to the CCC to take measures to involve civil society institutions in the process of evaluation of progress of implementation of the Action Plan (para 6.1.)

The Commission on Combatting Corruption of Azerbaijan is entrusted to annually update the public about the work done implementing the anti-corruption policy by the mentioned Decree (para 6.2.).

Links: <https://e-qanun.az/framework/49349>
<https://e-qanun.az/framework/49666>

As mentioned previously, the Secretariat monitors and assesses the implementation of Action Plans. To evaluate the implementation of relevant measures, relevant bodies should submit summaries of their activities to the Secretariat by 30 December each year. Assessments of the Action Plans are carried out on a yearly basis and the results are published on the official website of the Commission. As a result of the assessment, the report contains detailed information about the activities associated with the implementation of each measure, as well as recommendations by the Commission designed to increase the efficiency (of each measure).

Representatives of civil society institutions and non-government organizations are involved in the monitoring and evaluation process. Ensuring the involvement of representatives of CSOs in monitoring and evaluation processes is also laid out in the Presidential decrees on the approval of the National Action Plan for the Promotion of Open Government 2020-2022 and the National Action Plan to Strengthen the Fight Against Corruption 2022-2026. Coordination meetings are held regularly. All NGOs may participate in the meetings without exemption and any constraints are forbidden.

Evaluations carried out by independent subjects, such as NGOs and Civil Society institutions, are submitted to CCC. Alternative evaluation reports received from NGOs and Civil Society institutions are taken on board while preparing government evaluation report.

Furthermore, the draft of the report National Action Plans have been circulated to state bodies for getting feedback. The general public also had access to the draft document as the CCC placed the draft on its official website for comments and proposals.

3. If your country uses indicators to assess the effectiveness of its anti-corruption framework, please describe the indicators as well as the data sources used.

Reply:

The National Action Plan comprises main actions, responsible parties, additional implementing bodies, duration, and stages of outcomes, including

initial, intermediate, and final results. It utilizes outcome and impact indicators to gauge the effectiveness of the plan.

4. Please summarize any findings of the effectiveness assessment. If several exercises have been conducted, have any trends been identified?

Reply:

The evaluation of the National Action Plan 2022-2026, targeting the fight against corruption in Azerbaijan, has shown encouraging results. At least 89 per cent of the measures that are planned to be implemented are fully executed. There never a case that anti-corruption measures unimplemented due to the lack of fund. Significant findings underscore significant advancements in executing fundamental actions, leading to noteworthy enhancements across diverse areas. Trends suggest improved collaboration among parties accountable for implementation and other relevant entities, fostering heightened efficiency and positive results. Additionally, there are indications of heightened awareness and skill development, which have played a role in enhancing the plan's execution and its broader impact.

5. How does your institution or country use the results of the assessments to inform policy-making? Has your country amended its anti-corruption framework in response to the outcomes of the effectiveness assessments?

Reply:

In Azerbaijan, we utilize assessment results to shape policy-making by incorporating key findings and recommendations into the development and adjustment of anti-corruption strategies and laws. These evaluations offer valuable insights into the strengths and weaknesses of our current systems, guiding actions to fill gaps and bolster effectiveness.

Following effectiveness assessments, Azerbaijan has refined its anti-corruption framework to improve its agility and efficacy. This may involve reinforcing legal regulations, strengthening institutional capabilities, enhancing coordination mechanisms, and implementing focused measures to tackle particular issues highlighted by the assessments. These adjustments aim to maintain the resilience and adaptability of our anti-corruption measures amidst changing challenges and contexts.

The current National Action Plan was approved by the Presidential Order No. 3199 of April 4, 2022. Given it has been adopted recently, no need for making amendments to the recent National Action Plan has arisen.

6. Which challenges has your country encountered in assessing the effectiveness of anti-corruption frameworks, and which steps have been taken to overcome them?

Reply:

Azerbaijan has encountered several obstacles when evaluating the efficiency of its anti-corruption frameworks. These hurdles encompass:

- ❑ Ensuring meaningful involvement and participation of all pertinent stakeholders, including government bodies, civil society groups, and the private sector, is complex due to differing interests and priorities.
- ❑ Limited institutional capacity and expertise in conducting assessments and analyzing corruption-related data may impede the effectiveness of evaluation endeavors.

To address challenges, Azerbaijan has undertaken various initiatives:

- ❑ Improving data collection methods and systems to enhance the availability, accuracy, and reliability of corruption-related data.
- ❑ Implementing strategies to promote collaboration and engagement among stakeholders, such as conducting regular consultations, workshops, and establishing information-sharing mechanisms.
- ❑ Investing in capacity-building programs to bolster the skills and expertise of government officials, researchers, and other stakeholders involved in assessing anti-corruption frameworks.

By confronting these challenges head-on and implementing appropriate measures, Azerbaijan aims to bolster the effectiveness of its endeavors to evaluate and enhance anti-corruption frameworks.

Link:

<https://asan.gov.az/en/media/press-releases/asan-xidmet-indeksi-uezre-neticeler-aciqlanib-4>

7. Which good practices could your country share regarding the measurement the effectiveness of anticorruption frameworks that could benefit other States?

Reply:

Coordination and monitoring functions of NAP were separated. Monitoring function remains with the Commission on Combatting Corruption. Coordination of the implementation was assigned to the Cabinet of the Ministers of Azerbaijan. This has significantly facilitated the allocation of resources and the timely and effective management of all pertinent matters regarding NAP.

Moreover, On February 20, 2024, a presentation on the 2023 assessment results of the "ASAN service index" was held at the State Agency for Public Service and Social Innovations under the President of the Republic of Azerbaijan

On February 20, 2024, a presentation on the 2023 assessment results of the "ASAN service index" was held at the State Agency for Public Service and Social Innovations under the President of the Republic of Azerbaijan.

According to the order issued by the Decree of the President of the Republic of Azerbaijan No. 262 dated September 11, 2014, "On measures related to the creation of the Electronic Register of State Services," the parameters that constitute the "ASAN service index" by the State Agency for Public Service and Social Innovations under the President of the Republic of Azerbaijan, the task of evaluating public services was continued in 2023.

The main goal is to collect and systematize information about public services in a single source, to eliminate duplication in the provision of services, and to ensure flexibility of management in this area by creating new types of services, and to increase the capabilities of analyzing and forecasting services.

To fulfill this task, in 2023, the State Agency assessed a total of 438 services, including 208 services of 23 central executive authorities, 170 services of 15 local executive authorities, and 60 services of 9 legal entities.

Detailed info:

<https://asan.gov.az/en/media/press-releases/asan-xidmet-indeksi-uezre-neticeler-aciqlanib-4>

8. Has your country been guided by any international efforts aimed at improving or assessing the effectiveness of anti-corruption frameworks (e.g., peer review mechanisms, methodologies provided by international organizations)? If not, are there any tools or measures by international organizations that you would consider helpful in this regard (e.g., guidance on data collection, provision of tools, stronger focus on effectiveness in peer reviews)?

Reply:

Yes, Azerbaijan actively engages in the 5th round of the Istanbul Anti-Corruption Action Plan (IAP), a peer review program facilitated by the OECD Anti-Corruption Network for Eastern Europe and Central Asia.

The ACN has introduced an indicator-based peer review system for the IAP 5th round of monitoring (2022-2026). Following the completion of a pilot program that tested the new methodology, the revised IAP 5th Round of Monitoring Assessment Framework and Monitoring Guide were endorsed at the ACN Steering Group meeting in November 2022. The development of this framework involved a thorough and inclusive consultative process, demonstrating strong ownership and commitment from participating countries. The 5th round of monitoring began in January 2023 in Azerbaijan, with a focus on evaluating the national anti-corruption policy, thoroughly assessing all aspects (adoption, public engagement, indicators, monitoring, etc.) of the plan.

For further details, please refer to Performance Area 1 in the link provided below: <https://www.oecd.org/countries/azerbaijan/armenia-azerbaijan-moldova-and-ukraine-take-promising-steps-to-fight-corruption-but-should-improve-enforcement-and-promote-business-integrity.htm>

Prevention of corruption in procurement at various government levels, including good practices, lessons learned and challenges, and the effective use of technology to prevent, detect, deter and counter corruption in procurement

Reply:

It should be emphasized that the new Law of the Republic of Azerbaijan - "Law on Public Procurement" came into force on January 1, 2024. In accordance with the 10th and 15th articles of Part I of Article 94 of the Constitution of the Republic of Azerbaijan, the mentioned Law envisages the economic, legal and organizational bases and rules of public procurement in the Republic of Azerbaijan. A number of innovations and changes are provided in mentioned Law:

- a) Thus, according to the new Law, except for the procurements related to confidential information, it is envisaged that the procurements will be carried out only through the unified internet portal of state procurements (electronically).
- b) In addition, when the estimated price is 100,000 manats or more, purchases are made using open tender or two-stage tender methods. When the expected price is less than 100,000 manats, purchases can be made using the quotation

request method. Quotation request is conducted only among suppliers who are micro, small and medium enterprises.

c) In addition, the Law defines a different approach to purchases made by such legal entities using other funds, except for the funds specified in the Law, in relation to state-owned commercial legal entities whose composition of the supervisory board (board of directors) is approved by the President of the Republic of Azerbaijan or in agreement with him. does.

d) Also, in the New Law, some procurement methods, the confidentiality of the probable amount, the cancellation of issues such as "request for proposals", "request for service proposals" and limited participation tendering, as well as the introduction of new procurement methods, "unreliable supplier" and "blacklist" institutions , including new issues such as expanding the powers of the supervisory body.

As mentioned above, the new Law of the Republic of Azerbaijan - "Law on Public Procurement" came into force on January 1, 2024. In accordance with the 10th and 15th articles of Part I of Article 94 of the Constitution of the Republic of Azerbaijan, the mentioned Law envisages the economic, legal and organizational bases and rules of public procurement in the Republic of Azerbaijan. A number of innovations and changes are provided in mentioned Law. Thus, according to the new Law, except for the procurements related to confidential information, it is envisaged that the procurements will be carried out only through the unified internet portal of state procurements (electronically).

National experiences with corruption measurement

1. Does your country have any mechanisms in place to quantify or measure corruption? Please briefly summarize the methodology and scope (e.g. national, regional, and sectoral) and frequency of the measurement process.

Reply:

The Country acknowledges that criminal remedies, punishments are not enough to combat and fully eradicate corruption elements in the Country. Preventive methods, as well as Corruption Risk Assessment (CRA) are inevitable parts of this process and we must focus on these measures. Therefore, within the reforms in the country we commenced to create CRA mechanism.

After the preparation of the methodology of the corruption risk assessment during the implementation of NAP 2020-2022 (indicated as 1.1 in the file), Rules for identifying, analyzing, and preventing corruption risks in government agencies (institutions) have been included in the next NAP (2022-2026) and will be implemented within that period.

Within the implementation of NAP in 2022-2023, the Secretariat of the Commission on Combatting Corruption in collaboration with the Anti-Corruption Directorate (ACD) have prepared "**Methodology and Rules** for the identification, analysis and prevention of corruption risks in the activities of state bodies (institutions)".

These documents reflect all progressive mechanisms related to the identification, analysis and prevention of corruption risks. In this context, the conditions and methods for conducting both internal (by public entities) and external risk (by dedicated body) assessments are clearly outlined.

2. Please summarize any findings of the measurement exercises. If several exercises have been conducted, have any trends been identified?

Reply:

The CRA Rule and its accompanying methodology have been finalized and are expected to be implemented in the near future.

3. Which institutions are involved in the measurement efforts (e.g. Ministry/ies, Anti-Corruption Agency, Civil Service Commission, Ethics Commission, National Statistical Office, Supreme Audit Institution, procurement authority, tax authority, law enforcement authority)? Is there a mechanism for interagency cooperation in measuring corruption?

Reply:

Involved authorities are the Commission on Combatting Corruption, The Anti-Corruption Directorate with the Prosecutor General of the Republic of Azerbaijan, all State and municipal bodies and SOEs.

Azerbaijan has implemented mechanisms for interagency cooperation in measuring corruption. These mechanisms involve multiple government agencies collaborating to collect, analyze, and share corruption-related data. This partnership ensures a thorough and coordinated approach to evaluating corruption levels and the effectiveness of anti-corruption initiatives.

The interagency cooperation includes regular meetings, joint task forces, and data-sharing agreements among relevant bodies such as law enforcement agencies, anti-corruption commissions, and statistical offices. Additionally, these agencies may work with international organizations and experts to refine their methodologies and align with global best practices.

4. Does your country engage with academia, civil society and the private sector in measuring corruption?

Reply:

Yes, Azerbaijan involves academia, civil society, and the private sector in measuring corruption. This collaboration ensures a more thorough and accurate evaluation of corruption levels and the effectiveness of anti-corruption efforts.

Academic institutions provide valuable insights and data on corruption trends and the impact of anti-corruption policies through research and analysis. Civil society organizations play a key role in monitoring and reporting corruption, increasing public awareness, and advocating for transparency and accountability. The private sector participates through partnerships and initiatives that promote business integrity and ethical practices.

By engaging these diverse stakeholders, Azerbaijan aims to create a more comprehensive and inclusive approach to measuring and combating corruption, utilizing the strengths and expertise of each sector.

5. Which challenges has your country encountered in measuring corruption and which steps have been taken to overcome them? E.g. Lack of resources, lack of methodological guidance, lack of technical capacity, lack of credibility of data, lack of legislation and procedures in place, multiplicity of data collection approaches, multiplicity of data sources and formats.

Reply:

Challenges include insufficient awareness due to the novelty, a lack of resources and technical capacity, and the multiplicity of data collection approaches.

6. Has your country participated in any international efforts or collaborations aimed at improving the measurement of corruption? If not, which efforts would you find helpful to inform your national measurement work?

Reply:

During the amendment of the CRA system in Azerbaijan, the initial version of the Methodology and Rules underwent enhancement by experts from the Council of Europe. This collaboration aimed to incorporate advanced international practices within the framework of the "Prevention and Combating

Economic Crimes in Azerbaijan" project, supported by the Partnership Program for Good Governance of the European Union and the Council of Europe.

Meetings were conducted with the expert between July and August 2023, with representatives from the Ministry of Justice and the General Prosecutor's Office in attendance. These sessions provided an opportunity to discuss and address any questions or concerns that arose during the preparation of the technical documents.

The recommendations provided by the expert were carefully considered, leading to amendments in the relevant documents to ensure alignment with best practices and international standards.

General Prosecutor's Office of the Republic of Azerbaijan