

## **ACTIONS PERFORMED IN THE SPHERE OF FIGHTING AGAINST CORRUPTION (2019-2)**

In order to substantially increase effectiveness in the fight against corruption several legislative and institutional measures have been performed in the first half of 2019 in accordance with political will of state leader Mr. Ilham Aliyev.

On April 03, 2019, The next progressive step has been made in the important institutional reforms in combating corruption by signing the Decree "On Deepening Reforms in the Judicial System" aimed at acceleration the process of forming a high-profile justice in the society, meeting the demands of the modern era, and increasing transparency, eliminating harassment and other negative cases, as well as humanizing the criminal policy .The implementation of this Decree has provided the beginning of a new stage in the development of the judicial system, further enhancing the accessibility and transparency .

As a part of the large-scale reforms implemented, the geographical coverage of 15 ASAN Service Centers, which play an important role in the formation of a new approach to civil service, civil service, and addressing bureaucracy, procrastination and corruption, has expanded. The launch of the DOST Centers as a unique project that allows to provide 126 services in the areas of employment, labor, social protection and social security on one-stop-shop principle is another clear example of reforms aimed at enhancement of social welfare and protection of human rights envisaged in constitution.

As part of the successful public policy in the fight against corruption, the Office of the General Prosecutor has identified, in the first half of 2019, the areas of management and service that are corruption –prone. In order to restore the rights of citizens exposed to corruption, and damage caused by corruption offenses, operative-investigative measures were carried out on a number of appeals received from citizens by means of the hotline 161 communication centre.

Information about the activities of the General Directorate in the media and television channels was brought to the public's notice.

All of this has created great opportunities for the successful and more effective implementation of the tasks set by the President before the General Prosecutor's Office, as well as the main socio-economic reforms, and the strengthening of the fight against corruption.



## **ACTIVITY IN THE SPHERE OF DETECTIVE-SEARCH**

35 appeals have been received by Detective and Detective support departments during first half of 2019. 18 of the them were received by "Hotline" call center, other 17 appeals were written applications of individuals and legal entities.

In total 27 criminal cases against were launched by Detective department in previous year resulted in launching 9 criminal cases. As a result of detective-search measures performed by Detective Department 4 persons have been caught red-handed in the first half of 2019.

207 detective tasks and surveys received by the departments of the Directorate, have been executed by Detective and Detective support departments.

Besides, 11 wanted persons have been arrested and transferred to the investigation authority.

## **PRELIMINARY INVESTIGATION SPHERE**

During the first half of 2019, preliminary investigation of 435 criminal cases have been conducted in the Investigation department of the Anti-Corruption Directorate with the Prosecutor General. 133 of them were initiated by the Directorate, 80 criminal cases have been separated from other cases, proceedings of 50 criminal cases have been renewed and 25 criminal cases were received from related authorities through General Prosecutor's Office. 147 criminal cases remained from previous period.

The same criminal cases mostly were related to misappropriation and embezzlement, giving bribe (active bribery), taking bribe (passive bribery), abuse of authorities, excess of authorities, negligence, service forgery, usage of false documents, misappropriation of official's authority, fraud and other facts.

Investigation of 208 criminal cases against 328 persons have been completed by Investigation department, 187 criminal cases against 316 persons have been sent to the courts for review, criminal prosecution on 21 criminal cases were terminated during first half of 2019.



139 cases from 187 criminal cases sent to the courts were related to material damage in the first half of 2019.

Recovering of 32.9 % or 14.997.651 manat from total 143.883.201 manat of damage has been ensured in the phase of preliminary investigation.

So, in the phase of preliminary investigation 46.8 % or 2.529.696 manat from 5.402.223 manat damage made to state property; 31.3 %, or 12.442.917 manat from 39.645.047 manat damage made to private property; 4.8 % or 25.038 manat from 521.537 manat damage made to municipality property have been recovered in the first half of 2019.

The property seizure in the amount of 5.937.913 manat on 5 criminal cases with completed investigation has been ensured during the first half of 2019.

### **PREVENTIVE ACTIONS**

The relevant generalizations and analysis with regard to nature of corruption related infringements have been performed by the Preventive measures and inquiry department of the Directorate.

For example, during inquiries conducted based on data submitted by the State Agency for Citizen Service and Social Innovation under the President of the Republic of Azerbaijan, cases of involvement of employees to performing work tasks by executives of some private companies without labor contracts (contracts) entered into legal force have been detected.

In this regard, according to Article 22 of the Law of the Republic of Azerbaijan "On the Prosecutor's Office" the heads of these companies have been formally warned in order to prevent further violations of the rights of employees. They have been noticed on implementation of more serious measures in case reiteration of mentioned violations.

In general, 14 officials were brought to disciplinary sanctions as result of review process of appeal received by the Directorate.

### **ACTIVITY OF THE SPECIALISTS**

Relevant inspections have been performed by group of Specialists on material and criminal cases submitted by structural bodies of the Directorate during the first half of 2019.



Thus, 75 decisions of investigator about involvement of specialist, 15 instructions about performance of specialist investigation from preventive measures and inquiry department, 3 instruction about performance of specialist investigation from Detective department and Detective support division, 1 instructions about performance of specialist investigation from Internal security division have been have been received and investigated by group of specialists.

### **ACTIVITY OF “HOTLINE” CALL CENTER**

1986 appeals have been received by “Hotline” call center of the Directorate on Fighting against Corruption under Prosecutor-General of the Republic of Azerbaijan from January 1 to June 31, 2019. 1869 of them are primary, while 117 are repeated appeals. 1787 out of 1869 primary appeals (89.99%) were sent to the relevant ministries, committees and other organizations under jurisdiction. 55 (2.76%) were transferred to other structural divisions of the Prosecutor’s Office, 111 (5.59%) - have been considered in the Directorate. On 33 appeals, citizens were explained about their rights since those were appeals not linked to corruption infringements.

At the same time, by purpose to eliminate the violations detected during the investigations performed by the Directorate related to the appeals received by “Hotline” call center, motions have been submitted to the relevant organizations and several employees in charge have been disciplined.

### **INTERNATIONAL COOPERATION**

Officers of ACD participated in the numerous international events organized by prominent international organizations such as GRECO, OECD, IAP, UNODC and etc.

Among them it’s should be particularly stressed an international seminar on "Upcoming human rights issues in the justice system" jointly organized by the International Association of Prosecutors and the Prosecutor's Office of Azerbaijan hosted in Baku on May 15-17, 2019.

Former President of the International Prosecutors Association and Attorney General of the Paris Court of Appeal, Falletti François, Attorney General of the Netherlands Court of Appeal, Professor of Law, University of Amsterdam, Miranda de Meyer, former judge of the European Court of Justice Stanislav

Pavlovski (Moldova) invited as international experts at the event, attended by 40 representatives from various public institutions of our country. The experts provided extensive information on freedom and immunity in the context of the European Convention on Human Rights, the right to a fair trial, and the protection of human rights and freedoms in the field of information. They also discussed in detail the problems and solutions to other related topics, the European Court of Human Rights's approach to these issues, the priorities and new directions. Presentations and practical questions, as well as other topics of interest to the workshop participants were answered by international experts. At the end of the event, the participants were given the appropriate certificates.