

AZERBAIJAN REPUBLIC

Commission on Combating Corruption

STATUTE

I. General Provisions

1. Commission on Combating Corruption (herein and after Commission) has been established according to Section 4.2 of the Anti-Corruption Act 2004 and acts as a specialized agency in the field of preventing corruption
2. Commission is governed by the Constitution of the Republic of Azerbaijan , international treaties to which it is a party, acts of the Republic of Azerbaijan and other statutory instruments, as well as, this Statute.
3. Commission is composed of and operated by 15 members. 5 members of the Commission is appointed according to the Section 32 of the Article 109 of the Constitution of the Republic of Azerbaijan, 5 members by Milli Mejlis (Parliament) of the Republic of Azerbaijan, 5 members by the Court of the Republic of Azerbaijan
4. Commission sets its activities in cooperation with legislative, executive and judicial powers and regularly informs them on state of struggle against corruption.

II. Principal Objectives of the Commission

5. Followings are the main objectives which Commission performs:
 - 5.1 participate in the formation of the state policy on corruption and coordinate the activity of public institutions in this area;
 - 5.2 analyze the state and efficiency of the fight against corruption;
 - 5.3 supervise the implementation of the state program against corruption;
 - 5.4 collect financial declarations envisaged in Section 5.1 of the law on “Combating Corruption” of the Republic of Azerbaijan;

5.5 supervise the submission process of the financial declarations envisaged in Section 5.1 of the law on “Combating Corruption” of the Republic of Azerbaijan ;

5.6 collect, analyze and summarize information regarding corruption related law violations and make proposals to the appropriate public institutions;

5.7 cooperate with public and other institutions in the field of combating corruption.

6. Commission fulfills other duties provided by the legislation.

III. Basic authorities of the Commission

7. Commission, in order to reach its objectives, is vested with following authorities:

7.1 to study and generalize the state of execution of the anti-corruption legislation and to hear the reports and information provided by the heads of the law enforcement and other state bodies;

7.2 to receive from state and local administrative bodies necessary information and materials, submits justified written informational requests according to the Law of the Republic of Azerbaijan “State registration on immovable property” to get information on the state registration on immovable property.

7.3 to receive information on the state of the implementation of the state program on combating corruption from the corresponding state bodies and analyses the state of the implemented works;

7.4 to prepare recommendations and proposals for increasing the efficiency of the combating corruption and elimination of the shortcomings in the field of combating corruption and take measures for their implementation;

7.5 to take measures for organization of public awareness in the area of combating corruption and conduction of public surveys

7.6 to cooperate with NGO's, mass-media, private sector representatives', independent experts and in case of necessity to involve them for the execution of certain tasks;

7.7 to take part in international cooperation for increasing the efficiency and organization of the struggle against corruption;

7.8 carries out the generalization of the appeals related to corruption complaints, as well as based on the results of its activities, entrusts to the state bodies and auditing organizations the examination of the state or municipal bodies' activities in regard of

which complaints received more and if detects the elements of criminal offences in materials, sends the materials to the Prosecutor's Office of the Republic of Azerbaijan

7.9 to make proposals for the improvement of the anti-corruption legislation;

7.10 to prepare programs and projects on the issues related to combat corruption and provide financial assistance to non-governmental organizations for the implementation of it.

8. Commission shall have other authorities provided by the legislation.

IV. Organization of the activity of the commission

9. Chairperson of the Commission organizes and manages the activity of the Commission. Members of the Commission elect the chairperson by simple majority of the votes.

10. Commission considers the issues within its competence at its sessions. Commission holds regular meeting, which shall occur at least once in every three months. If necessary, the Commission shall be summoned in extraordinary meetings according to the Regulations provided by Section 4.5 of this Statute. Meeting of the Commission is considered valid shall 2/3 of the members be present. Commission passes its decision by simple majority of votes of those members present. Shall the votes split equally, the vote of the chairperson prevails. Commission's member is entitled to attach his special personal opinion to the decree of the Commission if it differs from the Commission's. The decrees of the Commission on some matters related to the authorities of the Commission could be adopted by the chairman of the Commission by considering the opinion of the members without summoning the meeting.

11. Other people may be invited to the meetings of the Commission.

12. Members of the Commission are independent in their activity.

13. Commission endorses its Regulations.

14. Commission has its headed note-paper containing National Symbol of Azerbaijan.

15. Permanent Secretariat attached to Commission is established. The head of the Secretariat is appointed and dismissed by the decision of the Commission, other employees by the decision of the chairman of the Commission. The Secretariat fulfils organizational tasks related to arrangement of the meetings of the Commission,

prepares documents for the issues to be raised in the Commission meetings and provides clerical support

16. Secretariat is a public institution and its members are public servants.

17. Secretariat is funded from the state budget.

18. Commission determines the authorities of the Secretariat.

19. Commission sets up annual report on its activities and submits it to the President of the Republic of Azerbaijan , Milli Majlis and Constitutional Court of the Republic of Azerbaijan .