



The Eastern Partnership Roadmap to the Vilnius Summit

An assessment of the roadmap implementation by the Eastern Partnership Civil Society Forum, co-ordinated by the Regional Environmental Centre, Moldova, and PASOS – Policy Association for an Open Society, October 2013

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Participatory policymaking should be priority

Azerbaijan has slipped behind other partner countries with slow progress on Association and Visa Facilitation and Readmission agreements

Does the government engage with civil society on policymaking?

No

Is policymaking participatory, e.g. public consultations on draft legislation?

No

Does the government actively engage in dialogue with EU and civil society?

No

Is the process of drafting agreements between Azerbaijan and the EU transparent with public consultations?

No

Does the EU delegation actively engage in dialogue with government and civil society?

Partially

Does the EU delegation promote dialogue talks with government and civil society?

Yes

Positive developments:

- “Azerbaijan 2020: Look into the Future” development plans finalised
- Working agreement signed between State Border Service and Frontex
- Progress on Visa Facilitation and Readmission agreements – to be signed at Vilnius summit
- Agreement on TAP (Trans Adriatic Pipeline) as partner on Southern Gas Corridor

Negative developments:

- Amendments to legislation on freedom of assembly further limit citizens’ rights during elections, while political prisoners remain behind bars
- Neither participatory policymaking around draft legislation nor government participation in trilateral talks with the EU and civil society.

IN THE RUN-UP to the Presidential elections of 9 October 2013, the basis for a free and fair election was not in place: the freedom of assembly was restricted, civil society’s activities systematically curtailed, and journalists harassed and intimidated.

On the policy level, public consultations do not feature in the policymaking process in Azerbaijan. However, in some cases, government agencies invite pro-government civil society organisations to closed-door consultations. In 2013, the EU delegation made several attempts to bring the Civil Society Forum national platform and the government together for discussions on thematic issues, but without success. The government was expected to participate in the discussions of the Venice Commission’s Proposals on NGO law of Azerbaijan, but did not attend. An exception was the development concept on “Azerbaijan 2020: the Vision of the Future”, where consultations with civil society did take place, although not on the text of the concept itself.

The concept was approved in December 2012, paving the way for improvements in transport and infrastructure, including balanced development of the regions.

On 17 April 2013, a working agreement was signed on the establishment of practical co-operation between the State Border Service and Frontex, but on a range of issues, progress in Azerbaijan moved at a slower pace than in other partner countries (with the exception of Belarus). Negotiations on a visa facilitation regime and readmission agreement between Azerbaijan and the European Union have developed slowly, in part related to financial-technical aspects of the readmission issue, but the visa facilitation and readmission agreement is now expected to be signed at the Vilnius summit. Similarly, it was not possible to conclude an Association Agreement – failing to reach agreement on political and legal reforms, human rights and freedoms, market economy, and free trade.



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Government engagement with civil society

In general, Azerbaijan civil society is a weak implementing partner for the government. Dialogue between the government and civil society is not held on a regular basis. Due to the lack of an open tendering process, when services are commissioned from civil society by government agencies, they are generally ordered from groups that are close to the government.

Developments in participatory policymaking

The practice of organising public consultations does not exist in the policymaking process in Azerbaijan. However, in some cases, government agencies invite pro-government civil society organisations to closed-door consultations.

The "Azerbaijan 2020: Look into the future" concept of development was open to consultation with experts and civil society, although draft versions of the concept were not made available for open discussions. As a rule, draft laws are not made publicly available, and are published only in their final form.

Reviews of the draft and implementation of the state budget were prepared by the National Budget Group. These included recommendations for improvement of public finance management, but they were not taken into consideration by the government.

Role of EU as catalyst to foster policy dialogue

On the occasions of drafting agreements between the EU and Azerbaijan, civil society and independent experts have not been invited to participate or contribute.

In 2013, the EU delegation made several attempts to bring the Civil Society Forum national platform and the government together for discussions on thematic issues, but without success.

Only bilateral discussions between the EU, international organisations, and civil society have been possible. The government was expected to participate in the discussions of the

Venice Commission's Proposals on the NGO law of Azerbaijan, but did not attend.

Otherwise, the European Commission and EU delegation in Azerbaijan interact with civil society largely within the framework of several EU-funded projects.

There was a meeting between human rights organisations that are members of the national platform and the EU Ambassador, Roland Kobia, on 22 April 2013, including an exchange of views on the ENP Progress report on Azerbaijan. On 2 May 2013, a meeting was held between members of the national platform and Štefan Füle, European Commissioner for Enlargement and Neighbourhood Policy.

A Public Forum on the Situation of Political Freedoms in Azerbaijan was held in Baku by the Election Monitoring and Democracy Studies Center (EMDS) on 11 October 2012, and did include government participation.

In the first part of the forum, participants discussed the "EU's Eastern Partnership Policy priorities on provision of political freedoms". During the second part of the forum, participants discussed the "expected impacts of the 16 October 2013 presidential elections on relations between Azerbaijan and Europe and opportunities for improving election practice".

Representatives from the government of Azerbaijan, civil society, the international community, embassies and mass media attended the forum. The forum took place with financial support from the United States Agency for International Development (USAID) and the US National Democratic Institute (NDI).

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**ROADMAP IMPLEMENTATION
BY POLICY AREA**

**POLITICAL ASSOCIATION AND ECONOMIC
INTEGRATION**

Implementation of common values and principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law

Nagorno-Karabakh conflict

POLICY OBJECTIVES - step up efforts to contribute to the peaceful solution of the Nagorno-Karabakh conflict

- support for confidence building

- continue encouraging people-to-people contacts

Since the beginning of 2012, no serious breakthrough was achieved regarding resolution of the Nagorno-Karabakh conflict. Despite numerous attempts, no meeting at presidential level has taken place to discuss the peaceful resolution of the conflict since the meeting and subsequent joint declaration of the Presidents of Azerbaijan, Armenia, and Russia in Sochi on 23 January 2012.

Both the Foreign Minister of Armenia, Edward Nalbandian, after returning from an official visit to Russia in May 2013, and the Foreign Minister of Azerbaijan, Elmar Mammadyarov, informing the public about his meeting with the co-chairs of the OSCE Minsk group¹ held in London on 7 June 2013, stated that preparations for a meeting of the presidents were underway.

The next meeting between the Foreign Ministers of Azerbaijan and Armenia with participation of the co-chairs of the OSCE Minsk group and Personal Representative of the OSCE Chairperson-in-Office was held in Paris on 18 June 2012. The Ministers met once again in Paris on 27 October 2012 and on 28 January 2013, later meeting in Krakow on 17 May 2013. Furthermore, multiple meetings among the co-chairs, as well as between the co-chairs and high-ranking officials of the two countries were arranged, and visits to the region were realised, most recently on 23-24 May 2013.

¹ The OSCE Minsk group on the Nagorno-Karabakh conflict is co-chaired by France, the Russian Federation, and the United States.

Despite the meetings, no breakthrough has been reached, and both parties to the issue have continued to stand by their unyielding positions. A meeting between delegations of Azerbaijan and Armenia was organised at the Parliamentary Assembly of the Council of Europe (PACE) on 24 April 2013 and again on 26 June 2013.

On 28 November 2012, both parties were invited to the event, "Nagorno-Karabakh – Dialogue Forum: Exchange of Views between the Azerbaijani and Armenian Communities of Nagorno-Karabakh" held in Berlin. The Armenian community declined to attend a forum for dialogue with the Azerbaijani community.

The co-chairs have initiated several attempts to organise a meeting of the Presidents of Armenia and Azerbaijan throughout 2013, and statements at the beginning of November indicate that a meeting will be realised in the second half of November 2013.

A key feature of this process has been positive and encouraging statements made by the US government on peace-building, including the appointment of a US special envoy for the Karabakh conflict. This approach was reinforced in the letter of congratulation of US President Barack Obama sent to President Ilham Aliyev on 7 November 2013).

Strengthen democracy

POLICY OBJECTIVES - continue implementation of electoral reform on the basis of Council of Europe Venice Commission and OSCE/ODIHR recommendations

- continue institutional reform to ensure proper checks and balances between executive and legislative powers in conformity with the commitments undertaken before the Council of Europe

The parliament of Azerbaijan adopted amendments to the Electoral Code in April 2012 and April 2013 respectively. The change adopted in 2012 significantly strengthens the right of citizens to make complaints regarding the electoral process. According to the amendment made in April 2013, Election Day is to be considered a non-working day for the citizens of Azerbaijan.

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However, the amendments made to legislation on freedom of assembly in February 2012 and November 2012 limited citizens' rights during elections and hampered citizens' active participation in the election process.

The opposition organised a public forum on "Prospects for Democratisation of the Legal-Political Environment on the Eve of the Presidential Elections". At the forum, nearly 70 organisations signed a Memorandum on Improvement of the Electoral Code. On 29 May 2013, a new unified list of voters was completed.

Throughout 2012 and 2013, there were no legislative changes to strengthen checks and balances between legislative and executive bodies. The image of parliament acting as a "ratification body for the presidential apparatus" has not changed.

The basis for a free and fair election was not in place for the Presidential elections of 9 October 2013: the freedom of assembly was restricted, civil society's activities systematically curtailed, and journalists harassed and intimidated.

Conclusion of Association Agreement**POLICY OBJECTIVES**

- continue
implementation of

ENP Action Plan priorities and engagement in preparation of the Association Agenda, anticipating Agreement obligations, including regulatory approximation and capacity building

The association agreement talks between Azerbaijan and EU are ongoing in four directions:

- political dialogue and reform, foreign and security policy;
- justice, freedom and security;
- co-operation on economic and sectoral policy;
- trade and trade relations.

The negotiations continued in October 2012 and April 2013. Discussions continued during the 13th session of the Committee on Azerbaijan-EU Co-operation, when visa facilitation negotiations also progressed.

According to the EU progress report on relations with Azerbaijan within the framework of the European Neighbourhood Policy, the

negotiations with Azerbaijan are progressing slowly in comparison with other countries. However, according to the official information disclosed by the EU on 17 May 2012², 15 out of the 28 paragraphs of the agreement had been agreed by the European Commission and the government of Azerbaijan, and another three paragraphs were very close to reaching a conclusion.

Those paragraphs agreed cover education, youth, transportation, tourism, navigation, and fishing, economic dialogue, tax levies and environmental protection. Negotiations are underway also on legal issues, health, and the production of natural resources.

The government of Azerbaijan has expressly stated its wish for an association agreement with the EU. President Ilham Aliyev said upon his visit to Brussels on 21 July 2013: "As long as we are closer to Europe, we will progress more, and the perspective of our democratic development will be augmented. We are deeply grateful to the European institutions for their co-operation in this field. I consider that this will allow Azerbaijan to realise its political reforms in the direction of democratisation and human rights in accordance to international standards".

Public authorities in Azerbaijan sometimes blame the EU for delays in the signing of the association agreement. On the other hand, it can be seen from the statements of both Azerbaijan and EU officials that the main reason for delays in the process has been the cautious position of the government of Azerbaijan, in particular over the failure to reach agreement on political and legal reforms, human rights and freedoms, market economy, and free trade. These are the areas where Azerbaijan society holds high expectations for progress through deepening relations with the EU. The signing of a framework agreement setting out the commitments of the government of Azerbaijan in these areas would mark a major step forward in relations with the EU, and public perceptions of the relationship.

Otherwise, pragmatic interests (specifically energy relations) will prevail over values in relations between Azerbaijan and the EU. This narrow pragmatic focus would have a negative impact on the European integration process for Azerbaijan, and on perceptions of the scope for the EU as a positive partner in supporting democratisation and human rights and freedoms in Azerbaijan.

² <http://www.azadliq.org/content/news/24583698.html>

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While developments towards agreement continue, the problems related to identification of standards in the field of political, legal and economic relations indicate that there are unmet expectations, and accordingly the signing of an association agreement between Azerbaijan and the European Union will be delayed beyond the Vilnius summit.

The calendar that will be determined after the finalisation and signing of the association agreement between Azerbaijan and the EU is dependent on the prioritisation by EU officials of key directions in relations with Azerbaijan, as well as on the extent to which the incumbent Azerbaijan government will be prepared to introduce and implement reforms.

Establishment of Deep and Comprehensive Free Trade Area

POLICY OBJECTIVES

Enhanced dialogue on the WTO accession

Upgrade the trade-related provisions of the current Partnership and Cooperation Agreement pending the conclusion of a non-preferential agreement in the framework of the Association Agreement

In 2012, negotiations continued on the accession of Azerbaijan to the World Trade Organization (WTO), with the 9th and 10th working group meetings in Geneva on 24 February and 7 December respectively. A new version of the Universal Periodical Review (UPR) for Azerbaijan - factual summary - was assessed at the 10th session. Topics debated at the session included:

- elimination of import restrictions;
- harmonisation of excise duties, including adaptation of expenses charged for services;
- elimination of export subsidies in agriculture;
- meeting the demands of international standards in terms of sanitary, phytosanitary measures, technical regulations;
- adaptation of relevant legislation issues.

The next multilateral meeting on domestic support in the field of agriculture was held on 6 December 2012. The charts (ACC/4) on domestic support submitted by the Azerbaijan party were discussed at the meeting. Azerbaijan also carried on trilateral negotiations - and important factor for accession to WTO.

The fifth trilateral protocol was signed with Kyrgyzstan on 30 May 2012. Furthermore, the final cycle of trilateral negotiations arranged in Geneva addressed trade in products and services with USA, the EU, Norway, Canada and Japan, and products from Brazil.

In Geneva on 3-7 June 2013, trilateral negotiations over services were held with Canada within the framework of the accession of Azerbaijan to WTO. Similar meetings have been arranged with South Korea, Taiwan, and Honduras. In addition, the members of the Cairns Group on agriculture³ held trilateral consultations with representatives of the governments of Australia, Canada, Brazil, Pakistan, Argentina, and Indonesia.

ENHANCE MOBILITY IN A SECURE AND WELL-MANAGED ENVIRONMENT

Visa facilitation and readmission agreements

POLICY OBJECTIVES

Enhanced justice and home affairs co-operation in line with the provisions of the ENP Action Plans

The main steps towards visa facilitation between Azerbaijan and the EU were launched after the European Council gave a mandate to the European Commission to start negotiations on 20 December 2011.

Negotiation rounds on the visa facilitation and readmission agreements were held in Baku on 1-2 March 2012 and in Brussels on 31 May - 1 June 2012. After the completion of a third cycle of negotiations in Baku on 6-7 November 2012, the deputy minister of foreign affairs, Mahmud Mammadgulyev, said: "We cannot say that all issues were discussed and the parties reached an agreement, however there has been some progress on certain activities."

The fourth cycle of negotiations took place in Brussels on 11-12 March 2013. The head of the EU delegation to Azerbaijan, Roland Kobia, told journalists that the negotiations were successful: "We have come closer in our positions in regard to visa facilitation and readmission issues. Our work is not done yet, but I hope that we can see tangible outcomes

³ The Cairns Group is a coalition of 19 agricultural exporting countries with a commitment to reforming agricultural trade, www.cairnsgroup.org

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in a short period of time.” Kobia underlined in a statement on 29 May 2013 that the remaining nuances separating the two parties were close to being resolved, and that an agreement on visa should be signed at the Vilnius summit in November 2013.

The negotiations on visa facilitation and readmission issues between Azerbaijan and the EU developed slowly in comparison with other Eastern Partner countries (except Belarus which has not taken up the EU’s invitation to launch negotiations). For instance, Georgia signed a visa facilitation and admission agreement on 17 June 2010, and Armenia followed suit on 17 December 2012.

The reasons for the prolonged negotiations in the case of Azerbaijan were mainly related to financial-technical aspects of the readmission issue, as well as the different approach of Azerbaijan to the visa facilitation process. Political reasons have also led Azerbaijan to take a cautious approach in its steps towards facilitation of visa procedures with a range of countries.

POLICY OBJECTIVES **Effective implementation of the visa facilitation and readmission agreements**

Strengthening justice and home affairs co-operation

According to official information released by the State Migration Service (SMS), certain activities were fulfilled in the direction of improvement of national legislation on migration. The final versions of the Migration Code and the Readmission Strategy of the Azerbaijan Republic, prepared by the SMS after taking into account EU legislation, were presented to the Cabinet of Ministers. These addressed the need to protect the rights of citizens residing beyond the borders of Azerbaijan and proposals regarding the formation of unified legislation in the field.

Subsequently, however, the Readmission Strategy has not come into force.

Trainings were organised for service employees on 11-13 April 2012 and 12-13 February 2013 with the support of the Embassy of the Netherlands in Azerbaijan. In 2011-2012, the SMS, in co-operation with the Repatriation and Departure Service of the Ministry of the Interior and Kingdom Relations in the Netherlands, implemented the project, “Combat against illegal migration and support to

management of readmission in the Republic of Azerbaijan” within the framework of MIEUX programme⁴.

At the beginning of April 2013, the project “Supporting the establishment of effective readmission management in South Caucasus” was started. This project, implemented with support of the International Organization for Migration (IOM) and the EU, will be continued for two years with a total budget of € 1.49 million. The main aim of the project is to establish and develop an effective readmission management mechanism in three countries in the South Caucasus.

The project also offers support to conclusion of readmission agreements and technical assistance to the governments on its implementation, including enabling a continuous reintegration process for readmitted people. The deputy chair of the SMS, Parviz Musayiev, stated during the presentation of the project that “Azerbaijan has not signed any readmission agreement with any country, and I believe that such an agreement will be signed with the European Union”.

POLICY OBJECTIVES **Implementation of existing Mobility Partnerships and possible launching of new ones**

Negotiations on the establishment of a Mobility Partnership between Azerbaijan and the EU were commenced. These negotiations are being pursued in parallel with the visa facilitation and readmission processes.

After the 14th Assembly of the Azerbaijan-EU Co-operation Committee held in Baku on 1 October 2013, the Ministry of Foreign Affairs of Azerbaijan officially stated that the agency was satisfied with progress on the readmission and visa facilitation agreement between the EU and Azerbaijan. Some statements confirm that the agreements will be signed, ratified and come into force at the Vilnius Summit, whereas other statements claim they will be concluded in 2014.⁵

⁴ Migration EU eXpertise ‘MIEUX’ is a joint EU-ICMPD (International Centre for Migration Policy Development) initiative that aims to enhance the capacities of partner countries and regional organisations to better address all areas of migration through a comprehensive approach to migration management.

⁵

http://www.amerikaninsesi.org/content/ai_azerbaijan/1761537.html

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The Tempus Programme (trans-European mobility scheme for university studies) funded by the EU has stimulated active development of universities in Azerbaijan and the EU (13 projects were successful).

Mobility in a well-managed & secure environment

Asylum

POLICY OBJECTIVES

Pursue modernisation of national asylum system in line with international and EU standards, including an IDP (internally displaced persons) protection system

There is a necessity for improvements regarding the protection of refugees and those seeking political asylum in the Republic of Azerbaijan. Leaders of non-governmental organisations have regularly expressed criticism over these issues, combined with presentation of proposed reforms. The Migration Code, prepared by the SMS, has taken into consideration the legislation of EU in this regard.

Fight against irregular migration, including readmission

POLICY OBJECTIVES

Conclude and implement readmission agreement with the EU

Adopt measures aimed at the sustainable reintegration of returning citizens; introduce biometric passports and ID cards in the first half of 2014 and ensure security of breeder documents

On 30 December 2011, numerous amendments were made to the law, "About the national identity card of the citizen of Azerbaijan Republic".

The amendments will come into force on 1 January 2014. According to the law, every citizen of Azerbaijan is to receive an identity (ID) card after having reached the age of 15, and a person granted citizenship of Azerbaijan is to receive an identity card within a month. The citizens' identity card will be valid for 10 years, but those who are above the age of 55 will receive a card without time expiration.

The identity card will include along with other data an individual identification number and photograph in accordance with the requirements of the International Civil Aviation Organization (ICAO). It will also include a micro-chip. The identity card is changed in the event of expiration of the term of validity, change of first name or family name, or the insufficient condition of the card or its micro-chip, or inaccurate data. Identity cards issued before 1 January 2014 are valid until the holder reaches the age of 25, 35, or 50, or until change of name, marital status, loss of the identity card, or identification of inaccurate data on the card.

On 12 June 2012, Parliament adopted amendments to the Law "About exit from the Country, entry into the country, and about passports".⁶ Despite the stipulation in the law that the majority of provisions should come into force by 1 June 2013, this deadline was changed to 1 September 2013 by the decision of Parliament on 24 May 2013. Parliament also made changes of a technical character to the Bill on 19 April 2013 and 21 June 2013.

The statute on implementation of the law on "About exit from the Country, entry into the country, and about passports" was endorsed by the decree of President on 11 June 2013.⁷

This statute determines the rules of issuing passports to citizens, the legal status of citizens leaving for permanent residence abroad, and the rules of entry into the Azerbaijan Republic and of exit from the Azerbaijan Republic for foreigners.

According to the decree of the President, "One passport – one man", international experience will be applied in Azerbaijan, the rules of issuing passports will be simplified, and the time taken to issue passports will be shortened.

⁶ <http://www.meclis.gov.az/?/az/legislation/view/2133>

⁷ <http://president.az/articles/8451>

AZERBAIJAN: Assessment May 2012 – October 2013**Legal migration and enhancing the link
between migration and development****POLICY OBJECTIVES**

Partner countries to establish a comprehensive migration policy, including measures aimed at addressing the brain drain, social security, recognitions of skills and qualifications, integration of migrants, fighting racism and xenophobia, maintaining relations with diasporas

Update migration profiles

Develop an effective migration management strategy, including strengthening the capacities of the State Migration Service and development of a unified database in the field of migration

In regard to strengthening the migration service, certain actions were taken in this direction, e.g. trainings were conducted. Work was carried out on the formation of a single database, and awareness-raising campaigns were initiated. The State Migration Service (SMS) regularly updates its website about migrants in the country, the improvement of the migration service and related activities.

The changes (The law of Azerbaijan Republic and other normative acts considering changes to the Bill of Azerbaijan Republic on “Regulations on stateless persons permanently residing in the Republic of Azerbaijan and special documents of foreigners who want to live more than 30 days in the Republic of Azerbaijan”) applied to the legislation were considered to further fortify existing procedures and were rebuked even by some deputies in the parliament.

Fight against trafficking in human beings**POLICY OBJECTIVES**

Partner countries to adopt the legislative, policy and institutional framework and ensure its effective implementation, ratify and fully implement the relevant international conventions

Establish a national referral mechanism

Improve co-operation and exchange of information with EU

Pursue the implementation of the National

Action Plan for Combating Trafficking in Human Beings (2009-2013)

The “National Action Plan to Combat Trafficking in Human Beings in the Republic of Azerbaijan” (2009-2013) has been implemented. On 2 November 2012, the National Co-ordinator for Combating Trafficking in Human Beings, the Deputy Interior Minister Vilayat Eyvazov, released the report for 2012 on combating trafficking in human beings.

According to the report, upon the decision of the government, the amount of compensation that is paid to victims of human trafficking during the reintegration period was doubled to 400 manats (€ 393). In addition, the Council on State Support to NGOs under the auspices of the President allocated 33,500 manats grants to five NGOs for the implementation of projects on fighting human trafficking.

The special police squad participated in television debates dedicated to the topic of human trafficking on several television channels, and actively participated in seminars organised by the OSCE Baku office, the International Organization for Migration (IOM), the American Bar Association, and Red Crescent Society. On 19 April 2013, amendments were enacted to the law, “About the Combat against Human Trafficking”, coming into force on 7 May 2013.

Integrated Border Management**POLICY OBJECTIVES**

Develop and implement a national strategy on integrated border management

In August 2012, representatives of the European Agency for the Management of Operational Co-operation at the External Borders of the Member States of the European Union (Frontex) paid a visit to Baku and met with employees of the Azerbaijan State Border Service.

On 17 April 2013, a working agreement on establishment of practical co-operation between the State Border Service and Frontex was signed. This will build on the initiatives on reinforcing border co-operation between Azerbaijan and Georgia that were carried out within the framework of “Support to the establishment of integrated Border Management System in South Caucasus

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countries”, a project implemented with the financial support of the EU in 2010-2012. The main aim of the project is to reinforce co-operation between Azerbaijan and Georgia in the field of border management and increasing the resources of relevant national institutions.

Within the framework of Integrated Border Management, a meeting between Azerbaijani and Georgian border teams was arranged in Kvareli on 29-31 August 2012. Furthermore, the State Border Service attended a seminar and meetings within the framework of the implementation of “Eastern Partnership – Integrated Border Management Flagship Initiative Training Project (EaP IBM FIT)”.

Fight against organised crime

POLICY OBJECTIVES

Partner countries to adopt the

legislative, policy and institutional framework and ensure its effective implementation

Ratify and fully implement relevant international conventions

Strengthen capacities of law enforcement authorities to fight organised crime, while ensuring appropriate data protection safeguards

Develop an effective strategy for fight against organised crime

Enhance regional co-operation

In 2012, Azerbaijan continued its co-operation with INTERPOL. The Secretary General of INTERPOL, Ronald Noble, initiated the strengthening of co-operative relationships between parties in the context of the Eurovision Song Contest held in Baku in May 2012. Noble took part in the Commonwealth of Independent States (CIS) interior ministers' meeting organised in Baku in September 2012. In his speech, Noble called upon the CIS countries to recognise the INTERPOL travel document (electronic passport) to allow INTERPOL law enforcement officials to enjoy visa-free travel.

In November 2012, the delegation of Azerbaijan headed by the Minister of Internal Affairs, Ramil Usubov, attended the INTERPOL General Assembly in Rome.

Fight against financial crime, including terrorist financing

POLICY OBJECTIVES

Partner countries to adopt the

legislative, policy and institutional framework and ensure its effective implementation

Establish/ strengthen Financial Intelligence Units and foster their co-operation with the FIUs of the EU MS

Partner countries to ratify relevant conventions preventing radicalisation and recruitment for terrorist activities

Develop and enforce legislation in this area, including the signing and ratification of the Council of Europe (CoE) Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism

In 2012, Azerbaijan co-operated with the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL). An Azerbaijan delegation, headed by Rufat Aslanli, the chairman of State Committee for Securities, attended the 39th and 40th plenary sessions of MONEYVAL held in July and December 2012 respectively.

At the 39th session, MONEYVAL assessed progress in relations with Azerbaijan. The meeting decided to abolish the regime of "formal report" on money-laundering with respect to Azerbaijan concerning the fight against "dirty" money and legalisation on property obtained by illegal means and terrorist financing.

Tackling illicit drugs

POLICY OBJECTIVES

Partner countries to adopt and implement national drug policies and integrated drug action plans

Pursue implementation of national action programme (2007-2012) against drug addiction and drug trafficking with particular emphasis on law enforcement and regional co-operation

The implementation of the “State Programme on the Control of Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and

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Precursors in 2007-2012” continued in 2012. In addition, in 2012 a new state programme was prepared for 2013-2018. The new programme was approved and took effect from 24 June 2013.

Azerbaijan participated in the first “Reitox” conference organised by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) in Lisbon in May 2012. Additionally, a group of representatives from the State Commission on the Fight against Drug Abuse and Illicit Drug Trafficking took part in the meeting of the Pompidou Group of the Council of Europe (Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs) in November 2012. The representatives from Azerbaijan stated their willingness to co-operate with the Group.

On 11-15 March 2013, a delegation consisting of high-level officials from the State Commission on the Fight against Drug Abuse and Illicit Drug Trafficking, the Ministry of Foreign Affairs, the Ministry of Internal Affairs, the Ministry of National Security, the Ministry of Health, the State Customs Committee, and the State Border Service attended the 56th Session of the Commission on Narcotic Drugs (CND) organised by the United Nations Office on Drugs and Crime (UNODC) in Vienna.

Fight against corruption

POLICY OBJECTIVES Partner countries to adopt the legislative, policy and institutional framework and ensure its effective implementation

Play an active part in anti-corruption monitoring mechanisms (GRECO, OECD Anti-Corruption Network for Eastern Europe and Central Asia and, where relevant, Istanbul Anti-Corruption Action Plan)

Implement relevant legal instruments, including appropriate follow-up to the recommendations and political commitments

Play an active part in the UNCAC (United Nations Convention against Corruption) review mechanism

Enhance the role of civil society in that area

Continue efforts to develop anti-corruption legislation and its effective application

In 2012, measures were completed to comply with the 5th, 6th and 12th articles of the Criminal Law Convention on Corruption of the Council of Europe, and to stipulate the non-compliance of the Additional Protocol of the Convention in the occupied territories of the Azerbaijan Republic.

Azerbaijan joined the Agreement for the Establishment of the International Anti-Corruption Academy as an International Organisation and became a full member of this agency.

The National Action Plan on Open Government Partnership and the National Action Plan on Combating Corruption were approved by decree of the President on 5 September 2012.

The “ASAN service” centre under the State Agency for Public Service and Social Innovations under the President was established by decree of the President No.685 dated 13 July 2012. The main goal of this service is to strengthen transparency and the fight against corruption. Nevertheless, according to the third evaluation round Compliance Report on Azerbaijan adopted by GRECO (Group of States against Corruption) at its 57th Plenary Meeting in Strasbourg on 15-19 October 2012, the government of Azerbaijan has fulfilled satisfactorily only seven out of 17 GRECO recommendations.

⁸ “Reitox” (Réseau Européen d’Information sur les Drogues et les Toxicomanies) is the European information network on drugs and drug addiction created at the same time as the EMCDDA.

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SECTOR CO-OPERATION

Promote participation in EU programmes and facilitate the conclusion of general protocols to be followed by specific Memoranda of Understanding (MoU) with Partner Countries

POLICY OBJECTIVES

Partner countries need to make informed decisions about their participation in programmes, in consultation with the EU

Azerbaijan to consider negotiating protocols to the Partnership and Co-operation Agreement as a first step, providing the legal basis for participation in EU programmes

Azerbaijan to consider negotiating memoranda of understanding for individual programmes where appropriate

During 2012 and 2013 to date, regular mutual meetings have been held between the EU and Azerbaijan, and EU officials have paid frequent visits to Azerbaijan, particularly in 2012. The European Commissioner for Enlargement and European Neighbourhood Policy, Stefan Füle, the President of the European Council, Herman Van Rompuy, the European Commissioner for Energy, Günther Oettinger, Vice President of the European Commission, Neelie Kroes, and finally again Commissioner Füle, travelled to Azerbaijan in April, July, August, November 2012 and May 2013 respectively. During this period, mutual visits by members of parliament from both the EU and Azerbaijan were realised, and the second plenary session of the EURONEST Parliamentary Assembly was held in Baku in April 2012.

In the first half of 2013, officials from Azerbaijan paid frequent visits to EU countries. The Minister of Foreign Affairs, Elmar Mammadyarov, participated in the "Eastern Partnership" programme held in Krakow in Poland, and meeting of ministers of foreign affairs of the Visegrad Group in May 2013. President Ilham Aliyev met with the President of the European Commission, José Manuel Barroso, and the President of the European Council, Herman Van Rompuy, in Brussels in June 2013. The parties mainly focused on human rights issues, the Nagorno-Karabakh conflict, energy issues, visa facilitation, and Eastern Partnership topics.

In March 2012, an EU mission visited Baku in order to launch official negotiations between Azerbaijan and the EU over easing the visa

regime through reaching visa facilitation and readmission agreements.

In February 2013, discussions were held on extending the implementation of the Memorandum of Understanding in the field of Energy signed between the EU and Azerbaijan. The policy decisions of the Azerbaijan government in regard to the TANAP (Trans Anatolian Gas Pipeline Company) and TAP (Trans Adriatic Pipeline) energy pipelines have been received positively by the EU.

Promote Partner Countries' participation in the work of EU agencies

POLICY OBJECTIVES

Partner countries need to identify priority agencies and explore possibilities for co-operation activities or formal agreements as appropriate

Negotiate agreements with individual agencies:

Europol: enhance co-operation

- ongoing

FRONTEX

signature of working arrangements

CEPOL

Participation in CEPOL training activities

- signature of formal cooperation agreements

On 16 April 2013, the European Agency for the Management of Operational Co-operation at the External Borders of the Member States of the European Union (Frontex) and Azerbaijan State Border Service signed a working arrangement on co-operation. The Ministry of Justice of Azerbaijan Republic has pursued the so called "Support programme on judiciary reforms in 2011-2013" project in partnership with the EU.

Furthermore, Azerbaijan signed the Third Additional Protocol of the European Convention on Extradition on May 14, 2012. On the same day, the Minister of Justice, Fikrat Mammadov, met with the President of the European Court of Human Rights, Sir Nicolas Bratza. At their meeting, it was agreed to conduct joint educational activities for Azerbaijan judges both in Azerbaijan and Strasbourg.

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On 21 December 2012, Azerbaijan adopted the Eastern Partnership Police Co-operation Programme, which aims to foster co-operation in the field of police services between the EU and Eastern Partnership countries.

Energy

Promote energy security and sustainability, notably through infrastructure, energy efficiency and renewables

POLICY OBJECTIVES

EaP countries to continue

developing and sustaining strategic oil stocks

EaP countries to pursue electricity tariff reforms, implement measures to ensure full cost-recovery, strengthen capacity and independence of regulators, and set up appropriate legislative frameworks

Realisation of the Southern Gas Corridor

Implementation of the Joint Declaration on the Southern Gas Corridor

State Agency for Renewable Energy Sources and Energy Efficiency established and operational. Legal framework still in Development

In 2012-13, significant steps have been implemented in the direction of realisation of the Southern Gas Corridor.

President Aliyev met the European Commissioner for Energy, Günther Oettinger, in Baku on 2 September 2012. Energy co-operation and the Southern Gas Corridor were priority topics of discussion upon the visits of the EU High Representative for Foreign Affairs and Security Policy, Catherine Ashton, on 2 April 2012, the President of the European Council, Herman Van Rompuy, on 5 July 2012, and the European Commissioner for Enlargement and European Neighbourhood Policy, Štefan Füle, on 2 May 2013.

The agreements between Azerbaijan and Turkey on gas transit in 2011 were followed by the signature in Istanbul on 26 June 2012 of an inter-governmental agreement on the Trans-Anatolian Gas Pipeline between the Republic of Turkey and the Republic of Azerbaijan. At

the beginning of January 2013, the presidents of Azerbaijan and Turkey both issued laws approving inter-governmental contracts. On his visit to Baku, the President of the European Council, Herman Van Rompuy, mentioned that “the project of TANAP reinforces Azerbaijan’s and our commitment on implementation of the Southern Gas Corridor”.

On 21 June 2013, President Aliyev met with the President of the European Council, Herman Van Rompuy, and the President of the European Commission, José Manuel Barroso, in Brussels, when they discussed energy co-operation. On 28 June 2013, the Shahdaniz II Consortium in the context of the Southern Gas Corridor (a continuation of the TANAP project) chose between the Nabucco-West pipeline⁹ and TAP, and decided to support TAP. Despite the result that the Nabucco project could not be realised, this decision towards implementation of the Southern Gas Corridor was applauded by EU officials, representatives of the governments of Greece, Albania, and Italy, and also US officials.

Transport

Conclusion and implementation of Aviation Agreements

POLICY OBJECTIVES

Regulatory approximation

through gradual implementation of EU aviation legislation, including in the following areas: aviation safety, aviation security, consumer protection (such as passenger rights), environment (noise), social aspects, air traffic management, market access related issues such as slots and ground handling and airport charges.

During 2012, the employees of the State Civil Aviation Administration took part in the EU TRACECA (Transport Corridor Europe-Caucasus-Asia) Civil Aviation Project II events organized in Kyiv on 14-16 February, Astana on 12 September, Cologne on 11 October, Kyiv on 23-25 October, and Tbilisi on 22-26 October.

A delegation of the European Aviation Safety Agency (EASA) visited Baku to attend the presentation of the “TRACECA/EASA civil aviation safety and security” project. On 24-25 January 2013, the first cycle of negotiations

⁹ Nabucco-West was a proposed natural gas pipeline from the Turkish-Bulgarian border to Austria.

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took place between the State Civil Aviation Administration of the Republic of Azerbaijan and the EU delegation regarding an agreement to be signed on Joint Aviation Space.

Launch or enhancement of regional policy dialogues and development of Pilot Regional Development Programmes (PRDPs)

POLICY OBJECTIVES Promote a strategy-based, inclusive approach to reducing economic and social regional disparities and realising regional economic potential

Azerbaijan has submitted a Regional Development Strategy. The EU delegation is working with the government on how to develop pilot projects with a clear cohesion dimension in the most appropriate form

In 2012, the implementation of the “State Programme on socio-economic development of the regions of Azerbaijan Republic in 2009-2013” was continued.

The development concept, “Azerbaijan 2020: Look into the Future”, was prepared and approved by the President on 29 December 2012. The fifth section of this document portrays the improvement of the transport, transit and logistics infrastructure, including balanced development of the regions. The “ASAN service” centre, established on 13 July 2012 under the State Agency for Public Service and Social Innovations under the President of the Republic, is an example of a PRDP, and currently has three offices.

Environment and climate change

POLICY OBJECTIVES Work on approximating environmental legislation, especially in view of new Association Agreement

In 2012, discussions commenced in parliament over the Bill, “About environmental impact assessment”, and amendments were made to the “Law on industrial and domestic waste” and the law “About the animal world”. In addition, numerous new draft laws, including “About protection of greenery” and “About environmental auditing activity” were prepared.

The Bill on “About the protection of the environment” came into force on 7 March 2013.

Azerbaijan has joined several international agreements, including the Montreal Protocol “On Substances that Deplete the Ozone Layer”, as amended in Beijing, and “Agreement on the Conservation of Populations of European Bats” (EUROBATS).

On 29 March 2013, the presentation of the Forum of Eastern Partnership Countries on Climate Change (Clima East) was organised by the Red Crescent Society in Baku.

Since 1 July 2013, the government of Azerbaijan is applying the “Euro-3” standard to regulate the quality of fuel emissions. Thus, the government banned with effect from 1 October 2013 the import of cars that do not meet the requirements of this standard.

On 16 November 2012, the third meeting of the European Ministerial Councils on Environmental Protection and Health was held in Baku. The Azerbaijan branch office of the Regional Environmental Center for the Caucasus (RED Caucasus) has continued to implement a climate change project with the financial support of the European Commission.