

## COUNTRY PROFILE

### Republic of Azerbaijan

#### I. BACKGROUND

Area	86,600 sq. km
Population	9,590,000 (July 2015)
GDP	USD 34 billion (2015)
GNI per capita	USD 3,564.3 (2015)
HDI	0.751; ranked 78 out of 188 countries (2014)
Life expectancy at birth	71.2 years
Mean years of schooling	11.2

Source: UNDP HDI; World Bank (2015)

#### a. Indicators on Quality of Public Service:

Indicator	2000	2005	2010	2013	2014
Government effectiveness	13.2	28.8	23.9	38.3	42.3
Regulatory quality	16.7	30.9	39.7	34.9	43.8
Rule of Law	14.4	28.7	23.2	29.9	30.8
Control of corruption	7.3	16.1	9.6	19.1	17.8

Source: World Bank (2015)

#### b. Political and Administrative Structure

Azerbaijan is a democratic, legal, secular and unitary republic. It has a presidential system, in which the executive branch exercises broad authority in relation to the parliament. For example, the President can propose appointment of judges, cancel a decision of the Cabinet of Ministers or dismiss it.

The executive branch consists of the President, his Office, the Prime Minister and the Cabinet of Ministers. The legislative branch is comprised of the Parliament (*Milli Majlis*). The Parliament has one chamber of 125 members, who are elected for a period of 5 years. The latest parliamentary elections were held in 2015, in which the New Azerbaijan Party (YAP is its Azeri acronym), chaired by President Ilham Aliyev, won a majority and holds 69 seats<sup>1</sup>. The judicial branch in Azerbaijan is comprised of the Constitutional Court and the Supreme Court. The judges are nominated by the President. The Judiciary includes the Courts of Appeal, ordinary and other specialized law courts.

<sup>1</sup> Republic of Azerbaijan, Parliamentary Elections, OSCE/ODIHR Needs Assessment Mission Report, <http://www.osce.org/odihr/elections/azerbaijan/179216?download=true>

## II. CIVIL SERVICE PROFILE

### a. Legal basis of the civil service

The Constitution and Civil Service Law (2000)<sup>2</sup> regulate the civil service of Azerbaijan. There are, moreover, some 90 legislative acts, both primary and secondary on public administration, which also regulate the civil service in different sectors and areas. The Constitution (Article 109) makes a distinction between political appointees and civil servants. The President of the Republic appoints heads of central administration (ministries, collegial bodies, services, agencies and commissions) and of the local executive entities. Other laws regulate political appointees. According to the Law "On Civil Service", state bodies are divided into 6 categories in a descending hierarchical order.

Positions in state bodies are classified as administrative or auxiliary, depending on the nature of their functions and source of authority. Administrative positions are those positions of heads of offices and departments of state bodies from the Supreme to 5th category and of their deputies, as well as the positions of specialists recruited into the civil service. Administrative positions are divided into 8 categories (the supreme category and categories from 1 through 7). Auxiliary positions are those positions of civil servants carrying out technical work in state bodies (clerk, typist, courier, archivist, lift operator, driver and other types of employees). Auxiliary positions are divided into 4 categories.

Ranks are established in accordance with the classification of administrative positions. The professional rank of civil servants indicates their professional level, gives them the right to hold an administrative position and to receive a bonus in addition to a wage and social benefits. A person entering the civil service for the first time is placed at the lowest professional rank determined by the administrative classification of the relevant position. Civil servants are deprived their professional rank only in case that they renounce their Azerbaijani citizenship.

**Table 28: Classification of Administrative Positions in the Azerbaijani Civil Service**

Category	State bodies
Supreme	Parliament; Constitutional Court; Cabinet of Ministers and Presidential Administration; Supreme Court of the Republic of Azerbaijan.
1 <sup>st</sup>	Parliament of the Nakhichevan Autonomous Republic (NAR); Chief Prosecutor's Office; Chamber of Accounts; Office of Judicial Legal Board; Office of the Attorney for Human Rights (Ombudsman).
2 <sup>nd</sup>	Supreme Court of the NAR; Cabinet of Ministers of the NAR; Prosecutor's Office of the NAR; Office of the Attorney of the NAR for Human Rights (Ombudsman); Military Prosecutor's Office; Appeal Courts; Central Election Commission; Secretariat of the Commission on Fight against Corruption; Office of the National TV and Radio-broadcasting Board.
3 <sup>rd</sup>	State agencies and state services established under the central executive power bodies; regional centres of Ombudsman; courts on grave crimes; administrative economic courts; military courts of the RA; Central Election Commission of the NAR; central executive power bodies of the NAR; Office of the National TV and Radio-broadcasting Board of the NAR; Military Prosecutor's Office of the NAR.
4 <sup>th</sup>	Local executive bodies; regional divisions of the central executive power bodies;

<sup>2</sup> Law of the Republic of Azerbaijan On Civil Service,

<http://unpan1.un.org/intradoc/groups/public/documents/apcity/unpan039052.pdf>

	bodies being subordinated under the central executive power bodies; city (region) courts; district (city) prosecutor's offices; military prosecutor's offices.
5 <sup>th</sup>	Local divisions of state agencies and state services established under the central executive power bodies, being under and subordinated to relevant executive power bodies; representations of local executive power bodies on administrative territorial districts.

### ***b. Definition of civil servant***

According to the Law "On Civil Service", a "civil servant is a citizen of the Republic of Azerbaijan, who holds a salaried civil service position (the salary should be exclusively paid from the state budget) as determined by this Law; he/she takes an oath to the Republic of Azerbaijan when recruited to occupy a civil service administrative position". Deputies and judges are not considered civil servants.

### ***c. Civil servants' profile***

#### ***Eligibility criteria***

Citizens of the Republic of Azerbaijan aged 16 and over and possessing professional skills in accordance with the requirements of a civil service position have the right to be recruited into the civil service regardless of race, nationality, language, sex, social origin, property status, place of residence, religion and membership in social and other organizations.

#### ***Total number of civil servants***

In 2014, the number of civil servants in Azerbaijan was 30,108. Among them 1,147 civil servants hold administrative positions from the superior through to the 3<sup>rd</sup> classification. The remaining 23,017 civil servants hold positions from the 4<sup>th</sup> to the 7<sup>th</sup> levels.

#### ***Number of civil servants as a proportion of the total population and of the labour force***

Civil servants represented 0.314% of the country's population, and 0.628% of the labour force in 2014.

#### ***Gender and age distribution of the civil service***

Male employees surpass women in the civil service of Azerbaijan. Out of 30,108 civil servants in the country, 8,580 are women (28.5%) and 21,528 are men (71.5%).

In 2014, 16.7% (5,019) of the total number of civil servants were under 30 years of age; 14.5% (4,354) were between 30 and 34 years; 22.3% (6,731) were between 35 and 44 years, 25.8% (7,766) were between 45 and 54 years; 16.9% (5,085) were between 55 and 62 years; 2.6% (781) were between 63 and 64 years and 1.2% (372) were 65 years or over.

### ***d. Civil servants' remuneration structure***

The average monthly salary is 617.6 manat (USD 484 approximately), across the country, while the average monthly salary for the superior administrative positions is 760.3 manat (USD 596 approximately). Total compensation consists of official salary, bonuses and allowances paid for professional rank, length of service, etc. The salary of civil servants in the 7<sup>th</sup> classification of administrative and of auxiliary positions is equal to the minimum official salary as defined by the legislation of the Republic of Azerbaijan. In general, the official salary of civil servants is determined by the civil service position classification matrix.

### **III. BODY RESPONSIBLE FOR HR POLICY AND IMPLEMENTATION**

The Civil Service Commission<sup>3</sup> – established by Presidential Decree in 2005 - is responsible for the design of human resources policy and its implementation. It is the central executive body, directly accountable to the President of the Republic. The Commission employs a staff of 45 (2015). The Commission is responsible for:

- Development of legislation; adoption of legal acts regulating personnel relations in public service; and monitoring implementation of legislation;
- Coordination and supervision of the preparation of job descriptions for civil service positions;
- Organization and oversight of the centralized admission to the civil service system (competition and interview);
- Enhancement of public servants' ethical behaviour;
- Formulation and improvement of the Register of Civil Servants (a centralised information database);
- Training-needs analysis for civil servants; development of training strategies; organisation of short-term trainings, etc.

#### ***a. Organisation of the selection and recruitment process in civil service***

The selection and recruitment process is regulated by the Law "On Civil Service" (2000) and the "Rules of Recruitment to the Civil Service in the State Bodies through Competition" (2009). The Rules apply to the general civil service. Positions in the specialised civil service<sup>4</sup> have their own recruitment and promotion systems; based however on similar rules. According to the Rules, the Civil Service Commission announces vacancies for positions from the 5<sup>th</sup> to 7<sup>th</sup> grades through an open and competitive recruitment process. The competition consists in an examination / test and an interview. The test is administered by the Civil Service Commission. Applicants, who successfully pass the test, are invited for an interview.

Interviews are conducted by panels of interviewers established by the Civil Service Commission. A Panel consists of representatives of the hiring state body, members of the Commission and independent experts. Candidates, who successfully pass the test and the interview, are introduced to the Head of the hiring state body and are appointed to a vacant position. The Head of the hiring body makes the final decision and informs the Commission of the choice(s)<sup>5</sup>. Candidates who also passed the test and the interview but were not recruited, are placed on a reserve list for 2 years. Competition results and recruitment decisions are made public through the Commission's website. Candidates, dissatisfied with a recruitment decision, may file an administrative complaint to the Appeals Commission established by the Civil Service Commission, and/or to the courts.

#### ***b. Promotion process in the civil service***

Promotion of civil servants between the fifth and seventh categories adheres to merit-based criteria. Promotion is carried out through upgrading, competition or interview, both internal and external. The competition or interview is intended to assess the knowledge, professional capacity and critical thinking of candidates with particular reference to a state body and vacancy. The

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<sup>3</sup> [www.csc.gov.az](http://www.csc.gov.az)

<sup>4</sup> Specialised civil service includes the Ministries of Justice, Internal Affairs, Taxes and Foreign Affairs; the State Customs Committee; the Prosecutor's Office; and the Judiciary.

<sup>5</sup> This is also provided for in the Civil Service Law.

following elements are also taken into consideration during an interview<sup>6</sup>: specialisation level, attestation results, performance evaluation results and additional education qualifications congruent with the requirements of the vacant position. Promotion of civil servants from the first to fourth categories is not performed using a merit-based process.

Horizontal mobility is also practiced; however, no related regulation exists. Reform efforts are currently under way to improve the openness and competitiveness of the promotion process by utilising performance appraisal results recently enforced and relevant provisions in the civil service code<sup>7</sup>.

### *c. Performance appraisal, training and career development*

#### Performance Appraisal:

According to Article 30-1 of the Law on Civil Service, the performance of civil servants holding administrative positions is evaluated at the end of each calendar year by their direct supervisor. The results of the performance appraisal are documented through a service performance appraisal template developed for this purpose. The performance of a civil servant is evaluated against a list of criteria. Comments may also be added. The opinion of the civil servant, whose performance is appraised may also be appended to the appraisal document.

Civil servants, in both administrative and auxiliary positions, pass an attestation every five years. An attestation is performed collectively by the Attestation Commission, comprised of a representative from the relevant government organisation and of independent experts. The professional competencies, ethical standards and diligence of civil servants are evaluated during this attestation.

#### Training:

Civil servants in Azerbaijan are entitled to receive appropriate training and educational leave at the State's expense (Civil Service Law, Article 19). Article 22 describes in detail the circumstances in which civil servants may receive additional training. However, the legislation does not specify the frequency and range of the training a civil servant should undertake.

The training and professional development of civil servants is one of the main functions of the Civil Service Commission. This function comprises of a needs analysis, preparation of proposals and delivery of training. It also comprises of providing additional educational activities to civil servants. In this context, the Commission delivers courses on management, ethical behaviour and anti-corruption, civil service legislation and other related training modules, both in the capital district and in the regions. The state agencies meet their own training needs and some have their own training centres. The Academy of Public Administration, under the President, also organises advanced vocational training for civil servants<sup>8</sup>.

## **IV. ETHICS AND ANTI-CORRUPTION STRUCTURES**

<sup>6</sup> Only valid for candidates already holding a civil service position.

<sup>7</sup> Civil Service Professionalisation in Armenia, Azerbaijan, Georgia, Moldova and Ukraine. November 2014, <http://www.sigmaweb.org/publications/ParradoDiezS-CS-Professionalisation-Nov2014.pdf>

<sup>8</sup> Ibid.

According to the Law on “Rules of Ethics Conduct of Civil Servants” (2007), the Civil Service Commission is the main body responsible for monitoring observance to the rules of ethical conduct. The Civil Service Commission performs the following functions as an oversight body:

- Receive information and complaints from civil servants and other persons relating to a breach of the Law;
- Prepare proposals, recommendations or opinions providing solutions to issues arising from complaints and other information received;
- Prepare annual ethics-related reports;
- Prepare proposals for legislation improvements related to ethical conduct issues for civil servants;
- Cooperate with independent experts, the mass media and NGOs over issues of ethical conduct for civil servants.

Besides the Civil Service Commission - as implied by Article 22 of the Law on Ethical Rules - each state body appoints an Ethics Commissioner, who oversees the implementation of ethical rules. In practice, Ethics Commissioners come from either the human resources management or the internal audit departments, or they are Heads of agencies themselves. Most Ethics Commissioners are high-level officials. In some cases, they are appointed from the expert category<sup>9</sup>. The Commission on Combating Corruption under the Cabinet of Ministers is the coordinating institution for the implementation of the anti-corruption strategy. It is a well-established non-profit operational body.

## **V. CIVIL SERVICE REFORMS: PAST, CURRENT AND PLANNED**

### ***a. Past reforms***

#### **Anti-corruption**

The National Strategy for Increasing Transparency and Combatting Corruption 2007-2011 has been implemented with a view to improving performance in the state institutions in accordance with prevailing standards. An analysis of current levels and trends in corruption was carried out to provide the basis for developing this policy document. The Government has undertaken a substantial number of programmes and activities to raise awareness of corruption. This is especially true of current legal issues and reporting among public officials and law enforcement officers.

#### **E-services**

In 2010, the Second E-Azerbaijan State Programme was adopted. The President signed the Decree “On the Measures of Organizing E-Services” (2011). According to this Decree, state institutions are bound to incorporate E-services in their functions and activities. In this connection, the “egov.az” portal was launched in order to provide e-services through the “One Stop Shop” principle.

#### **One Stop Shop**

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<sup>9</sup> Eastern Partnership-Council of Europe Facility Project on “Good Governance and Fight against Corruption”. Technical Paper Country risk assessment – Azerbaijan “Ethics in Civil Service”, [http://www.coe.int/t/DGHL/cooperation/economiccrime/corruption/Projects/EaP-CoE%20Facility/Technical%20Paper/2524-EaP-6%202012-AZ%20RA%20ethics%20in%20civil%20service\\_Final.pdf](http://www.coe.int/t/DGHL/cooperation/economiccrime/corruption/Projects/EaP-CoE%20Facility/Technical%20Paper/2524-EaP-6%202012-AZ%20RA%20ethics%20in%20civil%20service_Final.pdf)

Administrative procedures associated with entrepreneurial activities are carried out through the One Stop Shops, since 2008<sup>10</sup>. Administrative procedures for registering physical persons, wishing to engage in entrepreneurial activities started on 1 June 2011; the incorporation of other legal entities in February 2012. The One Stop Shop facility was also implemented in border-checking of transported goods and vehicles in 2008; in immigration procedures in 2009 and in registration of imported vehicles in 2011.

The Citizen Services and Social Innovations State Agency under the President was established in July 2012 along with the “Azerbaijan’s Network of Simplified Access to Government Services” (ASAN). The goal was to ensure that all services to citizens are rendered from a single source at a higher quality and in a more convenient manner. The ASAN service was given the United Nations Public Service Award, in 2015<sup>11</sup>.

### *b. Current reforms*

According to information from the Civil Service Commission, the following policy documents are currently being developed:

- Civil Service Code;
- Reform Strategy for the Civil Service of Azerbaijan (2016-2020);
- Training Strategy.

### *c. Planned reforms*

Planned reforms are outlined in the “Azerbaijan 2020: Look into the Future” development concept note adopted in 2012. One of its main priorities is the improvement of legislation and strengthening of government institutions. Strengthening institutional potential includes three main facets: [i] development of human resources management in the state-owned sector; [ii] expansion of e-governance activities; and [iii] continuation of institutional reforms.

The following policy measures will also continue to be implemented: Strengthening of the public servants’ social protection and social security systems; intensifying the fight against corruption; strengthening the capacity of municipalities; providing specialised training to municipal administration personnel; and taking measures to support the activities of non-government organizations, especially in the regions. Furthermore, special attention will be paid to citizens’ access to information held by the government and to delegating public service delivery to the private sector.

In line with this concept note, complex measures will be employed to improving methods and mechanisms of governance in government agencies ensuring that citizens and civil society organisations are able to receive public services in a simple and convenient manner. This assumes that the number of state services provided through electronic means will increase soon.

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<sup>10</sup> At the same time, the number of administrative procedures needed for incorporation of a commercial legal entity dropped from thirteen to three and the time period for completion of the process was reduced from 53 days to just three. Furthermore, the number of documents to be submitted was reduced fivefold. For these improvements, Azerbaijan was named as a “reformer state” in the World Bank 2009 Survey of Doing Business.

<sup>11</sup> The United Nations Public Service Award is the most prestigious international recognition of excellence in public service. It rewards creative achievements and contributions of public service institutions that lead to a more effective and responsive public administration in countries worldwide.

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1. <http://info.worldbank.org/governance/wgi/index.aspx#reports>

