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AZƏRBAYCAN RESPUBLİKASININ
ATƏT YANINDA
DAİMİ NÜMAYƏNDƏLİYİ



PERMANENT MISSION
OF THE REPUBLIC OF AZERBAIJAN
TO THE OSCE

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The Permanent Mission of the Republic of Azerbaijan to the OSCE presents its compliments to all Permanent Missions and Delegations of the OSCE participating States and to the Conflict Prevention Centre of the OSCE, and has the honour to transmit herewith the reply of the Republic of Azerbaijan to the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security for 2022.

The Permanent Mission of the Republic of Azerbaijan to the OSCE avails itself of this opportunity to renew to all Permanent Missions and Delegations of the OSCE participating States and to the Conflict Prevention Centre of the OSCE the assurances of its highest consideration.

Enclosure: as stated



**Permanent Missions and Delegations of the OSCE participating States
The Conflict Prevention Centre of the OSCE
Vienna**

AZERBAIJAN

INFORMATION EXCHANGE ON THE OSCE CODE OF CONDUCT ON POLITICO- MILITARY ASPECTS OF SECURITY 2022

SECTION I: Inter-State elements

1. Account of measures to prevent and combat terrorism

1.1 To which agreements and arrangements (universal, regional, sub-regional and bilateral) related to preventing and combating terrorism is your State a party?

Universal legal instruments:

- Convention on Offences and Certain Other Acts Committed On Board Aircraft, signed in Tokyo on 14 September 1963 (ratified by the Law of the Republic of Azerbaijan No.546-IIQ of December 2003);
- Convention for the Suppression of Unlawful Seizure of Aircraft, signed in the Hague on 16 December 1970 (ratified by the Law of the Republic of Azerbaijan No-744-IQ of November 1999);
- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed in Montreal on 23 September 1971 (ratified by the Law of Republic of Azerbaijan No. 740-IQ of November 1999);
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973 (ratified by the Law of the Republic of Azerbaijan No.61 -IIQ of February 2001);
- International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979 (ratified by the Law of the Republic of Azerbaijan No.743-IQ of November 1999);
- Convention on the Physical Protection of Nuclear Material, signed in Vienna on 3 March 1980 (ratified by the Law of the Republic of Azerbaijan No.547-IIQ of December 2001);
- Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed in Montreal on 24 February 1988 (ratified by the Law of the Republic of Azerbaijan No.74I-IQ of November 1999);
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, signed in Rome on 10 March 1988 (ratified by the Law of the Republic of Azerbaijan No.548-IIQ of December 2003);

- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, signed in Rome on 10 March 1988 (ratified by the Law of the Republic of Azerbaijan No.549-IIQ of December 2003);
- Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime, signed in Strasbourg on 8 November 1990 (ratified by the Law of the Republic of Azerbaijan No.420-IIQ of March 2003);
- Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed in Montreal on 1 March 1991 (ratified by the Law of the Republic of Azerbaijan No.746-IQ of November 1999);
- Convention on the Safety of United Nations and Associated Personnel, signed in New-York on 9 December 1994 (ratified by the Law of the Republic of Azerbaijan No.825-IQ of March 2000);
- International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997 (ratified by the Law of the Republic of Azerbaijan NO.6O-IIQ of February 2001);
- International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999 (ratified by the Law of the Republic of Azerbaijan No. 174-IIQ of October 2001);
- UN Convention against Transnational Organized Crime and Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplementing the UN Convention against Transnational Organized Crime; Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, signed in Palermo on 12 December 2000 (ratified by the Law of the Republic of Azerbaijan No.435-IIQ of May 2003);
- International Convention for the Suppression of Acts of Nuclear Terrorism, signed in New York on 13 April 2005 (ratified by the Law of the Republic of Azerbaijan No.725-IIIQ of December 2008);
- Amendment to the Convention on the Physical Protection of Nuclear Material, adopted in Vienna on 8 July 2005 (ratified by the Law of the Republic of Azerbaijan No.178-VQ of March 2016).

Regional legal instruments

Council of Europe:

- European Convention on Mutual Assistance in Criminal Matters, signed in Strasbourg on 20 April 1956 and Additional Protocol to the Convention, signed in Strasbourg on 17 March 1978 (ratified by the Law of the Republic of Azerbaijan No.421-IIQ of March 2003);
- European Convention on Extradition, signed in Paris on 13 December 1957 and Additional Protocol to the Convention, signed in Strasbourg on 15 October

- 1975 and Second Additional Protocol to the Convention, signed in Strasbourg on 17 March 1978 (ratified by the Law of the Republic of Azerbaijan No.323-IIQ of May 2002);
- European Convention on the Suppression of Terrorism, signed in Strasbourg on 27 January 1977 (ratified by the Law of the Republic of Azerbaijan No.530-IIQ of December 2003);
 - European Convention on Compensation to the Victims of Violent Crimes, signed in Strasbourg on 24 November 1983 (ratified by the Law of the Republic of Azerbaijan No.836-IQ of March 2000);
 - Convention on Cybercrime, signed in Budapest on 23 November 2001 (ratified by the Law of the Republic of Azerbaijan No.874-IIIQ of September 2009);
 - Protocol amending the European Convention on the Suppression of Terrorism of 2003 (ratified by the Law of the Republic of Azerbaijan No.550-IIIQ of February 2008);
 - Council of Europe Convention on the Prevention of Terrorism, signed in Warsaw on 16 May 2005 (ratified by the Law of the Republic of Azerbaijan No.891-IVQ of February 2014);
 - Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, signed in Warsaw on 16 May 2005 (ratified by the Law of the Republic of Azerbaijan No.678-VQ of May 2017);
 - Third Additional Protocol to the European Convention on Extradition, signed in Strasbourg on 10 November 2010 (ratified by the Law of the Republic of Azerbaijan No.716-IVQ of September 2013).

Commonwealth of Independent States (CIS):

- Convention on Legal Assistance and Legal Relations on Civil, Family and Criminal Cases, signed on 22 January 1993 (approved by the decision of the Parliament of the Republic of Azerbaijan No.1098 of September 1995);
- Convention on Cooperation of CIS Participating States against Criminal Activities, signed on 25 November 1998 (ratified by the Law of the Republic of Azerbaijan No.618-IQ of April 2004);
- Agreement on Cooperation among CIS Participating States in the Fight against Terrorism, signed on 4 June 1999 (ratified by the Law of the Republic of Azerbaijan No.1050-IIIQ of June 2010);
- Decision on the Establishment of the Counter Terrorism Centre of the CIS Participating States, signed on 21 June 2000 (ratified by the Law of the Republic of Azerbaijan No.27-IIQ of December 2000);
- Protocol on approval of the Statute on Regulation on the Arrangement and Conduct of Joint Counter-Terrorism Measures in the territory of CIS

Participating States, signed on 7 October 2002 (ratified by the Law of the Republic of Azerbaijan No.582-IIQ of January 2004);

- Decision on the Concept of Cooperation among CIS Participating States in the Fight against Terrorism and other Types of Violent Extremism, signed on 26 August 2005 (ratified by the Law of the Republic of Azerbaijan No.631-IIIQ of June 2008);
- Protocol of the CIS Head of Governments Council on Rules Regarding Transfers of Drugs, Psychotropic Substances and their Precursors, Firearms and their Parts, Ammunition, Explosives and Explosive Devices that are Physical Evidence in Criminal Cases (ratified by the Republic of Azerbaijan on 12 February 2019).

GUAM – Organization for Democracy and Economic Development:

- Agreement on Cooperation among the Governments of GUUAM Participating States in the Field of Combat against Terrorism, Organized Crime and Other Dangerous Types of Crimes, signed in Yalta on 20 July 2002 (ratified by the Law of the Republic of Azerbaijan No.467-IIQ of June 2003);
- Agreement on Establishing of the GUUAM Virtual Center for Fight against Terrorism, Organized Crime, Drug Trafficking and Other Dangerous Types of Crimes and GUUAM Interstate Information Management System (IIMS) and the Statute of the GUUAM Virtual Center on Fight against Terrorism, Organized Crime, Drug Trafficking and Other Dangerous Types of Crimes, signed in Yalta on 04 July 2003 (ratified by the Law of the Republic of Azerbaijan № 665-IIQ of May 2004);
- Protocol to the Agreement on Cooperation among the Governments of GUUAM Participating States in the Field of Combat against Terrorism, Organized Crime and Other Dangerous Types of Crimes, signed in Helsinki on 4 December 2008 (ratified by the Law of the Republic of Azerbaijan No.878-IIIQ of September 2009).

Organization of the Black Sea Economic Cooperation (BSEC):

- Agreement Among the Governments of the Black Sea Economic Cooperation Participating States on Cooperation in Combating Crime, in particular in its Organized Forms, signed in Kerkyra on 2 October 1998 (ratified by the Law of the Republic of Azerbaijan No.296- IIQ of April 2001);
- Additional Protocol to the Agreement among the Governments of the Black Sea Economic Cooperation Participating States on Cooperation in Combating Crime, in particular in its Organized Forms, signed in Kiev on 15 March 2002 (ratified by the Law of the Republic of Azerbaijan No.523- IIQ of December 2001);
- Additional Protocol on Combating Terrorism to the Agreement among the Governments of the Black Sea Economic Cooperation Participating States on Cooperation in Combating Crime, in particular in its Organized Forms, signed in Athens on 3 December 2004 (ratified by the Law of the Republic of Azerbaijan No.270- IIIQ of April 2007).

Bilateral/multilateral agreements signed and/or ratified by the Republic of Azerbaijan:

- Agreement Between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of the Kyrgyz Republic on the Principles of Mutual Activity in Combating Crime (1992);
- Agreement Between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of Georgia on Cooperation (1993);
- Agreement Between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of the Republic of Latvia on Cooperation (1993);
- Agreement Between the Government of the Republic of Azerbaijan and the Government of the Arab Republic of Egypt on Security Cooperation (1996);
- Agreement Between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of the Republic of Belarus on Cooperation (1999);
- Memorandum of Mutual Understanding between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of Russian Federation in the Field of Combating Terrorism (2000);
- Agreement Between the Government of the Republic of Azerbaijan and the Government of Uzbekistan on Cooperation in Combating Crime (2001);
- Agreement Between the Republic of Azerbaijan, Georgia and the Republic of Turkey on Cooperation in Combating Terrorism, Organized and Other Grave Crimes (2002);
- Agreement Between the Republic of Azerbaijan and Russian Federation on Cooperation in Combating Terrorism, Violations of Customs Regulations and Cross-border Smuggling (2003);
- Agreement Between the Republic of Azerbaijan and Republic of Latvia on Cooperation in Combating Terrorism, Organized Crime and Illicit Drug Trafficking and its Precursors and Psychotropic Substances (2005);
- Agreement Between the Republic of Azerbaijan and Republic of Kazakhstan on Cooperation in Combating Terrorism, Organized and Other Crimes and Illicit Drug Trafficking and its Precursors and Psychotropic Substances (2005);
- Agreement Between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Federal Ministry of Interior of the Republic of Austria on Cooperation in Police Field (2005);
- Memorandum of Understanding between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of Arab Republic of Egypt on Cooperation in Combating Crime (2007);

- Agreement Between the Government of the Republic of Azerbaijan and the Government of the United Arab Emirates on Security Cooperation (2008);
- Protocol of Understanding between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of the Syrian Arab Republic on Cooperation (2009);
- Agreement Among the Republic of Azerbaijan, the Islamic Republic of Iran, the Republic of Kazakhstan, the Russian Federation and the Republic of Turkmenistan on Cooperation in Security Field in the Caspian Sea (2010);
- Agreement Between the Government of the Republic of Azerbaijan and the Government of the Republic of Serbia on Cooperation in Combating Crime (2010);
- Agreement Between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of Georgia on Cooperation in the Field of Conduct of Operational-Search Measures and Exchange of Crime-related Information (2011);
- Agreement Between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of the Russian Federation on Cooperation (2011);
- Agreement Between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of the Republic of Italy on Cooperation (2012);
- Agreement Between the Government of the Republic of Azerbaijan and the Government of the Republic of Belarus on Fight Against Legalization of Criminally Acquired Income (Money Laundering) and Financing Terrorism (2012);
- Agreement Between the Government of the Republic of Azerbaijan and the Government of the Republic of Belarus on Cooperation in Combating Illegal Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Explosive Devices (2012);
- Agreement Between the Republic of Azerbaijan and the Republic of Bulgaria on Cooperation in Combating Crime (2012);
- Memorandum of Understanding on Cooperation between the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan and the National Anticorruption Center of the Republic of Moldova in Exchanging Information on Combating the Legalization of Illegally Obtained Money or Other Properties and the Financing of Terrorism (2012);
- Agreement Between the Government of the Republic of Azerbaijan and the Government of the State of Kuwait on Cooperation in the Fields of Security and Fight against Crime (2013);

- Agreement on Cooperation between the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan and the Financial Monitoring Department of the State Control Committee of the Republic of Belarus in Combating the Legalization of Illegally Obtained Money or Other Properties and the Financing of Terrorism (2013);
- Agreement Between the Government of the Republic of Azerbaijan and the Government of the Republic of Turkey on Security Cooperation (2014);
- Agreement Between the Government of the Republic of Azerbaijan and the Government of the State of Qatar on Security Cooperation (2014);
- Memorandum of Understanding on Cooperation between the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan and the Financial Crimes Investigation Board of the Ministry of Finance of the Republic of Turkey in Exchanging Financial Information Related to the Legalization of Illegally Obtained Money or Other Properties and the Financing of Terrorism (2015);
- Agreement on Cooperation between the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan and the Federal Service for Financial Monitoring (the Russian Federation) in Combating the Legalization of Proceeds of Crime and the Financing of Terrorism (2015);
- Memorandum of Understanding on Cooperation between the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan and the Financial Intelligence Office of the Republic of North Macedonia in Exchanging Financial Information Related to the Legalization of Illegally Obtained Money or Other Properties and the Financing of Terrorism (2015);
- Agreement Between the Ministry of Internal Affairs of the Republic of Azerbaijan and the Ministry of Internal Affairs of the Republic of Turkmenistan on Cooperation (2017);
- Agreement Between the Government of the Republic of Azerbaijan and the Government of the Islamic Republic of Afghanistan on Cooperation in the Fields of Security and Law Enforcement (2018);
- Agreement Between the Government of the Republic of Azerbaijan and the Government of the Kingdom of Morocco on Cooperation in the Fields of Security and Fight against Crime (2018);
- Agreement Between the Government of the Republic of Azerbaijan and the Government of the Republic of Moldova on Cooperation in Military Field (2018);
- Mutual Action Plan between the Republic of Azerbaijan and the Republic of Serbia on Strategic Partnership (2018);
- Protocol Between the Government of the Republic of Azerbaijan and the Government of the Kingdom of Saudi Arabia on Cooperation in Combating Crime (2018);

- Convention on the Legal Status of the Caspian Sea (2018);
- Agreement on Prevention of Incidents in the Caspian Sea (2018);
- Protocol on Cooperation in Combating Organized Crime to the Agreement on Cooperation in the Field of Security in the Caspian Sea (2018);
- Protocol on Cooperation in Combating Terrorism to the Agreement on Cooperation in the Field of Security in the Caspian Sea (2018);
- Additional Protocol to the Agreement between the Government of the Republic of Azerbaijan and the Government of the Republic of Turkey on Security Cooperation (2020).

1.2 What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?

Azerbaijan adopted a package of legislative measures aimed at bringing the relevant national legislation in line with international legal instruments in the field of preventing and suppressing acts of terrorism as well as the use of the financial-banking systems for financing such acts.

- On 18 June 1999 the Parliament adopted the Law on Combating Terrorism which establishes the legal and institutional groundwork for combating terrorism, coordinates the activities of the competent government agencies and sets out rights and duties of such agencies and citizens;

This law provides the definition of terrorism as “commission of acts or threat to commit acts involving explosives or arson, or other acts which threaten to cause loss of life of human beings, or damage their health, inflict significant damage to property, or other socially dangerous consequences, if these acts are implemented with the aim of undermining public security, spreading panic among the population or forcing State authorities or international organizations to take decisions that comply with the demands of terrorists”. The law also sets the definitions of “terrorist”, “terrorist group”, “terrorist organization”, “terrorist activity”, “international terrorism activities” and “operations against terrorism”.

The mentioned law determines that basic principles of combating terrorism will include: ensuring rule of law, inevitability of punishment, coordination of overt and covert methods of combating terrorism, integrated use of legal, political, social and economic, organizational, and preventive measures, priority of protecting persons exposed to danger as a result of terrorist activity, autonomy in managing of forces involved in antiterrorist operations, avoiding publicity in identifying the personnel engaged in antiterrorist operations, including in logistics and tactical services.

The law also stipulates that the state and local self-government bodies, as well as organizations, public associations, officials and individuals must render assistance to the agencies engaged in combating terrorism. Such assistance may include transfer of information and data which can facilitate the detection or prevention of acts of terrorism, as well as minimizing the potential damage.

The Chapter 3 of the law sets the rules of providing compensation for the damage caused by acts of terrorism, as well as provision of legal and social protection of persons engaged in combating terrorism.

- On 1 September 2000 the Parliament adopted a new Criminal Code which criminalizes terrorism (art.214) and attempt on the life of state or public figure (art.277) and other types of crimes related to terrorism which include hostage-taking (art. 215), hijacking an aircraft, sea vessel and railway train (art. 219), illegal manufacturing of weapons (art.229), misappropriation or extortion of weapons, ammunition, explosive substances or explosive devices (art. 232) and establishing military formations or groups that are not provided for by the legislation (art.279).

Criminal responsibility for terrorism is determined in Article 214 of the Criminal Code of the Republic of Azerbaijan. In order to incorporate the Council of Europe Convention on the Prevention of Terrorism into the criminal legislation of the Republic of Azerbaijan new articles which provide criminal liability for “public appeals to commit a terrorist offence” and “training for terrorism” were added to the Criminal Code by the Law of the Republic of Azerbaijan № 919-IVQD on 04 March 2014.

According to Article 214-2 of the Criminal Code the crime of “public appeals to commit a terrorist offence” is defined as making public appeals for the commission of such acts as attacking internationally protected persons or organizations, training for terrorism, taking hostages, hijacking, seizing a ship or railway train, piracy, illegal handling with radioactive materials, plunder or extortion of radioactive materials, attempt on life of the state or public authority, creation of armed formations or groups which are not provided by the legislation, diversion and also to distribute materials with these content. The crime of public appeals to commit a terrorist offence is punished by imprisonment up to 5 years.

Article 214-3 of the Criminal Code of The Republic of Azerbaijan stipulates criminal liability for the persons who organize or conduct these trainings as well as those who benefitted from such trainings. Training for terrorism includes the preparation on the use of firearms, explosives or other weapons, toxic substances or other hazardous methods or techniques for the purpose of commission of above mentioned acts. According to the notice part of this article the person who committed the act of training for terrorism is released from criminal liability in case that person informs the state authorities in a timely manner or by other ways helps prevent the crime and expose participants, organizers and backers of such trainings if the person has not been accused of other crime.

According to the classification of Article 15 of the Criminal Code the acts mentioned in Articles 214-2 and 214-3 are included to serious and particularly serious crimes category for their character and degree of public danger.

Under the Criminal Code, any mentally sound individual, who have already turned 14 when the crime was committed, can be held liable for that crime. It is noteworthy that the legislation of Azerbaijan not only sets the criminal liability for terrorist activities but also provides for universal jurisdiction with respect to terrorism. The Criminal Code stipulates that a foreign national or a person without nationality committing crimes against peace and humanity, acts of terrorism, hijacking, taking hostages, assault on persons and/or organizations, as well as other crimes punishable under international agreements to which the Republic of Azerbaijan is a party, shall be subject to criminal liability irrespective of the venue of the crime.

The following legislative acts were adopted by the Republic of Azerbaijan:

- Law of the Azerbaijan Republic on Ratification of the International Convention against Nuclear Terrorism (2 December 2008, № 725-IIIQ);
- Law of the Republic of Azerbaijan on Ratification of the Decision on Cooperation Program of CIS Participating States in Fight Against Terrorism and Other Types of Violent Extremism for 2008-2010 (13 June 2008, № 632-IIIQ);
- Law of the Republic of Azerbaijan on Ratification of the Decision on Cooperation Concept of CIS Participating States in Fight Against Terrorism and Other Types of Violent Extremism (13 June 2008, № 631-IIIQ);
- Law of the Republic of Azerbaijan on Approval of the Treaty on Cooperation of CIS Participating States in Combating Terrorism (22 June 2010, № 1050-IIIQ);
- Order of the President of the Republic of Azerbaijan on Establishing Competent State Body Under the Treaty on Cooperation of CIS Participating States in Combating Terrorism (13 August 2010, № 1057);
- Law of the Republic of Azerbaijan on Approval of the Agreement on Cooperation Among the Governments of GUAM Participating States in the Field of Combating Terrorism, Organized Crime and Other Types of Dangerous Crimes (10 June 2003, № 467-IIQ);
- Order of the President of the Republic of Azerbaijan on ensuring of the activity of National Information-Analytical Center of GUAM Interstate Information-Analytical System on Combating Terrorism, Organized Crime, Drug Trafficking and Other Dangerous Types of Crimes (10 April 2006, № 1409).

Azerbaijan has demonstrated its strong willingness to counter the Islamic State of Iraq and the Levant (ISIL) by sharing information, working to disrupt the flow of foreign terrorist fighters to Iraq and Syria, and countering illicit funding of terrorist groups there. Senior leaders, including the heads of the Caucasus Muslim Board and the State Committee for Work with Religious Associations, took significant steps to counter radical ideology publicly.

The Government has taken effective measures to detect and deter terrorist activities, as well as prosecute foreign terrorist fighters returning to Azerbaijan. Authorities effectively use terrorist and criminal watch lists and biographic/biometric information to screen travelers at ports of entry. Information sharing within the country and with other countries remains strong. Collection of Advance Passenger Information and Passenger Name Records carried out on some commercial flights.

On 4 December 2015, the Parliament adopted the Law on Fighting Religious Extremism. The law establishes legal basis for identifying and prosecuting cases of religious extremism and fanaticism that lead to terrorism, and links criminal, administrative, and civil responsibilities for violations. At the same time, an amendment to the Criminal Code was introduced, which triggered harsher punishments for violating procedures for Islamic religious ceremonies, particularly by citizens who received religious education abroad, with up to one year imprisonment or fines from \$1,100 to \$3,000. In cases of "religious

propaganda” by foreigners and stateless persons, the punishment was newly set from one to two years imprisonment.

On 5 December 2015, the President signed into law new amendments to the Law on Religious Freedom. The amendments expanded restrictions on the practice and spread of religious extremism.

Another amendment introduced on 5 December 2015, to the Law on Citizenship, specifies new grounds for losing citizenships, including: participating in terrorist actions, participating in religious extremist actions or military trainings abroad under the guise of receiving religious education, proselytizing religious doctrines on grounds of animosity, and participating in religious conflicts in a foreign country under the guise of religious rituals.

The Law on Media of 30 December 2021 provides for enhanced legal measures to prevent public incitement to terrorism and spread of extremist ideas. The law requires that information published or broadcasted through media should not include public propaganda of terrorism and extremism, spread of content aimed at financing terrorism, organizing or conduct of trainings for terrorist purposes and making public appeals for terrorist acts.

1.3. What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

According to the Decree of the President of the Republic of Azerbaijan No.185 dated 30 August 1999 on Application of the Law of the Republic of Azerbaijan on Combating Terrorism, State Security Service, Foreign Intelligence Service, State Border Service, Ministry of Internal Affairs and Ministry of Defense take part in fight against terrorism within their responsibilities.

According to Article 7 of the abovementioned law, in order to ensure the unified command and control of counter-terrorism operations, an operational headquarters is set up and its chief official is appointed by the decision of the President of the Republic of Azerbaijan depending on the nature of operations, where necessary on a temporary basis (for the period of anti-terrorist operations). Working procedures of the Operational Headquarters are regulated by the Statute approved by the President on 17 September 2007.

Once a counter-terrorist operation is started, relevant counter-terrorism body of the State Security Service of Azerbaijan operates under direct control of the Head of the Operational Headquarters and comply with his/her instructions. Head of the Operational Headquarters identifies area of operations, types and distinctive elements of operation and the required forces and assets. In accordance with the current law local executive powers and municipalities, public or private organizations have to support counter-terrorism operations. Instructions issued by Head / Chief of Staff are mandatory and should be complied with by each official and citizen in the operational zone.

According to paragraph 3 of the Decree of the President of the Republic of Azerbaijan No. 387 dated 25 August 2000, the State Security Service conducts the preliminary investigation of criminal cases on acts of terror while the Prosecutor's Office supervises the general course of investigation.

With a view to maintain effective control on borders, the State Border Service of the Republic of Azerbaijan (SBS) facilitates movement of people, goods and vehicles through the state borders and within its competence takes necessary measures to prevent illegal circulation of explosive devices, military equipment, weapons and other armaments, nuclear, biological, bacteriological and other kinds of WMD and related materials. SBS also takes active measures to prevent the use of Azerbaijani state borders by terrorists, terrorist groups and illegal immigrants.

The main responsibilities of military and paramilitary forces are defined by the Law of the Republic of Azerbaijan "On the Armed Forces" № 955-VQ dated 29 December 2017. In accordance with Article 4.1.14 of the abovementioned law combating international terrorism and organized crimes is one of the main duties of the armed forces.

1.4. Provide information on national efforts to prevent and combat terrorism not mentioned above, e.g., those pertaining *inter alia* to:

Financing terrorism:

Following the adoption of the Law dated 27 May 2002 on introduction of amendments to certain legislative acts of the Republic of Azerbaijan in connection with the accession of the Republic of Azerbaijan to the International Convention for the Suppression of the Financing of Terrorism, some amendments were also made to the Law on Combating Terrorism and the Criminal Code of Azerbaijan.

In order to implement Article 2, paragraph 4, of the Convention, necessary changes were introduced in Articles 27.2 and 27.3 of the Criminal Code so that an attempt to commit a crime, being considered equal to incomplete offence, is punishable under the procedure providing for liability for the commission of crimes under relevant articles of the Criminal Code. In order to implement Article 2, paragraph 5, of the Convention, amendments were introduced in Articles 32 and 33 of the Criminal Code so that organizers, instigators and accessories subject to criminal liability under the relevant article of the Criminal Code are considered as accomplices in an offence, together with the perpetrators.

The provision providing liability for financing of terrorism is set forth in the Article 214-1 of the Criminal Code of Azerbaijan. Such acts are classified as serious and particularly serious offences and are punished by deprivation of liberty for 10 to 14 years imprisonment. According to paragraph 3 of the Presidential Decree of 25 August 2000 № 387 On the Application of the Law on the Approval and Entry Into Force of the Code of Criminal Procedure, investigation under Articles 214 (Terrorism), 214-1 (Financing terrorism), 214-2 (Public appeals to terrorism), 214-3 (Conducting training with a purpose of terrorism), 283-1 (Creation of stable group to participate in the armed conflict outside the Republic of Azerbaijan) and 316-2.2 (Dissemination of information on the measures taken against financing of terrorism which has been entrusted or known to a person in connection with the position of service, except for the cases as provided by law) of the Criminal Code is carried out by the State Security Service. Investigation under Article 216 (Intentionally false reporting on terrorism) is conducted by the State Security Service and the Ministry of Internal Affairs, whichever initiates the case.

A new Chapter 15-1 on Special Confiscation was added to the Section VI of the Criminal Code of the Republic of Azerbaijan by the Law on Changes to the Criminal Code of the Republic of Azerbaijan (No 314-IVQD, 07 March, 2012). According to Article 99-1.1.4 of the Criminal Code, the goods used and intended to be used for financing of terrorism, illegal armed units or groups, organized groups or criminal units (criminal organizations)

are compulsorily and gratuitously confiscated and transferred to the treasury of the government.

Provisions were added to Article 598 of the Code of the Administrative Offences of the Republic of Azerbaijan on liability of submitting proper information on legalization of funds or other property by the DNFBP. Violation of the provisions of this article is punishable with a fine in different amounts depending on the subject (official, legal person, non-governmental organization, branch or representative office of foreign state's non-governmental organizations in the Republic of Azerbaijan).

The Government of Azerbaijan has achieved substantial progress in harmonization the Anti-Money Laundering and Counterterrorist Financing (AML/CFT) framework with FATF Recommendations and in establishing a solid system to combat money laundering and financing terrorism. In order to harmonize national legislative framework with international AML/CFT standards and requirements, significant number of legislative acts, specifically the Law of the Republic of Azerbaijan No.767-IIIQ "On the Prevention of the Legalization of Criminally Obtained Funds or Other Property and the Financing of Terrorism" of 10 February 2009 was adopted and according to this Law 4 codes, 15 laws and 6 presidential decrees, in total covering more than 100 articles were amended in July 2009. At the same time, in order to bring the definition of terrorist financing in line with the UN Convention for the Suppression of the Financing of Terrorism and FATF Special Recommendations (SR) II the Criminal Code, Law on Combating Terrorism and AML/CFT Law were appropriately amended by the Law "On amendments to individual legislative acts of the Republic of Azerbaijan to enhance the prevention of the legalization of criminally obtained funds or other property and the financing of terrorism" which was adopted on 5 March 2010 and approved by the President of the Republic of Azerbaijan on 17 March 2010.

At the end of 2009, Azerbaijan demonstrated an increasing level of seriousness and urgency in taking steps to combat terrorist financing, and in proceeding with efforts to implement its Law on Anti-Money Laundering and Counterterrorist Financing (AML/CTF) established a Financial Investigative Unit (FIU) within the Central Bank. This Unit prepared an action plan in October 2009 to bring Azerbaijan's AML/FIU in conformity with the standards of the United Nations, the Financial Action Task Force (FATF), and other international organizations and conventions, and submitted the plan to MONEYVAL, the FATF-Style Regional Body (FSRB) hosted by the Council of Europe. That institution, in turn, reviewed Azerbaijan's proposals in December and agreed to withdraw its advisory (on non-compliance) on Azerbaijan. Azerbaijan continued to identify possible terrorism-related funding by distributing lists of suspected terrorist groups and individuals to local banks.

For the purpose of improving the mechanism of compliance with the requirements for combating money laundering or other property and combating terrorism financing, strengthening the capacity of the supervisory body, increasing the effectiveness of coordinating the activities of the relevant state bodies and institutions, the Financial Monitoring Service of the Republic of Azerbaijan has been established with the status of legal entity, independent of its activities, under Decree No.95 of 25 May 2018 of the President of the Republic of Azerbaijan.

"The list of countries (territories) that are suspected in either legalization of criminally obtained funds or other property, financing of terrorism, support of the dangerous trends of transnational organized crime, armed separatism, extremism and mercenary, participation in illegal trafficking of drug and other psychotropic substances, or the

countries (territories) that don't require disclosing identification information when conducting financial transactions" was approved by the Order of the Director of the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan № F-006 on 14 February 2014.

There are other national legislative acts concerning the financing of terrorism:

- On 1 October 2001 the Parliament adopted the Law on Accession to the International Convention for the Suppression of the Financing of Terrorism and on the 11 October 2001 the President signed a Decree on Application of the Law on Accession to the International Convention for the Suppression of the Financing of Terrorism;
- On 17 May 2002 the President approved the Law on Amending Several Legal Acts of the Republic of Azerbaijan in View of the Application of the Law on Accession to the Convention for the Suppression of Financing of Terrorism. The Law on Combating Terrorism of 1999, the Criminal Code of 2000 were also amended and a new article (art. 214-1) on the financing of terrorism was introduced into the Criminal Code;
- On 3 November 2001 the President issued a Decree on the Implementation of the UNSC Resolutions 1368 (2001) and 1373 (2001) and on 7 November 2001 the Cabinet of Ministers adopted a Decision on the Implementation of the abovementioned Presidential Decree of 3 November 2001 determining roles and responsibilities for the Ministry of Interior, Ministry of Defense, Ministry of Foreign Affairs, Ministry of Justice, Ministry of Finance, State Security Service, Office of Prosecutor General, National Bank and State Customs Committee;
- On 11 May 2002 the President issued a Decree on the Plan of Action towards the Implementation of UNSC Resolutions 1368 (2001), 1373 (2001) and 1377 (2001);
- Law of the Republic of Azerbaijan amending some legislative acts of the Republic of Azerbaijan in connection with implementation of the Law of the Republic of Azerbaijan On the Prevention of the Legalization of Criminally Obtained Funds or Other Property and the Financing of Terrorism (Baku, 30 June 2009, № 856–IIIQ);
- Law of the Republic of Azerbaijan amending some legislative acts of the Republic of Azerbaijan to enhance the prevention of laundering or legalization of other property proceeds from crime and the financing of terrorism (№ 973-IIIQD, 5 March 2010). Under this law amendments have been made to the Law on Combating Terrorism, Criminal Code of The Republic of Azerbaijan;
- Decree of the President of the Republic of Azerbaijan on approval of the Statute of the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan (Baku, 16 July 2009, № 122);
- Decree of the President of the Republic of Azerbaijan amending some Decrees of the President of the Republic of Azerbaijan in connection with the implementation of the Law on the Prevention of the Legalization of Criminally Obtained Funds or other Property and the Financing of Terrorism (Baku, 20 July 2009, № 130);

- Decree of the President of the Republic of Azerbaijan on application of the Law of the Republic of Azerbaijan amending some legislative acts of the Republic of Azerbaijan to enhance the prevention of the legalization of criminally obtained funds or other property and the financing of terrorism (Baku, 17 March 2010, № 241);
- Decree of the President of the Republic of Azerbaijan on amendments to some Decrees of the President of the Republic of Azerbaijan (Baku, 21 December 2009, № 653);
- Decree of the President of the Republic of Azerbaijan on amendments to some Decrees of the President of the Republic of Azerbaijan with regard to the application of the Law of the Republic of Azerbaijan on amendments to individual legislative acts of the Republic of Azerbaijan to enhance the prevention of the legalization of criminally obtained funds or other property and the financing of terrorism (Baku, 13 August 2010, № 320);
- Decree of the President of the Republic of Azerbaijan on application of the Law of the Republic of Azerbaijan on amendments to some legislative acts of the Republic of Azerbaijan regarding implementation of the Law of the Republic of Azerbaijan On the Prevention of the Legalization of Criminally Obtained Funds or Other Property and the Financing of Terrorism (Baku, 20 July 2009, № 128);
- Ordinance of the Cabinet of Ministers of the Republic of Azerbaijan on amendments to The Rules for Conduct of Notary Actions in the Republic of Azerbaijan approved by Ordinance No. 167 of the Cabinet of Ministers of the Republic of Azerbaijan on September 11, 2000 (Baku, 01 October 2009, № 160);
- Ordinance of the Cabinet of Ministers of the Republic of Azerbaijan on approval of the form of the compiling of information on transportation of the currency values into or out of the Republic of Azerbaijan, submitted to the Financial Monitoring Service under the Central Bank of the Republic of Azerbaijan (Baku, 28 July 2009, № 112);
- Ordinance of the Cabinet of Ministers of the Republic of Azerbaijan on adoption of the Regulation on approval of the General List of natural or legal persons designated on the basis of relevant United Nations Security Council Resolutions, as well as legislation of the Republic of Azerbaijan and international instruments on counter terrorist financing to which the Republic of Azerbaijan is a party (Baku, 25 June 2010, № 124);
- Ordinance of the Cabinet of Ministers of the Republic of Azerbaijan on adoption of the Regulation on determination of the list of countries (territories) that are suspected in either legalization of criminally obtained funds or other property, financing of terrorism, support of the dangerous trends of transnational organized crime, armed separatism, extremism and mercenary, participation in illegal drug dealership and other psychotropic substances production or circulation thereof, or the countries (territories) that do not require disclosing identification information when conducting financial transactions (Baku, 25 June 2010, № 123);

According to the Decree of the President of the Republic of Azerbaijan № 95, dated 25 May 2018 the Financial Monitoring Service (FMS) was established. FMS is a public legal entity that implements unified regulation and supervision as well as coordination of activities in the sphere of preventing legalization of criminally obtained funds or other property and financing of terrorism.

According to the Decision of the Cabinet of Ministers of the Republic of Azerbaijan on "Certain Measures for Ensuring Periodical Risk Evaluation and Preparation Periodical Evaluation regarding Prevention System against Legalization of Criminally Obtained Funds or Other Property and the Financing of Terrorism," Coordinating Council has been established in order to conduct risk evaluation.

Border controls, Travel document security:

Necessary measures are being taken to strengthen the security of land and maritime borders and improve the technical provisions of check points along the state borders in order to prevent smuggling of WMD, its components and radioactive materials across the state borders.

Additionally, border control is strengthened at the border check points (BCP), operational activities are conducted in order to prevent crossing of members of terrorist groups and organizations and individuals through the territory of the Republic of Azerbaijan.

In 2021, 6 Azerbaijani nationals who fought for illegal armed groups in conflict zones abroad, were detained and underwent necessary procedures.

IAMAS (Inter-organizational Automated Information Search System), which operates at all BCPs, allows identifying the individuals from the above-mentioned category.

In 2021, as a result of actions to prevent use of the territory of the Republic of Azerbaijan as a transit point for illegal migration to European countries, 231 individuals were identified with counterfeit and fraudulent documents.

During the year, activities of 2 groups engaged in illegal migration, and 18 organized criminal groups engaged in illegal circulation of drugs were prevented.

The SBS of the Republic of Azerbaijan closely cooperates with relevant agencies of Afghanistan, Belarus, Pakistan, Ukraine, United Kingdom, the United States and other countries in the sphere of fighting against trafficking in firearms, ammunitions, explosive and radioactive materials. It has also participated in numerous international events dedicated to fighting against terrorism within the framework of its cooperation with international organizations (UN, IOM, European Union, ICMPD, NATO, FRONTEX).

Furthermore, SBS attaches special attention to the development of regional cooperation. So, different level meeting and information exchange are conducted with representatives of border agencies of all neighboring countries (except Armenia).

Container and Supply chain security:

The Republic of Azerbaijan is a member of the World Customs Organization (WCO) and implements relevant standards adopted by WCO.

As a member of the Customs Enforcement Network established by WCO, Azerbaijan exchanges information on offences through the Regional Intelligence Liaison Office (RILO). Electronic registration, monitoring and accounting systems are now widely used. Exchange of information between the customs posts takes place through an electronic reporting network. The customs and border services of Azerbaijan established a unified online information communication system. Customs posts provide daily information on import and export operations electronically to the State Customs Committee. Goods are checked at the borders by various agencies, depending on the type of merchandise. Monitoring of weapons, ammunition and explosives is carried out by the customs agencies, together with the border service. There is a computerized information retrieval system along the entire border of Azerbaijan to monitor immigration.

The Aviation Safety Administration works with the State-owned Azerbaijan Airlines (AZAL) to deal with all issues relating to civil aviation safety. In its work, the Administration is guided by the standards and recommendations of the International Civil Aviation Organization (ICAO) and also the national guidelines on the prevention of acts of unlawful interference in civil aviation activities. Several other instruments have also been drafted to ensure civil aviation security, which particularly include instructions on verification of civil aviation, passengers, flight crew, service personnel, carry-on luggage, cargo, mail and on-board equipment.

After the terrorist acts of 11 September 2001 in the United States, Azerbaijan, with the recommendation of ICAO, introduced several measures to strengthen civil aviation security. For example, a special electronic alarm system has been installed along the entire perimeter of the Haydar Aliyev International Airport, alongside other surveillance equipment placed at the airport entrance. The ICAO inspection conducted in September 1999 resulted in a positive rating of the security service at Haydar Aliyev International Airport and the introduction and implementation of the international standards and recommendations of ICAO. In 2004, the European Civil Aviation Conference also gave a positive rating to the organization of the security service at that airport on the basis of an expert audit.

A State program on the prevention of acts of unlawful interference in civil aviation activities was adopted by the Cabinet of Ministers on 19 April 2004. According to Article 10 of the Customs Code, one of the duties of the customs agencies is to assist national agencies in combating international terrorism and preventing unlawful interference in civil aviation at airports of the Republic of Azerbaijan.

Security of radioactive sources:

Sharing the common concern of international community over growing threat being posed by malicious acts involving nuclear materials, Azerbaijan attached great importance to nuclear security since the first days of its independence. Achieving goals and objectives of non-proliferation and nuclear security is an unalterable and permanent priority of foreign and security policy of the Republic of Azerbaijan.

As a sign of its determination, Azerbaijan became a party to key international treaties governing nuclear security, including International Convention for the Suppression of Acts of Nuclear Terrorism, Convention on Physical Protection of Nuclear Material (CPPNM) and Amendment to the CPPNM.

Azerbaijan's endorsement of the IAEA Code of Conduct on the Safety and Security of Radioactive Sources and the Guidance on the Import and Export of Radioactive Sources

in August 2014 allowed national authorities to further strengthen radiation safety and security regime.

As a further step of the contribution to international efforts on the nuclear security, in March 2012 Azerbaijan joined the Global Initiative to Combat Nuclear Terrorism (GICNT) as a partner country.

Azerbaijan participates in international information sharing on illicit trafficking issues through contribution to the IAEA Incident and Trafficking Database, where the State Security Service is the coordinating agency.

Azerbaijan also supports the efforts of the United Nations for strengthening nuclear security. Azerbaijan submitted an updated report to the United Nations on further measures taken by Azerbaijan on the implementation of Security Council Resolution 1540 adopted in 2004 to prevent the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery. The report includes further national measures on improving legislation, national practices and their implementation and strengthening international cooperation.

In spite of the fact that there are no nuclear installations or facilities in the country, except for few applications of ionizing radiation sources for civilian purposes, Azerbaijan has put in place a robust safety and security system.

On April 2008 the President of the Republic of Azerbaijan signed a decree on establishment of the State Agency on the Regulation of Nuclear and Radiological Activities (thereafter the "Agency" in this subsection), as a single regulatory body under the Ministry of Emergency Situations.

The Agency established a complete centralized inventory of radioactive sources. This inventory is kept updated and regularly verified by the International Atomic Energy Agency (IAEA) through inspections. The Ministry of Emergency Situations is entitled to issue special permissions for scientific-research and practical-construction activities related to utilization of ionizing radiation sources; for production, manufacture, processing, transportation and exploitation of radioactive materials; for installations, points and storages of ionizing radiation sources and designing and preparation of radiation safety means; for activities related to installations of ionizing radiation sources, designing, preparation, disposal, construction, putting into operation and withdrawal of radioactive wastes.

The state agency of the Republic of Azerbaijan responsible for radioactive waste management and radioactive materials transport is the Baku Radioactive Waste Facility "ISOTOP" of the Ministry of Emergency Situations. This agency monitors the use, storage and protection of radioactive materials and equipment. "ISOTOP" is currently equipped with the state-of-art equipment and technologies which enable it to carry out the functions in line with international practice.

Acknowledging potential threat derived from both orphan sources and the possibility of malicious acts involving radioactive sources, state agencies of the Republic of Azerbaijan take all necessary measures to ensure proper control of radioactive sources during their life cycle through the registration, licensing, inspection, and export control.

The malicious acts involving radioactive sources entail criminal, civil or administrative liability in accordance with the national legislation of the Republic of Azerbaijan.

Articles 206.2-206.4 of the Criminal Code of Azerbaijan envisage criminal penalties from 3 to 12 years imprisonment for violating customs regulations and for the smuggling of radioactive and explosive substances and equipment, weapons, military hardware, nuclear, chemical, biological and other types of weapons of mass destruction, as well as materials and equipment used in the manufacture of such weapons.

Article 226 of the Criminal Code envisages penalties for illegal handling of radioactive materials, their acquisition, storage, use, sale and transfer. Article 227 covers the theft or extortion of radioactive materials.

Administrative Offences Code of the Republic of Azerbaijan envisages administrative responsibility for “violating of ecological requirements during engagement in radioactive materials” (Article 235), “non-fulfillment or violating requirements of ensuring sanitary and hygiene rules of radiation security” (Article 268), “infringe legislation on ecological security” (Article 113.0.10) activities.

According to the Article 4.6 of the Law of the Republic of Azerbaijan on Border Forces and paragraph 9.7 of the Charter on State Border Service of the Republic of Azerbaijan within its competences the State Border Service of the Republic of Azerbaijan ensures the prevention of the transferring of WMD and their components and radioactive substances through state border.

The Customs Code of the Republic of Azerbaijan also set out a number of enforceable measures for the prevention of illegal circulation of nuclear, chemical and biological weapons and related materials. For the purpose of enhancing radiation security State Customs Committee adopted Rules on Implementing Customs Inspection on Radioactive Materials in line with the international instruments, as well as international radiation security norms and rules on safe transfer of radioactive materials.

According to Article 12-2.of the Law of the Republic of Azerbaijan on industrial and domestic waste radiological and explosive tests of non-ferrous and ferrous metals at their reception facilities are required.

Administrative penalty for receiving non-ferrous and ferrous metals by the respective facilities without the required radiological and explosive tests is envisaged in accordance with Article 457-1.of the Administrative Offence Code.

Use of Internet and other information networks for terrorist purposes:

The society of Azerbaijan is increasingly relying on information and communication technologies and thus becoming increasingly vulnerable to threats such as attacks against the confidentiality, integrity and availability of computer data, hate speech, use of internet for terrorist incitement, recruitment, financing and etc.

Current criminal legislation requires some changes, as might probably be the case of some procedural provisions as well. Efficient measures for law enforcement need to be created and the question of cooperation with internet service providers needs to be regulated. Currently there is very limited knowledge of high tech crime in the national institutions, as is the case with the judiciary. The use of electronic evidence is a new development which requires the trainings and assistance.

Azerbaijan came forward with an initiative of accession to the Council of Europe Convention on Cybercrime in 2005, and on 30 September 2009 the President approved the country's accession to the Convention. The Convention on Cybercrime entered into force as regards the Republic of Azerbaijan on 1 July 2010 (with reservations to Articles 6, 24, 27, 29, 35, 38 and 42) and on its basis Azerbaijan undertook measures to improve its legislation in this area and establish close cooperation with Internet Providers.

In order to enhance the protection of national cyberspace, the Cyber Security Service was established under the Ministry of Digital Development and Transport by Part 5 of the Decree of the President of the Republic of Azerbaijan No.708 dated 26 September 2012.

The Cyber Security Service:

- Coordinates the operation of information infrastructure subjects in the field of cyber security;
- Engages in reporting at the country level on existing and potential threats, as well as educating public, private and other institutions in the field of cyber security and providing methodological assistance to them;
- Takes appropriate measures together with national internet operator in order to prevent cyber attacks in general internet traffic;
- Collects and analyzes information incoming from users, software and hardware producers, similar structures in foreign countries and other sources about cyber security attacks, illegal intrusions and malicious codes against information systems and networks, computer equipment and software and the resources of local and corporate information systems.

The preliminary investigation of the criminal case under Articles 271 – 273-2 of the Criminal Code of Azerbaijan on cybercrime is carried out by the State Security Service and the Ministry of Internal Affairs, whichever initiates the case.

After becoming party to the European Convention on Cyber Crime Azerbaijan organized a national seminar entitled the "Fight against cybercrimes" (24-25 November 2009) with the support of TAIEX (Technical Assistance Information Exchange Instrument of the European Commission). Within the Convention representatives of relevant ministries and agencies of Azerbaijan are recommended to expand international cooperation in combating cybercrime in order to prevent cyber-attacks and liquidate their consequences.

Legal cooperation including extradition:

The law enforcement agencies of Azerbaijan are actively cooperating with their foreign counterparts on all aspects of countering terrorism.

Requests from foreign States are considered expeditiously and in accordance with international bilateral and multilateral treaties to which the Republic of Azerbaijan is a party. In accordance with the Law on Investigative Activities of 28 October 1999, in order to protect life, health, human rights and freedoms, the legitimate interests of legal entities, State and military secrets and also national security from criminal infringement, investigative agencies must respond to requests from law enforcement agencies of foreign States and relevant international organizations, in accordance with the international treaties to which the Republic of Azerbaijan is a party. Decisions, written instructions or official requests to conduct investigations may be issued only by persons who have such authority on the basis of the legislation of the Republic of Azerbaijan.

Decisions, written instructions or official requests to conduct investigations must include justification of the need for such investigations.

In accordance with the Law on Legal Assistance in Criminal Matters of 29 June 2001, the Ministry of Justice or other competent authority of the Republic of Azerbaijan must submit official materials, documents and information, the transfer of those which are not prohibited under national legislation, to the competent authority of the foreign State.

Persons under arrest or sentenced to imprisonment in the Republic of Azerbaijan may, by their consent, be handed over to a foreign State if permitted under national legislation for the purpose of establishing identity, giving evidence or providing other legal assistance in criminal cases which are either under investigation or being tried.

Pursuant to the Law on Extradition of the Republic of Azerbaijan, adopted on 15 May 2001, an extradition may be granted in respect of offences punishable under the legislation of the Republic of Azerbaijan and the requesting country by deprivation of liberty for at least one year or by a more severe penalty (Article 2.1).

According to the Law on Extradition, extradition shall not be granted when the person claimed has, according to the law of the Republic of Azerbaijan or the requesting country, become immune by reason of lapse of time from prosecution or punishment (Article 3.1.6). Also according to this Law, extradition shall not be granted if the offence in respect of which it is requested is regarded by the Republic of Azerbaijan as a political offence or as an offence connected with a political offence (Article 3.1.3). Furthermore, according to this Law, the extradition shall not be granted if the offence in respect of which it is requested is an offence under military law which is not an offence under ordinary criminal law (Article 3.1.7).

Azerbaijan has concluded bilateral agreements on extradition with Bulgaria, Iran, Kazakhstan, Moldova, Kyrgyzstan, Lithuania, Russia, Uzbekistan, Ukraine, UAE, China, Kingdom of Jordan and India.

2. Stationing of armed forces on foreign territory.

2.1. Provide information on stationing of your States armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.

The Law on Participation of the Republic of Azerbaijan in Peacekeeping Operations (adopted in 2010) establishes the basis, forms and rules of participation of the Republic of Azerbaijan in peacekeeping operations concerning the prevention, regulation and resolution of local and regional conflicts. The provisions of this Law, in accordance with Article 51 of the Charter of the United Nations (UN), do not confine the inherent right of the Republic of Azerbaijan for individual or collective self-defense to repel an armed aggression, as well as for right to military cooperation with other States and international organizations to ensure international and regional security. The Republic of Azerbaijan defines independently expedience, scope and level of participation in peacekeeping operations. According to the law Azerbaijan may appeal to other countries and international organizations to conduct peacekeeping operations in its own territory.

In accordance with Article 1 of the aforesaid law, the legislation on participation of the Republic of Azerbaijan in peacekeeping operations also comprises the Constitution of

the Republic of Azerbaijan and other legal acts and international treaties to which the Republic of Azerbaijan is a party.

The Republic of Azerbaijan, while conducting peacekeeping operations or participating in a collective peacekeeping operations, is guided by the UN Charter, decisions of the UN Security Council or international and regional organizations, having powers considered by the UN as appropriate to the provisions of the Chapter VIII of its Charter.

As a reliable partner of NATO, Azerbaijan actively participated in NATO-led operations and missions. From 2002 through 2021, Azerbaijan significantly contributed to the security in Afghanistan, from the outset of NATO's International Security Assistance Force (ISAF) till the end of NATO Resolute Support Mission (RSM). Notably, being the last remaining NATO operational Partner in Afghanistan, the Azerbaijan contingent played a remarkable role in the evacuation efforts of NATO forces. Apart from the troop contributions, Azerbaijan made a substantial donation to the Afghan National Army (ANA) Trust Fund, as well as provided transit support for the needs of the RSM and engaged in training of Afghan officials.

Furthermore, since January 2019, Azerbaijan has been contributing with 2 officers of the Armed Forces as observers to the peacekeeping mission in the South Sudan (UNMISS).

3. Implementation of other international commitments related to the Code of Conduct

3.1. Provide information on how your State ensures that commitments in the fields of arms control, disarmament and confidence-and security-building as an element of indivisible security are implemented in good faith.

3.2 Provide information on how your State pursues arms control, disarmament and confidence-and security-building measures with a view to enhancing security and stability in the OSCE area.

Since the restoration of its independence, the Republic of Azerbaijan has attached great importance to arms control, non-proliferation and disarmament issues considering them amongst the major priorities of its foreign and security policy. The Republic of Azerbaijan regards that arms control and CSBMs are inseparably linked with the concept of comprehensive and cooperative security. Therefore arms control and non-proliferation constituted one of the key areas where Azerbaijan has built strong bilateral and multilateral partnership ties.

Azerbaijan has supported and became a party to key international agreements related to arms control and non-proliferation, including Treaty on Non-Proliferation of Nuclear Weapons, Comprehensive Nuclear-Test-Ban Treaty, Chemical Weapons Convention, Biological Weapons Convention and others. Despite the security threats that the country had to face as a result of occupation of its territories for nearly three decades, Azerbaijan has supported efforts to increase military transparency and confidence among the OSCE participating States, including by participating in information exchanges, compliance and verification measures and different forms of military co-operation.

Moreover, over the past decades Azerbaijan has stepped up national efforts to prevent the possible use of its territory as a transit route for illicit trafficking purposes. In close cooperation with its international partners Azerbaijan has developed an overarching national export control system with the solid legislation basis in line with international

standards. Azerbaijan has established a resilient interagency process paving the way for implementation of the UNSC sanctions in an efficient and operational manner. Azerbaijan has also taken consistent measures to restore its government functions, including border and export control along the territories liberated from the occupation in November 2020.

In OSCE, Azerbaijan participates in the comprehensive exchange of information on its armed forces, receives inspections from the participating states within the CFE Treaty and Vienna Document. Moreover, Azerbaijan provides relevant information on the transfer of conventional weapons to the UN Register of Conventional Arms.

Azerbaijan fully shares international community's concerns regarding illicit trafficking and diversion of arms to unauthorized recipients, such as illegal criminal or armed groups which represent a grave threat to overall security and stability. Illicit transfer of small arms and light weapons (SALW), easy availability of SALW coupled with their damaging capacity continue posing a grave threat to overall security and stability.

Azerbaijan supported the adoption of the OSCE Document on SALW in 2000 and UN Program of Action on SALW in 2001, and considers them as significant achievements in combating illicit trafficking and transfer of SALW. Azerbaijan fulfills all its commitments, as well as participates in information exchange under these documents on a one-off and annual basis as appropriate.

Azerbaijan has always been supportive of the documents and resolutions adopted by the UNSC and UNGA and other international organizations on arms control, non-proliferation and disarmament issues. Azerbaijan actively cooperates with IAEA, CTBTO, OPCW, and other international organizations and arrangements in these fields.

Unfortunately, for almost 30 years, the effectiveness and actual utility of arms control agreements and instruments have been severely damaged in the South Caucasus due to grave violations of their provisions by Armenia. This country illegally used force to occupy part of sovereign territory of Azerbaijan and stationed there its military forces, equipment and armaments in violation of basic norms and principles of international law, as well as key tenets of arms control agreements. Despite, Azerbaijan has been consistent in bringing these gross and unabated violations to the attention of the international community, this situation, posing a serious threat to peace and security in the region, continued for nearly three decades. Thus, Armenia's military aggression and belligerent occupation of the territory of Azerbaijan undermined practical implementation of arms control and CSBMs regimes in the region and prevented Azerbaijan to fully embrace international agreements and commitments.

The Trilateral Statement of 10 November 2020 signed by the leaders of Armenia, Azerbaijan and the Russian Federation put an end to the armed conflict with Armenia and resulted in liberation of the occupied territories of Azerbaijan. Unfortunately, Armenia instead of taking the opportunity to benefit from the post-conflict prospects prefers to continue its destructive activities further undermining arms control and CSBMs regimes.

Armenia indiscriminately planted landmines in the conflict-affected territories of Azerbaijan rendering them one of the most contaminated areas in the world. Armenian landmines/explosive remnants of war continue killing innocent civilians. Despite Armenia had to release some minefield records of mined areas under international pressure, the practical utility of these records remains low (around 25%). The minefield records released by Armenia constitute around 5% of all the territory liberated from Armenia's

occupation. Indiscriminately deployed mines are the major impediment for the return of internally displaced persons (IDPs) to areas from which they have been forcibly expelled as well as a barrier to realization of post-conflict rehabilitation and reconstruction plans, thus enabling the return to normal life.

Furthermore, Armenia, contrary to its obligations under the Trilateral Statement, has not fully withdrawn its armed forces from the territories of Azerbaijan, where the Russian peacekeeping contingent is temporarily deployed to. Armenia's vehement refusal to withdraw its forces represents a clear violation of the key principles of international law and continues to serve as a source of tension in the region. The Republic of Azerbaijan calls on the international community to continue urging Armenia to abide by its obligations and withdraw the remnants of its forces from the internationally recognized territory of Azerbaijan.

SECTION II: Intra-State elements

1. National Planning and decision making process

1.1. What is the national planning and decision-making process in determining/approving military posture and defense expenditures in your state?

According to paragraph 5 of Article 95 of the Constitution of the Republic of Azerbaijan, upon submission by the President the Milli Majlis (Parliament) considers and approves the state budget including the budget amount allocated for defense in accordance with Article 4 of the Law on Defense of the Republic of Azerbaijan.

1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

One of the intentions declared in the Preamble of the Constitution of the Republic of Azerbaijan is, while being committed to universal values, to live in friendship, peace and tranquility with all nations of the world and to interact with this purpose.

Moreover, in accordance with Article 10 of the Constitution, the Republic of Azerbaijan establishes its relations with other states based on principles envisaged in universally recognized international legal norms. Also according to Article 9, the Republic of Azerbaijan denies war as the means of infringement of independence of other states and as a way of settlement of international conflicts.

2. Existing structure and processes

2.1. What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?

According to the Constitution, state power in the Republic of Azerbaijan is based on a principle of division of powers: the Parliament (Milli Majlis) exercises legislative power; executive power belongs to the President; courts exercise judicial power. Constitution also determines that legislative, executive and judicial power interact and are independent within the limits of their authority.

According to Article 9 of the Constitution of Azerbaijan, the Republic of Azerbaijan establishes the Armed Forces, which ensures its security and protection. The Armed Forces are composed of the Azerbaijani Army and other armed formations.

The President of the Republic of Azerbaijan is the Supreme Commander-in-Chief of the Armed Forces of the Republic of Azerbaijan.

Although independent within the limits of its authority, the executive power, including the Ministry of Defense cooperates with the Parliament during the relevant legislation process. Upon invitation by the Parliament, the Ministry of Defense and other relevant bodies provide the Parliament with appropriate reports and send its high level representatives to the meetings of the Parliament's respective Commission.

According to Article 22 of the Law on Intelligence and Counter-Intelligence Activities of the Republic of Azerbaijan departmental control over intelligence and counter-intelligence activities are carried out by the authorities of these activities within the powers as defined by the legislation of the Republic of Azerbaijan, non-departmental control is carried out by the President of the Republic of Azerbaijan. State Security Service (SSS) reports on its activities directly to the President of the Republic of Azerbaijan. Control over the use of operational-search measures in counter-intelligence activity is regulated by the Law on Operational-Search Activity. The Prosecutor-General of the Republic of Azerbaijan and the prosecutors, authorized by the Prosecutor-General, carry out the procedural management of the investigation and preliminary investigation conducted by the SSS. In addition, according to the Article 5 of this law, information on intelligence and counter-intelligence activities are provided to the public through relevant bodies established by the authorities of these activities. In cases stipulated by this law and other normative acts of the Republic of Azerbaijan, authorities of intelligence and counter-intelligence activities may directly communicate specific information to citizens about some areas of their activities. Disclosure of information constituting state, professional, commercial and investigative secrets is prohibited.

According to Article 94 of the Constitution, the Parliament is the authority to lay down general rules on number of issues, including declaring marshal law and organizing defense and military service.

According to Article 95 of the Constitution, the Parliament, upon recommendation of the President, settles the issues related to the involvement of Armed Forces of the Republic of Azerbaijan in fulfillment of the tasks not included to their normal duties.

According to Article 109 of the Constitution, the President is authorized to appoint and dismiss supreme command personnel, as well as to submit recommendations to the Parliament of the Republic of Azerbaijan about consent for the use of Armed Forces of the Republic of Azerbaijan in fulfillment of the tasks not included to their normal duties.

In compliance with the provisions of Article 15 of the Law of the Republic of Azerbaijan on the Armed Forces (№ 955-VQ dated 29 December 2017), general supervision is conducted by the Commander-in-Chief of the Republic of Azerbaijan and relevant commanders of other military entities perform internal oversight authority. The prosecuting authorities provide the overall control on implementation of laws in line with the terms and conditions determined by the law.

2.2. How is the fulfillment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

The National Security Concept of Azerbaijan of 2007 and the Military Doctrine of Azerbaijan of 2010 qualify democratic control over the Armed Forces among the principles of the national defense policy.

In pursuit of making transparent its security and defense policy Azerbaijan publicly declared its security and defense posture through disclosing the threat assessment, national interests in foreign, security and defense policy that are reflected in the above-mentioned policy documents.

Democratic control over Armed Forces is exerted using different tools, including approval of defense budget by the Parliament, realization of procurements according to legislation, the control over situation with respect for human rights in the Armed Forces by Ombudsman, Members of Parliament, civil communities, institutions and independent media.

Oversight over the defense sector is also carried out through the scrutiny by the Chamber of Accounts, which is tasked to evaluate the activities and public expenditures of the Government agencies, including the Ministry of Defense and the military units and to report to the Parliament its findings.

Besides, according to the Article 12 of the Law on the Armed Forces of the Republic of Azerbaijan, the control over the implementation of the laws, legal protection of military servants, their family members and civilians is conducted within the legislation of the Republic of Azerbaijan.

According to the Article 12 of the Law on Prosecutor Service, the Military Prosecutor Service exercises control over observance of laws and military charters in military facilities during the execution of punishments, as well as over laws during their implementation in detention facilities where detained and arrested military servicemen are kept.

Cases on decisions and actions (inactions) of military officials and military authorities are being considered in accordance with the Code of Civil Procedure.

2.3. What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?

As mentioned above, in order to ensure security and defense, the Republic of Azerbaijan has established the Armed Forces in accordance with Article 9 of the Constitution. According to national legislation, the Armed Forces are tasked with such missions as protecting the country's sovereignty, territorial integrity and inviolability of borders, preventing armed attack and aggression, maintaining constitutional order, stability and public safety, ensuring state security and national interests, organizing civil defense and performing other special duties. The Armed Forces of the Republic of Azerbaijan have been established and are acting on the basis of legality, centralized and united command. Meanwhile the main duties of the Armed Forces of the Republic of Azerbaijan are further described in the Military Doctrine approved by the Decision of the Parliament of the Republic of Azerbaijan (1029-IIIQR dated 8 June 2010). According to Article 34 of

the Doctrine, the duties for the Armed Forces are defined based on three conditional security conditions that are referred to as “peace time”, “real threat time” and “war (armed conflict) time”.

The State Service for Mobilization and Conscription of the Republic of Azerbaijan is the central executive authority exercising state policy and regulation in the fields of military-patriotic education, training prior to conscription, call for active military service, reserve service, preparation and call for mobilization, preparation for special military education, training of university students, assigning conscripts to the Armed Forces during peace time and supply of the Armed Forces with military personnel, military vehicles, as well citizens to fulfill civilian duties during mobilization and war.

The State Border Service was established by the Presidential Decree of 31 July 2002 as the central executive body responsible for the protection and inviolability of state borders of the Republic of Azerbaijan. Its missions include countering international terrorism, illegal migration, illicit drugs and weapons trafficking, proliferation of WMD and its components, as well as protection of oil/gas fields and related critical infrastructure in the Caspian Sea. The SBS is directly subordinated to the President of the Republic of Azerbaijan.

Activities, rights and responsibilities of the State Security Service (SSS), which was established as a special service body by the Presidential Decree of 15 December 2015, are regulated by the legislation of the Republic of Azerbaijan. SSS organizes and conducts counter-intelligence and operational-search activities, carries out investigation on criminal cases that are under its competence.

According to Article 3 of the Law on Police of 28 October 1999, the responsibilities of the Police in the Republic of Azerbaijan include protecting the lives, health, rights and freedoms of people, legal interests and property of the State, natural and legal persons from illegal activities.

Article 12 of the aforesaid Law provides for internal (in-department) and external (out-of-department) monitoring of police activities. Internal monitoring of police activities is conducted by the Ministry of Interior, while external monitoring is conducted by the President within the authorities delegated by the legislation of the Republic of Azerbaijan. Execution of laws in the police authorities is monitored by courts or prosecutor offices within their mandate as defined by the legislation.

According to Article 4 of the Law on the Status of the Internal Troops, the Internal Troops are responsible for protection of critical infrastructure, communication devices, special goods, taking measures in case of emergency related to above-mentioned, search and capture of unauthorized personnel in protected areas, prevention of unrest in prisons, search and capture of escaped prisoners, assistance in ensuring public order, assistance in times of emergency, and, if required, participation in protection of the territory of Azerbaijan.

The above mentioned control of armed forces is conducted by the Commander-in-Chief of the Republic of Azerbaijan and authorized commanders of other relevant military entities.

3. Procedures related to different forces personnel

3.1. What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

According to Article 76 of the Constitution of Azerbaijan, defending the Homeland is the duty of every citizen. Citizens perform military service as defined by law.

According Article 109 of the Constitution the President issues decrees on conscription of the citizens for the service for a fixed period and on demobilization of those who are in service for a fixed period.

According to Article 3.2 of the Law on Military Duty and Military Service of the Republic of Azerbaijan, all male citizens (who do not have a right to exemption from the military service) of the country who are 18 years old and fit for military service must do their active service, as defined in this Law, in the Armed Forces of the Republic of Azerbaijan. At the same time the Law on Military Duty and Military Service determines the rules of volunteer recruitment. The law also provides for recruiting female citizens between 19 to 40 years old on a voluntary and contractual basis.

The Ministry of Defense is planning to expand recruiting civilians in a wider range of posts. It is considering posts within science, international cooperation, medical, legal, finance, social benefits, public information, personnel management and education. It also intends that for equivalent responsibilities and ranks, civilian personnel would receive the same social benefits and the same salary as their military counterparts. Currently, the Ministry of Defense civilian personnel have been upgraded into the state service level. In this regard, the statutes of these personnel are regulated with the "Law of the State Service".

The staff of the State Border Service is composed of military servicemen (officers, warrant officers, contractors, conscripts) and of servants working on a contract basis. Training of the officer corps and advanced professional courses are conducted by the SBS Academy, as well as various training centers of the SBS. Training of the warrant officers, non-commissioned officers, contract-based and conscript servicemen takes place at the relevant training centers of the SBS.

According to the Article 15 of the Law on Intelligence and Counter-Intelligence Activity, citizens of the Republic of Azerbaijan are admitted to military service (work) at the SSS on a voluntary basis. In order to be admitted to military service (work) at the SSS, citizens have to be capable of fulfilling the duties assigned to the SSS in terms of their personal and professional qualities, professional suitability, physical training, state of health and level of education. Person cannot be accepted to service if he/she has dual citizenship, has obligations to other states, is a religious figure, whose incapacity or limited capacity have been confirmed by a court, has been previously convicted of a crime or criminal case against him/her has been terminated without justification, has been previously expelled from law enforcement bodies for serious shortcomings at work, for being engaged in activities incompatible with service, for actions defaming honor of an employee of the special services and law enforcement.

Personnel of the State Service for Mobilization and Conscription of the Republic of Azerbaijan consist of military personnel, civil servants and contract-based employees.

3.2. What kind of exemptions or alternatives to military service does your State have?

According to Article 76 of the Constitution, if faith of a person does not allow military service, under the conditions provided by the law, that person might be conscripted to alternative service.

In accordance with the provisions of the Law on Military Duty and Military Service the citizens of the Republic of Azerbaijan are granted with deferment of or full exemption from compulsory military service.

In accordance with Article 18 of the Law on Military Duty and Military Service of the Republic of Azerbaijan, deferment of compulsory military service is granted due to family situation, health issues, education continuation, election campaigns of people who were registered for parliamentary and municipality elections (from the date of registration until official publication of outcomes of elections) of the Republic of Azerbaijan, as well as parliamentary, judge and ombudsman activities. Those who have lost their right to deferment, who are not entitled to deferment or not exempted from the active military service based on the grounds stipulated in this law or for various reasons have not been called up to active military service should serve their duty until they turn 35.

Hence, the following people are not temporarily called up for a fixed period of service:

- Citizens whose liberty is restrained or those who are deprived of their liberty in different forms as a criminal punishment (except citizens mentioned in the same Law in the Article 22.2);
- Citizens, deprived of their liberty for crimes committed intentionally, who have not completed their criminal sentence period for the crimes committed previously;
- Pre-court criminal or elementary preliminary investigation or inquiry carrying out or criminal about the one's until court simplified proceedings materials or citizen's complains overviewed on special prosecution regulations.

Citizens are not called up in termed active military service who have been sentenced for serious or especially serious crimes which deprives temporary time liberty or imprisoned on type of lifelong penalty.

The following citizens are exempted from active service during peace time:

- Citizens who have PhD and doctor of science degree;
- Conscripts who have been considered unfit for military service during peace time, partially fit during war or exempted from active service during both peace time and war;
- Conscripts who have not served up to their 35 age due to various reasons;
- Conscripts who are assigned for alternative service;
- Persons who have been admitted to citizenship of the Republic of Azerbaijan and previously did active service according to the legislation or exempted from the service in the country in which they used to hold citizenship.

3.3. What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?

According to the Constitution of the Republic of Azerbaijan, Law on Military Duty and Military Service, Law on the Status of Military Service Members and Law on the Armed Forces, the rights of military service members and their family members are protected.

The Regulations approved by the Law on the Service in the Internal Affairs Bodies of the Republic of Azerbaijan dated 29 June 2001, determines the rules and conditions of service in the Police and other bodies, which are part of the system of the respective executive body, as well as, foundations of the legal status of officials of these bodies.

According to the provision 150 of the same Regulations, an associate of the internal affairs bodies who is not in agreement with decision on change of the service place or positional downgrade is entitled to apply to higher officials of the internal affairs bodies, if he or she is not in agreement with expulsion decision he/she is entitled to applying to court as from the date he or she gets a notice in a written form.

Protection of the rights of the military servicemen in the Internal Troops of the Ministry of Internal Affairs is regulated by the Law on Status of Military Servicemen of the Republic of Azerbaijan.

According to the Law on Combating Terrorism, as well as the Law on the Police, legal and social rights of personnel, who are involved in activities described in these laws, are protected by the state.

According to Article 19 of the Law on Intelligence and Counter-Intelligence Activity, employees of the SSS act as representatives of the state power and are protected by the state while exercising the powers defined by the legislation of the Republic of Azerbaijan. Resisting, using force or threatening to use force, insulting an employee of the SSS during the performance of official duties entail liability as provided for in the legislation of the Republic of Azerbaijan. When an employee of the SSS is on duty (except in cases of criminal arrest), he / she cannot be forcibly brought, detained, personally searched, his / her goods and vehicles cannot be inspected without the presence of the operational units of the SSS, as well as for the protection of other state secrets, his / her interrogation as a witness may be carried out only by informing the leadership of the SSS.

The rights of the staff of State Border Service and their family members are protected by the national legislation (Constitution of the Republic of Azerbaijan, Law on the State Borders, Law on the Border Troops, Law on the Status of Military Service Members, Regulation on the SBS and others) and the Regulations of the Armed Forces.

According to Article 57 of the Constitution of the Republic of Azerbaijan, Law of the Republic of Azerbaijan on Consideration of Requests by Citizens, Articles 6 and 54 of the Internal Service Regulations of the Armed Forces of the Republic of Azerbaijan, Chapter 5 of the Disciplinary Regulations of the Armed Forces of the Republic of Azerbaijan, Article 22 of the Law of the Republic of Azerbaijan on the Status of the Military Service Members those who serve at the military have rights to submit their proposal, application and complaint as well as military servicemen can declare to a court about actions of functional officers and military management authorities who excess the framework established by service regulations and violating rights of military servicemen, and disgrace their dignity. According to paragraph 3 of the same Article it is forbidden to impede reporting on violations and punish or persecute the complainant for this action.

A special section for the rights of military servicemen has been established at the Office of the Ombudsman. Ombudsman has the right to inspect any military unit without prior notice. Ombudsman regularly inspects military units and receives complaints. Members of Parliament and representatives of NGOs regularly visit military units. Independent media, including TV channels may prepare reportages from military units.

4. Implementation of other political norms, principles, decisions and international humanitarian law

4.1 How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through military training programs and regulations?

Application of International Humanitarian Law and Law of War, as well as fulfillment of relevant obligations by Azerbaijan is one of the main priorities.

Law on the Armed Forces of the Republic of Azerbaijan clearly stipulates that the military education of the military servicemen is carried out on the basis of values of humanity and national-historical traditions of the people of Azerbaijan.

In order to implement the provisions of international agreements related to the International Humanitarian Law in the Armed Forces of the Republic of Azerbaijan, a special order No 637 was issued by the Minister of Defense of the Republic of Azerbaijan on 30 December 2005. Furthermore, based on the order of the Minister of Defense of the Republic of Azerbaijan No 27 dated 16 May 2014, Instruction on application of the Law of Armed Conflict in the Armed Forces of the Republic of Azerbaijan was approved.

Accordingly, the following areas have been selected as a priority based on requirements of this order:

- Study of the international humanitarian legal norms related to provisions of the Constitution of the Republic of Azerbaijan, laws, and manuals of the Armed Forces, orders and directives of the Minister of Defense by the military servicemen of the Armed Forces of the Republic of Azerbaijan.
- Fulfillment of the international humanitarian legal norms by military servicemen during implementation of requirements of combat manuals and guidance on combat operations.
- Consideration of international humanitarian legal norms in orders, directives and other service documentations on conduction of trainings, exercises and events.

Main forms of practical studying the international humanitarian legal norms by military installations, formations and units are tactical exercises and trainings. Studying the international humanitarian legal norms should be extensively applied during staff trainings and group exercises.

4.2. What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

Military servicemen from all categories of the Armed Forces are involved in the study process of norms of International Humanitarian Law / Law of Armed Conflict. For this purpose, Baku Office of the International Committee of the Red Cross organizes courses for military officers who become familiar with relevant norms and are given different brochures and literature.

Humanitarian training course on the Code of Conduct and norms of International Humanitarian Law about the rules and customs of war are conducted for the military from all categories of the Armed Forces of the Republic of Azerbaijan.

Special briefings on the particularities of the implementation of the norms of International Humanitarian Law during peacekeeping operations are given to the personnel of peacekeeping forces. Necessary methodical recommendations are published in the journal "Hərbi bilik" (Military Knowledge) of the Ministry of Defense.

There is cooperation between the Republic of Azerbaijan and appropriate institutions of OSCE and International Committee of the Red Cross on disseminating International Humanitarian Law in the Armed Forces of the Republic of Azerbaijan.

When personnel are recruited into the military service, they are individually instructed about criminal, administrative, disciplinary responsibilities for their illegal actions.

4.3. How does your state ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?

Courses on the law of armed conflict are conducted for officers from all categories of Armed Forces of the Republic of Azerbaijan to improve their knowledge about human rights, various religions and cultures. They understand that maltreatment with the members of different cultures is a criminal responsibility.

4.4. What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?

During the trainings of the individual service members, mandatory classes about their civil rights are taught to them.

The Armed Forces of the Republic of Azerbaijan serve to protect its territorial integrity and inviolability, sovereignty and the interests of the Republic of Azerbaijan and to prevent an armed attack and repulse an aggression against the State. According to the Constitution, the main task of the Armed Forces of Azerbaijan is to ensure the country's security and protection. The illegal activities of individuals, any organization and trade unions with political aims are prohibited within the Armed Forces of the Republic of Azerbaijan. These trends are confirmed with the Constitution of the Republic of Azerbaijan and other relative laws.

According to the Law on Political Parties of the Republic of Azerbaijan, people who serve in military cannot be member of any political party. The membership of military personnel to any political party is suspended during their service.

In accordance with the provisions of Article 6 of the Law of the Republic of Azerbaijan on the Status of Military Personnel № 36 dated to 25 December 1991, as well as provisions of Article 8 of the Law of the Republic of Azerbaijan on Political Parties № 147 dated to 03 June 1992 within the period of active military service, the personnel is not permitted to be members of any political parties or public movements and participate in their activities.

4.5. How does your State ensure that its defense policy and doctrine are consistent with international law?

Azerbaijan pursues its defense policy and doctrine in compliance with internationally recognized standards. Azerbaijan closely cooperates with NATO, OSCE, Council of Europe and other appropriate organizations in this regard.

SECTION III: Public Access and contact information

1. Public access

1.1 How is the public informed about the provisions of the Code of Conduct?

1.2 What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

Outcomes of the State Border Service's activities, information about operations undertaken within the framework of fighting trans-border crimes, as well as information on activities of the Armed Forces of the Republic of Azerbaijan are accordingly placed on the official web-pages of the State Border Service and the Ministry of Defense.

Information on service-military activities of State Border Service, operations accomplished in fighting the trans-border criminal activities is regularly placed on State Border Service official website, which is operational since 2012.

1.3 How does your State ensure public access to information related to your State's armed forces?

Press Service of the Ministry of Defense of the Republic of Azerbaijan is responsible for providing the public with the information related to the Armed Forces.

Press Service of the State Border Service regularly provides information about results of operational activities and efforts for countering trans-border crimes.

Press Service of the Ministry of Foreign Affairs of the Republic of Azerbaijan distributes press releases, provides periodic briefings and gives press conferences about the provisions of the Code of Conduct.

In this regard, the official web-pages of Ministry of Defense, Ministry of Foreign Affairs, State Border Service, State Security Service and other respective institutions are helpful for public to get information about the above mentioned issues.

2. Contact information

2.1 Provide information on the national point of contact for the implementation of the Code of Conduct.

The Ministry of Foreign Affairs and the Ministry of Defense are the national points of contact for the implementation of the Code of Conduct.