

Brief report on the main activities of the Azerbaijani Bar Association

1. Admission to the bar

As of 2018, the Azerbaijani Bar Association (hereinafter – the ABA) has started large-scale work to increase the number of lawyers.

Taking into account that the admission to the bar by test method began in 2004, it should be noted that during 14 years, the number of lawyers increased to 931, but throughout the time until today, the number of lawyers has increased to 2240. Each transparent admission process is followed by representatives of international organizations.

The mandatory training courses have been developed to raise awareness of lawyers with respect to CoE conventional toolkits. The course program includes seminars on filing applications to the European Court of Human Rights, legal assistance to the victims of gender-based violence, international conventions and mechanism for the protection of human rights, etc.

With the increase in the number of young lawyers, advocacy has been rejuvenated. Similarly, the number of female lawyers and the number of lawyers in the regions have increased many times. In addition, 5 years ago, the number of law offices was 39, now, this number has increased to 122, and many of them have been renewed and fully restored. However, it should be mentioned that the number of law graduates in Azerbaijan is about 10 times less than in other countries. This has a direct impact on the number of lawyers.

The reception of applications for bar membership has been carried out on a regular basis. The written test is carried out on a computer at the State Examination Center. The transparent admission procedure is monitored by representatives of international organizations such as the UN, the German Society for International Cooperation (GIZ), the CoE, and the embassies. The admission of documents is carried out in an electronic way and in accordance with the exam preparation program shown on the Bar's website. Also, the lawyer candidates who attend the verbal exam on the same day are asked the same exam questions with the purpose of maintaining objectivity. However, in previous years, a different kind of experience has been observed.

Moreover, more than 90% of lawyers have been trained in cooperation with the GIZ, the ICRC, UN agencies, and other international organizations. In addition, the Legal Aid and Training Center of the ABA (hereinafter – ABA LATC), which has been operating since the beginning of 2020, conducts training both in traditional and online methods.

In addition, according to the agreement reached with the Law Society of the United Kingdom, members of the ABA can now be admitted to advocacy and practice law in England and Wales.

We would also like to note that by the Order of the President of the Republic of Azerbaijan dated December 25, 2019, every year, December 28 is celebrated as "Advocate's Day", a professional holiday of lawyers.

2. Disciplinary proceedings

Unlike in previous years, there has been a more humanistic approach to disciplinary proceedings since the election of the Board in 2017. Although the number of lawyers has increased, the number of disciplinary cases has decreased. In fact, in most cases, the Board does not initiate disciplinary proceedings against lawyers on appeals from state bodies and does not send these applications to the Lawyers' Disciplinary Commission.

As a result, more than 60% of appeals and complaints from law enforcement agencies against the lawyers were rejected and not considered by the Board at all. Apart from that, no disciplinary sanctions have been imposed on over 95% of all the complaints and appeals received from governmental and non-governmental bodies and citizens.

3. International cooperation

During this period, we continued to strengthen our relationship with many international organizations. As a continuation of ongoing activities in this direction, the ABA has recently become a member of well-known international organizations in the field of the legal profession, including CCBE, UIA (International Association of Lawyers), AEA-EAL (European Association of Lawyers), and LAWASIA (Law Association for Asia and the Pacific).

In addition, effective cooperation has been established with international organizations specializing in the field of advocacy (CCBE, ICJ), and with the recommendations of these organizations, we made additions and amendments to the Charter on the Lawyers' Rules of Conduct.

Within the framework of cooperation between the CCBE and the ABA, two successful events have been held jointly. On June 29, 2021, the webinar "On the role of the ECHR and criteria for admissibility of applications - theory and practice" was held, live-streamed for the whole legal community, and all the addressed questions were answered by international experts. On January 12, 2022, the CCBE and the ABA held the next joint webinar on "Deontology issues of lawyers – professional secrecy and freedom of speech" with more than 200 participants and 1600 viewers.

During the official visits of Alexander Gessel, the head of the Political Affairs Directorate, Mikhail Lobov, the Head of the Human Rights Policy and Cooperation Department, Dunja Mijatović, Commissioner for Human Rights, and Christos Giakoumopoulos, Director General of Human Rights and Rule of Law of the Council of Europe, to Azerbaijan on different years, they visited the ABA as well, and we had useful discussions on the development of the legal profession.

On February 16, 2022, the ABA officially joined the activities of the regional project "Strengthening the profession of lawyer in line with European standards", funded by the European Union and the Council of Europe within the framework of the Partnership for Good Governance 2019-2021 (PGGII). The regional project "Strengthening the profession of lawyer in line with European standards" is implemented in the countries of the EU Eastern Partnership and is aimed at strengthening cooperation between the bar associations and law societies of the participating countries with a view to

improving the internal functioning and independence of the bar.

Starting on 27 February 2022, the Ukrainian National Bar Association, International Association of Lawyers, and other international organizations addressed the request to provide our Ukrainian colleagues with financial or any other kind of support. The ABA reached all its members, and the Chairman, Mr. Anar Baghirov, shared the call on his personal social media accounts. As a response, Azerbaijani lawyers have greatly contributed to the financial aid for the members of the UNBA. Also, upon the request, the ABA has provided the members of the Ukrainian community in Azerbaijan that have left Ukraine after the Russian hostilities took place there with free legal aid and financial support.

4. Digitalization of services

The application of innovations in advocacy is one of the issues that are always approached with special sensitivity. In order to ensure citizens' access to legal assistance, an online register of all the law offices and members of the ABA has been created on our website, and all information provided here is constantly updated.

In addition, an electronic cabinet was put into operation for each lawyer, and these e-cabinets were integrated into the "electronic court" information system.

Also, the circulation of official documents of the board and lawyers' documents is carried out through this e-cabinet. Lawyers are also notified about the newly-sent documents and information via SMS and e-mail.

Since the beginning of the activity of the current Board, the application for admission to the Bar has been electronic, and now this is being further improved, and candidates will be able to send their documents online via the relevant platform on the website.

In the framework of digitalization, the personal files of lawyers are also digitalized, and an electronic database is created in the archival storage.

Furthermore, as stated above, for the professional development and vocational training increase of our members as well as lawyer assistants, the ABA established LATC; roundtables, seminars, workshops, webinars, training, discussions, etc., are weekly organized there. The LATC has also introduced the "Continuing Education" electronic platform, which aims at facilitating participation for everyone, in particular the members of the ABA that live far away from the capital.

On the other hand, in 2020, due to the pandemic, taking into account the quarantine regime, the "LegalAid" electronic legal aid mobile application was developed and made available to citizens.

In connection with the provision of legal assistance at the expense of the state, decisions are centralized and sent to the LATC in an electronic form, and these decisions are transferred from LATC to law offices and individual lawyers online through their personal cabinets.

At the same time, free legal assistance – i.e. "Pro Bono" is provided not only in the traditional way but also online.

As opposed to the period before 2018, the ABA regularly organizes free legal aid campaigns, including mobile legal aids, and has provided free legal aid to approximately 30,000 low-income people in both the capital and other regions.

Also, work is underway with relevant agencies for the digitalization of obtaining lawyer inquiries. In addition, in the near future, the "Electronic lawyer order" platform will also be launched.

5. Amendments to the legislation and support for the legal reforms

Our legislative initiatives aim at improving the independence of lawyers, the realization of the rights of citizens to receive high-quality legal assistance, the protection of human rights and freedoms, and the efficient functioning of the administration of justice. The ABA's efforts include appeals to various authorities regarding amendments to Procedure Codes, the Law "On Lawyers and legal practice", and other legislative acts.

The ABA has drafted amendments to the Law "On Lawyers and legal practice", which have been reviewed by CCBE's experts. Following the review, all the amendments proposed by experts have been accepted, and the draft law has been adjusted in concordance with the recommendations.

Furthermore, the ABA is one of the two co-founders of the Mediation Council and has held several online meetings and events related to experiences and solutions with the participation of the administration of the Mediation Council and more than 100 lawyers and mediators. In addition, in order to organize the normal functioning of the mediation in the country, the appeal addressed to the ABA from the Mediation Council was considered, and according to the Decision of the Board, a positive decision was made to donate.

On 12.03.2021, the ABA and the Supreme Court jointly organized a roundtable on "Judge and lawyer, procedural and non-procedural relationships" and analyzed the mutual procedural relationships between judges and lawyers and problems encountered in this area.

On 22 January 2022, the ABA presented its suggestions on draft Laws "On amendments to the Civil 4 Code", "On amendments to the Code of Administrative Offences", and "On amendments to the Criminal Procedural Code". Further, on 21 December 2021, the ABA presented its suggestions on Law "On amendments to the Criminal- Procedural Code" to the Supreme Court of Azerbaijan Republic.

Within the framework of the joint project funded by the European Union and implemented by the Azerbaijani government, the draft law "On free legal aid" has been prepared and delivered to relevant state bodies for review; the ABA is a key coordinator of the project. The law is expected to be adopted latest in the year 2023.

Furthermore, the appeal of the Prosecutor General's Office related to our principal and courageous female lawyers demonstrating exemplary behavior, honoring the name of advocacy, and carrying out legal activity with high professionalism, especially in the field of detection of grave crime and exposure of the criminal without any personal interest for the interests of our society was considered, and a decision to award our valuable colleagues Sevda Maharramova and Rovshana Rahimli with the honorary diploma was adopted in the Board meeting.

Within the framework of various collaborations with GIZ, OHCHR, and other international organizations, the

magazine "Azerbaijani Lawyer" is issued four times a year and distributed to all the lawyers and other members of the legal community.

Moreover, taking into account the initiatives put forward by lawyers, improvement of legislation in various legal fields, and international experience, several committees established under the ABA, such as "Business Law", "Labor Law", "Electronic Advocacy", "Cybercrime and Cyber Security" and "Alternative Dispute Resolution" committees.

6. Support for members

By the decisions of the Board, over the past period, our lawyers suffering from coronavirus and other diseases have always been provided with financial assistance from the Advocacy Development Fund. In addition, 249 lawyers were exempted from paying membership fees on the grounds of maternity leave, education, and so forth.

Furthermore, the ABA is always working within the framework of cooperation and negotiations with state authorities to eliminate all problems that occur or may occur in the process of professional activities of lawyers. During the last few years, more than 100 lawyers approached the ABA and expressed their concerns and challenges relating to artificial obstacles caused by government bodies. The ABA brought the issues to the agenda of several state authorities, and as usual, the ABA's interference has become helpful in resolving these issues.

According to the Decree of the President, a group of ABA members was awarded the "Progress" medal as well for their long-term fruitful activity in the field of law.

Furthermore, on 12 March 2022, for the purposes of promoting intellectual games among its members and fruitful organization of their spare time, the ABA initiated and organized an intellectual game, "What? Where? When?" with the participation of more than 100 lawyers from Baku and regional Law Offices.

In addition, the national football team of the ABA finished third in the Grand World Championship, which took five places in Morocco from the 7th to the 15th of May 2022.

In May, the children's drawing exhibition competition, "The profession of advocacy through the eyes of children", will take place as well.

7. Gender policy

On 3 March 2022, the ABA initiated the organization of the roundtable on "Women in advocacy: yesterday, today and tomorrow". The event was attended by the Chairman of the ABA, Anar Baghirov, chairperson of the State Committee for Family, Women and Children Affairs Bahar Muradova, the leadership of the board, and more than 50 women lawyers.

On 1 April 2022, following the request of 22 female members of the ABA, according to the decision of the Board of the ABA Women Lawyers' Alliance was established.

Furthermore, webinars and training courses on the Council of Europe Convention on preventing and combating violence against women and domestic violence ("Istanbul Convention"), legal assistance to the victims of domestic violence, and gender-based violence were held throughout the year for members of the ABA, particularly for female members of the Bar within the framework of the Council of Europe's HELP (Human Rights Education for Legal Professionals) program. From 2017 to 2020, Azerbaijan was ranked 13th, 10th, and 15th according to the number of HELP users by country.

Moreover, according to the Orders of the President of the Republic of Azerbaijan dated 30.12.2020 and 07.03.2022, 6 female members of the ABA have been awarded the "Progress" medal for their fruitful activities in the socio-cultural life of the Republic of Azerbaijan.

8. Support for the young generation of lawyers - increasing interest in the legal profession among young people

Over the past few years, the ABA signed the memorandums of understanding with around ten universities, and internal events of the universities, the projects of students have financially and academically been supported by the ABA.

According to the cooperation agreement signed between the ABA and ELSA (European Law Students' Association), joint projects, conferences, round tables, seminars, discussions, court competitions, summer and winter law schools are held with the support of the ABA, as well as ELSA members can apply and practice at our law offices at any time.

In April 2022, with the financial support of the ABA, the project aiming at raising legal awareness of young generations, "Voice of law" took place at ADA University.

For 2 years in a row, financial and media support were provided for the Philip C. Jessup International Moot Court Competition both in Azerbaijan and for the winners to participate in the rounds in the United States.

Additionally, in different years, the travel expenses of the teams representing Azerbaijan at the International Commercial Arbitration Competitions (Willem C. Vis Moot) in Europe were covered.

Last year the libraries of Baku State University and the Academy of Public Administration were renewed, restored, and provided with books with the support of the ABA.

For the first time in Azerbaijan, the ABA organized a 1-month Summer School called "want to become a Lawyer", and more than 300 law students from 5 local and 8 foreign universities applied, as well as 36 students participated in the summer camp held in the regions.

In addition, ABA held for the first time a children's art exhibition competition dedicated to National Human Rights Day on June 18, called "Profession of the Lawyer through the eyes of children," and more than 80 school students' artworks were displayed at the exhibition.