OGP Criteria and Standard Subcommittee Briefing: Proposal for dialogue with Government of Azerbaijan

1. Timeline for the next National Action Plan

OGP recognises that the Government of Azerbaijan developed their first National Action Plan at a time when there was not clear guidance on the length of the plan and when it was submitted. As a result the Government of Azerbaijan submitted a three-year action plan which expires at the end of 2015.

In order to avoid a further delay in developing a new National Action Plan Azerbaijan will submit its new plan by December 30th 2015, to begin implementation on January 1st 2016. This action plan will be 18 months in length, ending in June 2017 and bringing Azerbaijan back in sync with the ‘odd year group’ of OGP countries. The Government of Azerbaijan will cooperate with the Independent Reporting Mechanism so they can carry out their evaluations effectively.

To assist cooperation with the Criteria and Standards subcommittee the Government of Azerbaijan is requested to produce a timeline for the consultation period of the National Action Plan in time for a check-in call in August.

1. Consultation with civil society

In preparation of the next OGP National Action Plan the Government of Azerbaijan will consult with civil society organisations and citizens according to the OGP requirements. This will take account of the recommendations in the Independent Reporting Mechanism Progress Report and the requests made from civil society organisations in their letter of concern. The Criteria and Standards subcommittee will prepare some recommendations, working with the Support Unit Civil Society Engagement Team, for the Government of Azerbaijan to conduct an open and representative consultation process. After the National Action Plan consultation process has concluded in December 2015, there should be an independent assessment of the consultation that reports back to the Criteria and Standards subcommittee.

1. Peer exchange and technical support

The international network of reformers engaged in OGP provide an opportunity for the Government of Azerbaijan to tap into experience and expertise on working with civil society. In particular Criteria and Standards members have offered to share lessons learned from their NGO cooperation work and the Asian Development Bank has offered support on working with civil society. The OGP Support Unit will help broker these connections and engage as appropriate. At the OGP Summit in Mexico there will be a meeting between members of the Criteria and Standards subcommittee and the Government of Azerbaijan, ideally including a representative from the Ministry of Justice. At this meeting there will be an update on commitments the Government of Azerbaijan is considering for their action plan, including on the functioning of the NGO laws.

1. Commitments to improve the operating environment for civil society

In the next National Action Plan commitments should be considered to address the functioning of the Law on Grants, Law on Non-governmental Organizations, Law on Registration of Legal Entities and State Registry and the Code on Administrative Offenses. This will aim to work with the Ministry of Justice to address the barriers that NGOs are currently facing to register and process contracts. The Criteria and Standards subcommittee will work with experts to make recommendations on how implementation of these laws could be improved to ease civil society operations in Azerbaijan. Implementation of these reforms is crucial, such as creating a real-time register of Ministry of Justice grant approval requests so that civil society can monitor progress of their applications. Criteria and Standards will invite the Government of Azerbaijan to submit evidence on implementation of these reforms after 3 and 6 months of implementation in 2016. This will be evaluated as part of progress on the original response policy concerns and reports will be sent to the full Steering Committee.

1. Working with the OGP Steering Committee

The Criteria and Standard subcommittee will invite the Government of Azerbaijan to participate in a teleconference in August to discuss the consultation process for the new National Action Plan and possible commitments related to civic space. Criteria and Standards members will be available for on-going support throughout the new action plan development process.