

## The CSO Anti-Corruption Coalition of Armenia finds the OECD Assessment of Anti-Corruption Reforms in Azerbaijan concerning

"08" May, 2024,

city Yerevan

In March 2024, the Organization for Economic Co-operation and Development (OECD) released [the monitoring reports /https://www.oecd.org/corruption/eu-for-integrity-programme-for-the-eastern-partnership.htm/](https://www.oecd.org/corruption/eu-for-integrity-programme-for-the-eastern-partnership.htm/) of the 5th Round Monitoring for the Istanbul Anti-Corruption Action Plan for Armenia, Azerbaijan, Moldova, and Ukraine, under the Anti-Corruption Network for Eastern Europe and Central Asia (ACN).

The monitoring reports of the 5th round assessed the effectiveness of anti-corruption policy reforms in various areas within each country. These areas include the development of anti-corruption policies, conflict of interest and asset declarations, protection of whistleblowers, independence of the judiciary, among others.

The assessment was conducted based on performance across four levels:

- Performance Level A: Scores between 76 and 100 indicate outstanding implementation of the country's reforms in a specific area.
- Performance Level B: Scores between 51 and 75 suggest high implementation of the country's reforms in a specific area.
- Performance Level C: Scores between 26 and 50 indicate average implementation of the country's reforms in a specific area.
- Performance Level D: Scores below 25 suggest low implementation of the country's reforms in a specific area.

Based on [the Baseline Report of the Fifth Round of Monitoring of Anti-Corruption Reforms in Azerbaijan /https://www.oecd-ilibrary.org/docserver/a17aca4c-en.pdf?expires=1715091282&id=id&accname=guest&checksum=6B3122C7989594D68A9EA8C4E788167C/](https://www.oecd-ilibrary.org/docserver/a17aca4c-en.pdf?expires=1715091282&id=id&accname=guest&checksum=6B3122C7989594D68A9EA8C4E788167C/), the reforms pertaining to anti-corruption policy were deemed **outstanding**, scoring **83 out of a possible 100 points**. However, upon examining [Performance Area 1 /https://www.oecd-ilibrary.org/docserver/a17aca4c-en.pdf?expires=1715090486&id=id&accname=guest&checksum=43F4CCCEE8225779E11F98C6F9362A85/](https://www.oecd-ilibrary.org/docserver/a17aca4c-en.pdf?expires=1715090486&id=id&accname=guest&checksum=43F4CCCEE8225779E11F98C6F9362A85/) of the report, which focuses on anti-corruption policy, it becomes evident that non-governmental stakeholders in Azerbaijan *were quite critical about the national anti-corruption policy. They think that the national anti-corruption documents do not address the essential corruption problems and are not supported by the true political will to reduce the level and risks of corruption. They also noted that there is no true dialog with the media, CSOs, citizens in the anti-corruption efforts. The public consultations involve the same NGOs which have a long-term experience of cooperation with the governmental agencies. These NGOs are not very critical about the insufficiency of the governmental efforts and do not want to raise nor discuss significant corruption problems. Non-governmental stakeholders noticed that high-level corruption now started to spread from the natural resources sectors to other branches of economy such as agriculture and these tendencies are not addressed by the national anti-corruption policy document.*

Along with this, it is important to note that the evaluation methodology of the Istanbul Anti-Corruption Action Plan mandates the inclusion of opinions from non-governmental stakeholders (such as NGOs, representatives from civil society organizations, and relevant sector experts) in each section of the performance areas of the reports, along with providing a comprehensive reference to the results of the performance evaluation. In the preparation of the evaluation concerning the anti-corruption policy of Azerbaijan, these requirements were not adhered to, too. The input from non-governmental stakeholders had minimal influence on the scope of Azerbaijan's anti-corruption policy performance area; otherwise, their observations would have been considered in assessing the first performance area of the activity. Furthermore, these observations are absent from both the foreword of the Executive Summary and Performance Area 1 of the report.

A study of Performance Area 6 in the OECD monitoring reports of the 5th round reveals that the guidelines for incorporating the views of non-governmental stakeholders in each section of the performance area, as well as providing a comprehensive reference to the performance evaluation results, were not followed in assessing the independence of Azerbaijan's judiciary. Consequently, as expressed by representatives of civil society organizations in the concluding section of the [6th Performance Area](https://www.oecd-ilibrary.org/docserver/a17aca4c-en.pdf?expires=1715090486&id=id&accname=guest&checksum=43F4CCCEE8225779E11F98C6F9362A85/) of the Baseline Report, *the representatives of the CSOs were not positive about the judiciary in the country, there is no trust in the judiciary and courts. Judges and courts are considered as controlled by the Ministry of Justice and influenced by the prosecutors. Additionally, non-governmental stakeholders reaffirmed that the public information about the appointments and dismissals of the judges is not sufficient. These decisions are published without the sufficient justifications. The essential true political will based reforms are necessary to improve the situation.*

Hence, it appears that the observations mentioned above had no effect on the evaluation of Azerbaijan's judiciary independence; they are absent from both the foreword of the Executive Summary and Performance Area 6 of the Report. The identities of the NGOs or non-governmental stakeholders offering opinions are not disclosed. These circumstances cast doubt on the relevance of non-governmental sector representatives' opinions in the Report's development and assessment.

Furthermore, it's worth emphasizing that Azerbaijan consistently ranks among the countries with low scores on the Corruption Perceptions Index (CPI), as published by the Transparency International Global Coalition against Corruption. For several years, Azerbaijan has remained among the countries occupying the lowest positions. For instance, in 2023, it placed 154th out of 180 countries, with a score of [23 points](https://www.transparency.org/en/cpi/2023/index/aze/). Similarly, in 2022, it ranked 154th with [23 points](https://www.transparency.org/en/cpi/2022/index/aze/), marking a decrease of 7 points compared to 2021. Azerbaijan's highest score on record was [31](https://www.transparency.org/en/cpi/2017/index/aze/) in 2017.

Moreover, the international community is cognizant of several prominent [corruption scandals](https://www.occrp.org/en/poy/2012/) involving the [President of Azerbaijan](https://www.aei.org/oped/azerbajians-aliyev-is-a-strategic-liability-not-an-asset/) and [members of his family](https://www.occrp.org/en/the-pandora-papers/family-of-top-azerbaijani-politician-owns-millions-in-luxury-real-estate/). Numerous journalistic [investigations](https://www.occrp.org/en/azerbaijanilaundromat/the-influence-machine/) have shed light on these scandals, some of which have been published on international platforms like the [OCCRP](https://www.occrp.org/en/azerbaijanilaundromat/the-influence-machine/).

The press has extensively covered details of [Aliyev's alleged attempts to bribe](https://www.youtube.com/watch?v=tZ4iHvVmZbU/) officials from foreign states and international organizations. Additionally, Azerbaijan has long been labeled by various authoritative international organizations as an unfree state with [dictatorial tendencies](https://www.washingtonpost.com/opinions/do-not-forget-the-azerbaijan-128-under-the-thumb-of-a-dictator/2019/01/21/393f10c0-1b65-11e9-8813-cb9dec761e73_story.html/), marked by numerous violations of freedom of speech and human rights, including the persecution of individuals beyond its borders, [including foreigners](https://laweuro.com/?p=14707/).

Furthermore, within those corruption scandals, the president's stance [on environmental matters](https://phys.org/news/2019-04-caviar-oil-caspian-sea-pollution.html/) is notably highlighted, particularly his direct involvement in [the mining industry](https://www.occrp.org/en/panamapapers/aliyev-mining-empire/).

Therefore, although the OECD formally evaluated the implementation of anti-corruption reforms in Azerbaijan as outstanding in its 5th Round Monitoring Report, we believe that assessments by such esteemed international specialized bodies should have been conducted based on tangible results rather than relying solely on formal quantitative data that may overlook the true content.

Considering the aforementioned points, the CSO Anti-Corruption Coalition of Armenia, comprising prominent civil society organizations in Armenia's anti-corruption sphere, raises concerns about the OECD's evaluations of the anti-corruption reform process in Azerbaijan. We respectfully urge this specialized and authoritative organization to assess countries' performance based on tangible results, uncovering the genuine state of reforms and situations through qualitative and comprehensive indicators. In this context, we call for a thorough review of the OECD methodology used to evaluate countries' anti-corruption reforms.

Governing Board of the CSO Anti-Corruption Coalition of Armenia

*Note: The CSO Anti-Corruption Coalition of Armenia* is a professional civil society structure founded on 28 November 2014 in Yerevan. Presently, the Coalition comprises 50 civil society organizations, with the Secretariat managed by the Armenian Lawyers' Association.