



2020

March

The **Report**
of Legal Aid in
Azerbaijan

www.vhi.az

Summary

This report includes the amount, scale, encountered issues during legal aid activity and proposals for their resolutions of Legal Aid activity of the [Institute for Citizens' Rights](#) from January 1, 2019, till January 1, 2020. The organization believes that it will reach more people by expanding its activities in the indicated directions in the future and will find solutions to their legal issues.

Approximately 8-10 thousand people who were conducting legal aid activities were removed from this process after the cancellation of the Representation Institute in 2017¹.

When we consider the fact that nearly 900 attorneys were operating in the country back at that time, it shows that this number is big enough. Note that, the number of attorneys has increased to 1708 according to the numbers released by the Bar Association from 2017 till present, and this means there is one attorney per approximately 5885 citizens in the country.² Note that for comparison, there are 9336 attorneys in neighbor Georgia and it means one attorney per 400 citizens.

Introduction

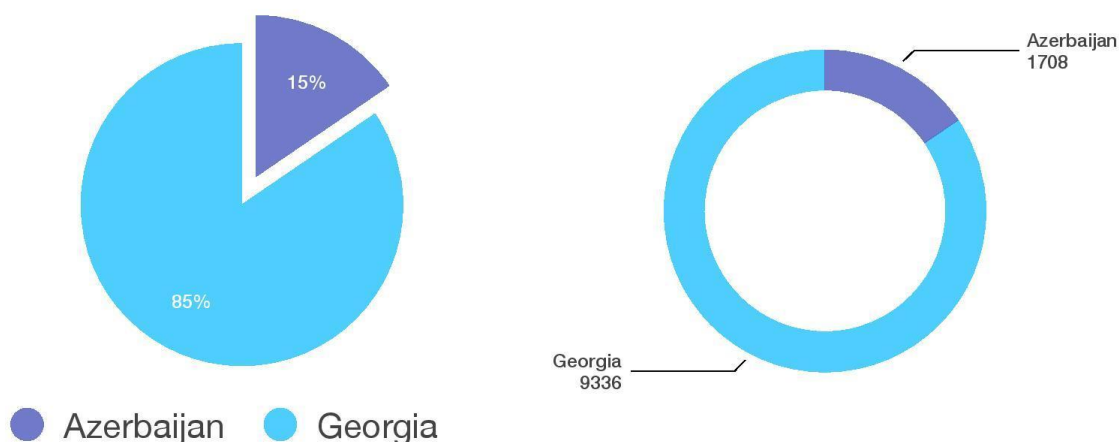
The [Institute for Citizens' Rights](#) (ICR) was founded on April 1st, 2012. Although the documents were presented to the Ministry of Justice for state registration of the organization, the Ministry refused to register it. The founders have sent a complaint to the court regarding the illegal decision of the Ministry of Justice. The complaint is currently in the European Court of Human Rights.

The ICR mainly works in the direction to develop youth living in the capital and regions, to protect the rights of citizens, legal enlightenment and to increase civic engagement. There are currently operating representations in two regions of the country - Ganja (western) and Zardab (central) and [benefisiar.org](#) and [gancapost.info](#) web portals to enlighten citizens. The ICR cooperates with the U.S., British, Dutch Embassies in Azerbaijan, the Delegation of the European Union to Azerbaijan, US NDI, IRI, Freedom House, Human Rights House Foundation (Norway), FIDH (France), "Freedom Now" organizations.

¹<https://modern.az/az/news/147643>

² <https://barassociation.az/news/514>

COUNTRIES	THE NUMBER OF LAWYERS
Azerbaijan	1,708
Georgia	9,336



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The situation is worse in the regions of Azerbaijan. When we look at the registry system³ of attorneys presented by the Bar Association it obviously seems the number of attorneys in most regions is small enough. For instance, there is only one attorney operates in Zardab province which has more than 45 000 population, and only 3 attorneys operate in Imishli province which has more than 125 000 population.

The [Institute for Citizens' Rights](#) has determined the online and face to face legal aid activity especially for citizens living in the regions as a priority direction for itself after the cancellation of the Representation Institute in 2017.

The organization has operated in 3 main titles in order to realize the legal aid activity:

- 1) *Capacity building of young lawyers;*
- 2) *Legal aid to low-income citizens in the regions;*
- 3) *Legal enlightenment of citizens on social media through the "[Benefisiar.org](#)" web portal and social network pages.*

The above-mentioned directions complete each other in sequence and provide continuity. The organization cooperates with the volunteer lawyers after improving their skills through training sessions, workshops, and different programs. A part of lawyers conducts legal aid to citizens coming to the office of the organization in Baku, and prepare beneficial articles for the [benefisiar](#) web portal within this cooperation. Gaining experience through this process young lawyers conduct training sessions for citizens living in the regions and provide legal aid to them. They make their contributions to the development of citizen-government relations within the legal framework.

³ <https://barassociation.az/lawyersregister?ordering=fullname>

Legal Aid

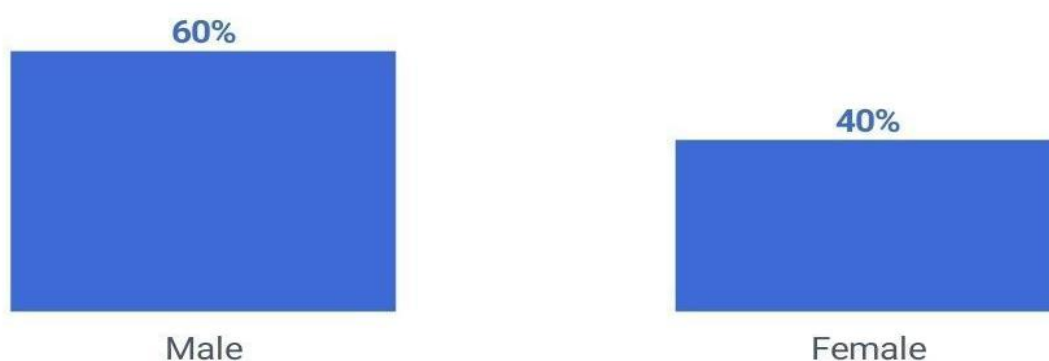
Information related to legal aid activity, priority directions, information regarding difficulties and opportunities of the organization between January 1- December 31, 2019, has been indicated in this report.

Online Legal Aid

The organization conducts its online legal aid activity through social network pages “Benefisiar”, “Hüquq Evi” which belong to “Benefisiar” Legal Aid Centre.

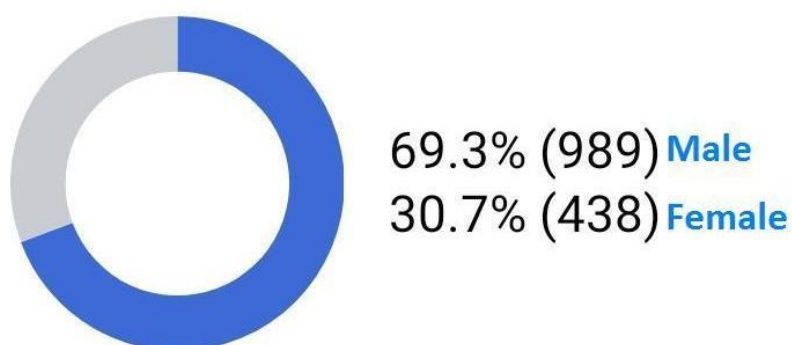
In general, it must be noted that nearly 16 100 questions regarding legal aid have been received by the organization during a year. 200 of them have been made via mobile phones through direct calls, and more than 300 of them have been made through WhatsApp. The main part of the questions is the ones that have been received through the Facebook social network. Besides, the number of citizens who asked their questions via posting comments to the shared links has been more than 5 thousand.

4.0K Event count



(The number of questions received by the Hüquq Evi Facebook page in the last 3 months)

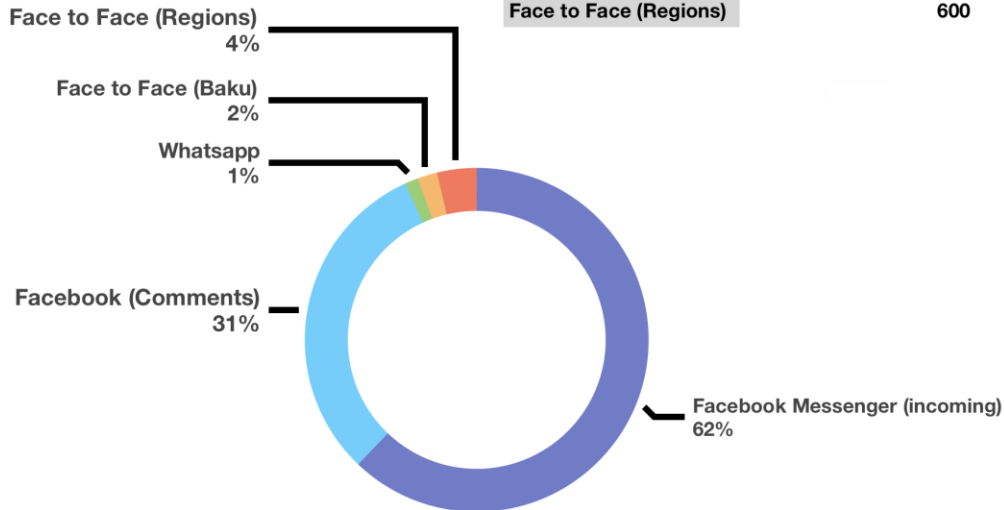
1.4K Event count



(Total number of questions received by the Benefisiar Facebook page in the last 3 months)

The totality of legal aid activity conducted online through Gəncə Hüquq Evi, Hüquq Evi, Benefisiar Facebook pages and Whatsapp, and legal aid conducted through training sessions, meetings and regional offices by the Institute for Citizens Rights in Baku and the regions during 2019-2020 has been reflected in this statistics.

Contact ways	The Number of Questions
Facebook Messenger (incoming)	10,000
Facebook (Comments)	5,000
Whatsapp	200
Face to Face (Baku)	300
Face to Face (Regions)	600



It is necessary to note that up to 200 000 users entered Benefisiar.org which is the legal aid portal of the organization during last year.

Face to Face Legal Aid

Organizing trips to 6 regions within a year the organization has conducted training sessions to 200 people, and provided them with face to face legal aid. The training sessions have been conducted by 5 young lawyers ripened by the organization.

Furthermore, nearly 200 citizens have come to the Baku office of the organization and received legal aid during last year.

Currently operating Zardab and Ganja representations of the centre get many appeals daily and the number was more than 600 within a year.

Priority Directions

Analyzing the appeals received within 1 year the organization has determined its main priority directions:

1) Alimony problem

More than 600 questions regarding the Alimony problem have been received online and face to face by the centre since 2017. The following directions have been determined while checking out them.

- Appeals to increase the amount of alimony;
- Failure to comply with court orders regarding alimony;
- Imprisonment due to alimony.

Especially women applying from the regions of Azerbaijan have complained that their husbands are leaving the country after divorce due to unemployment and as a result, they do not pay the alimony. Besides, there have been complaints that the execution of court decisions is not done due to corruption in the offices in the regions and they are not fulfilled deliberately. The centre has sent 30 such complaints to the General Department of Bailiffs of the Ministry of Justice only in the last 6 months of the current year. Although as a result of complaints case has been given from one executor to another, there has not been any significant change in the process of execution.

Bad results the alimony problem create in the country and necessity of establishing alimony foundation have especially been noted in the report that has been prepared by the organization in 2019.

2) Non-execution of court decisions

According to the researches of the Centre, problems in the execution of decisions regarding the above-mentioned alimony problem has also been reflected in the civil cases. According to the statistics released by the Ministry of Justice in 2017, 415 508 out of 852 019 cases received by the executor offices throughout the year which is 48% have been executed⁴.

Not surprisingly, approximately 30% of citizens who appeal to the centre online and face to face to complain about the non-execution of court decisions and behavior and non-actions of executor bodies. Although in some cases the complaints are effective, in total the executor offices have extended the execution process of decisions in the complaints presented regarding the activity of executor bodies with various excuses.

3) Property Problem

Property problem is one of the problems that people suffer from and complain about in Azerbaijan for a long time.

Property problem also holds an important place amongst the complaints of citizens received by the centre. According to the approximate calculations, there are nearly 1 million non-registered houses in Baku and nearby areas. When we add also regions then this number approximately increases to 1 200 000- 1 250 000.

Although there has been small progress in this field in the last 2 years, the problem has not found its rooted solution. Complaints of citizens who appealed to the centre have been linked to non-payment of compensation for violated property rights, non-issue of extract to the property and inheritance issues.

**Young lawyers group of ICR
Baku, Azerbaijan/2020**

⁴ <http://www.justice.gov.az/categories/242>