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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

(VENICE COMMISSION)

DECREE ON

**APPROVAL OF RULES FOR STATE REGISTRATION AND
RULES RELATED TO THE PREPARATION FOR NEGOTIATIONS
WITH FOREIGN NON-GOVERNMENTAL ORGANISATIONS
AND REPRESENTATIONS**

IN THE REPUBLIC OF AZERBAIJAN

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Decree on approval of rules for state registration and rules related to the preparation for negotiations with foreign non-governmental organizations and representations in the Republic of Azerbaijan.

16.03.2011

Cabinet of Ministers of the Republic of Azerbaijan

DECREE

№ 43

Baku city, 16 March 2011

On approval of rules for state registration and rules related to the preparation for negotiations with foreign non-governmental organizations and representations in The Republic of Azerbaijan.

In order to ensure implementation of decree 401 of the President of Azerbaijan on "Non-governmental organizations and funds" dated 4 October 2000, and the President of Azerbaijan's decree 391 on "Regulations on the Ministry of Justice of the Republic of Azerbaijan", "on making additions to the "President of the Republic of Azerbaijan on 12 November 2010, Decree 350 in order to ensure the implementation of paragraph 3.3 of the Cabinet of Ministers of the Republic of Azerbaijan, the Cabinet of Ministers takes the following decisions:

1. Rules for "Branches of foreign non-governmental organizations and representatives of the state of registration and the conclusion of negotiations on the rules for the preparation of the agreement shall be approved (attached).
2. The law is in force after being signed.

Prime Minister of the Republic of Azerbaijan Artur Rasizade

Was approved by Decree 43 of Cabinet of Ministers of The Republic of Azerbaijan dated March 16, 2011.

Rules on

Preparation and closure of negotiations with branches of foreign non-governmental organizations and representatives on the state registration

1. General provision

These rules of these "non-governmental organizations (public associations and funds) about the "Law of the Republic of Azerbaijan, prepared in accordance with Article 12.3, non-governmental organizations of foreign states (hereinafter - the organization), or branches and representative offices (hereinafter - the branch or representation) with the state registration of the agreement on the issues of define preparation and closure of negotiations.

2. General requirements for the beginning of negotiations

2.1 For Registration of the branch or representative office in the Republic of Azerbaijan with the preparation of the agreement to begin negotiations with the aim of the organization's, the authorized representative of the organizations sends written request to of the Ministry of Justice of the Republic of Azerbaijan.

2.2. In the appeal information on the activities in the Republic of Azerbaijan and its purposes should be indicated in this activity and the importance of contribution to society in Azerbaijan should be justified.

2.3. The document below should be attached to the appeal:

2.3.1. Documents proving registration of the organization which creates local branch - the state (trade) extract from the register (the certificate of registration, etc.), the statute (charter) translated into Azerbaijani and notarially approved copies of this documents;

2.3.2. Copy of translated and notarially confirmed power of attorney given to responsible representative by the organization.

2.4. Of the documents mentioned in paragraph 2.3 of these Rules of international treaties, unless specified otherwise, in accordance with legislation, or they should be given to apostil and legalized.

2.5 After submitting the required documents, requests are sent to relevant bodies for clarifying their attitude towards registration of the following branch.

2.6. If the results of the opinions are positive, the negotiations launched by the Ministry of Justice

3. The subject of negotiations

3.1 Information about the organization and its activities during the negotiations the purposes of the Republic of Azerbaijan, the Azerbaijani society and the importance of this activity should be discussed during negotiations.

3.2. The organization's future activities in the territory of the Republic of Azerbaijan should include the following conditions:

3.2.1. Comply with Constitution of the Republic of Azerbaijan, with laws and other normative legal acts;

3.2.2 Respect National and moral values, respect the people of Azerbaijan;

3.2.3. Should have no activities in occupied territories after Armenia-Azerbaijan, Nagorno-Karabakh conflict in the occupied territories as a result of any operations carried out , as well as no contacts with the separatist regime of Nagorno-Karabakh;

3.2.4. not involved in the political and religious propaganda;

3.2.5. provide information required to state registry within the timeframe established by the legislation on non-profit legal entities.

3.3. Within the competence of the parties during negotiations or other matters of mutual interest can be discussed.

3.4. Proposals are contrary to the legislation of the Republic of Azerbaijan can not be the subject of negotiations.

3.5. As a result of negotiations by the conditions in paragraph 3.2 of these Regulations is not achieved, the Ministry of Foreign Affairs of the Republic of Azerbaijan will be informed on this, and the negotiations stopped.

4. Conclusion of the Agreement

4.1. The agreement with the organization's branch is achieved. A result of these negotiations on the conditions in paragraph 3.2 of the Rules adopted by the agency in case of an agreement concluded between the organization of the Ministry of Justice of the Republic of Azerbaijan.

4.2. After signing the agreement within the period specified by law and order, the state registration of the branch or representative office shall be carried out.

5. Final provision

Branches or representative offices registered in the case of violation of the terms mentioned in paragraph 3.2 of the Rules, shall bear responsibility in accordance with the legislation of the Republic of Azerbaijan.