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## **AZERBAIJAN**

### **1. Title, rank and position of the Legal Adviser**

The post of the Legal Adviser is not envisaged in the structure of the Ministry of Foreign Affairs of the Republic of Azerbaijan. The functions of a Legal Adviser are being performed by the staff of the International Law and Treaties Department (ILTD) headed by the Director.

The Director of the ILTD and its staff are subordinated to the Deputy Minister of Foreign Affairs.

### **2. Principal functions**

The principal functions of the ILTD are:

- to provide legal advice and give opinions on matters of international law relating to foreign policy;
- to participate and supervise all phases of the conclusion of treaties;
- to report on matters of conclusion, suspension of international treaties, on the status and interpretation of treaties, reservations and objections thereto;
- to perform the functions of depositary of treaties;
- to maintain the Ministry's registrar of international treaties;
- to keep the Azerbaijan's Treaty Archive;
- to participate in the delegations of Azerbaijan to international conferences and meetings with a view to secure the correctness of state's position from the perspective of international public law;
- to follow and evaluate issues of international law and to participate in works of its codification and development;
- to prepare proposals on conclusion of the international treaties on behalf of the Republic of Azerbaijan and the Government of the Republic of Azerbaijan;
- to prepare proposals on ratification, adoption, approval of or accession to the international treaties;
- to provide the preparation, exchange and deposit of the instruments of ratification;
- to inform periodically the Government about the fulfillment of the obligations by Azerbaijan and other Parties of the international treaties;
- to provide the general observation on the implementation of the international treaties by Azerbaijan;
- to prepare proposals to the Government on measures to be taken in accordance with international law in cases when other Parties to the international treaties are failed to fulfill their obligations;
- to prepare proposals to the Government to denounce an international treaty;
- to present an international treaty of Azerbaijan for the official publication;
- to provide the registration of an international treaty of Azerbaijan in the UN General Secretariat and other international organizations.

### **3. Number of lawyers including overseas staff**

There are currently about 19 lawyers in the ILTD, including Director and Deputy Director, all of them graduated in international law or law.

There are no special posts of lawyers abroad. But, traditionally there are posts in some diplomatic missions abroad (Permanent Missions to the UN in New York, Geneva and Vienna, Permanent Representation to the Council of Europe in Strasbourg, Mission to the EU in Brussels) staffed by ILTD's lawyers. However, they are being appointed to the posts in the bilateral embassies as well.

### **4. Briefly describe the organization and structure of the ILTD**

The ILTD is divided into the following units:

- Unit for international law issues in bilateral cooperation;
- Unit for international law issues in multilateral cooperation;
- International treaties unit;
- Human rights and humanitarian law unit;
- Borders issues unit.

The Director is assisted by one Deputy Director and Heads of Units.

### **5. Place within the Ministry of Foreign Affairs**

The ILTD is one of the functional departments of the MFA and carries out its functions under supervision of the Deputy Minister of Foreign Affairs.

### **6. Main contacts within the Government**

In exercising its tasks the ILTD contacts relevant departments of the President's Office, Cabinet of Ministers, other ministries and Government agencies, as well as parliamentary commissions, on issues related to international law and the conclusion and implementation of international treaties.

### **7. Relations with lawyers in private practice, academics and legal institutions**

The ILTD cooperates with different scientific and educational institutions dealing with international law. Some of the ILTD's lawyers lecture in the Baky State University and other institutions on various aspects of international law.