

Presentation by Fikret Mamedov
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at the World Forum on Fighting against Corruption and
Safeguarding Integrity among Officials of Justice and Security
Forces
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Ladies and Gentlemen,

First and foremost, please allow me to express our gratitude to the US Government for the excellent arrangements, and to wish for the conference to be successful.

It is very obvious that corruption as a form of organized crime constitutes an enormous danger to the world community.

The objective and subjective prerequisites stipulate the roots of corruption. Historical development and the existing situation in democratic states of the world, show that corruption exerts a negative influence on many spheres of life in society, including the solution of social and economic problems.

The collapse of the Soviet Union as a historical pattern made possible the independence of the Republic of Azerbaijan and gave it the ability to design the future of its people.

Presently, significant measures in the field of state building are being taken in this period of transition under the leadership of President Heydar Aliyev. Along with economic reforms aimed at the development of a market economy, and the growth of foreign investments, the struggle against crime in the economic sphere and especially the struggle against the most grave forms of it – corruption and bribery, holds particular importance.

Although communist ideology didn't recognize the existence of corruption in the former Soviet Union, it existed, and took its own place among the other crimes. The person who admitted the existence of bribery

and declared the necessity to fight all forms of corruption during the communist era, was Heydar Aliyev, the leader of Azerbaijan at that time.

The climate for the growth of corruption and bribery emerged to a certain degree during the period of change between 1990 and 1993, when old economic mechanisms were being replaced with new mechanisms, and this process was accompanied by the frequent change of government, coup-d'état attempts, acts of terrorism, actual anarchy, and a complete absence of government. Therefore, it wasn't an accident that one of the first decrees of the newly elected President Heydar Aliyev was' the Decree on the strengthening of the struggle against crime and new measures on the consolidation of Law and Order, dated August 9, 1994.

The struggle against organized crime and, particularly, corruption and bribery was identified in the Decree as one of the most important activities of the law enforcement bodies. Thus, a special unit, i.e. Department Against Organized Crime, Corruption and Bribery, was established within the Ministry of Internal Affairs in accordance with the Decree.

Since a systematic action plan is necessary to combat organized crime, the Government prepared a special, wide-range program to this end. Certainly, for the realization of this program, the accurate work of the law enforcement bodies and court is very important. That is why we need to create a new Legal Base. As a result of the intensive work done in this regard, the Judiciary system is being reformed, and the draft laws on Police and Crime Investigation has been submitted to the Parliament. Various Laws, including the Law on the Prosecutor's Office have also been drafted. These drafts were designed to regulate the activity, and to ensure the collaboration and mutual monitoring of those involved in fighting crime. Monitoring is vital, in our opinion, for the fight against corruption to be successful.

As international experience, the court statistics, and law enforcement practice have shown, corruption and, predominantly bribery, is related to the

abuse of power by officials of various ranks, embezzlement, and crimes in economic, as well as other spheres of public life.

The fact is that each person exposed of being engaged in corruption is brought to justice irrespective of the post he holds, including high ranking officials. Thus, the ex-Minister of Agriculture M. Abloulayev was convicted for corruption.

Some officials have created sustainable, clan-based criminal groups to hide their activities and expand their sphere of influence, furthermore, they sought to gain political power. Thus, Rasul Guliev embezzled oil products whilst being a director of the oil refinery allied with the persons involved in similar activities. Certain circumstances allowed him to gain immunity as Deputy of Parliament and consequently as Parliament Speaker. Being one of the top officials, he was able to expand the scope of his illegal activity to involve others who worked for him, including the Parliament Supervisor. As a result, the ex-speaker, along with others, embezzled state assets worth 75 million dollars.

The character of the organized crimes committed by Rasul Guliyev and his circle expanded to the level of transnational crimes. Thus, the activity of this criminal group was associated with various firms in the United States of America, Austria, France, Belgium, Greece, and the Russian Federation.

Unfortunately, it should be noticed that deeply corrupted ex-speaker Rasul Guliyev fled abroad and continues to cover his crimes up by political means.

In some cases, fearing exposure, the heads of corrupt criminal groupings took extreme steps such as creating criminal armed units to perform acts of terrorism and coup d'état attempts, as was done by Suret Guseynov, the ex-Premier Minister.

The ex-Premier's corruption began with the embezzlement of state property. He consequently moved on to drug related activities, fled abroad as

the ex-speaker had, and posed as a political refugee. During the search of his residence a considerable amount of fire arms, dozens of kilograms of gold, and other valuables which had been acquired at the expense of embezzled property were found. However, his claims of persecution for political reasons failed and he was extradited by Russia to Azerbaijan, where he was convicted.

In order to ensure the inevitability of punishment of crime, we believe that the persons accused of transnational crimes should be extradited in **top**-priority order, even if there are not the appropriate international agreements between the two sides regarding this issue.

We regret, however, to state that we do not always achieve mutual understanding with our foreign colleagues in these matter.

Corruption in law enforcement and security agencies is a major danger especially for countries which are on the path of sovereignty and are building a new society. The states security and future are at stake.

Nariman Imranov, the former Minister of National Security was also found to be engaged in corruption and was convicted. Using his post as a cover, he extorted money from tens of businessmen using illegally obtained assets to fund armed units belonging to Suret Guseynov, who was at the time preparing to conduct acts of terrorism.

To prevent the corruption in law enforcement bodies of the republic we try to employ highly qualified, professional, trustworthy, and honest personnel. We also try to make our staff realize the honor of working in these institutions. Raising salaries is an instrumental step in fighting corruption since economic drives often constitute an incentive to commit corruption.

However, as it is well known in the world, the occupation of 20 % of our territories by neighboring Armenia, the existence of one million refugees and internally displaced persons, the damages inflicted in the course of battles, the state of war that presently exists in Azerbaijan, along with the difficulties

of being in transition does not allow us to raise the wages of law enforcement employees tangibly.

The special squads were set up within the frame of each law enforcement body to prevent the occurrence of corruption. They are to monitor the activity of the body and take appropriate measures according to their findings, including, if necessary, the dismissal of dishonest employees. Thus, many tens of employees of the Prosecutor's office have been dismissed as incompetent within the last three years only. Similar "cleansings" have been performed in other law enforcement agencies as well.

Bribery, as is well known, is one of the most widespread forms of corruption. Taking into account the complexity of proving such crimes, our legislation provides that if a person voluntarily admits having committed bribery , he shall be released of criminal punishment .

Ladies and Gentlemen,

The independent Azerbaijan is only 7 years old, i.e. it is taking its first steps in the long path towards sovereignty.

We feel the need to learn from the experience of the developed states of the world in fighting corruption and, therefore, we hope that the appropriate bodies of the USA, Great Britain, France, and other developed states, will take into consideration the necessity to assist to the newly independent states in their struggle against corruption and in the retraining of their personnel.

Thank you for your attention !