

LEGAL BASE

Law of the Republic of Azerbaijan on the Azerbaijan Red Crescent Society

The present Law establishes field of activities and rights of the Azerbaijan Red Crescent Society (hereafter called the Society), legal basis of mutual relations of the Society with the state and institutions of local governing.

Article 1. Status of the Society

1.1. Society is a non-governmental organization established with the aim to provide humanitarian, medical, social assistance to victims of armed conflicts and emergency situations; to implement programs for protecting health of the population; to promote the international humanitarian law and principles of the International Red Cross and Red Crescent Movement.

1.2. The Society is the only national Red Crescent Society functioning in the territory of the Republic of Azerbaijan as a component of the International Red Cross and Red Crescent Movement and carries out its activities throughout the territory of the Republic of Azerbaijan through its headquarters, Nakhchivan Autonomous Republic Committee, regional centers, local and field branches and primary organizations.

1.3. The Society uses the Red Crescent emblem in accordance with the Law of the Republic of Azerbaijan "On the use and protection of Red Cross and Red Crescent Emblems".

Article 2. Legal basis for activities of the Society

Constitution of the Republic of Azerbaijan, Geneva Conventions of 12 August 1949 "For the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field", "For the Amelioration of the Condition of the Wounded, Sick and Shipwrecked members of Armed Forces at Sea", "Relative to the Treatment of Prisoners of War", "Relative to the Protection of Civilian Persons in time Of War" (hereafter called the Geneva Conventions), other international treaties to which the Republic of Azerbaijan is a party, Statute of the International Red Cross and Red Crescent Movement, Statute of the International Federation of Red Cross and Red Crescent Societies, the present Law and other legislative acts of the Republic of Azerbaijan, as well as Statute of the Society constitute the legal basis for the activities of the Society.

Article 3. Scope of activities of the Society

3.0. The main scope of activities of the Society is the following:

3.0.1. to carry out activities relating to the issues of rendering assistance to victims of armed conflicts as stipulated in Geneva Conventions;

3.0.2. to cooperate with state bodies and institutions of local governing in identifying, accommodating, transporting, rendering medical and other services to those in need of humanitarian assistance;

3.0.3. to establish a non-governmental first aid service as a constituent part of the Society, to ensure functioning of camps for victims of armed conflict and people affected by the natural disasters, to provide the population with necessary free medical and social assistance in an emergency situation;

3.0.4. to establish first aid teams in time of armed conflict and natural disaster, to conduct tracing activities of persons injured or killed as a result of an accident, natural disaster or an armed conflict, to identify their burial places, to assist state bodies and institutions of local governing with these issues;

- 3.0.5. to establish a non-governmental tracing service as a constituent part of the Society and to conduct tracing of missing persons and the persons taken hostages, to assist in restoring links between family members separated as a result of armed conflicts and emergency situations;
- 3.0.6. to assist state bodies and institutions of local governing to receive, accommodate and transport evacuees and to provide them with medical-social assistance;
- 3.0.7. to participate in organization and implementation of first (sanitary) aid trainings for population and youth in particular, to train nurses, medical assistants and medical instructors to carry out voluntary activity in time of armed conflicts and natural disasters;
- 3.0.8. to arrange, in accordance with the legislation of the Republic of Azerbaijan, the delivery to victims of conflicts and people affected by natural disasters international humanitarian aid dispatched to the Society by Red Cross and Red Crescent Societies of foreign countries and international organizations;
- 3.0.9. to collect humanitarian aid from physical persons and legal entities of the Republic of Azerbaijan, foreigners and persons without citizenship, and international organizations, and to participate in distribution of these aids to people in need within the territory of the Republic of Azerbaijan;
- 3.0.10. to carry out psychological rehabilitation, skills training or skills improvement, legal advice and other programs aimed at alleviating sufferings of refugees, displaced persons, persons seeking asylum and forced migrants settled in the territory of the Republic of Azerbaijan;
- 3.0.11. to implement health projects, related to health protection of the population as well as disease and epidemics prevention programs, to cooperate in this field with the state bodies, institutions and organizations;
- 3.0.12. to support health institutions in implementing national and local (regional) blood and its components donation development programs and in involvement of population into such programs;
- 3.0.13. to cooperate with relevant state bodies and institutions of local governing involved in delivering assistance to poor families in the territory of the Republic of Azerbaijan;
- 3.0.14. to collect and register information on victims of armed conflicts and natural disasters and transfer it to the concerned state bodies or organizations;
- 3.0.15. to disseminate to public, especially to children and youth, international humanitarian law and principles of International Red Cross and Red Crescent Movement.

Article 4. Rights of the Society

- 4.1. The Society has all the rights provided for in the legislation of Republic of Azerbaijan for non-governmental organizations.
- 4.2. The Society has the following rights to implement its objectives and obligations set forth in the present Law and the Statute of the Society:
 - 4.2.1. to get necessary support from state bodies and institutions of local governing;
 - 4.2.2. to participate in organizing and conducting massive events for implementing goals and objectives of the present Law and Statute of the Society;
 - 4.2.3. to solve independently in line with the legislation the issues related to receiving and delivering humanitarian aid as stated in the article 3.0.8 and 3.0.9 of the present Law;
 - 4.2.4. to conclude agreements with state bodies and institutions of local governing of the Republic of Azerbaijan aimed at implementing its objectives;
 - 4.2.5. to establish a non-governmental first aid service and non-governmental tracing service as stated in article 3.0.3 and 3.0.5 of the present Law;
 - 4.2.6. to use the Red Crescent emblem in accordance with the legislation;
 - 4.2.7. to establish in accordance with the legislation funds, as well as enterprises and other institutions aimed at implementing its objectives;
 - 4.2.8. to establish medals to decorate persons who distinguished themselves in humanitarian and charitable activities;

4.2.9. to implement other rights in accordance with the Geneva Conventions and legislation of Republic of Azerbaijan.

Article 5. Financial sources of the Society

5.0. Financial sources of the Society are the following:

5.0.1. membership fees;

5.0.2. income from leasing or selling of the property;

5.0.3. income from selling of periodic publications and books, organizing massive events aimed at implementing the goals and objectives set out in the present Law and Statute of the Society;

5.0.4. donations;

5.0.5. aid given from the International Federation of the Red Cross and Red Crescent Societies, International Committee of the Red Cross and other international organizations as well as Red Cross and Red Crescent Societies of the foreign countries;

5.0.6. support from government;

5.0.7. other income not forbidden in the legislation of the Republic of Azerbaijan.

Article 6. International cooperation of the Society

6.1. The Society cooperates with the International Federation of Red Cross and Red Crescent Societies, the International Committee of the Red Cross and other international humanitarian organizations, as well as Red Cross and Red Crescent Societies of other countries in line with the Geneva Conventions and the present Law.

6.2. The Society participates in the international humanitarian activities carried out in accordance with the international treaties to which the Republic of Azerbaijan is a party.

Article 7. State support to the activities of the Society

7.1. In accordance with the international treaties to which the Republic of Azerbaijan is a party, it assists the humanitarian and charitable activities of the Society and the International Red Cross and Red Crescent Movement.

7.2. The membership dues of the Society in the International Federation of Red Cross and Red Crescent Societies and financial aid to the International Committee of the Red Cross, as well as salaries of the employees working in the headquarters, regional centers and local branches of the Society are paid at the expenses of the state budget. The amount of funds for this purpose is determined annually in the state budget of the Republic of Azerbaijan.

7.3. Other forms of assistance can be determined by the legislation of the Republic of Azerbaijan with the purpose to support the activities of the Society.

7.4. Provision of the Society with uninhabited areas for the activities of its headquarters, regional centers and local branches is carried out by the corresponding bodies of executive authority.

7.5. In accordance with the international treaties to which the Republic of Azerbaijan is a party, it ensures respect to the legal and legitimate interests of the Society.

7.6. Privileges with regard to taxes, customs duty and other compulsory payments concerned with the activities of the Society are settled by the corresponding legislation of the Republic of Azerbaijan.

7.7. Except when provided for in the law, interference of the state bodies in the activities of the Society is not permitted.

Article 8. Entrance in to force of the present Law

The present Law comes into force on the day of promulgation.

Ilham Aliyev,
President of the Republic of Azerbaijan
May 8, 2007, Baku city
Decree of the President of the Republic of Azerbaijan

on implementation of the Law of the Republic of Azerbaijan

"on Azerbaijan Red Crescent Society"

In relation to the enforcement of the Law of the Republic of Azerbaijan "on the Azerbaijan Red Crescent Society" in order to endure the implementation of the said Law I decide that:

1. Cabinet of Ministers of the Republic of Azerbaijan is tasked to:
 - 1.1. prepare and submit to the President of the Republic of Azerbaijan suggestions on adapting the existing legislation acts according to the Law of the Republic of Azerbaijan "on Azerbaijan Red Crescent Society".
 - 1.2. provide for compliance normative acts of the Cabinet of Ministers of the Republic of Azerbaijan and relevant bodies of central executive power with the said law and to inform thereof the President of the Republic of Azerbaijan.
 - 1.3. take necessary steps to provide with the non living places for work of headquarters, regional centers and districts branches of the Azerbaijan Red Crescent Society in line with article 7.4. of the Law of the Republic of Azerbaijan "on Azerbaijan Red Crescent Society".
 - 1.4. solve other issues within its authority originated from the Law of the Republic of Azerbaijan "on Azerbaijan Red Crescent Society".
2. Azerbaijan Red Crescent Society in agreement with the Cabinet of Ministers defines number of the employees of the Azerbaijan Red Crescent Society whose salaries will be covered from the state budget.
3. It is defined that Cabinet of Ministers of the Republic of Azerbaijan executes the authorities of "relevant executive bodies" mentioned in the article 7.4. of the Law of the Republic of Azerbaijan "on Azerbaijan Red Crescent Society".
4. This decree comes into the force from the day of its promulgation.

Ilham Aliyev,
President of the Republic of Azerbaijan

May 22, 2007, Baku city