

REGULATION OF THE COUNCIL OF PROSECUTORS GENERAL OF MEMBER STATES OF THE COUNCIL OF COOPERATION OF TURKIC SPEAKING STATES

Prosecutor General's Office of the Republic of Azerbaijan, Prosecutor General's Office of the Republic of Kazakhstan, Prosecutor General's Office of the Kyrgyz Republic, General Prosecution Office of the Supreme Court of Appeal the Republic of Turkey, Prosecutor General's Office of the Republic of Uzbekistan,

In accordance with Article 2 of the Nakhchivan Agreement on the Establishment of the Cooperation Council of Turkic Speaking States,

Recognizing the importance of developing and strengthening cooperation between the Prosecutor General's Offices of Member States of the Cooperation Council of Turkic Speaking States (hereinafter referred to as the "Turkic Council"), effective fight against crime and exchange of information,

Convinced that the creation of a common framework for establishing regular consultations and opportunities for cooperation between the Prosecutor General's Offices of the Turkic Council Member States will help to ensure more effective cooperation,

Considering the need for high-level interaction in order to exercise the authorities entrusted to them, and based on the desire to develop and strengthen mutual understanding through the constant exchange of information regarding the legal systems of other participants,

Realizing the importance of enabling environment for close cooperation through the constant exchange of information, requests for legal assistance, regular meetings and consultations, as well as joint training on new changes in their laws, the Prosecutor General's Offices of the Turkic Council Member States within their authorities in accordance with international obligations and national legislations,

Decided as follows:

FIRST SECTION

General Provisions

Paragraph 1. Scope of application

This Regulation covers the legal status, principles and procedures concerning the establishment, organization and activities of the Council of Prosecutors General of Member States of the Turkic Council (*hereinafter referred to as the "Council"*).

The Council in its activities will be guided by the founding and procedural documents of the Turkic Council, as well as by this Regulation.

Paragraph 2. Definitions

The following terms mean:

- a) Member States of the Turkic Council: the Republic of Azerbaijan, the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Turkey, the Republic of Uzbekistan;
- b) Founders: Prosecutor General's Offices of the states that took part in the establishment of the Council;
- c) Participants: the Prosecutor General's Offices of the Member States that did not participate in the establishment but later joined the Council;
- d) Observers: Prosecutor General's Offices of Observer States or International Organizations with Observer Status at the Turkic Council;
- e) President: Prosecutor General of the State presiding in the Council;
- f) General Assembly of the Council: meetings of the Council, held with the participation of prosecutors general, in accordance with Paragraph 10 of this Regulation;
- g) Country Secretariat: a Council body composed of the country secretary and other staff;
- h) Country Secretary: a prosecutor appointed by the Prosecutor General of the State presiding over the Council.

Paragraph 3. Objectives of the Council

Within the framework of the Council's activities, taking into account the rich heritage of the Member States, in an atmosphere of friendship and cooperation based on the principles of brotherhood and equality, the objectives of the Council, *should this not be prohibited by the laws of the Member States*, are:

- a) ensuring that the prosecutors of the Member States establish close ties and provide assistance through cooperation;
- b) promoting the development and increasing the effectiveness of the prosecutor's profession, using mutual knowledge, experience and technologies for this end.

Paragraph 4. Areas of the Council's activity

Within the framework of this Regulation, the Council may interact in the following main areas:

1. Create a basis for the development of effective communication and solidarity between the prosecution authorities of the Member States;
2. Exchange information on the legislation of the Member States by translating and publishing the necessary parts;
3. In line with up-to-date requirements, at the international level to conduct joint scientific research in the field of criminal law, as well as on topical problems of combating crime, prosecutorial supervision, organization of the activities of prosecutors, which will allow finding effective, fair and joint solutions;
4. On the official websites of the Prosecutor General's Offices of the Member States create a section dedicated to the activity of the Council;
5. Release publications related to the areas of activity of the Council;
6. Hold conferences, seminars, workshops and other events on the interaction of prosecutors, capacity building of prosecutors of the Member States through study visits and internships, exchange of educational and methodological materials for retraining and advanced training of personnel;
7. Participate in international activities and research related to the field of activity and ensure coordination, if necessary, implement joint technical support projects with international organizations and their representatives;
8. Perform other duties entrusted by the General Assembly of the Council.

SECOND SECTION

Establishment of the Council and membership

Paragraph 5. Establishment of the Council

The Council is considered established on the date of signing of this Regulation in accordance with the decisions of the Prosecutors General of the Member States.

Paragraph 6. Joining the Council as a member and gaining observer status of the Council

Joining the Council as a member or gaining the observer status of the Council is implemented by submitting an application by Prosecutor General's Office of a state or by an international organization, having the appropriate status at the Turkic Council. Such joining or gaining the observer status is made by unanimous decision of the General Assembly of the Council, provided that all founders give a positive opinion.

THIRD SECTION

Bodies of the Council: responsibilities and rights

Paragraph 7. Bodies of the Council

The bodies of the Council are:

1. General Assembly of the Council;
2. Secretariat of the Country Council.

Paragraph 8. General Assembly of the Council

The General Assembly of the Council consists of the Prosecutors General and Secretaries of the Member States of the Council, the Prosecutor General's Office of each Member State has one vote.

Paragraph 9. Responsibilities and rights of the General Assembly of the Council

The responsibilities and rights of the General Assembly of the Council are as follows:

- a) Discussion and approval of plans and programs of activities;
- b) Discussion and approval of reports on the activities of the Council for the past period;
- c) Discussion of the situation in the field of combating crime in the participating States and Observer States;
- d) Identification of the symbols of the Council, as well as the establishment of special awards;
- e) Making statements about alleged violations of the rights of prosecutors of the Member States of the Turkic Council in connection with their professional activities.

Paragraph 10. Meetings of the General Assembly of the Council and decision-making procedure

1. Meetings of the General Assembly of the Council will be held once a year (within the Chairmanship in person or online), in the state that has assumed the Chairmanship of the Council from the Member States, with the participation of the Prosecutors General of the Member States, and delegations led by them. At the end of the meetings of the General Assembly, the date and venue of the next General Assembly of the Council will be determined. If necessary, the Chairman of the Council may organize meetings with Member States in a format deemed appropriate.

2. Decisions of the Council are taken by consensus and are of a recommendatory nature. Consensus is defined as the absence of a formal objection by at least one of the Members of the Council attending the meeting, put forward as constituting an obstacle to a decision on the issue under consideration.

Any member of the Council can declare his lack of interest in a particular issue, which should not be considered as an obstacle to making a decision.

Paragraph 11. Status of observers

Observers will be able to attend the General Assembly of the Council without the right to vote. They can address the General Assembly and express their opinion on the issues discussed at the General Assembly and take part in working meetings organized for joint research.

Paragraph 12. Chairman of the Council

1. The Council will be chaired by the Prosecutor General of the state presiding in the Turkic Council.

2. If the Chairman for any reason is unable to fulfill his duties, the performance of his/her duties will be carried out by the Deputy Prosecutor General of the state he/she represents, appointed by the Chairman.

3. The Chairman, along with the general management of the work of the Council, will represent the Council at international organizations.

Paragraph 13. Responsibilities of the Country Secretariat

The responsibilities of the Country Secretariat are:

1. Keeping correspondence of the Council and drawing up minutes;
2. Implementation of the organizational support of the Council;
3. Creation of working groups and giving instructions, if necessary;
4. Preparation of annual programs of activity within the framework of the objectives and scope of the Council;
5. Implementation of General Assembly decisions of the Council, monitoring and evaluation of results;
6. Organization of annual General Assembly of the Council;
7. Carrying out coordination work with responsible persons appointed by each Member while performing these responsibilities.

Paragraph 14. Financing the General Assembly of the Council

Expenses associated with financing the General Assembly of the Council are carried out within the funds envisaged in the national budget of the host Member State, as well as from extra-budgetary sources attracted in accordance with national law.

The expenses for seconding the members of the Council are carried out at the expense of the funds envisaged in the national budgets of the sending states. The expenses for the seconding the meeting participants are covered by the funds of the sending agencies and organizations.

FOURTH SECTION

Final provisions

Paragraph 15. Withdrawal from the Council

A Member State wishing to withdraw from the Council submits to the General Assembly of the Council a declaration of its intention to withdraw, which is signed by the Prosecutor General of that state. Confirmation of the General Assembly of the Council will not be required to exit membership.

Paragraph 16. Procedure for making additions and amendments

Additions and amendments to this Regulation can be made by decision of the General Assembly of the Council. Any additions and amendments hereto shall be on the agenda of the General Assembly of the Council or shall be included in the agenda upon the written request of any of the members attending the meeting.

Paragraph 17. Termination of the Council

The Council terminates its activity by the decision of the General Assembly of the Council.

Paragraph 18. Implementation

This Regulation will be implemented from the date of its signing by the Founders.

Signed by the Founders of the Council in the city of Baku on November 1, 2021 in six original copies in the state language of each Member State, as well as in English, all texts being equally authentic.

Transitional provision - Chairmanship of the Council from the date of its establishment until the first General Assembly of the Council is carried out by the Prosecutor General of the Republic of Azerbaijan.

All issues related to the Chairmanship will be discussed at the meetings of the General Assembly of the Council.

Issues related to the activities of the Council will be regulated by additional protocols hereto, which will be an integral part of this Regulation.

FOUNDERS

MEMBER ORGANIZATION	COUNTRY	PROSECUTOR GENERAL
Prosecutor General's Office of the Republic of Azerbaijan	The Republic of Azerbaijan	Mr. Kamran ALIYEV
Prosecutor General's Office of the Republic of Kazakhstan	The Republic of Kazakhstan	First Deputy Prosecutor General Mr. Berik ASSYLOV
Prosecutor General's Office of the Kyrgyz Republic	The Kyrgyz Republic	Mr. Kurmankul ZULUSHEV
GeneralProsecution Office of the Supreme Court of Appeal of the Republic of Turkey	The Republic of Turkey	Mr. BekirSAHIN
Prosecutor General's Office of the Republic of Uzbekistan	The Republic of Uzbekistan	Mr. Nigmatilla YULDOSHEV