

EITI Regulations

Regulations on Coalition for Improving Transparency in Extractive Industries

1. General provisions

1. Coalition for Improving Transparency in Extractive Industries (further referred to as “Coalition”) shall be the union of local non-government organizations to take social control on the revenues from operation and use of natural resources of Azerbaijan.

1.2. Coalition shall conform its activities to the Regulations and the relevant legislation.

1.3. Goals of Coalition shall be as follows:

1.3.1. Organize and implement social control on complete delivery, reliable preservation and effective use of the revenues raised from the operation of natural resources per the share of Azerbaijan;

1.3.2. Implement relevant measures for sufficient awareness of the Azerbaijani citizens on operation of natural resources and revenues raised, as well as organize and implement social control on the activities of companies in this area;

1.3.3. Raise social activity through combining joint efforts of civil society institutes on transparency;

1.3.4. Represent Azerbaijani social unions in “Extractive Industries Transparency Initiative”, which was associated with the Government of Azerbaijan.

1.4. Coalition shall not bear the status of juridical person.

1.5. Coalition shall be headquartered in Baku city.

2. Coalition’s Principles of Action

2.1. Coalition’s activities shall be open for society, government agencies and mass media.

2.2. Any social association, foundation, or any other public union, government agency, media representative, citizen shall have the right to claim information on the Coalition activity. In this case, Coalition shall be obliged to provide the relevant information.

2.3. Reports on the Coalition activity shall be published on the Coalition web-page and on the press, when it is financially possible.

2.4. Current information on the Coalition activity shall be regularly posted on the Coalition web-page. Detailed information on the Coalition activity shall also be published on the Coalition newsletter.

2.5. Information on the Coalition Board activity shall be regularly delivered to the Coalition members via email.

3. Activities of Coalition

3.1. Coalition shall implement its activities in the below formats:

3.1.1. Conduct conferences, workshops and roundtables, also online debates;

3.1.2. Establish working groups and commissions;

3.1.3. Announce in-Coalition grant competitions;

3.1.4. Organize respective audits and examinations;

3.1.5. Develop cooperation with the government agencies, local and international organizations, NGOs and companies;

3.1.6. Work out recommendations for legislation improvement and hold advocacy for the endorsement of the recommendations;

3.1.7. Conduct public actions;

3.1.8. Publish books, booklets, magazine, newsletters, posters etc.;

3.1.8. Design web-page of the Coalition;

3.1.9. Study and disseminate the international (external) experience;

3.1.10. Participation at Extractive Industries Transparency Initiative on international level;

3.1.11. Hold trainings and provide consultations;

3.2. Coalition shall function in other ways, which are not legally prohibited.

4. Participation at Coalition

4.1. Those non-government organizations, who admit the Coalition goals and these Regulations, and support “Extractive Industries Transparency Initiative”, shall become members to the Coalition.

4.2. Membership to the Coalition shall be on voluntary basis. The head of the applicant non-government organization shall apply to the Coalition Board with a written application for membership. The application shall be attached the extraction from the relevant resolution of the supreme body of the same non-government organization. Members shall be adopted to the Coalition on the majority of votes of more than half of the Coalition Board meeting participants.

4.3. A member of the Coalition may at any time leave the Coalition. In this case, it shall be enough to apply to the Board in writing. Withdrawal of the application shall be permitted.

4.4. Admission to the membership shall be stopped one month before the next General Assembly and the registry of the members shall be conducted by the Coalition Secretariat.

4.5. Presence of any member, who does not participate at the Coalition General Assembly twice without reasonable excuse, shall be annulled.

4.6. Coalition member shall have the below rights:

4.6.1. Take part at the meetings of Coalition, also Board meetings;

4.6.2. Elect and be elected to the Coalition bodies;

4.6.3. Make use of the data base of Coalition;

4.6.4. Apply to the Board and Monitoring Group;

4.6.5. Claim information on the Board activity;

4.6.6. Forward recommendations for review at the Coalition meetings on the matters related to

Coalition activity.

4.6.7. Make use of the technical opportunities of Coalition (equipment, office etc.);

4.7. Coalition member may propose projects in conformity with the Coalition goals and claim the letter of support for these projects by applying to the Coalition Board.

4.8. Any member of Coalition may claim detailed information on respective project, its implementation and financial disbursements.

4.9. Coalition member may perform on behalf of the Coalition and make statements only when he/she is empowered by the Board.

4.10. Coalition member shall refer to the Regulations, obey Ethic Code for Coalition Members and not take destructive actions for the influence of Coalition.

4.11. When Coalition member taking destructive actions for the influence of Coalition, also violating the Coalition Regulations, not obeying the Ethic Code for Coalition Members, treating unethically with the other members of Coalition, and not implementing regularly his/her undertakings, he/she may be excluded from Coalition with two thirds majority of votes of the Board meeting participants.

5. Bodies of Coalition

5.1. Bodies of Coalition shall be comprised of General Assembly, Coalition Board, Monitoring Group and regional representatives.

5.2. Supreme body of Coalition shall be General Assembly. General Assembly shall be summoned no less than once a year. Extraordinary General Assembly may be summoned by the Board with the direct decision of the Board, also with the claim of one fifth of Monitoring Group or Coalition members. General Assembly shall be effective when more than one third of Coalition members attend.

5.3. General Assembly shall resolve the below matters:

5.3.1. Adopt and amend the Coalition Regulations;

5.3.2. Identify the principles of setting up and using of Coalition property;

5.3.3. Establish Coalition bodies and ending their authorities ahead of time;

5.3.4. Approve annual report of Coalition;

5.3.5. Coalition's participation in other organizations;

5.3.6. Re-organization and cancellation of Coalition;

5.3.7. Resolution of other matters envisaged under these Regulations;

5.3.8. Adoption of Ethic Code for Coalition members;

5.4. All meetings of General Assembly shall be recorded in writing.

5.5. Coalition management during inter-General Assembly periods shall be provided by the Board elected by the General Assembly.

5.6. Numerical composition of Board shall be identified by the General Assembly. Members to the Board shall be elected for 2 years with relative majority of votes in secret ballot. A member of Coalition shall not be elected as the Board member more than twice in succession. None of the representatives of organizations – Coalition members, receiving grants from memorandum

parties (government agency, member to the state commission and companies) shall not become member to the Board during the project implementation. Representatives of organizations that became members to the Coalition more than 6 months from the date of General Assembly may not nominate their candidacies to the Board membership.

5.7. Board shall be effective, when two thirds of its members elected. Period of authority of the Board members shall be completed when its new composition elected.

5.8. When a board member resigns, he/she shall notify the Board in writing or via email. From that time, his/her activity as a board member shall be annulled.

5.9. When the membership to the Board is cancelled during the effectiveness of Board, the person who gained most of votes in elections to the Board membership shall be considered as elected Board member.

5.10. When Board member misses three Board meetings in succession without reasonable excuse, and in general misses 10 or more meetings in a year, he/she shall be considered to have been excluded from Board membership considering the opinion of the Monitoring Group.

5.11. Authorities of the Board shall include the below matters:

5.11.1. Set up the Coalition activities and guide its current activities;

5.11.2. Open representations of Coalition;

5.11.3. Hold negotiations with the local and international organizations and give consent for signing of relevant documents on behalf of Coalition.

5.12. Resolve other matters envisaged under these Regulations.

5.13. Board may perform other duties which remain beyond the authorities of Coalition General Assembly. General Assembly may award additional authorities to the Board.

5.14. Work regime of Board shall be regulated with the Board regulations.

5.15. Coordinator shall be elected among Board members in order to coordinate the Board activities. Responsibilities of Coordinator shall be identified by the Board. Coordinator shall represent Coalition in all Coalition relations (in-country and abroad), events, meetings etc. Coordinator shall not bear responsibility of making decisions on behalf of Coalition.

5.16. Monitoring Group of Coalition shall be elected of 5 persons for 2 years by the General Assembly. In case membership to the Monitoring Group is cancelled during period of authority of Monitoring Group, the person who gained more of votes in the elections to the Monitoring Group, shall be considered to have been elected member.

5.17. Monitoring Group shall hold its meetings not less than once a month. Meetings of Monitoring Group shall be effective when at least half of its members attend. Chairing the meetings shall be conducted in rotation.

5.17.1. Monitoring Group shall elect the Chair of Group at its initial meetings. Period of authority for chair and secretary shall be one year and they cannot be elected in succession two times.

- Chair and secretary of Monitoring Group shall be elected with the simple majority of votes of the member participants.

- Chair of Monitoring Group:

- Chair of Monitoring Group summons the meetings of Group and chairs its meetings;

- Signs the decisions made by the Monitoring Group;
- Represents Monitoring Group at Assemblies of Coalition Board.

5.17.2. Secretary of Monitoring Group:

- Takes records of meetings of Monitoring Group and signs them;
- Conducts clerical works of Monitoring Group;

5.18. Monitoring Group shall provide detailed information on its activities to the Coalition members by making use of the Coalition opportunities at least once a quarter.

5.19. Authorities of Monitoring Group shall include the following:

5.19.1. Implement control on the conformity of elected bodies, senior officials and members of Coalition to the Regulations;

5.19.2. Organize monitoring of projects and events implemented by and with the guarantee of Coalition;

5.19.3. Make suggestions to the General Assembly and Board on the related matters in its authority;

5.19.4. Give relevant opinions on violation of the Regulations.

5.20. Activities of Monitoring Group shall be regulated with the regulations of Monitoring Group.

5.21. Regional representations shall be established with the Board decision. Activities of regional representations shall be regulated by the Regulations "On regional representations of Coalition for Improving Transparency in Extractive Industries" approved by the Board.

6. Secretariat

6.1. Secretariat shall fulfill the secondary functions on organizational-technical and information aspects of Coalition.

6.2. Structure and composition of Secretariat shall be identified by Coordinator with the agreement of Board.

6.3. Secretariat activities shall be guided by Coordinator.

7. Final provisions

7.1. Authorities envisaged under clauses 5.3.1; 5.3.4 and 5.3.6 of these Regulations shall be included in the exclusive authorities of the General Assembly and may not be handed over to the other bodies of Coalition.

7.2. Demands envisaged under clauses 4.1. and 4.2. of these Regulations related membership shall not be attributed to the individual members of Coalition prior these changes.

7.3. Activities of Coalition shall be financed by grants, donations as well as funds of Coalition members and other resources (technical means, venue etc.).

7.4. Changes and amendments to these Regulations shall be made by the General Assembly with two thirds majority of votes when more than half of Coalition members attend.

7.5. Coalition shall be cancelled by the General Assembly with the two thirds of votes of its members.