ACTIVITY 1.2

MAPPING OF THE CULTURE SECTOR GOVERNANCE SYSTEM IN THE REPUBLIC OF AZERBAIJAN

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METHODOLOGICAL INTRODUCTION

The current document presents the results of the analysis of the culture sector in Azerbaijan, foreseen as project benchmark for the activity 1.2 of the Twinning Contract "*Map the Culture Sector Governance System*", and it is addressed at identifying and describing roles and functions of different actors acting in whole culture policy cycle at the different management levels.

The analysis has been implemented in a period of 5 months, from April to August 2016 and it has implied a wide survey work carried out jointly by the RTA Alessandro Bianchi and by the Component 1 experts Michela Diodato and Elisa Petrucci through a series of missions realised in the Country during the above mentioned time span.

It is worth underlining that the present mapping is not intended to represent a static situation: by definition the assigned roles can change, the systems can be reformed and goals can be redefined. Actually this analysis must be considered as a working document, whose value added consists in synthesising and exposing through a rationalised approach in a unique, comprehensive, easy-to-read paper, the vast amount of information collected on the subject during the mapping phase.

It is also worth to remember that the present analysis is fundamental for the continuation of the Twinning project, that foresees, under Activity 1.4, the drafting of a "*Concept of new culture sector governance model*" for Azerbaijan: actually, when realising the culture sector mapping, the experts worked in the conviction that no proposal of improvement can be made without the clear picture of the situation to be addressed. With this regard a specific paragraph "*Major emerged concerns and improvement opportunities – an aggregated SWOT analysis*" is included in the document in order to render more fluid the readability and comprehension of the numerous issues that came out from the meetings.

The successfulness of a plan lays its foundation in two main aspects: the awareness about the starting situation and the vision about the expected one. Therefore, if the current analysis will provide the picture of the state of the art for drafting the above mentioned *Concept of new culture sector governance model*, the reference target towards it will move will be represented by the *Culture Concept of the Republic of Azerbaijan* - Decree of the President of the Republic of Azerbaijan No. 273 dated 14th February 2014.

Going back to methodological approach adopted for the analysis, the first challenge that the experts faced at the very beginning of the work was to "delimitate" the culture sector area. The concept of "culture" is absolutely vast, and it can entail a so wide spectrum of meanings that the risk to involuntarily exclude some key aspects or, on the contrary, to be too inclusive and thus to render never-ending the analysis, was absolutely concrete.

This is the reason why it is worth, before deploying the results, to explain which have been the criteria that led the experts to identify the stakeholders of the sector that have been met and interviewed during the work. The document that was used as an official track to follow in the actor's identification phase has been the current *Law on Culture*, setting the general principles for the culture sector. In the light of the Law on Culture the experts examined the areas of competence of the main institutional and non-institutional actors of Azerbaijan and underlined the potential relationship between those areas and the general principles provided by the Law. Such a process allowed the experts to identify which are the main Azerbaijani actors having a connection with culture implementation.

Obviously the "intensity" of this connection is different among the stakeholders according to their different degree of involvement in the concrete management of the culture policy cycle.

In the reason of that, the experts divided the stakeholders into three different groups: *Culture Strategic Actors,* Azerbaijani institutions whose core competence is culture, and that actually do manage part of the policy cycle; *Institutional Cooperating Actors,* institutions whose core competence is not culture, but that have several activities linked to the culture sector in the country; *Major non-political Actors*, (such as associations, museums, NGOs, etc.) working in the field of culture, but not directly implied in the decision-making political level.

Once identified the stakeholders, the experts organised meetings with all the *Culture Strategic Actors* and the *Institutional cooperating Actors*, in order to investigate for each concerned institution: the exact role in the sector; the functions performed and the processes carried out; the way these functions are formally disciplined; the quantity and quality of the implied human resources; the interaction with other actors in order to perform foreseen functions; main criticalities and positive aspects.

About the *Major non-political Actors*, the potential difficulty of interviewing all the individuated stakeholders, was overcome by organising two roundtable sessions: such an

approach gave us the chance to have around a common table most of the sector non-political actors, and thus to gather direct information about the cultural system in Azerbaijan. The value-added of the roundtable meetings has been the positive and constructive interaction established among the participants, which allowed to disclose information and to generate a spectrum of options and insights in a permissive environment..

The *Ministry of Culture and Tourism*, as the lead institution of the culture sector in the Country, was in depth examined, and the punctual description of the main functions carried out by the analyzed Departments is provided.

Last but not least, an introductory meeting was held with the Head of the *Milli Mejlis Culture Committee*, as the body in charge for drafting and amending all culture and culture-related laws. The contents of this meeting, open and fruitful, are reported as the first outcome of the present analysis'.

OVERVIEW OF THE ANALYSED CTORS OF THE CULTURE SYSTEM

MILLI MEJLIS

- Ministry of Communication High Technology
- SCWRA
- SD. ICHERISHEHR
- BAKU CITY Main Department
- Ministry of CULTURE and TOURISM
- STATE SERVICE
- State URBAN PLANNING and ARCHITECTURE
- Ministry of YOUTH and SPORT
- Ministry of EDUCATION
- Ministry of ECOLOGY

MAJOR NON-POLITICAL ACTORS

- Universities
- Unions
- Academies
- Theatres
- Museums
- NGOs
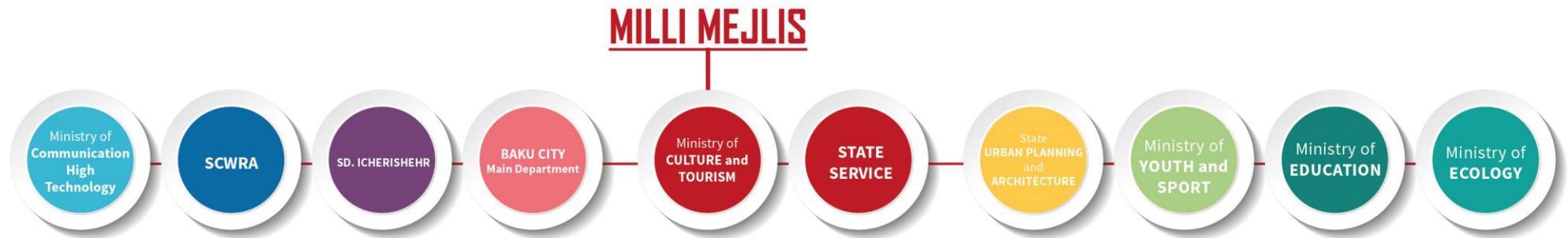
MILLI MEJLIS "CULTURE COMMITTEE" - AN INTRODUCTORY MEETING

The first talk that opened the "meetings' phase" of the analysis was held with **Mr Rafael Huseynov, Head of Milli Mejlis Culture Committee**[1] since the beginning of 2016.

The aim of the meeting was to present the ongoing mapping activity of the Twinning Project and to share its goals and methodology, in consideration of the fact that the Milli Mejlis Culture Committee is the body in charge for preparing, updating and amending the Law on Culture, which sets the general principles for the culture sector in Azerbaijan and which, as explained in the methodological foreword, was used as the official track to be followed in the actor's identification phase.

Mr Huseynov explained that the current **Law on Culture** has been adopted in 2006, it was changed last year (2015) and it still needs several amendments in order to render it more adherent to the needs directly coming from the society.

He highlighted that, when crucial matters[2] are on the agenda within the legislative process, many specialists of the fields under question are invited to enrich the discussion by bringing their knowledge and competence into the debate[3].

With this regard he has recently proposed to adopt structured discussion forums, a sort of "Clubs of Discussion" [4] to be attended by the main representatives of the cultural sphere in

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[1] Culture Committee is composed by 14 members, all parliamentarians.

[2] For instance, when they have to insert in the law new provisions in some specific fields.

[3] At least 14/15 specialists are usually invited. In some cases, they have opened the debate up to 50 persons.

the country in order to examine the main issues of the sector. In this way he wishes to gather relevant information directly from the actors working in the territory, so as to reflect in the law their common understandings and to solve crucial problems.

The collaboration with the MCT in law's drafting and improving **is very good and effective**: sometimes the first draft of the law is prepared directly by the MCT and then shared with the Committee and revised together[5].

Among the **other relevant actors** the Milli Mejlis Culture Committee is in contact with in order to perform its function, Mr Huseynov particularly mentioned the Ministry of Youth and Sports and the Presidential Administration[6].

We want hereby to underline that the above illustrated **participative approach** employed by the Milli Mejlis Culture Committee for the legislative process, which appears to be welcomed in Azerbaijan, is absolutely in line with the method used for the present analysis, that has been realised by collecting data and information directly from the stakeholders of the culture sector of the Country.

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[4] According to the proposal that was submitted to the Parliament, the first issues on which it has been proposed to open these "Clubs of Discussion" are: cinematography; journalism; cultural language. The meetings should be held tentatively on a monthly basis, starting from September 2016 with the discussion on cinematography.

[5] this circumstance has recently happened for the law on cinematography, that is being revised.

[6] The Azerbaijani President is strongly concerned by culture matters and always "solution-oriented".

MINISTRY OF CULTURE AND TOURISM

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                        ┌─────────────────┐
                        │     Minister    │
                        └─────────────────┘
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Minister

First Deputy Minister

- Utilization and preservation of historical-cultural monuments;
- Book circulation and publishers work
Minister order 182 13/4/2015

Guidance on general operation, apparatus, HR, Economy, Finance and Accounting, Work with documents and citizen appeals, Information and Public Relations, Technical Maintenance and program provision, Law, Protocol and Internal analysis and supervision on the execution of the order. *Minister order 182 13/4/2015*

Deputy Minister

- Art;
- Cinematography;
- Investment and property management.
Minister order 182 13/4/2015

Deputy Minister

- Cultural institutions and folklore art;
- Science, education and work with the youth;
- International Cooperation.
Minister order 182 13/4/2015

Deputy Minister

- Tourism.
Minister order 182 13/4/2015

METHOD EMPLOYED

Here below we report the outcomes of the interviews held with MCT Departments and a synthesis of the documentation provided by them.

In particular the exam of the following MCT Departments was carried out:

1. Arts Department;
2. Tourism Department;
3. Department for science, education and youth affairs;
4. Department for book circulation and work with publishing houses;
5. Department for Cultural Institutions and Folk Arts;
6. Investment and property management Department;
7. International cooperation Department;
8. Cinematography Department;
9. Department for utilization and conservation of historical-cultural monuments.

As it can be seen, the analysed Departments are all performing "Line Functions": actually the "line units" are those that directly address the core aims of an organization, while the "staff units" do ensure a support to the whole organization by performing transversal functions, such as Human Resources Department management or the Supply and IT Department, that are essential for its effective and smooth functioning, but that are not linked to the specific goals that the organization has to pursue.

The reason why this analysis mainly takes into consideration the "Line Departments" resides therefore in the fact that they have direct competence on steering, managing and controlling each specific sector that characterise culture of Azerbaijani Republic, and towards whose improvement the present Twinning project is intended to ensure its full support.

In order to simplify the readability of the outcomes of the interviews and of the relevant documentation provided by the MCT Departments, all the main processes carried out have been referred to 2 main functions:

1) *participation in policy making/sector's steering*
2) *ensuring policy execution.*

Since the identified processes within "ensuring policy execution" function are numerous, we have grouped them into homogeneous sub-areas like *supervision and control*; *making a fruitful environment; education and training* and others.

ANALYSED DEPARTMENTS – DETAILED DESCRIPTION

ARTS DEPARTMENT
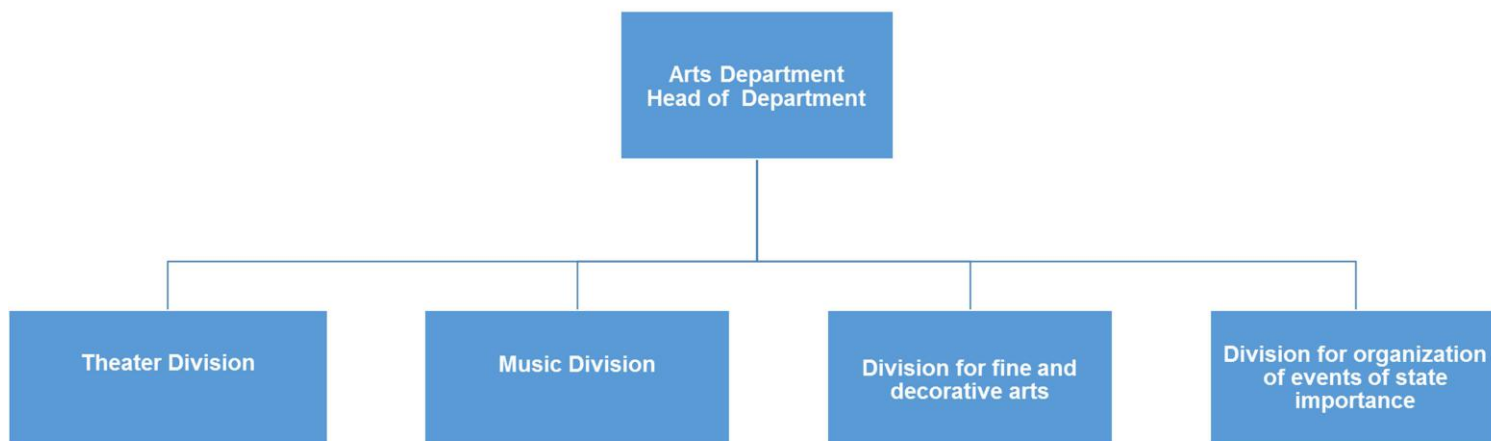
GENERAL INFORMATION

The department of art is composed by a staff of 13 persons[7].

The main laws/normative by which the work of the department is regulated are:

- ✓ Law on Culture;
- ✓ Law on Theatres;
- ✓ General regulation of the ministry and internal regulations of the department.

The Department[8] is divided into 4 Divisions:

- ✓ Theatre sector;[9]

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[7] Department manager: 1 staff unit; Head of sector: 4 staff units; General consultant: 1 staff unit; Senior consultant: 2 staff units; Leading consultant: 2 staff units; Consultants: 3 staff units.

[8] There are 33 cultural institutions and organizations attached to Art Department, as well as 35 art galleries.

- ✓ Music sector;
- ✓ Organization of state events;
- ✓ Decorative arts.

ASSIGNED FUNCTIONS AND WORKING PROCESSES

Participation in policy making and policy/sector's steering

The Art Department:

- ✓ analyses (jointly with legal and economic structures of the Ministry) the innovations in existing laws in the field of theatre, music, circus, monumental and decorative art;
- ✓ drafts analysis on the actual situation of theatre, music and decorative art sectors as well as on the opportunities in the field;
- ✓ organises discussion fora with experts in order to debate about the above mentioned opportunities and submits recommendations to MCT board related to their development;
- ✓ participates jointly with other Departments of MCT in solving complex issues related to the development of culture field;
- ✓ participates in the drafting and execution of new projects in the art field.

Ensuring policy execution

1. SUPERVISION AND CONTROL

The Art Department:

- ✓ controls the organization of artistic events and mass actions, theatre and circus institutions, concert organizations, art galleries, exhibition halls in accordance of orders and decrees of President of Azerbaijani Republic, orders of minister of culture and tourism of Azerbaijani Republic;
- ✓ approves the annual performance targets of the above mentioned art institutions
- ✓ determines the content of interventions of artists, curators, art critics and other art figures representing Azerbaijani culture abroad;

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[9] Theatres are subsidised by the government, that establishes targets for their performances.

✓ controls the artistic content and quality of the artistic performances, exhibition, and events.

2. EDUCATION AND TRAINING

The Art Department:

✓ participates in the execution of scientific-researches in the field of theatre, music, circus, art, monumental, decorative art in order to draft proposals for the vocational education system, both for young professionals and for people employed in the artistic field;
✓ organises professional and vocational education work exchanges.

3. MAKING A FRUITFUL ENVIRONMENT

The Art Department:

✓ fosters the harmonious and comprehensive development of theatre, music, circus, monumental and decorative art fields by creating opportunities for art researches and promoting modern art types, innovation, and gender diversity in art;
✓ fosters the application of modern technologies in the art field such as the installation of technical equipment in accordance of international standards;
✓ gives the opportunity to the professionals of the art field to participate in the definition of their own sector development plans;
✓ protects the professional status of employees working in art and cultural field, and ensures their social and material reputation.

4. STATE EVENTS

The Art Department:

✓ defines the priorities in the field of organization of state importance events and controls their execution;
✓ promotes culture of Azerbaijan through the organisation of and the participation in relevant international events;

✓ supports the realisation of state importance cultural events of foreign countries in Azerbaijani Republic.

EDUCATION AND TRAINING

In the Art Department the staff of each division should have a specialised educational background[10]. The performances of the staff are measured and submitted to the approval of the Ministry.

Some people among the staff of the art institutions linked to the Department can be selected by international organizations to be trained abroad through MCT funds.

In some cases the educational or training programs are agreed with the Ministry of Education and included in State Education Program of Azerbaijan.

INTERNAL AND EXTERNAL CONNECTIONS:

In order to perform its functions, the Art Department does interact with the following institutional actors: Ministry of Education; Ministry of Finance (in particular Balance Department).

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[10] In the Theatre Division there are theatre professionals that work for identifying targets and for monitoring theatre performances.

TOURISM DEPARTMENT

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                          │  Tourism Department │
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                          │  Head of Department │
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│ development of│ │ work with     │ │ planning and  │ │   Division    │
│ tourism in the│ │ tourism       │ │ development   │ │               │
│ regions       │ │ industry      │ │               │ │               │
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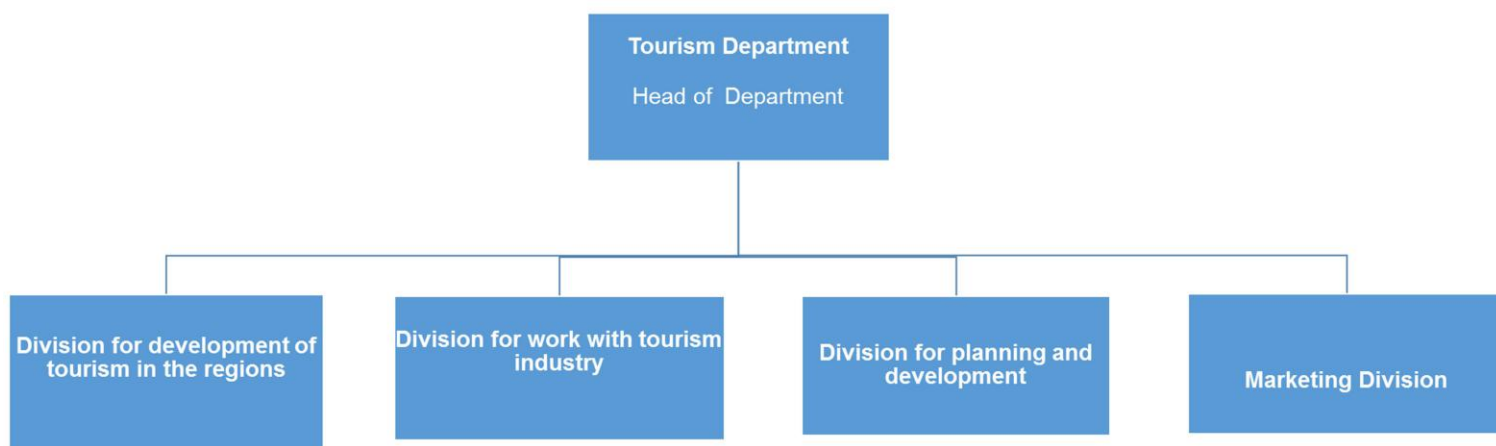
GENERAL INFORMATION

The Department of Tourism is composed of 17 employees, and organised into four Divisions: Division for development of tourism in the regions, Division for work with tourism industry, Division for planning and development, marketing Division.

The work of the Department is mainly regulated by the Law on Tourism of 1999, the Law on Culture and the internal regulations of the department. It has to be taken into consideration that a new tourism code of Azerbaijan, which includes recommendations from the previous EU Twinning Project "Strengthening the capacity of the Department of Tourism in the Ministry of Culture and Tourism", is in progress under Milli Mejlis. Moreover, the Department developed internal regulations based on the "Statue of Tourism Department" of the Ministry.

ASSIGNED FUNCTIONS AND WORKING PROCESSES

Participation in policy making and policy/sector's steering:

The Tourism Department:

- ✓ drafts development programs in tourism field;
- ✓ drafts state programs in tourism field;
- ✓ drafts legislative acts related to the field of tourism and proposes amendment/improvement to existing legislative acts;
- ✓ drafts development plans for increasing tourism infrastructure;
- ✓ finds out and enhances new methods for involving foreign investors in the field of tourism and in order to finance tourism infrastructure.

Ensuring policy execution:

1. SUPERVISION AND CONTROL

The Tourism Department:

- ✓ ensures the execution of legislative acts related to tourism activity;
- ✓ controls that the work of professionals, as well as the activity of physical and legal persons in the tourism field is in line with legal provisions;
- ✓ develops proposals aimed at eliminating defaults that arise from execution of state policy in the field of tourism;
- ✓ ensures that services offered to tourists are in line with the required standards;
- ✓ controls the way in which touristic attractions are managed and represented in order to better organise the potential of Azerbaijan as a touristic destination at international level;
- ✓ manages the Single Tourism Registry;
- ✓ controls the tourism information centres network.

2. LICENCING AND CERTIFICATION:

The Tourism Department:

- ✓ establishes hotel standards in order to determine the hotels' star rating;
- ✓ issues special licences to legal and physical persons that intend to work in tourism and controls compliance with licensing conditions and requirements;

✓ manages and supervises the certification process required by law for opening tourism activities.[11]

3. PROMOTION, INFORMATION AND ADVERTISEMENT:

The Tourism Department:

✓ develops and analyses marketing investigations in the field of tourism;
✓ organises advertising campaigns also in order to ensures the participation of Azerbaijani Republic in national and international tourism exhibitions;
✓ promotes awareness of Azerbaijan as a tourist destination through mass media and other promotional tools;
✓ develops and supervises the Official Tourism Portal of Azerbaijan and other websites (with the permission of the Information and Public Relations Department);
✓ gives necessary information about tourism activities to physical and legal persons working in the field.

4. EDUCATION AND TRAINING:

The Tourism Department:

✓ takes measures for training and qualification of people working in the field of tourism (jointly with other bodies of the Ministry);
✓ takes measures to improve theoretical knowledge and practical skills of employees;
✓ organises the participation of staff members in local and international seminars, lectures, conferences and other educational events;

5. TOURISM DEVELOPMENT AND PLANNING:

The Tourism Department:

✓ takes measures to establish recreation zones aimed at fostering tourism development in the Regions;

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[11] Including the accreditation of companies entitled to receive electronic visa for tourists.

- ✓ makes proposals for development of traditional and new type of tourism;
- ✓ drafts new tourism routes (jointly with other relevant Departments) taking measures to reach best possible conditions of cultural objects and other tourism important objects located in such routes;
- ✓ analyses the activities of qualified bodies in the field of tourism in order to draft relevant proposals for improving the sector;
- ✓ drafts proposals in order to improve its material and technical tools.

6. SUPPORT TO OTHER BODIES LINKED TO THE FIELD:

The Tourism Department:

- ✓ ensures practical and methodological support to territorial bodies (regions, cities) and tourism cultural and tourism departments of MCT.

EDUCATION

It has been highlighted that employees do not always have specific educational background.

INTERNAL AND EXTERNAL CONNECTIONS:

In order to perform its functions, the Tourism Department does interact with:

Other departments and divisions of MCT:

- ✓ Cultural reserves and monitoring;
- ✓ International cooperation;
- ✓ Education;
- ✓ Work with regions.

Institutional actors at national level:

- ✓ Ministry of Finances (and its Balance Department);
- ✓ Ministry of Taxes;
- ✓ Ministry of Youth and Sports;
- ✓ Ministry of Economic Development.

- ✓ Ministry of Natural Resources and Ecology.

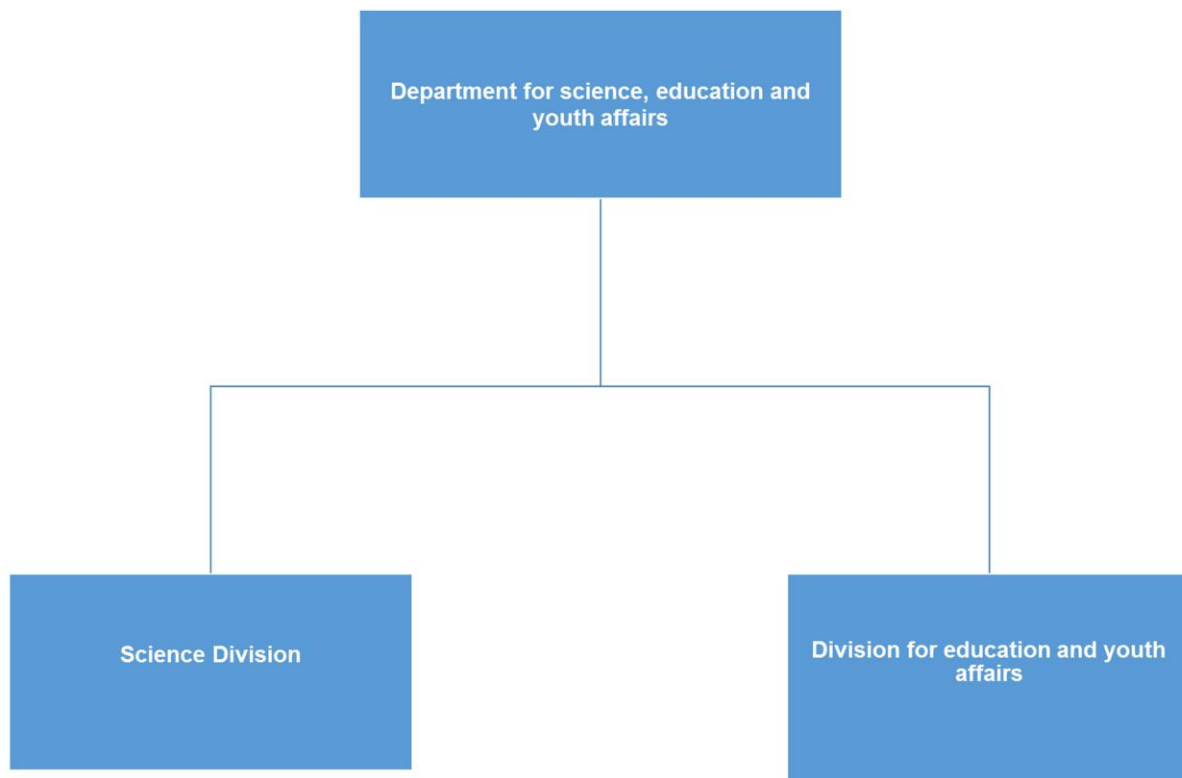Institutional actors at local level;

- ✓ 15 Regional Tourism offices in the regions of Azerbaijan.

International actors such as UNDP and non-political actors such as Azerbaijani Convention Bureau, Universities, Azerbaijani Tourism Association, Association of Green Rural tourism, Association of Medicine.

MAIN ISSUES EMERGED

The main challenge related to the tourism sector that has been raised was the necessity of facilitating the visa system.

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┌─────────────────────────────────┐
│  Department for science,        │
│  education and youth affairs    │
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    ┌────┴─────────────────────────┐
    │                              │
┌─────────────────┐      ┌──────────────────────────┐
│ Science Division│      │ Division for education   │
│                 │      │ and youth affairs        │
└─────────────────┘      └──────────────────────────┘
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GENERAL INFORMATION

The department of Science, Education and Youth Affairs is composed by a staff of 8 persons. The main laws/normative by which the work of the department is regulated are:

✓ Law on Culture;

✓ Law on Education;

✓ Internal regulations of the department.

The Department is divided into 2 Divisions:

✓ Division for Science;

✓ Division for Education and Youth Affairs.

ASSIGNED FUNCTIONS AND WORKING PROCESSES

Participation in policy making and policy/sector's steering

The Department for Science, Education and Youth Affairs:

- participates in drafting the state policy in the fields of culture, science, education, creative youths and other related fields;

- organises activities related to the protection and the development of the existing educational institutions' network and drafts related relevant proposals;

- regulates, jointly with Human Resources Department of the Ministry, the activity of Training and Qualification Centre of employees of Cultural Institutions;

- makes proposals, together with other relevant Departments, addressed at raising the qualification of teachers working in educational institutions;

- outlines the teaching process in secondary vocational and higher educational institutions according to the international standards;

- makes proposals related to opening, closing and modifying the existing educational institutions;

- drafts the annual working plan determining the activities' frame of the sector.

Ensuring policy execution

1. SUPERVISION AND CONTROL

The Department for Science, Education and Youth Affairs:

- controls the activities of the educational institutions included in the system of the MCT[12]
- ensures timely submission delivery of legislative documents, instruction letters and other relevant documentation related to education system;

- methodically monitors the regulation of the teaching process within educational institutions;

- Drafts the annual report of the activities carried out from the Department.

2. MAKING A FRUITFUL ENVIRONMENT

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[12] The following educational institutions for culture are directed and financed via this department: Tourism and Management University; Baku Choreography Academy; Mingachevir Tourism College; Baku Tourism Profession school (Vocational school); 239 music, art, painting, mugham and ashiq performance schools; Training centers; Scientific restoration center for museum resources and memorial artifacts.

The Department for Science, Education and Youth Affairs:

- ✓ takes relevant initiatives to analyse, improve and develop the network of educational institutions, to define their proper location and to improve their material-technical base;
- ✓ organises competitions, festivities, exhibitions and other events addressed at finding and developing the talented children and youths;
- ✓ proposes the participation of talented children and youths in competitions held in foreign countries;
- ✓ makes requests for education of talented youths in the field of art at educational institutions of foreign countries;
- ✓ makes proposals on applying new incentives forms to award employees' education.

3. SUPPORTING SCIENTIFIC RESEARCH

The Department for Science, Education and Youth Affairs:

- ✓ directs and ensures state support for scientific-research works in the fields of culture and tourism in cooperation with other state bodies;
- ✓ carries out scientific conferences, consultancy tables and seminars with the participation of the leading teachers of education institutions;
- ✓ represents Azerbaijani Republic in national and international scientific-practical conferences, seminars, round tables, symposiums etc.

4. TRAINING

The Department for Science, Education and Youth Affairs:

- ✓ carries out actions addressed at raising the training level of teachers working in educational institutions;
- ✓ organises training sessions in order to improve professionalism of employees of the educational institutions;
- ✓ sends the leading teachers of educational institutions in foreign countries for training purposes;
- ✓ makes proposals for planning the training needs' analysis of the educational institutions included in the system of MCT;

- ✓ presents to the management of the MCT a selection of employees of the Ministry to be recruited so as to organize high level teaching process in educational institutions.

INTERNAL AND EXTERNAL CONNECTIONS:

In order to perform its functions, the Department for Science, Education and Youth Affairs does interact with the following institutional and non-institutional actors:

at National Level:

- ✓ Ministry of Finance (in particular Balance Department); Ministry of Youth and Sports; Ministry of Foreign Affairs; Ministry of Education; State Committee on Family, Women and Children's Affairs;

at non-political level:

- ✓ State Academy of Fine Arts; State University of Culture and Arts; Academy of Music; Union of Composers; Union of Painters; Union of Writers.
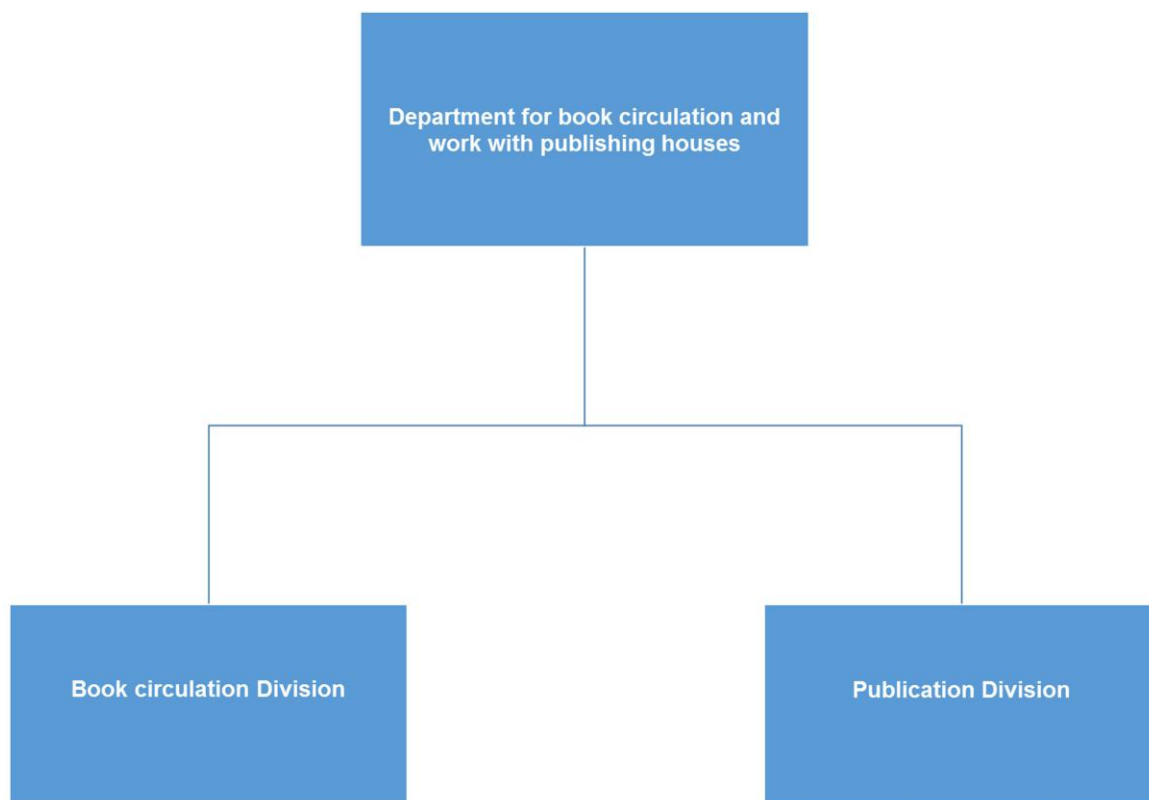
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┌─────────────────────────────────┐
│  Department for book circulation│
│   and work with publishing      │
│          houses                 │
└─────────────────────────────────┘
          │
    ┌─────┴──────────────────┐
┌───────────────┐      ┌──────────────────┐
│ Book          │      │ Publication      │
│ circulation   │      │ Division         │
│ Division      │      │                  │
└───────────────┘      └──────────────────┘
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GENERAL INFORMATION

The Department of Book Circulation and work with Publishing Houses is divided into 2 Divisions: Book Circulation Division and Publication Division.

The main laws/normative by which the work of the department is regulated are:

- ✓ Law on publishing work;
- ✓ Law on Libraries of 1998;
- ✓ Law on Culture;
- ✓ Internal regulations of the department.

ASSIGNED FUNCTIONS AND WORKING PROCESSES

Participation in policy making and policy/sector's steering

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The Department of Book Circulation and work with Publishing Houses:

- ✓ drafts programs, concepts and roles related to book circulation, modernization of libraries and application of electronic information resources;
- ✓ drafts and carries out programs related to traditional and electronic printing and publishing development;

Ensuring policy execution:

1. COORDINATION, SUPERVISION AND CONTROL:

The Department of Book Circulation and work with Publishing Houses:

- ✓ supervises publication and translation of books which are considered important in the field of culture and tourism;
- ✓ coordinates activities performed in cooperation with international bodies;
- ✓ controls that the state funds devoted to libraries are adequate, including the financing for collection, protection, conservation and restoration of books;
- ✓ weights up the level of modernisation of libraries and submits to MCT proposals for improving their work;
- ✓ coordinates the activities of libraries;
- ✓ manages the State Registry of books of historical significance;
- ✓ controls rewriting, reproduction and manufacturing of cultural products;
- ✓ controls compliance of publishing products with legal requirements and state standards and removes publications which are incompatible with legal requirements or misrepresent principles of statehood, traditions and history of Azerbaijan;[13]
- ✓ issues certifications allowing exportation of rare manuscripts and books;
- ✓ monitors activities of publishing houses attached to the MCT and Republican Library Collectors, and take measures in order to solve any detected problem;
- ✓ defines standards (format, cover…) for books whose edition is supported by MCT;

2. CREATING OPPORTUNITIES FOR SECTOR IMPROVEMENT:

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[13] Including polygraph monitoring.

The Department of Book Circulation and work with Publishing Houses:

- ✓ submits to MCT management requests for materials and technical tools needed to sector improvement;
- ✓ creates opportunities for the automatization of the library-bibliography process and for the development of electronic catalogues and libraries;
- ✓ organises work exchanges in order to improve professionals' skills;
- ✓ ensures the participation of professionals in international meetings;
- ✓ promotes Azerbaijani culture and tourism through books and publications;
- ✓ analyses sectoral studies and experiences (also at international level) in order to applicate innovative approach and training systems in Azerbaijan;
- ✓ encourages entrepreneurial development and motivation in the field;
- ✓ fosters involvement of local and international sponsors;
- ✓ fosters participation in international competitions and exhibitions;
- ✓ involves international experts in its activities by using specifically allocated funds;

3. SUPPORT AND MANAGEMENT

The Department of Book Circulation and work with Publishing Houses:

- ✓ supports the activities of international and non-governmental organisations in the field of book circulation;
- ✓ assists activities of "Book House";
- ✓ supports the increasing usage of electronic books carrying out projects with this aim.

INTERNAL AND EXTERNAL CONNECTIONS:

In order to perform its functions, the Department of Book Circulation and work with Publishing Houses interacts with international organisations such as UNESCO, ISESCO, TURKSOY).
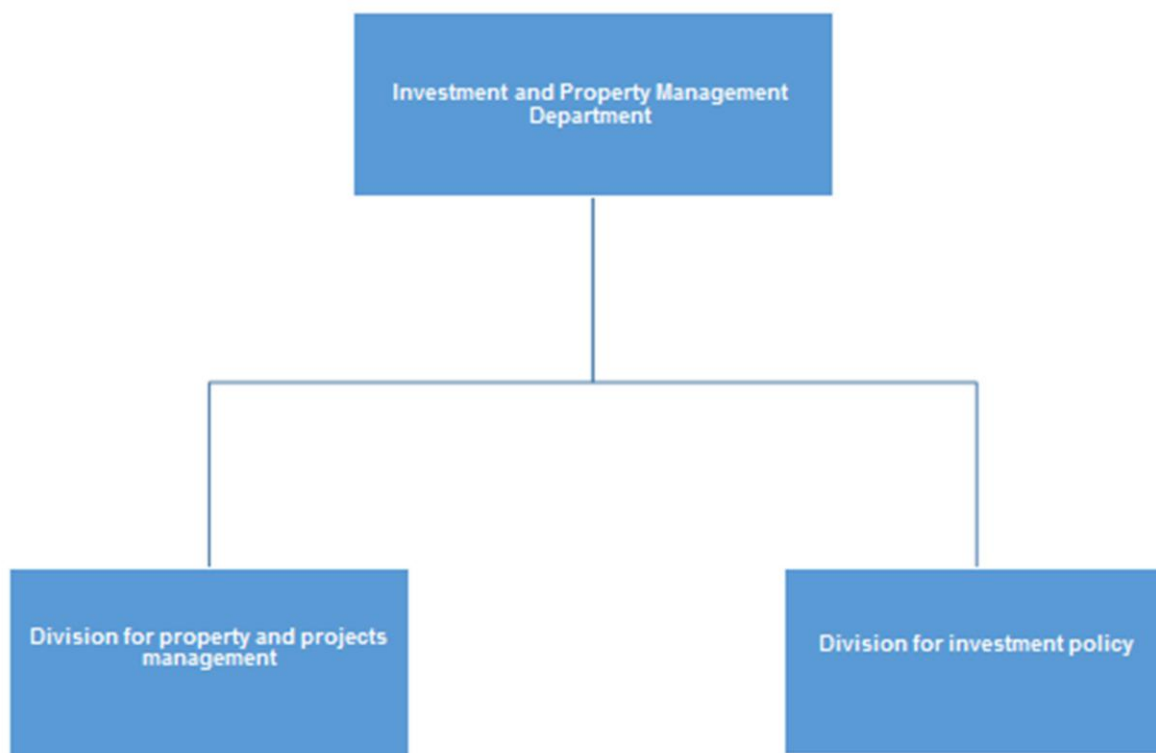
GENERAL INFORMATION

The Investment and Property Management Department is composed of 8 employees and divided into 2 Divisions: Division for property and project management and Division for investment policy.

The main laws/normative by which the work of the department is regulated are:

- ✓ Law on Management of Property;
- ✓ Law on Culture;
- ✓ Law on Public Procurement;
- ✓ Internal regulations of the department.

Participation in policy making and policy/sector's steering:

The Investment and Property Management Department:

- ✓ drafts state culture and tourism investment programs in line with the execution, monitoring, evaluation and procedures of State Investment Program;
- ✓ participates jointly with other Departments of MCT in solving complex issues related to the development of culture field;
- ✓ participates in the development of state investment programs for the field of culture and tourism;
- ✓ elaborates complex analysis, jointly with relevant executive bodies, in order to define investment plans in the fields of culture and tourism.

Ensuring policy execution:

1. COORDINATION, SUPERVISION AND CONTROL:

The Investment and Property Management Department:

- ✓ controls the actual use of properties providing recommendations and proposals;
- ✓ organises engineering and technical inspections in buildings and other facilities also in order to define possible ways of using them;
- ✓ elaborates reports, to be submitted to state bodies, analysing information about construction, restoration and design of cultural and tourism objects;
- ✓ inserts or removes buildings or institutions into or out of MCT's list of properties;
- ✓ analyses, prioritises and submits to relevant state structures projects foreseeing reconstruction and reparation of buildings proposed by relevant Departments of MCT and by the State Service for Protection, Development and Restoration of Cultural Heritage;
- ✓ coordinates activities of other executive powers related to cultural and tourism objects and activity of associations and bodies in this field.

2. BUDGET MANAGEMENT AND PLANNING:

The Investment and Property Management Department:

- ✓ identifies and lists objects included in the MCT balance by the article "Socio-cultural and welfare facilities";
- ✓ monitors, includes or removes properties in or from financial balance of MCT;

- ✓ puts forward proposals (when needed) in order to define additional financial sources for funding of State Investment Program;
- ✓ drafts investment projects for construction, maintenance, restoration and conservation of cultural and tourism objects and submits those projects to state bodies in accordance with "Design, execution, monitoring and evaluation guidelines of the State Investment Program[14]";
- ✓ deals with investment projects related to the properties belonging to MCT;[15]
- ✓ participates in tender commissions issued by MCT and other bodies under the Ministry.

3. CREATING OPPORTUNITIES FOR SECTOR IMPROVEMENT:

The Investment and Property Management Department:

- ✓ cooperates with international organizations and concerned bodies of foreign countries in order to learn from different experiences;
- ✓ involves international experts in its activities.

INTERNAL AND EXTERNAL CONNECTIONS:

In order to perform its functions, the Investment and Property Management Department does interact with almost all MCT Departments, as well as with the State Service on Conservation, Rehabilitation, Protection of Cultural Heritage. Moreover, the Property Management Department interacts with the Ministry of Finance and local executive powers and relevant departments.

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[14] http://mct.gov.az/styles/doc/qayda_239.pdf

[15] Investment projects for entities (clubs, libraries) and monuments can be proposed by local residents, executive powers, regional tourism departments etc.

INTERNATIONAL COOPERATION DEPARTMENT
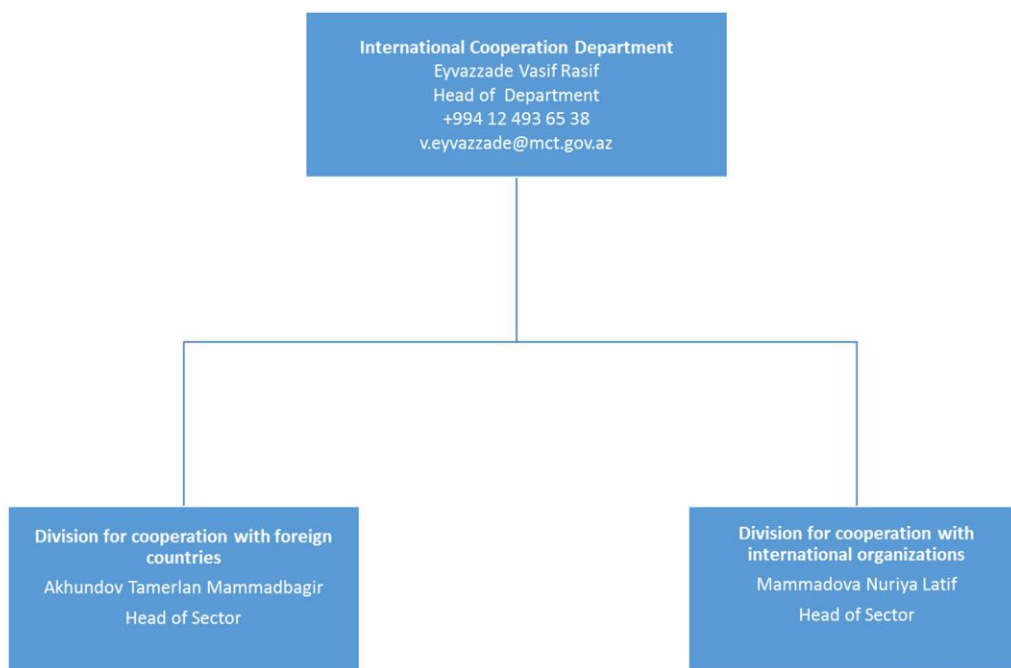
GENERAL INFORMATION

The International Cooperation Department is divided into 2 Divisions: Division of Cooperation with foreign countries and Division for cooperation with International Organisations.

The main laws/normative by which the work of the department is regulated are:

- ✓ Law on Culture;
- ✓ Internal regulations of the department.

ASSIGNED FUNCTIONS AND WORKING PROCESSES

Participation in policy making and policy/sector's steering:

The International Cooperation Department:

- ✓ drafts intergovernmental agreements and programmes;
- ✓ drafts conceptual documents and programmes in order to define international policy in the field of cultural and tourism of the Republic of Azerbaijan;

✓ provides analytical data in order to introduce in the country the international best practices in culture and tourism;

✓ drafts sections of international development programs aimed at protecting material and immaterial culture heritage, or at developing cultural industries;

✓ drafts recommendations and reports, submits proposals for the development of international cooperation.

Ensuring policy execution:

1. COORDINATION, SUPERVISION AND CONTROL:

The International Cooperation Department:

✓ coordinates activities performed in cooperation with international bodies;

✓ controls the activities of cultural centres coordinated by embassies of Azerbaijani Republic in foreign countries.
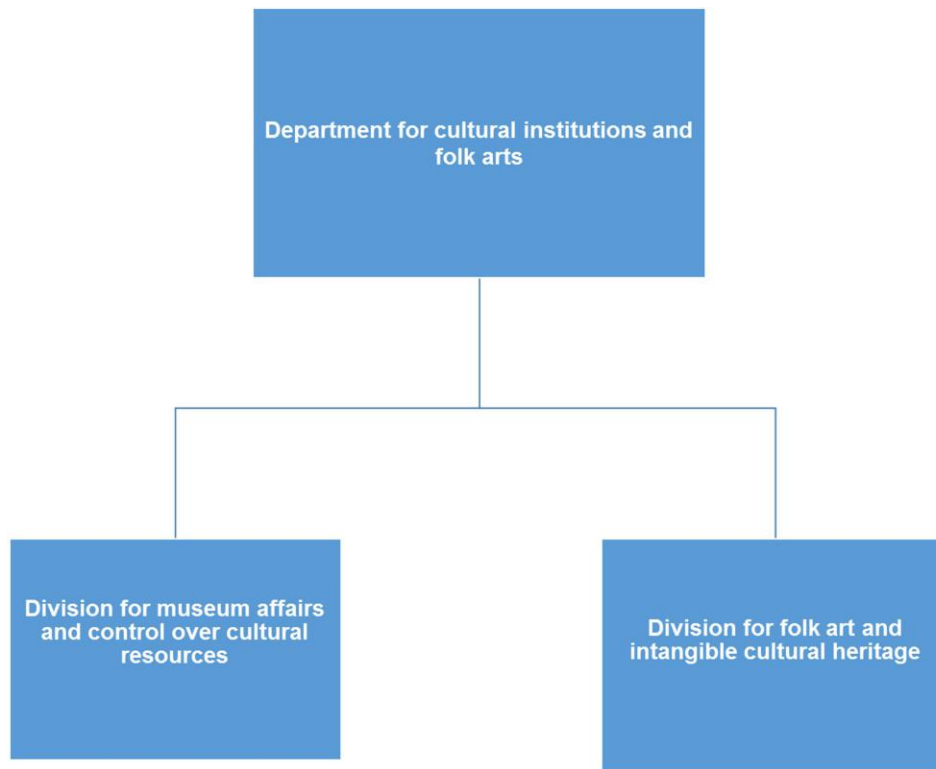
2. FOSTERING INTERNAZIONALIZATION OF THE COUNTRY:

The International Cooperation Department:

✓ strengthens bilateral and international relations in the field of culture and tourism;

✓ organises multilateral cooperation meetings to discuss international policy with international organizations in the field of culture and tourism;

✓ joins international programs in field of culture, art and tourism and suggests new initiatives to interested departments;

✓ drafts and carries out, jointly with other structural sections of MCT, various programs aimed at establishing and developing relations with international organizations and state bodies of foreign countries for culture and tourism field;

✓ ensure the organization of official international meetings, working groups, as well as official and business visits of higher delegations of foreign countries and international organizations in the field of culture and tourism;

✓ promotes culture, cultural heritage and art of Azerbaijani Republic in international arenas;

✓ ensures participation of professionals in the field of culture and tourism in training sessions and practical courses organized by international intergovernmental and non-governmental organizations;

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┌─────────────────────────────────────┐
│   Department for cultural            │
│   institutions and folk arts         │
└─────────────────────────────────────┘
                  │
        ┌─────────┴─────────┐
        │                   │
┌───────────────┐   ┌───────────────┐
│ Division for   │   │ Division for   │
│ museum affairs │   │ folk art and   │
│ and control    │   │ intangible     │
│ over cultural  │   │ cultural       │
│ resources      │   │ heritage       │
└───────────────┘   └───────────────┘
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GENERAL INFORMATION

The main laws/normative by which the work of the department is regulated are:

✓ Law on Culture;
✓ Internal regulations of the department.

The Department is divided into 2 Divisions:

✓ Division for museums affairs and control over cultural resources;
✓ Division for folk art and intangible cultural heritage;

ASSIGNED FUNCTIONS AND WORKING PROCESSES

Participation in policy making and policy/sector's steering

The Department for cultural institutions and folk art:

- ✓ designs, jointly with the law sector, the relevant legislative documents in the field;
- ✓ drafts the conceptual documents, programs and projects related to development of folk art and non-material cultural heritage, club institutions (cultural centres and branches, cultural houses, clubs) and park networks;
- ✓ ensures drafting of proposals in order to issue special status to museums;
- ✓ coordinates and regulates folk art and immaterial cultural heritage (country study, folklore and art), as well as national culinary activity fields, and field museums;
- ✓ coordinates and directs the activity of institutions (cultural centres and branches, cultural houses and clubs), cultural and recreation parks in the territory of republic;
- ✓ makes proposals related to establishment, reorganization, termination and changing profile of cultural institutions;
- ✓ department may establish various public associations, boards, commissions and experts' groups upon permission of management of MCT top management;
- ✓ establishes the use of preferential rules of cultural values for vulnerable populations, people with disabilities and children under the age of 18 with limited health;
- ✓ organizes the proper selection and placement of employees within institutions attached to MCT.

Ensuring policy execution

1. SUPERVİSİON AND CONTROL

Department for cultural institutions and folk art:

- ✓ controls the museum network, the activity of club institutions (cultural centres and branches, cultural houses, clubs etc.), of the Heydar Aliyev Centre and of cultural and rest parks;
- ✓ provides compliance to "Registration and Protection Guideline of Museum Values and collections of the Republic of Azerbaijan" and to other legislative acts;
- ✓ controls the organization of artistic events and mass actions, theatre and circus institutions, concert organizations, art galleries, exhibition halls in accordance of orders
- ✓ evaluates the general activity of concerned institutions;
- ✓ coordinates the activity of experts and fund commissions as well as the activities of scientific councils established in museums by MCT and controls their work;

- ✓ controls copy, reproduction of cultural values and production of souvenirs and printed materials;
- ✓ upon permission of management, requests to repair and to improve buildings conditions or to construct new buildings;
- ✓ controls the protection and restoration of exhibits in museums;
- ✓ controls the transit procedures in territory of Azerbaijan and import/export of cultural values.

2. EDUCATION AND TRAINING

Department for cultural institutions and folk art:

- ✓ participates in execution of scientific-researches in the field of theatre, music, circus, art, monumental, decorative art in order to draft proposals for the vocational education system, for young professionals and for people employed in the artistic field;
- ✓ organises professional and vocational education work exchanges.

3. MAKING A FRUITFUL ENVIRONMENT

- ✓ fosters the harmonious and comprehensive development of theatre, music, circus, monumental and decorative art fields by creating opportunities for art researches and promoting modern art types, innovation, and gender diversity in art;
- ✓ fosters the application of modern technologies in the art field such as the installation of technical equipment in accordance of international standards;
- ✓ gives the opportunity to the professionals of the art field to participate in the definition of their own sector development plans;
- ✓ protects the professional status of employees working in art and cultural field, and ensures their social and material reputation.

4. STATE EVENTS

Department for cultural institutions and folk art:

- ✓ defines the priorities in the field of organization of state importance events and controls their execution;

- ✓ promotes Azerbaijani culture of through the organisation of and the participation in relevant international events;
- ✓ supports the realisation of state importance cultural events of foreign countries in the Republic of Azerbaijan.
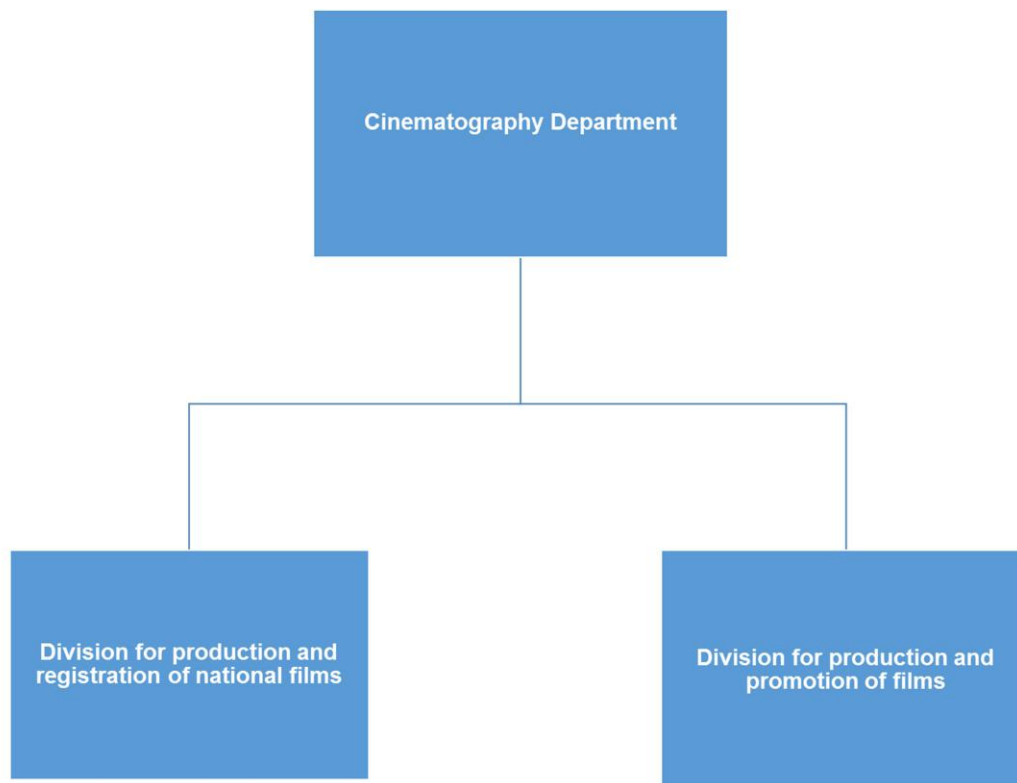
GENERAL INFORMATION

The department of cinematography is composed by a staff of 9 persons.

The main laws/normative by which the work of the department is regulated are:

- ✓ Law on culture;
- ✓ Law on cinematography[16];
- ✓ Law on copyright;
- ✓ Internal regulations of the department.

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[16] The drafting of a new law on cinematography is in progress: since in the previous law the concept of "national film" had formal character rather than practical meaning, it was not clearly expressed. Privileges for national film production were not taken into account. In the new law the establishment and the regulation of a new film commission for production and promotion of international films in the territory of Azerbaijan will be stipulated. New regulation also intend to enforce cinema theatres to divide 2% of the income generated from international film séances for improvement of national film industry.

The Department is divided into 2 Divisions:

- ✓ Division for filmmaking and movie promotion;
- ✓ Division for production and registration of national films.

ASSIGNED FUNCTIONS AND WORKING PROCESSES

Participation in policy making and policy/sector's steering

The Cinematography Department:

- ✓ drafts the designs of legislative acts related to activity of cinema in accordance of working plan of MCT board;
- ✓ drafts the designs of orders and decisions of board of Ministry related to the field of cinematography;
- ✓ drafts the production programs of state cinematography institutions (by instruction of MCT management) ensuring the compliance of national cinematography to international standards;
- ✓ drafts the production programs of state cinematography institutions (by instruction of MCT management) ensuring the compliance of national cinematography to international standards;
- ✓ organizes the registration of all films to be distributed in the territory of Azerbaijan;
- ✓ cares about the inclusion of the films into State Registry and determines the age category of audience[17];
- ✓ makes proposals for proper selection and placement of employees in cinema institutions attached to the Ministry.

Ensuring policy execution

1. SUPERVISION AND CONTROL

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[17] Sometimes they had problems with TV channels broadcasting not registered films or for non-agreed age category. The problem was solved by applying the new regulation of state, which now foresees a fine amount of 2000 AZN for broacasting non-registered films.

The Cinematography Department:

- ✓ analyzes the general activity of cinema institutions upon permission of management;
- ✓ methodically controls the activities of state studios and organizes the supervision on films;
- ✓ monitors the compliance of funds for production of movies to the approved budgets and schedules;
- ✓ evaluates the state ordered films, controls the edition in state studios, controls the activity of cinema network and film broadcasting institutions of the MCT;
- ✓ directs the activity of film broadcasting institutions;
- ✓ takes the measures addressed at eliminating illegal demonstration of movies and videos, films promoting pornography and violence;
- ✓ controls procurement, sale, lease and demonstration of movies in all stages of creative-production process of government-ordered films;
- ✓ makes proposals on elimination of existing defects, as well as on improvement and upgrading of work;
- ✓ submits proposals to the management of MCT in order to establish, reorganize, terminate and change the profile of cinema institutions.

2. MAKING A FRUITFUL ENVIRONMENT

The Cinematography Department:

- ✓ makes proposals for using the positive experience of world cinema within national cinema practice;
- ✓ makes proposals for supporting the development of private sector in the field of cinema;
- ✓ takes measures to modernise the work of cinema institutions through the use of market economy's mechanisms;
- ✓ takes measures to individuate the talented and creative young people and conduts competitions related to various stages of cinematograpy;
- ✓ take measures for the sector's activity improvement.

3. EVENTS' REALISATION

The Cinematography Department:

✓ carries out events to promote world cinema and nation, as well as the activity of films figures and their anniversaries;

✓ carries out cinema events, festivities and competitions of national importance upon permission of management of MCT.

INTERNAL AND EXTERNAL CONNECTIONS:

In order to perform its functions, the Cinematography Department does interact with the following institutional and non-institutional actors:

within the MCT:

✓ Department of Arts; Department of Economy; Department of Finance; Department of Internal Relations.

At national Level:

✓ Ministry of Finance (in particular Balance Department); Ministry of Economic Development; Ministry of Justice; Ministry of Foreign Affairs; H. Aliyev Foundation.
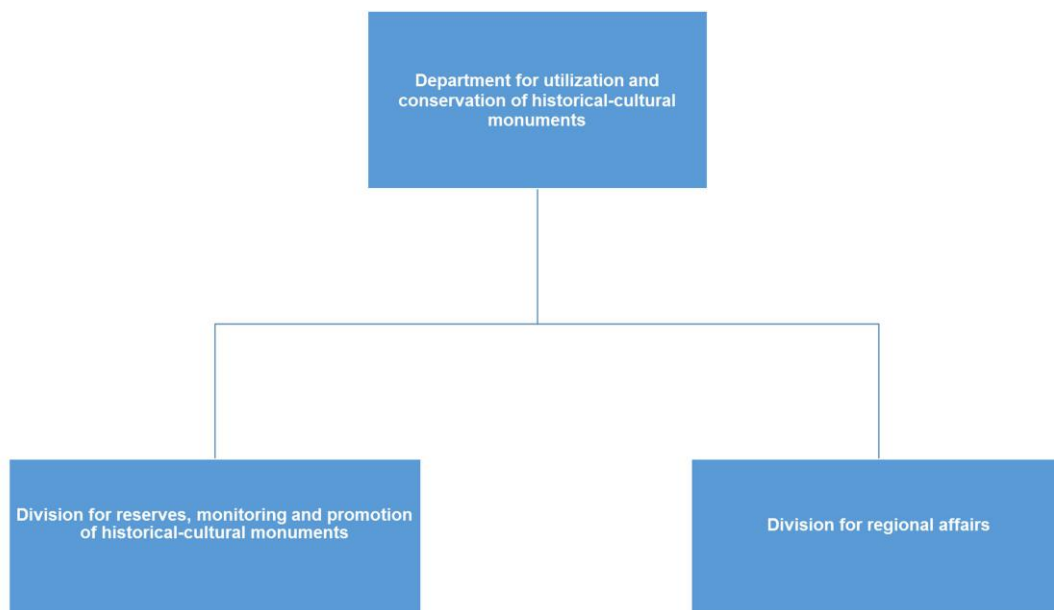
At International level:

✓ International film distributors.

At non-political level:

✓ Union of Cinematographers; Guild of film directors; Guild of film producers; Local TV channels; Copyrights Agency.

GENERAL INFORMATION

Most of the duties of this Department for Utilisation and Conservation of Cultural Heritage were undertaken by the State Service and the new regulation of the Department is being drafted. Considering this "transition phase" and the consequent lack of the updated internal regulation, the description below is structured differently from the one of the other MCT departments and it summarises the information gathered during a meeting with the Head of the Division for Reserves, Monitoring and Promotion of Historical-Cultural monuments.

Law regulating the work of the Department:

In **1998 the Law 'On Protection of Historical and Cultural Monuments'** was approved by the President of the Republic of Azerbaijan. Regarding to this law the Ministry of Culture and Tourism coordinates cultural policy, implements decisions and draws up the cultural budget and Department such as Division for Reserves monitoring and Promotion of Historical-Cultural monuments of the Ministry are directly responsible for protection, utilization, conservation and other activities regarding moveable and immoveable heritage. The Law 'On Protection of Historical and Cultural Monuments' deals with aspects of the protection, study and utilization of historical and cultural monuments. It defines the inviolability, classification,

levels of protection, registration and ownership of monuments and regulates archaeological research and research into architectural and other monuments.

The role of the National Academy of Sciences **in the preservation, restoration and definition of levels of importance of monuments[18].**

The National Academy of Sciences of Azerbaijan Republic is one of the major science and research organizations in the country. This organization consists of a number institution such as the Institute for Architecture and Art and Institute for Archaeology and Ethnography. These two mentioned institutions are responsible for researching and excavations of architectural monuments and archaeological sites. They closely cooperate with the Ministry of Culture and Tourism of the Republic of Azerbaijan in the field of preservation of cultural heritage. Further provisions within the law relate to the protection of monuments during construction and engineering works within preserved areas and protection zones. The Academy of Sciences must be consulted on all restoration, regeneration, conservation and reconstruction projects for protected monuments and can only be carried out after receiving approval from the Ministry of Culture.

Procedure of the newly discovered properties.

A cultural heritage property may be listed when it is recognized as having historic, architectural, or archaeological cultural significance linked with its authenticity, uniqueness and other specific characteristics. Authenticity, uniqueness, and historical, architectural and archaeological significance are the ultimate factors to define the significance of a cultural asset and to grant the status of a monument. According to the national legislation, the Ministry of Culture and Tourism is entitled to assign a Listed Property status to such properties. Following the legislative process, the monument assigned is included into the National Registry of Monuments protected by the government and then affirmed by the Cabinet of Ministers. At the same time, new monuments revealed and possessing the characteristics as mentioned, must be approved in the same way in order to be included into the National Register. So, the Ministry is permanently listing newly discovered monuments,

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[18] The law also governs the role of the Academy of Science.

preparing their necessary documentation and passing it to the Cabinet of Ministers for adding into the Register[19].

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[19] 6308 immoveable historic and cultural monuments are confirmed and registered by the Cabinet of Ministers of the Republic of Azerbaijan

CULTURE STRATEGIC ACTORS

METHOD EMPLOYED

In the present document, the "Culture Strategic Actors" are intended as the Azerbaijani bodies whose core competence is culture and that actually do manage part of the related policy cycle. The role of the Culture Strategic Actors, the task they are entrusted with and the related functions they perform are therefore strictly and directly connected to the general objectives of the Azerbaijani cultural sector as a whole.

The Culture Strategic Actors met during the analysis phase are:

1. State Service for Cultural Heritage Conservation, Development and Rehabilitation (under the MCT);
2. State Urban Planning and Architecture Committee;
3. Baku City Department of Culture and Tourism;
4. Icherisheher Administration.

Please note that the State Service for Cultural Heritage Conservation, Development and Rehabilitation has been included in the present list even if it is formally under the umbrella of the MCT. The reason is that the State Service was created so as to unify under the same body several crucial competences which were spread among different organisational units[20]. This circumstance, together with the high degree of autonomy which has been granted to the State Service in performing the assigned functions, renders it more similar to a separate body with specific tasks than to a MCT Department in the strict sense.

The outcomes of the interviews are presented here below.

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[20] In particular, those of the MCT Department for Utilisation and Conservation of Cultural Heritage.

CULTURE STRATEGIC ACTORS – DETAILED DESCRIPTION

STATE SERVICE FOR CULTURAL HERITAGE CONSERVATION, DEVELOPMENT AND REHABILITATION (UNDER THE MCT)
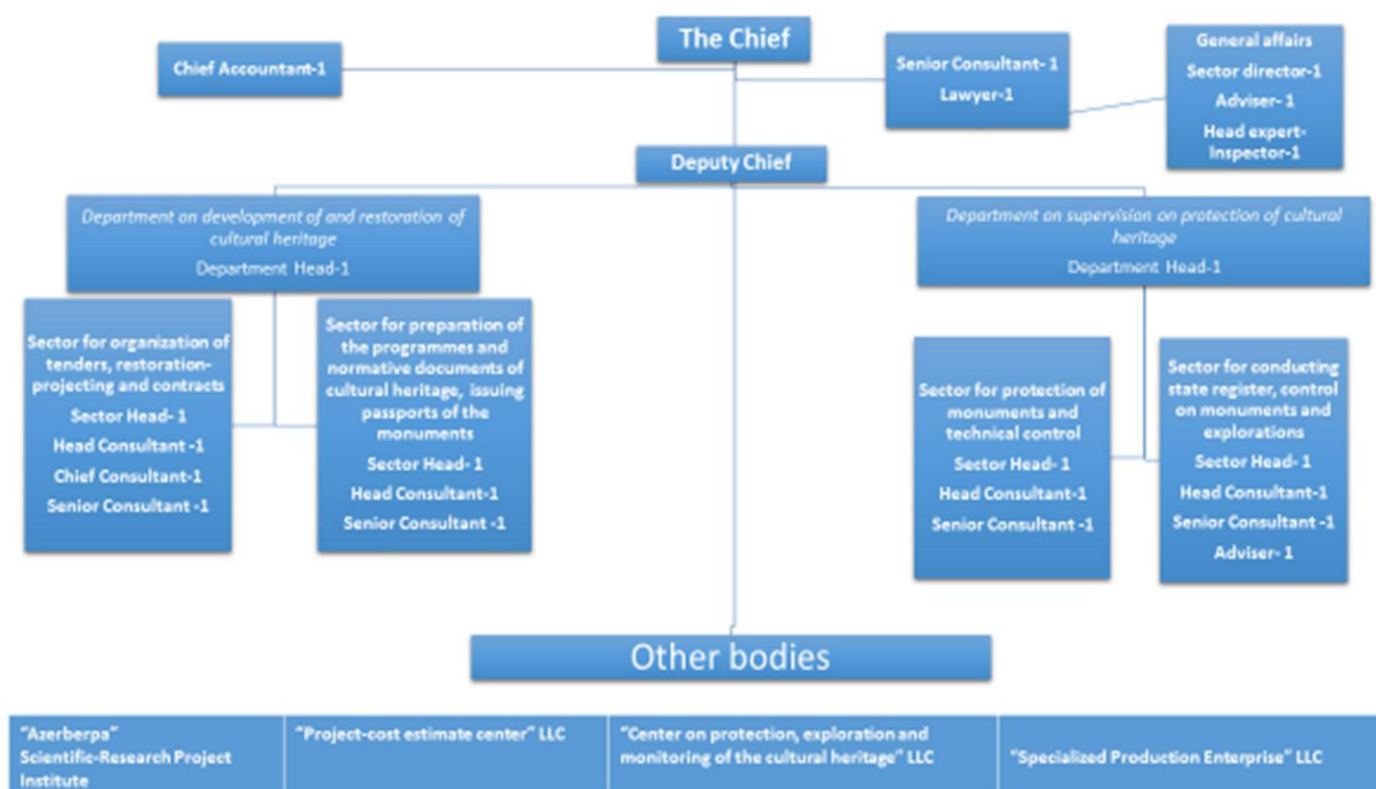
INTERVIEW TO	– Head of State Service for Cultural Heritage conservation, development and rehabilitation; – Head advisor of State Service for Cultural Heritage conservation, development and rehabilitation.
MAIN REFERENCE LAWS	– Law on protection of cultural heritage; presidential decree for implementation of the law on cultural heritage; general regulations for the State Service and internal regulations of Departments.[21]

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[21] the internal regulations for the 2 departments are still being developed, changes and amendments are needed, thus they have not been officially approved yet for the time-being.

SET UP, MAIN FUNCTIONS AND PROCESSES

The State Service was established under the MCT in December 2014 with Presidential Decree[22], in order to implement to the presidential decree of 2013 on restoration of cultural heritage, which has wide importance for the sector.

Thus, the competences on cultural heritage utilisation and conservation, that before the decree were spread under different departments of MCT, have been grouped under the State Service in a sort of reorganisation of the sector.

In particular, the State Service undertook most of the duties of the Department for Utilisation and Conservation of Cultural Heritage of the MCT, whose functions were therefore sensibly reduced[23].

Four institutions are under the control of the State Service[24]

The State Service **has 2 Departments**

- ✓ **Development and restoration** of cultural heritage (with 2 sectors);
- ✓ **Supervision on protection** of cultural heritage (with 2 sectors).

The monument **restoration/protection cycle** is the following:

– the local Tourism Departments of the Ministry point out that there are monuments in their territory to be restored or that a new monument whose historical value must be defined was "discovered";

– the State Service collects the information and fills in a list of the monuments to restore and one of the new discovered monuments, and send it to the Ministry for providing information and for a first check. Experts can be sent on the site for a survey only after the Ministry has been informed;

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[22] The decree came into force in January 2015.

[23] It appears that the MCT department for Utilisation and Conservation of Cultural Heritage now mainly deals with the reporting to UNESCO about tangible heritage.

[24] See organigram.

– once checked by the Ministry, the list is sent for definitive approval to the Cabinet of
    Ministers, that can also send experts to verify when deemed necessary.

The experts come normally from the MCT and/or from the Academy (only rarely from the
State Service), because the State Service only deals with the legal aspects, while the historical
value and the technical matters are dealt by the MCT and the National Academy of Sciences.

The restoration works are assigned through open tenders but the design is made by the
internal institute submitted to the State Service[25] which prepares the project, while the State
Service launches the tender.

The State Service is also proceeding to the listing of cultural objects, because the one
existing is obsolete and must be completely updated.

The main laws and guidelines regulating the State Planning functioning are: the Law on
protection of cultural heritage; the presidential decree on the implementation of the law of
cultural heritage; the general regulation for the State Service and the internal regulations for
each Department, that are now being finalised.

About the budget, no threshold is fixed in advance: several different requests can be
submitted to the Ministry on the basis of the needs[26].

INTERACTIONS WITH INSTITUTIONAL AND NON-INSTITUTIONAL ACTORS

The degree of autonomy of State Service from the MCT in the daily work is high, and, **at
central level they have to interact with the MCT** in order to perform the assigned tasks
only in two main cases: for the relevant budget questions (that are defined by MCT) and
when the citizens send to MCT warnings and notifications that previously were treated by the

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[25] "Azerberpa" Scientific-Research Projects Institute. See organigram.

[26] They have 2 separate cash flows: one running flow for salaries directly within State Service, while for
realising the activities linked to their core competences (such as restauration works) they have to submit the
budget request to the MCT.

MCT itself and that now are under the control of State Service. In that case MCT diverts such issues to the State Service.

At local level they mainly interact with the representatives of local executive powers and with Municipalities.

At international level, when the competence was under MCT, the Department for Utilisation and Conservation of Cultural Heritage used to collaborate with International organizations and foundations such as ICOMOS (Non-governmental International Organisation Dedicated the Conservation of the World's Monuments and Sites), UNESCO, ICCROM (International Centre for the Study of the Preservation and Restoration of Cultural Property), The Romualdo Del Bianco Foundation, The Smithsonian Institution, mainly for implementing periodical projects. At present, it is not clear if this kind of collaboration on International projects will be maintained also by the State Service.

State Service also interacts with public unions and NGOs: in particular the NGO "Let's protect historical monuments" and "protection of monuments located in occupied areas".[27]

THE STAFF

The State Service has 23 employees (all civil servants) as well as 350 monument guards in the regions, as established by presidential decree.

All the employees respond to specific job profiles/description set for each position.[28]

MAIN ISSUES EMERGED

According to the opinion of the Head of the State Service, the main concern and **major priority** is **improving the protection of the cultural heritage**: actually it often happens that the municipalities are negligent on this aspect. For instance municipalities sometimes sell to privates terrains on which cultural objects are located, or do realise works without the

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[27] When there is some misuse of the cultural heritage, the NGOs are the ones who warn the State Service! This is considered by the State Service a very useful help and, moreover, in Baku districts there are no guards, and such a warning function is performed only by these NGOs.

[28] We remark that no technical staff is inside the State Service, since this copes with legal matters, while the technical part appears to be left to MCT and the Academy.

consensus of State Service, or also consent to the privates to use such terrains without the consensus of the State Service.

In such cases, the question have to be solved in courts, with a big cost in terms of time and money.

The necessity that the municipalities become more respectful and responsible on that issue has been highlighted.

In order to overcome such big question, the Head of State Service **deems it necessary to strengthen the law on protection of cultural heritage** and to foresee higher sanctions that, at present, are very low. It seems that legislation has some gaps that impede to provide full protection[29].

Another question, less important than the prior one, comes from the economic crisis of the latest period due to which **the funds** dedicated to restoration/conservation of cultural heritage were **reduced**.

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[29] The Twinning RTA Alessandro Bianchi has explained that the relationship with the Municipalities is a question of public rule but that the solution of this issue has wider implication since it compasses many aspects such as public procurement and others.

Anyway he has ensured his availability to have a further meeting to deepen the matter and to provide assistance to the State Service in the indicated sense

INTERVIEW TO	– Deputy Chairman of State Urban Planning and Architecture Committee
MAIN REFERENCE LAWS	– Urban planning and construction code

SET UP, MAIN FUNCTIONS AND PROCESSES

The State Urban Planning and Architecture Committee, before the 2005 reform, was the "Urban Construction and Architecture Committee". **After the 2005 reform** the competence of "supervision on constructions" was delegated to the Ministry for Emergency Situations, while "Apartment exploitation and maintenance competence" was given to the Ministry of Economy and the Committee became as it is at present.

The Committee started functioning with new profile at end of 2006.

Under the State Committee there are 2 institutes for design and other organisations which work independently, but that are formally placed under its umbrella.

An **annual budget** provision is made for the needs of the Committee, which is submitted to the Ministry of Finance[30]

The budget is now 1.7 million manats, which is not very high if compared with past years' budgets. This is due to the fact that the Committee has no more the competence on the construction projects.

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[30] Ministry of Finance normally confers an amount which is lower than the one asked for.

The Committee, regarding the Urban Planning Sector, manages 4 functions:

1. Territorial Planning;
2. Developing and updating of design standards and norms;
3. Scientific researches in state urban planning area;
4. Supervision on urban planning activities.

The functions which are more specifically linked to the culture sector are the first two indicated above.

1. Territorial Planning function:

With the previous code (before 2013) there were 7 foreseen typologies of urban planning. Now only 3 typologies are envisaged:

1. General planning (national and regional planning): strategic planning on areas of national relevance concerning all territories, economical and administrative areas;
2. Basic planning: planning concerning towns/ urban settlements;
3. Detailed planning: planning on parts/little areas of the cities.

While for the "detailed planning", the proposal comes directly from the local executive powers, even if on the basis of guidelines that are provided by the State Committee, for the first two kinds of planning, the State Committee is the key actor for the whole cycle, since the very first stage of planning proposal.

Even if the State Committee is the main actor, the proposal is presented in agreement with the MCT, the other interested institutions (if any) and, if the case, with the local government.

The final approving body is the Cabinet of Ministers.

Regarding this function of territorial planning, the new code has a specific approach for addressing the management of "culturally relevant" areas.

With specific regard to the buffer zone around monuments, an official rule/instruction is now being drafted. It will be likely ready by the end of the year (2016) and this will be submitted to the Cabinet of Ministers for adoption.

In order to perform the territorial planning function, it is considered that "culturally relevant areas" are those included in the list of cultural areas approved in 2001 from the Cabinet of Ministries (list that is imported from the soviet period) in which there is a classification by national/local importance. **It has been pointed out that the list is obsolete and that it must be updated**. For instance they propose to include in the list also some newly constructed areas which are considered as valid from a cultural point of view[31].

About the above mentioned point we here highlight that, according to what sorted out during the meeting held at the State Service, the State Service is now proceeding to the revision of the list.

2. Develop and updating of design standards and norms

In relation with this second function, the relationship with the MCT regards for instance the design of public buildings: in this case the standards must be agreed with MCT, while the standards of the buffer zones are defined with the State Service.

The normative for the design of standards is currently being updated.[32]

3. Scientific researches in state urban planning area

In this case the State Committee is in contact with the Academy and with the scientific institutions for deciding the main topics to be researched

Actually the researches are mainly in the field of on seismicity and of wind powers, for which they interact with Ministry of Emergency Situation**s.**

4. Supervision on urban planning activities

For this task they have a specific department performing checks especially at local level together with local executive powers.

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[31] They state that, since in Azerbaijan there are not so many cities with cultural heritage areas, the question raised above mainly regards the cities of Baku, Sheki and Ganja. They also proposed to foresee a cultural protected area in Nakhchivan.

[32] It appears as very good but old because it comes from the Soviet era.

This checks must be done at least every 3 years.

There are **many laws and regulations** coping with urban planning, but <u>**the main law is the "urban planning and construction code"**</u> adopted in 2010, that came into effect in 2013[33].

The innovations foreseen in the new code are the following:

– for the 1st time the code foresees the active participation of stakeholders and of the society (professional unions, citizens etc.) in the area of urban planning through the realisation of open discussion forums;
– the official documentation related to the urban planning is publicly available;
– duties and obligations of local and central powers are clearly defined.

INTERACTIONS WITH INSTITUTIONAL AND NON-INSTITUTIONAL ACTORS

In order to perform the assigned tasks, the State Committee interacts mainly with:

the **MCT**, in particular with the "Protection of Cultural Heritage" and "Tourism" Department, mainly for agreeing about proposals on protected areas; with **Ministry of Emergency Situations** with which they update the territorial planning documents that must be revised every 20 years; with the State Service; **the Academy of Sciences** as well as with the **local executive powers** and with some **Professional Unions** (like Union of Architects).

THE STAFF

According to the regulations they should be 135. Actually they are 100 at present, and this appears to be always the average staff number. Other posts are vacant.

There is the Civil Service Commission under the President of the Republic of Azerbaijan coping with the hiring process, which foresees competition for the vacancies.

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[33] The development of the code was made together with Ukrainian and German experts under a previous Twinning.

All the candidates have to undergo a public exam on the basis of job profiles that are defined by the State Committee, and a member of the State Committee is in the evaluation commission.

Actually they need new expertise (also because many employees retired in the last period), but it seems that the procedure, based on a first step "test examination", privileges the rapidity and the memory skills of the candidates instead of their experience. This circumstance advantages newly graduated persons more than experienced persons already working in the field since many years[34].

MAIN ISSUES EMERGED

Since the laws that they have are well conceived and functioning, it came out that the **main issue to address is the classification of the cultural objects/areas/monuments**, especially in the territories under the local executive powers, that is old. Moreover they highlights that this list was drafted without taking in consideration the advice of important local stakeholders (like unions of architectures or other professional unions).

In this regard we have mentioned that the State Service is caring about the updating of the list. The Deputy Chairman of the State Committee for Architecture and Urban Planning then highlighted how crucial is to precisely identify the criteria according which the list is going to be updated.

Due to the list's imprecision it happens for instance, that local executive powers propose the demolition of some buildings and areas that can be considered of historical value, in order to proceed to massive construction[35].

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[34] That actually would be much more needed!

[35] In these cases the State Committee had proposed to leave the historical buildings out of the demolition, but the Cabinet of Ministers decided to proceed with the demolition. When the demolitions are made, it is necessary to proceed to compensation for the affected people. One case is now in progress, and a big social disease and protest raised around this case: next week (third week of June 2016) there will be a general assembly with the involved institutions, the Union of Architects and the other actors in order to understand if and how to stop the demolition of an area where it was decided to build new construction. They affirm that a more complete list would have avoided this problem because it would have been impossible to destroy those buildings.

Another problem is that legal owners do intervene on the original design of the buildings by augmenting volumes (non-respecting the law). Such circumstances should be impeded by the local executive powers that have to implement the law on urban planning, but often the staff in the local executive powers is insufficient (in some cases there is only one person).

INTERVIEW TO	– Head of Baku City Department of Culture and Tourism
MAIN REFERENCE LAWS	– Law on culture; new and old decree[36]

SET UP, MAIN FUNCTIONS AND PROCESSES

The Baku city Main Department of Culture and Tourism was created to replace the Baku City Department of Culture and Tourism of the Ministry of Culture and Tourism through the decree of the President dated March 29, 2016.

The decree was signed with the aim of making the cultural and touristic sector more efficient, responsive, and modern.

The Baku city Main Department of Culture and Tourism is composed of 6 sectors:

- ✓ international relations;
- ✓ information sector (ICT);
- ✓ cultural sector;
- ✓ libraries sector;
- ✓ music sector;
- ✓ human resources.

The Baku city Main Department of Culture and Tourism manages a network of organisations working in the culture field which comprises:

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[36] The new presidential decree dated 29 March 2016 has not reached the completion and approval of the new regulations of the Main Department yet, so the process of development of the new regulations is still going on.

- ✓ theatres;
- ✓ libraries music schools;
- ✓ memorial houses;
- ✓ Heydar Aliyev Culture centres (45 centres).

Since the network is entirely funded by the state budget, the Department considers it a priority to render the Heydar Aliyev cultural centres able to earn some income from the services and activities they provide to the public.

The main laws/normative by which the work of the Department is regulated are the Law on Culture, as well as both the new and the old decree since the change of status of the Department is very recent.

The Department has the **main function** of coping with all the bureaucratic and administrative procedures (even formalities such as sending official letters) on behalf of the institutions that are members of the network. This is done in order to leave to the institutions enough time to deal with their core tasks instead of spending energies for administrative burdens.[37]

This means that, practically, the Department implements the following activities:

- ✓ developing the action plans that the institutions of the network submit to the MCT;
- ✓ drawing up and checking the balances of the network members;
- ✓ elaborating "operation reports" on the activities performed by the network members (to submit to MCT).[38]

INTERACTIONS WITH INSTITUTIONAL AND NON-INSTITUTIONAL ACTORS

In order to perform its functions, the Department does interact with all the Departments of MCT, all Ministries and several non-political actors, according to the concerned issue.

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[37] It was mentioned during the interview that this is very useful in the case of museums, that have to organise many activities/exhibitions.

[38] They are now digitalising the libraries through an ICT programme named Alyssa.

STAFF

In the Department headquarters around 25/30 persons are currently working. Moreover, it has to be taken into consideration that the network is composed of more than 180 culture/tourism entities with a total of around 5193 employees. This number has recently increased after the reorganisation decree.

The staff members' educational background is adequate to the different departments/sectors they work within, but their competence must be updated according to modern standards, especially the European ones.

MAIN ISSUES EMERGED

The staff is considered adequate for the assigned tasks, nonetheless - as mentioned above - the new decree has the objective of modernising culture and tourism sector, including the network managed by the Department. This means essentially to modernise staff competences, which is one of the main concern of the Baku City Department.[39]

Indeed, it has emerged that updating and upgrading knowledge and skills of the management, within the Department and the institutions involved in the network, is crucial to achieve the level of modernisation envisaged by the decree for the culture sector. In fact, considering that today culture is a different concept than the one it used to be in the past, one of the biggest challenge is to increase the competence of the management (of the whole network) in order to make it able to promote Azerbaijani culture sector[40].

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[39] During the interview the Department expressed the wish to receive training through the Twinning project.

[40] They are very open-minded and willing to participate in international collaboration paths. They are also very optimistic for the future of culture in Azerbaijan.
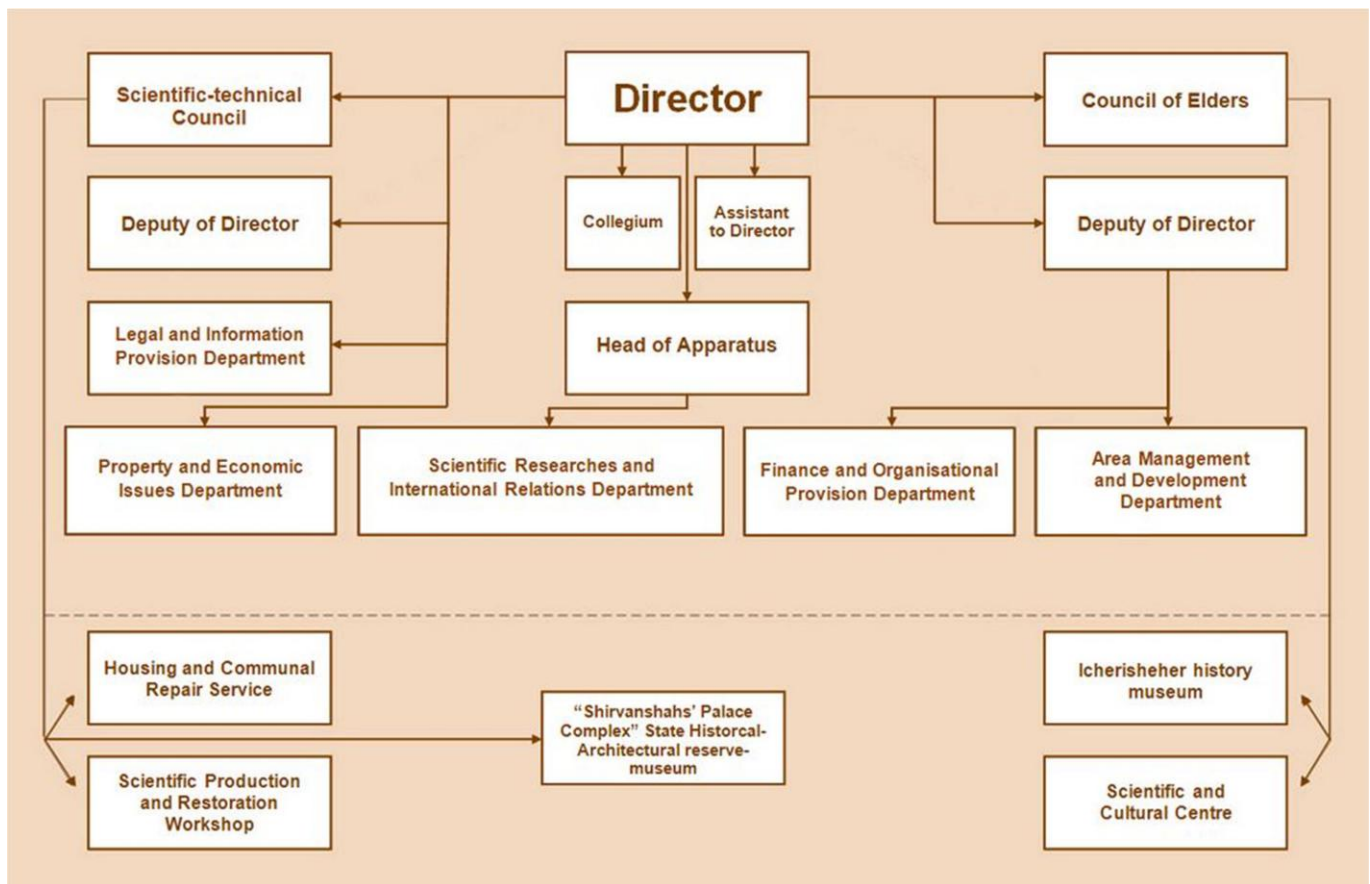
INTERVIEW TO	– Head of International Cooperation and Cultural Relations department; – Head of International Cooperation and Work with the Cultural Projects division.
MAIN REFERENCE LAWS	– Law on culture; Decree of the President of the Rep. of AZ on May 2007.

SET UP, MAIN FUNCTIONS AND PROCESSES

The historical centre of Icherisheher (meaning "inner city") covers 22 hectares area, it has been granted the title of *State Historical-Architectural Reserve* and it was included in the *UNESCO World Heritage Site* since year 2000. Initially, Icherisheher was put under the responsibility of MCT.

In 2003, both because of the uncontrolled development and as a result of an earthquake (2000), Icherisheher was included in the List of World Heritage in Danger. These are two of the main reasons why it was decided to implement a series of substantial reforms. In this light, in 2005 the responsibility for the administration of Icherisheher passed from the Ministry of Culture and Tourism and the City of Baku to the Cabinet of Ministers.

The new Administration developed the Integrated Area Management Plan as well as the Conservation Master Plan of the property and, in a short period of time, the status of World Heritage Property was recovered.

In 2007, the State Department of The Historical And Architectural Reserve of Icherisheher was established by the Decree of the President dated May 17, 2007. In 2009 Icherisheher was removed from the List of Word Heritage in Danger and it was defined by UNESCO as a good model.

The State Department of The Historical And Architectural Reserve of Icherisheher is composed of a Central Office and 4 main Departments:

- ✓ Property and Economic issues;
- ✓ Scientific Research and International Relations;
- ✓ Finance and Organizations Provisions;
- ✓ Management and Development.

Moreover, the State Department of The Historical And Architectural Reserve of Icherisheher includes 8 Units:

- ✓ Housing and Communal Repair Service: responsible for construction/maintainance works of buildings, including residential and non-residential stock, pavement and infrastructure systems. In addition, the Service carries out sanitary, cleaning and planting works, as well as housing maintenance and public services.
- ✓ Scientific and Cultural Centre: responsible for 1) scientific, historical and cultural studies of Icherisheher architecture; 2) historical and cultural monuments within the Reserve area; 3) organization of cultural and public events aiming at encouraging national culture and tourism development. On the basis of the studies conducted,

programs and proposals are drafted in order to render the Reserve area a tourist destination of international value.

✓ Scientific Production and Restoration Atelier: responsible for the development and implementation of projects with the objective of conservation and restoration of historical, architectural and cultural monuments located within the Reserve territory. The unit also develops 1) diagnostic studies analysing the causes of architectural monuments' deformation and destruction; 2) scientific studies about architectural styles' history and monument rehabilitation practices. The Atelier will represent the Administration of Icherisheher as a partner in the next TEMPUS Call with an innovative educational program related to the field of monuments and artefacts restoration and cultural heritage conservation and valorisation.

✓ Museum of History of Icherisheher: responsible for increasing public awareness about collection and protection of national artefacts which reflect the centuries-old history of the Walled City of Baku, a UNESCO World Heritage site.

✓ "Shirvanshah's' Palace Complex" State Historic-Architectural reserve museum: responsible for preservation, study, mass demonstration and propagation of the material-cultural monuments reflecting history, architecture, culture, trading of the medieval feudal State of Shirvanshahs.

✓ Home-museum of famous Azerbaijani artist Tahir Salahov: taking into account Salahov`s proposal to donate his own collection of paintings and personal archive to the State by the order of President of Azerbaijan the Tahir Salahov`s house-museum was established within the structure of the Administration of Icherisheher.

✓ "Gala" State Historical – Ethnographical Museum is located on Absheron peninsula (35 km from Icherisheher). Gala is one of the ancient villages of Azerbaijan and nowadays it is still living city-village with several historical-ethnographical museum expositions (both outdoor and indoor). Since 2012 "Gala" State Historical-Ethnographical Reserve is administrated by the State Department of The Historical And Architectural Reserve of Icherisheher.

✓ "Marionette Theatre" which, among the others, puts on the stage first operetta ("Arshin mal alan") of the Muslim East.

The main laws/normative by which the work of the Administration is regulated are the Law on Culture and the Decree of the President of the Rep. of AZ on May 2007.

The Administration was established with the main aim of developing a unique management system, combining the functions and powers of central and local executive authorities in order to preserve and maintain the monuments located within Icherisheher and the entire architectural and urban complex for future generations. The main **areas of competence** of the State Department of The Historical And Architectural Reserve of Icherisheher are:

- ✓ Conservation;
- ✓ Restoration;
- ✓ Reconstruction;
- ✓ International Relations[41].

Within these sectors, the Administration manages the main **functions** of:

- ✓ preserving the architectural monuments and urban complex of Icherisheher which has existed for thousands of years;
- ✓ ensuring the conservation, restoration and maintenance of monuments existing in its area and promoting the social and economic development of the city;
- ✓ implementing a long-term strategy to transform Icherisheher into an international tourist center meeting modern standards;
- ✓ ensuring the activity of public utilities infrastructure, community services of the Reserve[42];
- ✓ implementing the state policy in Icherisheher.

In order to perform its functions, the Administration has the power to: prepare regulatory and legal acts concerning the reserve area or participate in the preparation of such acts; ban the execution of any renovation, conservation, restoration, reconstruction, regeneration and construction repair work not authorized by the Administration; issue mandatory instructions; stop transfer for use, including the leasing of monuments under state (municipal) ownership where such transfer has not been approved by the Administration; suspend archeological and excavation works in the Reserve area; set up structures and facilities providing services on a

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[41] The Administration gives importance to International Relations because it is a way to promote IC and to acquire competences and experiences from other Countries.

[42] including for example waste collection and management, which is carried out by their unit Housing and Communal Repair Services (waste collection) and within the framework of the Clean City Project (waste management).

temporary and permanent basis, that generate income from their operation in compliance with legislation, etc.

INTERACTIONS WITH INSTITUTIONAL AND NON-INSTITUTIONAL ACTORS

In order to implement actions of conservation, restoration and Reconstruction, the State Department of The Historical And Architectural Reserve of Icherisheher needs to receive a feedback from the Academy of Science. Referring to the management of Icherisheher, the Administration cooperates with all Ministries and with different State Agencies/Companies[43] (depending on the issue to be faced). The Administration gives importance to civil society participation, therefore, it has been established a "Council of Elders" (composed of people living in the Reserve) which is involved in the decision making process.

Moreover, the Administration interacts with NGOs such as the *Association Art of Living* which organises yoga sessions in the Reserve.

At international level, the Administration has interactions with UNESCO National Commission, UNESCO Committee for Protection of Cultural Property in Event of Armed Conflict, UNESCO World Heritage Committee, ICOM (International Council of Museums), European Union[44].

STAFF

The Administration employs 56 people.[45] The staff members' educational background is considered adequate to the different departments/sectors they work within. Regular internal training is provided for the staff: Administration's HR Division and management select the topics of the training on the basis of the needs deriving from the issues to be faced in each specific working activity.

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[43] i.e. AZERSU (gas) AZERENERGY

[44] The Administration is involved in a EU funded Project on carbon emissions control.

[45] The recruitment process is managed by the Civil Service Commission (implementing the recruitment policy in AZ).

MAIN ISSUES EMERGED

No specific challenges have been mentioned, it has been underlined that the Government is paying attention to the Culture sector and, as long as actors working in the sector have a good top management and demonstrate a high level of commitment and good competences, they can have good results.

INSTITUTIONAL COOPERATING ACTORS

METHOD EMPLOYED

The Institutional Cooperating Actors were identified among those institutions whose **core competence is not culture**, but that have several activities linked to or impacting on the culture sector of the Country.

The identified actors which are part of the above mentioned group and that have been interviewed during the analysis phase, are:

1. Ministry of Education of the Republic of Azerbaijan
2. Ministry of Communications and High Technologies of the Republic of Azerbaijan
3. Ministry of Youth and Sports of the Republic of Azerbaijan
4. Ministry of Ecology and Natural Resources of the Republic of Azerbaijan
5. State Committee on Work with Religious Organizations of the Republic of Azerbaijan[46]

The interviews held were mainly aimed at understanding how the role of the concerned institution is linked to the culture sector, the modalities of interaction with the MCT with regard to culture-related activities and the critical issues or main problems faced by each institution.

The outcomes of the interviews are presented here below.

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[46] Whose institutional position is equitable with a Ministry's one.

INSTITUTIONAL COOPERATING ACTORS – DETAILED DESCRIPTION

STATE COMMITTEE ON WORK WITH RELIGIOUS ORGANISATIONS OF THE REPUBLIC OF AZERBAIJAN (SCWRA)

Interviewed Departments: Department of work with religious associations; Public Relations Department; Department of Religious training-Promoting tolerance; International relations Department

SCWRA has other five departments and 15 regional departments, but the ones more linked to culture are the four departments intervening in the meeting.

At present the State Committee on Work with Religious Organisations - SCWRA - has under its control approximately 650 Muslim organisations and 25 non-Muslim[47] organisations. In Azerbaijan the freedom of religion is ensured through state education and the same rights are granted to all the religious organisations, independently whether they are Muslim or not.

The functions and related work processes assigned to the interviewed Departments are the following ones:

Department of work with religious associations:

- ✓ to care about the registration of the religious organisations: the Department has to establish their status as religious organisations (also of the mosques) in order to decide whether they can be officially registered or not, if they has to be protected and to decide the level of protection to assign to each of them;
- ✓ to care about the formalities to be fulfilled before the registration of the religious organisation by the legal office;

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[47] The budget is at present of 400.000 manats for non -Muslim organisations and 2.000.000 manats for the Muslim organisations (as visible, the percentage is absolutely higher for the non-Muslim organisations) this one of the clever approaches used by Azerbaijan in order to ensure equal rights to all religions even is the Country is essentially Muslim.

- ✓ to know/ascertain about the activities of religious associations/NGOs registered in Azerbaijan (while all the other non-religious organisation are under the Ministry of Justice;
- ✓ to take care are of the relationship between the State and the Religious organisations;
- ✓ to organise/manage the relations among the religious organisations;
- ✓ to promote tolerance and intercultural dialogue.

The staff in this department consists **of 8 persons** that work there from more than 5 years.

Public Relations Department

- ✓ to maintain the contacts with the mass media in order to spread information about the projects realised in the Country and in the Regions;
- ✓ to organise the visits of internal representatives abroad;
- ✓ to look for news and to establish which news have to be published (the information are published daily).

Training about religious enlightenment in the public

- ✓ to promote tolerance;
- ✓ to deal with the organisations of all the religions in Azerbaijan;
- ✓ to prevent and impede radicalism and extremism in religions (with this purpose they organise meetings with the state religious bodies associations and organise meetings with the schools to promote the value of religious tolerance).

International relations department

- ✓ to establish and manage bilateral relations with other Countries (in particular with analogous Ministries in the Arab world) or with International organisations
- ✓ to organise meetings about international activities and projects

The total staff number of SCWRA is 187 (included the staff of the 15 regional committees), almost all with a background in social studies and preferably in theology.

The staff can attend the trainings organised by state institutes such as the Academy for Public Management which is under the Presidency[48].

As often happens in the public sector, since the salaries are lower than the private ones and the career path is less "interesting", sometimes it can be difficult to hire highly skilled personnel.

Concerning the interactions of the SCWRA with the MCT, it comes out that these mainly occur in the following cases:

- ✓ when the Department of work with religious associations has to ascertain the status of the mosques as religious organisations. In this circumstance the MCT is contacted to share information for deciding whether they can be officially registered or not, if they have to be protected as well as the level of protection to assign to each of them[49] (at present there are 307 registered mosques);
- ✓ when the SCWRA participates in global forums (they have signed several memorandum of understanding in order to realise projects with other state bodies)
- ✓ in case of international events organised by the MCT in which the SCWRA is invited or vice versa;
- ✓ when the Department for religious training is in the process to organise joint events with the MCT.

Generally **speaking the SCWRA has experienced** a positive and visible growth and improvement of the Azerbaijani situation in the last ten years, and they are confident that such a positive trend will continue[50].

One **new challenge for the SCWRA** seems to be represented by the fact that in the Statute it has been recently included also the goal to increase the religious tourism, and it is stressed that this circumstance has to be managed together with the MCT.

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[48] SCWRA did organise some training in the past, also in the regions. Some financial trainings were also organised under the Central Bank.

[49] Muslim organisations can have the registered office only in the mosques, while other religions' registered office can also be in private house/buildings.

[50] With this regard we stress the that the climate is of tolerance is evident and admirable.

Interviewed Departments: Division of Ecology and Nature Protection Policy; Sector on Development and protection of forests; Department of Biodiversity Protection and Development of Especially protected natural areas

The interviewed **three above mentioned Departments** of the Ministry of Ecology are mainly dealing **with culture-related issues**, and they perform following functions and related **processes**:

- ✓ Classification and listing of "natural monuments" through which the "passport" of the natural object is officially registered: the Ministry of Ecology prepares the list and submits it to the Cabinet of Ministers for the approval.

  On the contrary the "cultural objects", instead than above mentioned "natural monuments", are listed and registered by the MCT, unless they are situated in natural protected areas/forests: in this case it's the Ministry of Ecology which proceeds with the listing and registration (always to be submitted to the Cabinet of Ministers);

- ✓ supervision on the state of the art and activities within the natural protected areas under Ministry's control, and of the cultural objects situated in such areas.

  In case those objects are situated within the administrative boundaries of cities, such supervision is made in collaboration with the local executive powers.

  With regard to the above mentioned matter, it must be underlined that there is no specific plan according which the modalities of the protection of these objects are defined, but they must be safeguarded as an integral part of the reserve/protected natural area;

- ✓ supervision on flora and fauna of the reserves/protected natural areas;
- ✓ natural landscape active protection[51].

The laws/norms regulating the illustrated activities are the Law on special protected areas of 1996, that is time to time amended, and the Decree on the list of protected natural monuments[52].

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[51] Regarding this last function, we were told that there is a reserve with more than 180 hectares full with plane trees in the occupied territories, in which they cannot exert their power.

Concerning the staff, in the Division of Ecology and Nature Protection Policy there are 15/20 staff members in the headquarters and more than 2000 people work in national parks and reserves, while in the Sector for Protection of Forests there are more than 3000 employees if considering the employees working in the forest areas.

The Ministry of Ecology has also regional offices (43 for the Sector of Forests, in which the staff number is around 80 people each) as well as 12 Regional Natural Resources Departments.

In order to perform the tasks linked to the culture sector, the **Ministry of Ecology concerned units mainly interact with** the MCT Department for Utilization and Conservation of Historical-Cultural Monuments[53], with MCT regional offices and with the State Urban Planning and Architecture Committee.

The main issue linked to the culture sector seem to be connected to the overlapping/not clear **division of the competences**, especially between the Ministry of Ecology and the MCT.

Some examples of the problem:

More and more, the Special protected areas can be used for touristic purposes. In order to allow that, the privates company that want to perform touristic activities must apply to MCT to get a special licence that lasts 5 years.

At the same time the company/private must apply to Ministry of Ecology for the use of the land through a "permit contract", which lasts only 2 years. So there is a "3 years' difference" that is not correctly regulated.

Also, there are recreational buildings that in the opinion if the Ministry of Ecology do not respond to quality standards in order to be officially considered hotels. Thus they apply for a licence to provide less qualified services[54], which is usually granted them by the MCT[55].

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[52] Those whose passport is provided by the Ministry of Ecology itself.

[53] Whose competences were mainly transferred to the State Service at the beginning of 2016. See the State Service dedicated paragraph.

[54] Such as "motel" or "hostel" services.

Another important question arose in 2014 when the regional offices of MCT prepared, within a tourism plan, one project addressed to open for touristic purposes a regional area covering 128 million hectares. The MCT regional offices sent the proposal to the Cabinet of Ministers for approval without asking for the opinion of/nor informing the Ministry of Ecology, even if almost all the area was covered by forests comprised under its the supervision.

In this specific case, at the end, it was established an "experts' committee" and it was decided to reduce the area concerned by the touristic project only to 64 000 hectares.

Anyway, the Ministry of Ecology made a complaint and raised the **urgent need to proceed to a clear subdivision of the "state importance forest areas" to be included under the MCT powers and those under the Ministry of Ecology**. Such division at present still lacks[56].

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[55] This problem is particularly perceived for "Göygöl National Park" which opened for touristic purposes in the last period and for which now several licences must be granted.

[56] In this regard the RTA Alessandro Bianchi proposed the Italian model of "conferenza di servizi" (*Public Agencies' meeting)*: they state that such a kind of participatory process, foreseeing that this kind of plans are submitted to the Council of Ministers with the attached list of the involved stakeholders, is compulsory also in Azerbaijan, but evidently in that case it was not used.

Interviewed Departments: Department of Science, Technology and Information Society Development and Department of International Cooperation

The abovementioned Department of Science, Technology and Information Society Development is the most involved in activities related to culture. The Department has 8 employees out of a total of 100 people working for the Ministry.

The Ministry of Communications and High Technologies is the coordinating body for the implementation of the National Strategy for Information Society Development in AZ[57]. The strategy includes three **objectives connected to the culture sector aimed at:**

✓ introducing the immovable cultural heritage into the inventory balance list;
✓ assessing the software to be used by the libraries under the MCT;
✓ improving the translation tools from and into Azerbaijani language[58].

In order to achieve these objectives, the Ministry works in cooperation with MCT on the basis of the indications envisaged by the **State Programmes** (drawn up by the Cabinet of Ministers, in cooperation with the relevant Ministries and key stakeholders). In particular, the abovementioned objectives are included in the last State Programmes[59].

The achievement of those objectives is under the responsibility of MCT, while the Ministry of Communications and High Technologies supports MCT by providing specific guidelines, Terms of References and technical information. When the development of software and devices is needed, this is entrusted to private companies, through tenders, by MTC. In some cases, the Ministry of Communications and High Technologies can be involved in the development of specific tools ad devices since it has an internal technical unit: the Data Process Centre[60].

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[57] Current strategy: 2014-2020.

[58] The Ministry has developed a software and a website (dilmanc.az) to provide users with free translation tools.

[59] State Program on "National Strategy for 2014-2020 on development of information society in the Republic of Azerbaijan" and "State Program on development of library-information field in 2008-2013 in the Republic of Azerbaijan".

[60] The staff of the Centre if composed of 200 people.

Actions aimed at achieving culture related objectives can also be implemented through the Ministry of Communications and High Technologies "*fund for the development of IT*" providing grant to support projects submitted by NGOs and SMEs.[61]

Lastly, some international activities of the Ministry are linked to the culture field, such as the Google Academy Platform, which includes 3 Azerbaijani museums (Carpet, History and Art).

Main issues emerged

The Ministry deems the level of development of communications and High Technologies tools in the County adequate for the time being (considering that they have been working on this issue only for the last 20 years) and the Country has enough resources, commitment and capabilities to keep improving in this sector.[62]

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[61] i.e. the project ROBIGUIDE which is aimed at developing electronic touristic guides.

[62] It has to be underlined that other actors mentioned a technological gap in the sector.

Interviewed department: Extracurricular Activities Department

The Ministry of Education implements activities related to culture sector in connection to:

- ✓ Creative Centres;
- ✓ Schools under the Ministry;
- ✓ Various cultural events organised at governmental level.

Referring to the **Culture Centres**, they are a total of 206 units spread all over the country that are dedicated to dance, drawing, handcrafting activities (both traditional and non-traditional) for kids[63]. It is important to underline that, since these are extracurricular centres, they do not provide official diplomas.

The Ministry of Education is committed to render these Culture Centres more efficient. In this view it is implementing a project aimed at merging three creative centres in a unique operational HUB[64]. Within the framework of the project, the Ministry is providing the HUB with:

- ✓ methodological support;
- ✓ Training;
- ✓ assistance.

The Ministry also has some **schools** under its control. Those schools are entitled to provide diplomas in some disciplines such as drawing, dance, handcrafting and robot techniques, however, they are mainly focused on dance and drawing.

Lastly, the Ministry of Education works with MCT to organise **events at the governmental level** activities such as the "week of museums" with 52000 kids visiting different museums of the Country. In this case, for example, the Ministry of Education applies to the MCT on

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[63] The Ministry, together with some creative centres has organised the Folklore festival in Guba inviting also kids from abroad (Turkey, Georgia, Moldova).

[64] This project is being implemented in cooperation with GIZ and realistically the HUB will be operative by the end of 2016.

behalf of the schools that want to participate with their students. In this way, they try to be more operational.

The activity of the Ministry of Education is mainly regulated by the Law on Education and by a special document regulating extracurricular centres issued in 1994[65].

Department involved in activities related to culture

The Department that carries out the abovementioned activities is the Extracurricular Activities Department. It has 3 main Divisions: sport schools, work with creative centres (out-of- school), tourism and environment. Apart from the one related to sport, the other two Divisions are linked to the culture sector. The staff of the Department is composed by 8 persons[66].

Interactions with institutional and non-institutional actors

Besides MCT, the Ministry of Education does interact with the Ministry of Ecology and with the Ministry of Youth and Sports. Moreover, it has connections with local authorities, federations and NGOs.

Main issues emerged

In Baku they have 37 Creative center/ecological canters and other 107 Centres are spread throughout the Country. The Ministry wants to "rationalise" and to diminish the number of the centres.

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[65] They are working on a new one in collaboration with GIZ experts.

[66] At the beginning there were only 4 persons.

MINISTRY OF YOUTH AND SPORTS

Interviewed DEPARTMENT: Department on Work with the Youth

The Ministry is working on the basis of the current 5 years State Programme related to Youth,[67] which is mainly focused on the creation of a good environment for young talented people. In this field, the Ministry of Youth and Sports is focused only on activities related to University, while MCT is in charge of supervising and managing schools under its umbrella[68].

The Programme is developed by more than 30 bodies working together (among the others: MCT, Ministry of Education, Ministry of Health and the representative of youth organisations - including Azerbaijani people living abroad)[69].

The Ministry of Youth and Sports does not deal with education but with spare time, competition and events aimed at ensuring a fruitful and inspiring environment for young talents.[70] In this sector the Ministry operates in a transversal way, provided that the activities are devoted to people in the age range of 14-29.

The Ministry of Youth and Sports can also award grants to NGOs in order to implement projects dedicated to youth.

The Ministry manages two awards: the Unions nominate a group of talents, the Ministry of Youth ad Sports choose the students that have to receive the awards.

Every 2-3 years the Ministry of Youth and Sports organises a summit with creative people to gain a picture of the situation in the sector. [71] Other Ministries are involved as stakeholders in

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[67] The new one is going to be implemented.

[68] The two different MCT departments in charge of education have been merged into a unique "Department for Science, Education and Youth Affairs".

[69] During the process of developing the State Program, two or three months are dedicating to consultation with civil society actors.

[70] The budget devoted to these actions amounts to 20 million manats for a trimestral action plan. The State Oil foundation can also finance specific events.

[71] Last summit in 2012.

these meetings, but the final responsibility for the organisation of the contest remains of the Ministry of Youth and Sports[72].

Moreover, the Ministry participates in TV shows related to the culture sector, since these can be interesting especially for young people.

The Ministry has an electronic service to facilitate the participation of young people from Azerbaijani Republic in international events.

The main reference law for the Ministry of Youth and Sports is the **Law of the Azerbaijan Republic on Youth Policy.**

Departments more involved in the culture sector

The interviewed Department has 5 subdivisions. The ones more concerned by cultural aspects are the divisions:

- ✓ Division working with talented people;
- ✓ Division for organisation for spare time.

Within the two sectors 6 people are employed.

Internal and external cooperation

In order to perform its task the Ministry of Youth and Sports interacts with several NGOs and Unions.

Main issues emerged

The interactions between the Ministry of Youth and Sports and MCT are smooth, MCT knows very well the situation of youth related policy since these competences were managed by MCT before the system was reformed.

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[72] According to the law on culture.

MAJOR NON-POLITICAL ACTORS

METHOD EMPLOYED

The last group met during the analysis phase was the group of the *Major non-political Actors,* comprising organisations such as Universities, Academies, Museums, Unions, Agencies and NGOs working in the field of culture.

It was considered how important would have been to gather the point of view of the actors that, more than others, are near to the civil society and that therefore can better understand bear and represent the upcoming issues in the concerned sector.

The only question to face was the vastness of the opinions to collect in comparison with the limited time-span at disposal for realising the analysis.

Thus, the potential difficulty of interviewing all the individuated stakeholders, was overcome by organising two roundtable sessions: one with the main identified Universities, Academies, Museums, Unions, and another one with the main NGOs active in the field of culture.

Such an approach gave us the chance to have most of the sector non-political actors around a common table, whose value-added has been the positive and constructive interaction established among the participants, which allowed to disclose information and to generate a spectrum of options and insights in a free environment.

The participants in the two roundtables were,

Roundtable 1:

1. Baku Academy of Music;
2. Azerbaijan National Conservatoire;
3. Azerbaijan State University of Culture and Art;
4. Azerbaijan State Academy of Art;
5. Azerbaijan University of Architecture and Construction;
6. Azerbaijan Tourism and Management University;
7. Azerbaijan State Opera Ballet Theatre;
8. Azerbaijan Union of Architects;
9. Azerbaijan Union of Artists (Museum of History);

10. Azerbaijan Union of Theatrical Workers;

11. Azerbaijan Union of Cinematographers;

12. Azerbaijan Union of Journalists;

13. Azerbaijan Culinary Association;

14. National Music Committee;

15. Azerbaijan State Art Museum;

16. Azerbaijan Carpet and Folk Applied Art Museum and the representative of ICOM;

17. Copyrights Agency of the Azerbaijan Republic.

Roundtable 2:

1. Miras Social Organisation in Support of Cultural Heritage;
2. Union for Integrity of Azerbaijan;
3. Freedom Movement Public Union;
4. ELS Independent Investigation Centre.

The outcomes of the two roundtables are presented here below.

MAJOR NON-POLITICAL ACTORS – ROUNDTABLES DESCRIPTION

ROUNDTABLE 1

After having introduced the objectives of the Twinning Project, and more specifically the aims of the analysis of the culture sector, the participants were invited to present the activities of their organizations and to freely discuss the major criticalities experienced in performing their work.

Such an interesting debate among the participants has allowed to put on the floor many critical issues whose solution is felt as essential in order to grant the "health" of Azerbaijani culture sector as a whole.

Since the number of the hints collected is high, we have grouped them into macro-areas that refer to the same major issue.

For each macro-area, we have reported herewith the more urgent needs expressed.

1. STRATEGY Macro-area:

   ✓ call for a "unique" strategic approach for Azerbaijani culture sector;
   ✓ need for an increased capacity to set goals (even within each organisation); [73]
   ✓ need of closer and more effective political support.

2. COLLABORATION Macro-area:

   ✓ the capacity to attain joint successful achievements seems to be limited to the little scale;
   ✓ necessity to improve cooperation for teaching practical experiences;
   ✓ need of more support from the European Union.

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[73] Not all of them have strategic documents, for example: the University for culture and Tourism has adopted a 5 years strategic plan 2010-2015. The new strategy is under progress and it will be approved in 2016 September. Union of theatrical workers realises activities with MCT and Academic Drama theatre, but doesn't have internal statue.

3. TRAINING macro-area:

- ✓ scarce level of training in specific fields;[74]
- ✓ need to design training paths for each sector according the modern market standards;
- ✓ need of training of trainers;
- ✓ lack of professionals and high level experts in the teaching field, especially in the practical/technological applications;
- ✓ need for providing laboratories with technologically updated equipment.

4. EDUCATION macro-area:

- ✓ lack of well structured "curricula" for the professional field in the sector;
- ✓ lack of a comprehensive "approach" to specialist education;
- ✓ consequent low educational level of the staff working in the culture sector.[75]

5. COMMUNICATION/AWARENESS macro-area:

- ✓ scarce awareness about Azerbaijani culture in the country;
- ✓ scarce capacity to communicate to the public the achievements made in the culture sector;
- ✓ another issue presented, was the necessity of increasing the capacity to attract funds towards the culture sector, especially for the organisations that are **not financed by the government.**[76]

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[74] i.e. lack of a national culinary school; lack of training in the "ethic of conservation", in the use of chemical substances etc.

[75] Such as the museums' staff.

[76] Like the Union of Architects.

The second roundtable was organized with the representatives of the most active NGOs in the culture sector. Even in this case the debate was fruitful, and it has disclosed a major problem, that the participants are more and more experiencing in the last period, and that can be summarized as **a perceived decline in interest and in direct interaction between them and the government.**

Actually, it appears that the modality by which the government intends to involve the non-governmental stakeholders is changing: some years ago the approach seemed to be more "bottom-up-type". This meant that the NGOs, and more generally the organizations representing civil society, were entitled to directly present their instances to the concerned Ministries, when they deemed it necessary to call for punctual interventions or to draw the attention on some specific question related to culture sphere. On the other side, also the consideration shown by the Ministries towards the involvement of the stakeholders in order to discuss and solve culture-related problems seemed to be higher in the recent past.

At present, such a participative process seems to have declined, to the advantage of a more "top-down-style" approach. Actually, also because of a change of the law related to NGOs that has impacted on the inclusion course, it is the government the main actor leading the process: after the new law, the Ministries indicate which intervention paths must be addressed by means of specific calls. Therefore the non-governmental actors can only send applications which are strictly linked to the themes already identified at political level.

As regards other criticalities emerged, the problems linked to promotion of cultural heritage and to protection of the cultural and historical past, appears as particularly worthy of note by the attendees.

We have divided them into the following areas:

1. Education:
   - ✓ lack of information and education about the cultural and historical heritage objects and rich cultural wealth of Azerbaijan, especially young generation;

2. Awareness and information:

- ✓ general ignorance about Azerbaijani culture richness and traditions, mainly spread among the young generation and the children;
- ✓ lack of interest by the officials at the relevant ministries towards culture issues, especially about problems linked to the cultural heritage.

3. Technology:
   - ✓ delay in application and implementation of advanced technological innovations in culture heritage area – no timely approach to the technological innovations.

4. Skilled specialists:
   - ✓ no skilled specialists and no proper education and training at the universities of the skilled archeologists, restoration specialists, engineers etc. Mostly theoretical knowledge provided by the universities. Practical knowledge and know how is seriously lacking.

5. Support from the government
   - ✓ no enough support for implementation of the projects on cultural heritage abroad, especially those needing global media attention in competition of archeological and cultural findings;
   - ✓ in spite of the 3 round of grant announcements by the MCTs, the financing of the projects has not started yet.

MAJOR EMERGED CONCERNS AND IMPROVEMENT OPPORTUNITIES – AN AGGREGATED SWOT ANALYSIS

As can be seen from the preceding paragraphs of the document, the opinion on the Azerbaijani culture situation has been gathered from all the stakeholders involved in the analysis. Actually, for the single problematic elements linked to achievement of each political actors' goals, reference is directly made to the report of the interviews presented above - where a special section "main issues emerged", when the case, has been drafted at the end of each paragraph - while for the two roundtables with the major non-political actors we have reported the main elements into specific macro-areas[77].

Since the collected elements are many, we are presenting them hereby under a unique paragraph in the form of an aggregated SWOT, in which all the single elements both positive and negative quoted by the actors in the previous chapters are duly synthetized, so as to render more fluid their readability and comprehension.

Among the non-political actors the major negative aspects – weaknesses of the present system or also threats to be aware of – are the following ones:

A first big element which came out, is linked to the **lack of awareness about the cultural and historical value** and traditions of Azerbaijani Country.

This lack of awareness, in the opinion of several interviewed actors, is not to spread only among the civil society, but also at the management level. Such a kind of "disregard" towards culture brings about a series of related questions, mainly linked to **weaknesses in education and training systems**. Actually the majority of the interviewed non-political stakeholders outlined the need for a better education about Azerbaijani culture; the lack of a comprehensive "approach" to specialist education; the necessity for an improved training system for the professionals of the various culture sectors and other minor question also related to education/training[78].

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[77] See the results of the Non-Political Actors roundtables

[78] See the elements emerged in the paragraphs related to the roundtable.

Another critical element emerged is the **delay in application of the advanced technological innovations in culture area**: this appears to be due both to the technological gap of the Country in this field, as well as to the lack of skills and capabilities to use such technological tools. Again this is also matter of improving university programs by integrating them with specialized technical trainings provided by high skilled professionals.

Linked to the previous problem, it came out that, in the specialized education centers (such as universities and so on) it is lacking the practical application of the theoretical knowledge, which should therefore be fostered.

The last main issue that must be highlighted, is the demand, coming mainly from the non-institutional actors, for a deeper support to the organizations working on the field, and for a **more comprehensive and goal-oriented promotion of Azerbaijani culture as a whole**.

Actually some of them expressed the feeling that the general "interest" towards the culture field is declining in the last years, as well as the willing to pay attention to the instances coming from the ground – what it is called a bottom-up approach.

On the other hand, some markedly positive elements – strengths of the present system as well as opportunities not to be wasted - did emerge from the roundtables with the non-political actors:

The strong will to actively participate in the cultural life of the country, together with the deep knowledge of the sector, the capacity to mobilize human resources, qualified skills and in some cases to dispose of physical structures, are significant assets characterizing the stakeholders met in the roundtables. Also we observed the capacity to set goals, even if mainly at a small scale, and a praiseworthy climate of collaboration among the actors.

As regards the political actors, here below we report **the weaknesses of the present system, or also threats to be aware of, that were more frequently quoted.**

The need for an improved training, both for upgrading the top management skills and to update staff competences according to modern standards, was expressed in different occasions.

Another negative aspect to solve appears to be the overlapping or not clear division of competences that at times affects actors of the same level (such as between Ministries) and, at others, actors with different jurisdictions (i.e. between Ministries and Municipalities).

The need to strengthen legislation, and to introduce more severe sanctions for those who do not respect law, has been also quoted. In particular this weakness was expressed with regard to the law on protection of cultural heritage that seems to have some gaps that impede to provide full protection[79]. Also, a specific law for the intangible heritage is lacking.

At last, a threat for Azerbaijan, due to the last years' economic crisis, is the consequent reduction of **the funds** to dedicate to culture sector and in particular to restoration and conservation.

The main positive elements – strengths of the system and opportunities – that emerged from the interviews and meetings held with the political actors, can be summarized into **two major aspects**:

Also in this case the collaboration among Ministries seems very good: there is the habit to share information[80] and to organise joint activities in the culture sector. Within this asset we must mention the climate of trust between the Milli Mejlis Culture Committee and the MCT that was explicitly described during the meeting at the Milli Mejlis. Such a situation of mutual confidence and respect represents a crucial basis on which the improvement of Azerbaijani culture sector can be effectively built on.

The other strongly positive aspect is the approach looked-for: a particular attention in finding concrete modalities to treasure the knowledge and instances coming from the society were shown from several political actors. In particular we underline the **participative approach** expected from the Millli Mejlis Culture Committee in the legislative process[81], which appears to be welcomed in Azerbaijan, and which is by the way absolutely in line with

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[79] See the interview to the State Service

[80] In several cases, the State Programmes are jointly defined by different involved Ministries, with the contribution of selected representatives of the civil society

[81] See the report of the meeting with the Hed of Milli Mejlis Culture Committee

the method used for the present analysis, that has been realised by collecting data and information directly from the stakeholders of the culture sector of the Country.

With regard to this last aspect, that is considered as an opportunity for the political actors, we can't help noticing that the non-political actors have indicated as a threat "the feeling that the general *interest* towards the culture field is declining in the last years, as well as the willing to pay attention to the instances coming from the ground"[82]. This circumstance lead us to a further consideration: if it is true that the collaboration among the non-political actors is effective, as well as the one among the political ones, it seems also true that finding a path for a deeper understanding between the civil society and the politics can represent one of the keystones in for a more effective functioning of the culture sector as a whole.

More generally, it must be underlined that this section represents an important basis for the prosecution of the project activities[83], since the improvement paths that will be outlined for Azerbaijani culture sector under Component 1 of the Twinning Project will take into consideration, among the others, the strengths and opportunities of Azerbaijani culture system, as well as its weaknesses and threats hereby illustrated, that will be respectively considered as problems to be effectively solved and challenges to be overcome.

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[82] See above, among the negative elements coming from the non-political actors roundtables

[83] In particular of Activity 1.4 *Draft a concept of new culture sector governance model*

CLOSING REMARKS AND THANKS

Deliberately the present analysis does not have a "conclusions section" in the proper sense: as mentioned in the foreword this is intended to be a working document, which has no conclusion by definition, since no judgment is made nor requested in this phase.

Our main effort has been to keep this analysis as close as possible to reality, trying to summarize the and organise the information collected during these months so as to render easy to individuate "who does what" in the sector as well as the main issues raised form the different actors.

And precisely to all the actors involved, starting from the MCT, we would like to express our gratitude: all the meetings held were interesting and effective thanks to the highly collaborative attitude of the interviewed persons, who have given full and precise information on the questions discussed together and who ensured their full availability to provide any additional support to the Twinning Project.

Our experience in the analysis phase foreseen by the Activity 1.2 of the Twinning Project has been absolutely positive, and we are sure that its results will provide a great support in order to outline, for the culture sector in Azerbaijan, a new path looking to the future but fully aware of the present.