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Azerbaijan adopts legislation to promote high-growth in non-oil sector and expand export opportunities

President of the Republic of Azerbaijan signed a decree on “additional measures with regard to strengthening the position of the Republic of Azerbaijan as Digital Trade Hub and expansion of foreign trade transactions” on February 22, 2017.

The main goal of the Decree is to maintain a high growth rate of non-oil sector, to expand its export opportunities and to further increase its competitiveness, to provide the compliance of legal and infrastructural base of e-commerce with international requirements, to further strengthen the leading position of the Republic of Azerbaijan as a digital trade hub of regional importance on this basis.

According to this Decree:

Center for Analysis of Economic Reforms and Communication (“CAERC”):

- ▶ within 4 months period, shall ensure creating the section of “Digital Trade Hub of Azerbaijan” on web portal www.azexport.az (“Portal”) in order to provide drafting and signing of documents including contracts in electronic form between Azerbaijani taxpayers and their foreign business partners as well as implementing cross-border electronic services in real time regime;
- ▶ within 3 months period, shall ensure creating electronic services on the Portal that will allow the exporters, who sale the goods produced in the Republic of Azerbaijan on e-commerce basis, to obtain the permits required to carry out export operations on the basis of a single electronic application, and shall ensure sending export customs declaration including applications of non-oil product exporters in order to enjoy from export promotion at the expense of the state budget;
- ▶ shall ensure paying value of the products offered through the Portal in real time regime and creating e-money pocket;
- ▶ shall take measures, together with the Ministry of Transport, Communication and High Technologies and the Ministry of Taxes, on the integration to the Portal of digital signature, including “ASAN signature” as well as the digital signature certificates issued in the foreign countries and recognized in the Republic of Azerbaijan in accordance with the Law “on digital signature and electronic document”;
- ▶ shall take measures, together with the Special State Protection Service of the Republic of Azerbaijan, on the safety of the personal data and the transactions carried out through the Portal;
- ▶ within 3 months period, shall develop draft charter of the Portal and submit it to the President of the Republic of Azerbaijan;
- ▶ shall take measures regarding the administration of the Portal, on the basis of the principle of public-private partnership and corporate governance standards etc.

Within 4 months period, Ministry of Transport, Communication and High Technologies and the Ministry of Taxes together with the Ministry of Foreign Affairs shall ensure that the opportunity for the issuance of digital signature as well as “ASAN signature” certificate to non-residents is provided through diplomatic missions and consulates of the Republic of Azerbaijan.

Ministry of Foreign Affairs of the Republic of Azerbaijan: together with the Ministry of Transport, Communication and High Technologies and the Ministry of Taxes and State Agency for Public Service and Social Innovations under the President of the Republic of Azerbaijan and CAERC:

- ▶ shall take measures with respect to providing mutual recognition of certificates of “ASAN signature” and digital signature in foreign countries and inform the President of Azerbaijan Republic in this respect; and
- ▶ within 2 months period, shall develop draft rules on issuance of the certificates of digital signature and “ASAN signature” for non-residents through diplomatic missions and consulates of the Republic of Azerbaijan and submit them to the President of the Republic of Azerbaijan.

Within 4 months period, State Customs Committee of the Republic of Azerbaijan:

- ▶ shall ensure integration of its information resources to the Portal within the framework, which is sufficient for the Portal to provide the activities; and
- ▶ in accordance with the agreements concluded through the Portal, shall ensure creating technical possibilities in order to provide filling out and submitting export customs declarations in real time regime as well as to record the result of customs control in real time regime.

Ministry of Economy of the Republic of Azerbaijan:

- ▶ within 4 months period, shall ensure receipt of applications in electronic form through the Portal regarding payment of export promotion to non-oil product exporters at the expense of the state budget; and
- ▶ shall provide the integration of “licenses and permits” portal to the Portal on basis of the proposals agreed with the CAERC and the Customs Committee of the Republic of Azerbaijan within one month.

Moreover, by the Decree, other instructions on the resolution of the issues arising out of this Decree have been assigned by the President of the Republic of Azerbaijan to the Cabinet of Ministers and other central executive authorities.

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