

Development of Linguistics and Protection of Consumers

By the 9 April 2013 Order of the President, the State Program for Use of the Azerbaijani Language and Development of Linguistics Consistent with Modern Requirements in Globalized Environment was approved. One of the tasks set forth in the Program is counteracting violations in advertising.

Law requires that, when advertising in Azerbaijan, the Azerbaijani language must be used in compliance with the rules of the state (Azerbaijani) language. Where necessary, wording in a foreign language can be added in the advertisement. When so used, a foreign language text must follow the text in the Azerbaijani in a font that cannot be larger than that of the Azerbaijani. These restrictions do not apply to, for instance, a signboard at an entrance denoting the name of an enterprise which is not an advertising medium.

Law does not specify if wording in a foreign language should translate wording of the advertisement from the Azerbaijani (or, in the case of a so-called imported advertisement, otherwise). On the one hand, a different text in a foreign language can be a violation of law, but, on the other, a question can be raised if a word or slogan can be translated from one language into another so that it remains understandable to consumers (without misleading them). To a large extent, this is an issue for advertisements of innovative products, for which the Azerbaijani might not have been fully adapted. Additionally, introduction of foreign words, such as *smartphone*, into a language happens spontaneously and the difference of opinions between an advertiser and a regulator whether use of such words would be a violation of legal requirements for the language of advertisement is possible.

Distortion of the Azerbaijani language in advertisements would also be considered violation of rules. Depending on implementation of the requirements of the Program, determination of methods of preventing violation of rules of literary language in advertisements, posters, and announcements is expected. Unfortunately, at the moment, there are no rules directly counteracting such distortions. At the same time, commencement of preparation by the Institute of Linguistics of the Academy of Sciences of rules of the state language use in cyberspace has been reported. Presumably, legal reform for counteracting language distortions would run in parallel.

Following the logic of law (but, in the absence of clear-cut legal requirements in this regard), the use of any foreign words even through their transliteration in the advertisement that is presented in the Azerbaijani must be prohibited. Cases of use in advertisements of names and logotypes registered as trademarks are an exception. The most common example is the *Coca-Cola* brand.

Therefore, subject to an ability to register the relevant trademark, an advertiser can in limited cases circumvent restrictions on the use of foreign words in advertisements. Besides being a prudent business decision establishing an object of intellectual property that has a separate value, such registration would also address any questions of possible violation of law. However, one must also consider restrictions and timing upon registration of trademarks.

The Program instructs the Ministry of Economic Development, State Customs Committee, and State Committee for Standardisation, Metrology, and Patent to exercise control over use on labels and in names of imported goods of necessary information in the Azerbaijani language. The law on the protection of consumer rights requires also instructions of use of goods in the Azerbaijani language. However, it is clear that, presently, the legislative platform is not adequate enough to combat violations of language

requirements in advertisements. At the same time, there appear no exact legislative reforms contemplated by the Program in this regard.

Among the items of the Program's action plan, the establishment of a "hotline" to involve the public in the campaign for purity of language in advertisements and public places is contemplated. It is a positive fact that the Program allocates special attention to education of the language; otherwise, it is difficult to imagine efficiency of a campaign for literacy of language implemented by illiterate population.

The Program also contemplates preparation by the Academy of Sciences of the national standards of transliteration together with the development jointly with the Ministry of Communication and Information Technologies of the software for transliteration of the Azerbaijani alphabet into other languages. These standards should, among others, ensure uniformity of transliteration of Azerbaijani names into foreign languages in various documents and their translations into relevant languages.

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