



The Council of Europe Project “Support for the improvement of the execution of the European Court judgments by Azerbaijan”

Purpose of the project: To provide support for the improvement of the execution of the judgments of the European Court of Human Rights by Azerbaijan

Duration of the project: 1 September 2022- 29 February 2024 (18 months)

Project Description

In the framework of the Council of Europe Action Plan for Azerbaijan 2022-2025, a strategic programming instrument which aims to support Azerbaijan in bringing its national legislation, institutions and practices further in line with Council of Europe standards in the areas of human rights, the rule of law and democracy, thus supporting the country's efforts to honour its obligations as a Council of Europe member State, the Council of Europe and Azerbaijani authorities have agreed to continue to carry forward jointly, through co-operation programmes, reforms in a number of strategic areas. These areas, inter alia, include improving the implementation of the European Convention on Human Rights (ECHR), execution of the case law and judgments of the European Court of Human Rights (ECtHR), further increasing the effectiveness, accountability and transparency of the judiciary, improving the criminal justice system in line with international obligations of Azerbaijan. In this context, the Council of Europe Project “Support for the improvement of the execution of the European Court judgments by Azerbaijan” aims to enhance the implementation of human rights and fundamental freedoms in Azerbaijan in line with the ECHR, and ensure timely and effective execution of the judgments of the ECtHR and other relevant instruments of the Council of Europe.

Building upon the legal requirements enshrined in the Council of Europe conventions and best European practices, the project will therefore support the revision of the national regulatory framework and practices to ensure prevention of – and provide redress for – the human rights violations that occur in the most frequent cases being lodged with the Strasbourg Court. The project will also promote the state institutions' capacity to pursue coherent human rights policies and actions and to monitor their implementation. The Council of Europe will provide capacity building and institutional strengthening to judicial stakeholders (judges, prosecutors, advocates/lawyers) to enhance the effective and timely implementation of the ECtHR judgments. Activities will support professionals to get acquainted with new rules and regulations, international standards, best practices and practical implementation as well as ethical standards. The actions will also build on existing partnership with the Academy of Justice and the Training Centre for Prosecutors while ensuring coordination.

To achieve the abovementioned objectives the Project will co-operate with the Azerbaijani authorities to attain the following expected results:

- National stakeholders have a higher capacity to implement harmonised evidence-based judicial policy and practice;
- National institutions are able to rely on an improved framework for facilitation of execution of the ECtHR judgments.

To this end, the Project plans to deliver a number of outputs including, but not limited to, the following:

- Enhancing the capacity of the Office of the Agent of the Republic of Azerbaijan before the ECtHR including support with the establishment and functioning of a working group to develop functional inter-agency coordination mechanism for improving the execution of the ECtHR judgments by Azerbaijan;
- Supporting revision and enhancement of the role of the Supreme Court (institutional, practical, analytical and methodological) in forming more harmonised and ECHR-compliant judicial practice in the country through: analysis and assessment of the national practice for development of new mechanism to re-open cases as a consequence of the ECtHR judgments; and, development of national action plan and strategy for execution of the ECtHR judgments;
- Support for harmonisation of national judicial administration and practices by providing further analysis and recommendations to state actors in light of the case law of the ECtHR including: expert assessment of the practice and relevant by-laws for harmonisation of judicial decisions; and, support for drafting of ethical conduct guidelines for actors of the criminal proceedings;
- Enhancing the research and analytical capacity of the judiciary in application of human rights concepts through: providing support for enhancement of research, analysis and data processing skills of the staff of the analytical departments of Supreme Court, Ministry of Justice, Prosecutor General's Office; and, support for the development of tailor-made training methodology on analytical research, etc.

Project partners:

- Office of the Agent of the Republic of Azerbaijan before the ECtHR
- Supreme Court of the Republic of Azerbaijan
- Constitutional Court of the Republic of Azerbaijan
- Ministry of Justice of the Republic of Azerbaijan
- Office of the Prosecutor General

- Parliament of the Republic of Azerbaijan (Milli Mejlis)
- Office of the Commissioner for Human Rights of the Republic of Azerbaijan
- Bar Association of the Republic of Azerbaijan
- Center for Legal Expertise and Legislative Initiatives, and the Institute of Law and Human Rights.