

SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRETARIAT DU COMITE DES MINISTRES



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Date: 23/10/2013

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Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1186 meeting (3-5 December 2013) (DH)

Item reference: Communications from the applicant (18/09/2013 and 26/09/2013) in the case of Ali Insanov against Azerbaijan (Application No. 16133/08)

Information made available under Rule 9.1 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion : 1186 réunion (3-5 décembre 2013) (DH)

Référence du point : Communications du requérant dans l'affaire Ali Insanov contre Azerbaïdjan (Requête n° 16133/08)
(anglais uniquement)

Informations mises à disposition en vertu de la Règle 9.1 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.



TO THE EUROPEAN COUNCIL MINISTERS COMMITTEE



Related to fulfillment the decision of the European Human Rights Court on criminal case No 16133/08 dated to 14 March 2013 Of political prisoner Ali Insanov, former deputy of Azerbaijan Republic Parliament, former Minister of Health Of Azerbaijan Republic, Doctor, Professor, Academician.



APPEAL



By the decision of the European Human Rights court on criminal case No 16133/08 dated to 14 March 2013:

1. Declares the complaints under Article 3 (concerning the conditions of detention), Article 6 (concerning the civil proceedings) and Article 6 (concerning the criminal proceedings) admissible and the remainder of the application inadmissible;
2. Holds that there has been a violation of Article 3 of the Convention in respect of the conditions of detention in Detention Facility no. 1;
3. Holds that there has been a violation of Article 3 of the Convention in respect of the conditions of detention in Penal Facility no. 13;
4. Holds that there has been a violation of Article 6 § 1 of the Convention in respect of the civil proceedings;
5. Holds that there has been a violation of Article 6 § 1 taken together with Article 6 § 3 (c) and (d) of the Convention in respect of the criminal proceedings;
6. Holds
 - (a) that the respondent State is to pay the applicant, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, EUR 10,000 (ten thousand euros) in respect of non-pecuniary damage, plus any tax that may be chargeable, to be converted into Azerbaijani manats at the rate applicable at the date of settlement;

(b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amount at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;

The decision dated 14 March 2013 has come into force on 14 June 2013 but Government Of Azerbaijan doesn't fulfill it ::

1. Although the European Human Rights Court assesses detained me in the Detention Facility No 13 as torture fact I am holding in the same facility yet .
2. Compensation in the amount of 10.000 EURO is not paid :
3. The Azerbaijan Republic Supreme Court doesn't rehear the case related with the fulfillment of the decision of European human rights court .

Although I appealed for several times Azerbaijani government doesn't answer my appeals .

For this based on your high authority we appeal your help to take the fulfillment of the decision of European Human Rights Court decision dated 14 March 2013 by European Council Ministers Committee and to demand account about the fulfillment of the decision by the Azerbaijani government.

Respectably,

Ali insanov



Azerbaijan Republic, Baku city, Puta Settlement

Colony No 13

**To Department for the Execution of Judgments of the ECHR
DGI - Directorate General of Human Rights and Rule of Law
Council of Europe**

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Appeal on behalf of Ali Insanov, doctor, professor, academician, former Minister of Health of the Azerbaijan Republic, former deputy of the Parliament of the Republic of Azerbaijan, political prisoner

According to the implementation of the decision dated on March 14, 2013 for case № 16133/08 of The European Court of Human Rights against Insanov/Azerbaijan

Dear sirs,

The decision dated on March 14, 2013 according to the case № 161/33 of European Court of Human Rights against Insanov/Azerbaijan has come into force in June 14, 2013.

But, Azerbaijan Government doesn't execute this decision intentionally: case related to the implementation of the decision has not heard in the Plenum of the Supreme Court of the Republic of Azerbaijan, I still kept in difficult conditions in prison # 13, compensation in the amount of 10 000 Euro has not paid.

Azerbaijan Government doesn't any response to my numerous appeals.

I appealed to the Committee of Ministers of European Council related to the implementation of the decision in August 06, September 05, September 18, 2013.

I ask to help to take control of implementation of the decision dated on March 14, 2013 of European Court of Human Rights by Committee of Ministers of European Council, require report on the implementation of the decision from Azerbaijan Government.

Yours sincerely,

Ali Insanov

Prison # 13, Puta settlement, Baku city