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Meeting: 1362nd meeting (December 2019) (DH)

Communication from the applicant (21/11/2019) in the case of ILGAR MAMMADOV v. Azerbaijan (Application No. 15172/13)

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.

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Réunion : 1362^e réunion (décembre 2019) (DH)

Communication du requérant (21/11/2019) relative à l'affaire ILGAR MAMMADOV c. Azerbaïdjan (requête n° 15172/13) (**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.

DGI

21 NOV. 2019

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

**Subject: *Execution of the judgments in the cases of Ilgar MAMMADOV v. Azerbaijan*
(application no. 15172/13) and Ilgar MAMMADOV v. Azerbaijan (2) (application no. 919/15)**

Sent: by e-mail
21 November 2019

Communication 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

Dear Madam/Sir,

In addition to our submission of 4 November 2019, the applicant would like to inform you of certain new factual developments relevant to the judgments of the European Court of Human Rights in respect of Application Nos. 15172/13 and 919/15, which have not resulted in their execution.

I. Non-obvious restrictions

On 20 November 2019, the applicant attempted to send through the fast money transfer system Western Union a small amount of US\$520 to his acquaintance living abroad.

However, the bank did not execute the transfer by telling that the applicant has been blacklisted in their processing system since 23 September 2014.

Thus, the restriction was imposed 1 year and 7 months after the applicant's detention and 1 day before his conviction became final in 2014. He has never been informed about such a restriction.

The bank clerk told the applicant that the restriction was imposed not by the bank, but by a government agency. She said the bank would request the agency to remove the restriction, given the applicant's objection.

As the Court has found both the applicant's detention and conviction politically motivated and, hence, vitiated, it appears that the authorities have lost the record of all restrictions they have imposed on the applicant.

Those restrictions may hurt the applicant in the future from a very unexpected side.

Therefore, the applicant would be very thankful to the Committee of Ministers for its request to the government of Azerbaijan to inform the Committee of Ministers about all those non-obvious restrictions imposed on the applicant during the years of politically motivated prosecution, and about measures the government has implemented to lift those restrictions comprehensively.

II. No response from the Supreme Court

On 25 October 2019 the applicant sent an online request to the Supreme Court of Azerbaijan about the status of review of his case, namely of the 29 May 2019 judgment of the Grand Chamber of the Court about infringement procedure. The online system of the Supreme Court confirmed the receipt of the request at 14:07 of 25 October 2019. However, no answer followed.

As the authorities had been procrastinating the case for so many years, and as the upcoming review by the Supreme Court will be the 6th (!) in this given unprecedented case of violation of the CoE membership obligations, the applicant insists that the Supreme Court should not resort to short notice as a tool of possible procrastination of the review process again.

The Committee of Ministers is kindly requested to make adequate representation to the government of Azerbaijan in this regard.

Faithfully yours,

Fuad Aghayev