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Committee of Ministers adopts interim resolution on Azerbaijan

Ilgar Mammadov must be immediately released and his physical integrity guaranteed by the Azerbaijani authorities

Strasbourg, 24.09.2015 - The Committee of Ministers of the Council of Europe, following their examination of the execution by Azerbaijan of the judgment of the European Court of Human Rights in the case of Ilgar Mammadov, today adopted the interim resolution below, in which it recalled Article 3 of the Council's Statute according to which every member state "*must accept the principles of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms, and collaborate sincerely and effectively in the realisation of the aim of the Council [of Europe] ..*".

The Committee deplored deeply the continuing detention of Mr Mammadov and repeated that he must be released immediately. The Committee also strongly urged the authorities to guarantee in the meantime his physical integrity.

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Interim Resolution CM/ResDH(2015)156

Execution of the judgment of the European Court of Human Rights Ilgar Mammadov against Azerbaijan

Application	Case	Judgment of	Final on
15172/13	ILGAR MAMMADOV	22/05/2014	13/10/2014

(adopted by the Committee of Ministers on 24 Septembre 2015 at the 1236th meeting of Ministers' Deputies)

The Committee of Ministers, under the terms of Article 46 § 2 of the Convention for the Protection of Human Rights and Fundamental Freedoms, which provide that the Committee supervises the execution of final judgments of the European Court of Human Rights ("the Court" below);

Concerning the individual measures, recalled that the violations found, and in particular that of Article 18 taken together with Article 5, call into question the well-foundedness of the criminal proceedings against the applicant, a political opposition figure;

Deeply deplored that, notwithstanding the Committee's decisions and Interim Resolution CM/ResDH(2015)43, the applicant has still not been released;

Firmly reiterated their call that the applicant be released immediately and strongly urged the authorities to guarantee his physical integrity in the meantime;

Expressed concerns about the current situation of Khalid Bagirov, who was the applicant's representative until his licence was suspended;

Expressed moreover its deepest concern in respect of the lack of adequate information on the general measures envisaged to avoid any circumvention of legislation for purposes other than those prescribed, which represents a danger for the respect of the rule of law;

Exhorted the authorities to resume the dialogue with the Committee in order to achieve rapid and concrete progress in the execution of this judgment;

Underlined, in view of the situation, the obligation of every member State of the Council of Europe to comply with its obligations under Article 3 of the Statute of the Council of Europe which provides: "Every member of the Council of Europe must accept the principles of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms, and collaborate sincerely and effectively in the realisation of the aim of the Council [of Europe] ..";

Called on the authorities of the member States and the Secretary General to raise the applicant's situation with the highest authorities in Azerbaijan in order to get him released; invited the observer States to the Council of Europe and international organisations to do the same;

Decided to examine this case at their 1243rd meeting (December 2015) (DH).