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Election of judges to the European Court of Human Rights[1]

List and curricula vitae of candidates submitted by the Government of Azerbaijan

Communication
Secretary General of the Parliamentary Assembly

1. In accordance with Article 22 of the European Convention on Human Rights.

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1. List and curricula vitae of candidates submitted by the Government of Azerbaijan

Letter from Mr Emin Eyyubov, Ambassador of Azerbaijan to the Council of Europe, to Mr Wojciech Sawicki, Secretary General of the Parliamentary Assembly, dated 16 January 2016

[…]

I have the honour to transmit the names and *curricula vitae* (attached) of the following three candidates for election as judge to the European Court of Human Rights in respect of Azerbaijan, as well as the information on the national selection procedure:

Mr Çingiz ƏSGƏROV

Mr Sənan HACIYEV

Ms Elşanə VƏLIYEVA

[…]

Information on national selection procedure for the position of a judge of the European Court of Human Rights

By letter dated 23 June 2015 a request was submitted to the Azerbaijani Government by the Secretary General of the Parliamentary Assembly of the Council of Europe for the submission of a list of three candidates for the position as judge to the European Court of Human Rights in respect of Azerbaijan. The Azerbaijani Government was requested to send the list of candidates and their detailed curricula vitae as well as a description of the procedure by which the candidates were selected by 15 January 2016.

By letter dated 2 July 2015 a request was submitted to the Azerbaijani Government by the Chair of the Advisory Panel of Experts on Candidates for election as Judge to the European Court of Human Rights for the submission of the names and curricula vitae of the candidates included by the Government in the list of candidates for election as judge. The Government was requested to provide the information to the Panel at the latest by 15 October 2015.

In August 2015 the Government requested the Judicial and Legal Council, an independent body of judicial self-government nominate the candidates to include in the Government's list of candidates for election as judge.

On 2 September 2015, a notice for the position of judge at the European Court of Human Rights was published in *Ədalət,* an independent daily legal periodical and placed on websites of the Judicial and Legal Council and of the Ministry of Justice. The notice included information on the requirements for qualification as judge at the European Court of Human Rights, including linguistic competences, as well as relevant information about the application process. In the notice, persons who wished to be nominated as candidates for the position as judge at the European Court of Human Rights were invited to submit to the Ministry of Justice their applications no later than 21 September 2015. Applicants were invited to send their applications by letter or to upload them electronically.

In total, eleven applications were received within the deadline. On 1 October 2015, the Council assessed whether the applicants met the eligibility requirements for nomination as candidates for the position as judge at the European Court of Human Rights in accordance with Article 21 of the European Convention on Human Rights as well as the qualifications listed in *i.a.* the Guidelines of the Committee of Ministers on the selection of candidates for the post of judge at the European Court of Human Rights (CM(2012)40 of 29 March 2012) and in Recommendation 1649 (2004) from the Parliamentary Assembly of the Council of Europe.

The Council summoned six out of eleven applicants to interviews on 5 October 2015. On that basis, and after assessing the qualifications of the applicants, the Council proposed the three above-mentioned candidates to the Government.

In its evaluation and selection of the candidates, the Judicial and Legal Council was guided by the criteria specified in the Recommendation 1649 (2004) and Resolution 1646 (2009) of the Parliamentary Assembly of the Council of Europe and those indicated in the Panel's Final Activity Report (paras. 26-31 and 34-35).

Having regard to the fact that, following a call for candidates, there were 3 judges of the courts of appellate instance, 3 judges of the courts of first instance, 1 former judge and 4 jurists not having judicial experience, the Judicial and Legal Council took as an additional criteria "a certain balance between the sexes or between different branches of the legal profession" (para. 36 of the Panel's Final Activity Report).

The Council's evaluation has been focused on the candidates' legal expertise, their professional experience, their suitability to exercise the role of judge, the guarantees of independence and impartiality that the candidates present, the linguistic abilities and suitability to work as part of a team within an international environment in which several legal traditions are represented. Furthermore, the Council has also referred to the requirements that candidates should possess an active knowledge of one and a passive knowledge of the other official language of the Council of Europe and that every list should contain candidates of both sexes.

In its examination of the candidates, the Council has paid special attention to the knowledge and application of the case law of the European Court of Human Rights of the candidates. Other criteria for selection of candidates from among the national judges were initial test results and indicators shown by the candidates at the advanced trainings.

Bearing this in mind, Judicial and Legal Council has selected for interview the candidates who met the majority of the above mentioned criteria.

Appendix 1 – Çingiz ƏSGƏROV

CURRICULUM VITAE[2]

I. Personal details

Name, forename: ƏSGƏROV Çingiz

Sex: male

Date and place of birth: 24 February 1973, Baku, Azerbaijan

Nationality: Azerbaijan

II. Education and academic and other qualifications

– Master of Law, Baku State University, Azerbaijan, Constitutional law thesis on "Development of Democracy", June 1995

– Since 2008 – visiting lecturer in the Academy of Justice of Azerbaijan: provided lectures and trainings on European Convention on Human Rights for judges, officers of the penitentiary system and candidates for judge position

– In 2008–2012 – provided series of lectures and trainings on European Convention on Human Rights for prosecutors and investigators

III. Relevant professional activities

a. Description of judicial activities

None

b. Description of non-judicial legal activities

– 1989–1994 – Legal assistant in "Nord" Scientific Production Association, Baku

– In 1994–1998 – Expert and senior expert at the State Law Department, Administration of President of the Republic of Azerbaijan: responsible for establishment and development of cooperation with the Directorate General of Legal Affairs of the Secretariat of the Council of Europe aimed at implementation of the judicial and legal reforms in Azerbaijan

– 1998–1999 – Adviser of the Human Rights Protection Unit, Administration of President of the Republic of Azerbaijan: coordinated the development and implementation of the first State Programme for Protection of Human Rights

– **Since 2003 – Agent of the Government of Azerbaijan before the European Court of Human Rights**

c. Description of non-legal professional activities

– 2000–2003 – Deputy to the Permanent Representative of the Republic of Azerbaijan to the Council of Europe: responsible for legal affairs and human rights, participated in development and implementation of the co-operation programmes between the Council of Europe and Azerbaijan on strengthening of the rule of law and in the field of human rights, assisted the Secretariat General of the Council of Europe in preparation of a number of activities in Azerbaijan in the field of legal co-operation and protection of human rights

– In 2000 – NGO officer at the OSCE Office for Democratic Institutions and Human Rights, Warsaw: worked on a number of assistance projects aimed at establishing a dialogue between NGOs and the governments to develop the legislation in the field of the civil society, prevention of torture, freedom of media, etc.

2. Text in bold indicates posts or missions held at present.

IV. Activities and experience in the field of human rights

– **Since 2004 – Member of the Council of Europe Steering Committee for Human Rights (CDDH)**
– In 2006 – coordinated the development of the National Action Plan for Protection of Human Rights
– In 2005–2009 – Member of the Human Rights Task Force in Azerbaijan
– In 2011 coordinated the development of the National Action Programme for Protection of Human Rights
– **Since 2014 – Member of the Joint Working Group on Human Rights Issues**

V. Public activities

a. Public office

Since 2010 - Member of the Advisory Council of the Supreme Court of Azerbaijan

b. Elected posts

None

c. Posts held in a political party or movement

None

VI. Other activities

a. Field

Since 2008 – Member of Board of the Azerbaijan Lawyers Confederation

b. Duration

c. Functions

Organisation and implementation of activities, including seminars, training sessions and publications, aimed at dissemination of knowledge about European Convention on Human Rights and the case law of the European Court of Human Rights among lawyers, judges, prosecutors and police officers.

VII. Publications and other works

Editor-in chief of monthly *İnsan Hüquqları üzrə Avropa Məhkəməsinin Bülleteni* (Bulletin of the European Court of Human Rights)

Advisory editor of:

– *İnsan Hüquqları üzrə Avropa Məhkəməsinin Qərarlar Toplusu* (Compilation of the judgments of the European Court of Human Rights), ALC, 2008
– *İnsan Hüquqları üzrə Avropa Məhkəməsinin qaçqınların işləri üzrə seçilmiş qərarları* (Selected judgments of the European Court of Human Rights concerning refugees), ALC, 2010
– İnsan Hüquqları üzrə Avropa Məhkəməsinin qaçqınlar, sığınacaq axtaranlar və vətəndaşlığı olmayan şəxslər ilə bağlı işlərə dair qərarlarının toplusu (Compilation of the judgments of the European Court of Human Rights concerning refugees, asylum seekers and stateless persons), ALC, 2012
– *İnsan Hüquqları üzrə Avropa Məhkəməsinin əmək hüquqlarına dair seçilmiş qərarları* (Selected judgments of the European Court of Human Rights concerning labour rights), ALC, 2014

VIII. Languages

Language	Reading			Writing			Speaking		
	very good	good	fair	very good	good	fair	very good	good	fair
a. First language:									
– Azerbaijani	x			x			x		
b. Official languages:									
– English	x			x			x		
– French		x				x			x
c. Other languages:									
– Russian	x			x			x		
– Turkish		x				x			x

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language, please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

I confirm my intention concerning the French language.

X. Other relevant information

XI. Please confirm that you will take up permanent residence in Strasbourg if elected a judge on the Court.

I confirm that I will take up permanent residence in Strasbourg if elected a judge on the Court.

Appendix 2 – Sənan HACIYEV

CURRICULUM VITAE

I. Personal details

Name, forename: HACIYEV Sənan

Sex: male

Date and place of birth: 15 January 1978, Baku, Azerbaijan

Nationality: Azerbaijan

II. Education and academic and other qualifications

– Master's degree in Criminal Law, Baku State University, Azerbaijan, 2004
– Bachelor's degree, Law faculty, Azerbaijan International University, Azerbaijan, 2001
– Medical - prophylactic faculty, Azerbaijan Medical University, Azerbaijan, 2000
– June 2012 – JUSTPAL Community of Practice meeting: Court Managers and Administrators (The Hague Institute for Global Justice, Hague the Netherlands)
– October 2008 – Legal Development Program for Transitional Countries (The Research and Training Institute, Seoul, Republic of Korea)
– July 2006 – Advanced training seminar on EU Decision-Making and Legal Harmonisation with EU Law (College of Europe, Bruges, Belgium)
– June–July 2003 – Community Connections Program (International Visitors Council, Kansas City, USA)

III. Relevant professional activities

a. Description of judicial activities

– 2010–2013 – Judge at the Narimanov district Court, Baku, Azerbaijan
– 2013 – till present time – Judge of Baku Appeal Court, Baku, Azerbaijan

b. Description of non-judicial legal activities

– 2006–2010 – legal (leading, senior and head) adviser of the International Department of the Ministry of Justice
– 2001–2006 – researcher - forensic expert on drugs, Scientific-Research Institute of Forensic sciences, Criminalistics and Criminology Problems of the Ministry of Justice of the Republic of Azerbaijan

c. Description of non-legal professional activities

– 2000–2004 – Chairman of the Commission on combating against Drug Abuse and HIV/AIDS of national NGO Forum of the Republic of Azerbaijan
– 1995–2000 – President of Azerbaijan Health Association (1998-2000)

IV. Activities and experience in the field of human right

– April 2007 – Participation in the "Training Course for judges and prosecutors upholding state prosecution" – The European Convention on Human Rights; general comments on Articles 5 and 6; recent case law, by Egbert Myjer, Judge at the European Court on Human Rights, Baku
– July 2007 – Participation in the International Conference on the Impact of the European Convention of Human Rights to the Development of the Azerbaijani Legal System, Baku

– September 2012 – Participation on the Training Session on Human Rights organized with the support of the Human Rights Trust Fund. European Court of Human Rights, Strasbourg

– October 2014 – Participation in the Conference on “Application of the Convention of Human Rights and Fundamental Freedoms on national level and the role of national judges, Implementation of Article 10 of Convention”, Baku

– January 2015 – Participation in the Conference “European Court of Human Rights and its Case Law” Gabala, Azerbaijan

– May 2015 – Participation in the International Conference on “The role of judiciary in democratic society” Baku

V. Public activities

None.

VI. Other activities

None.

VII. Publications and other works

For the first time I officially translated into the national language and published the UN International Conventions to combatting drug trafficking.

Several articles in the field of combatting drugs trafficking.

VIII. Languages

Language	Reading			Writing			Speaking		
	Very good	good	fair	very good	Good	fair	very good	good	fair
a. First language:									
– Azerbaijani	x			x			x		
b. Official languages:									
– English	x			x			x		
– French			x			x			x
c. Other languages:									
– Russian	x			x			x		
– Turkish	x				x			x	

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language, please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

I confirm my intention concerning the French language.

X. Other relevant information

XI. Please confirm that you will take up permanent residence in Strasbourg if elected a judge on the Court.

I confirm that I will take up permanent residence in Strasbourg if elected a judge on the Court.

Appendix 3 – Elşanə VƏLIYEVA

CURRICULUM VITAE

I. Personal details

Name, forename: VƏLIYEVA Elşanə

Sex: female

Date and place of birth: 30 March 1975, Bilesuvar, Azerbaijan

Nationality: Azerbaijan

II. Education and academic and other qualifications

– Faculty of Law, Baku State University, Azerbaijan, 1996
– 2007–2015 – participation in trainings, conferences and seminars in the field of Human Rights

III. Relevant professional activities

a. Description of judicial activities:

– 2007–2010 – Judge at the Narimanov District Court, Baku, Azerbaijan
– 2010–till present – Judge of the Baku Court of Appeal, Baku, Azerbaijan

b. Description of non-judicial legal activities

– 1992–2007 – adviser, court clerk at the Economic Court of the Republic of Azerbaijan

c. Description of non-legal professional activities

IV. Activities and experience in the field of human rights

– December 2006 – Participation in the "Training Seminar on Juvenile Justice", Baku
– July 2007 – Participation in the "Seminar devoted to study of International Human Rights Standards for judges, prosecutors and lawyers", Baku
– July 2014 – Participation in the Information seminar on the activity of the European Commission for the Efficiency of Justice (CEPEJ), Baku
– February 2015 – Participation in the Regional seminar on Access to Justice in Environmental Matters, Tbilisi, Georgia
– May 2015 – Participation in the training course on "Application of the European Convention of Human Rights and Case Law of the European Court of Human Rights", Baku
– May 2015 – Participation in the International Conference on "The role of judiciary in democratic society", Baku

V. Public activities

None.

VI. Other activities

None.

VII. Publications and other works

VIII. Languages

Language	Reading			Writing			Speaking		
	Very good	good	fair	very good	Good	fair	very good	good	fair
a. First language:									
– Azerbaijani	x			x			x		
b. Official languages:									
– English	x				x			x	
– French			x			x			x
c. Other languages:									
– Russian	x				x			x	
– Turkish	x				x			x	

IX. In the event that you do not meet the level of language proficiency required for the post of judge in an official language, please confirm your intention to follow intensive language classes of the language concerned prior to, and if need be also at the beginning of, your term of duty if elected a judge on the Court.

I confirm my intention concerning the French language.

X. Other relevant information

XI. Please confirm that you will take up permanent residence in Strasbourg if elected a judge on the Court

I confirm that I will take up permanent residence in Strasbourg if elected a judge on the Court.