

Second Study Commission

Civil Law and Procedure

63rd Annual Meeting of the IAJ – San José (Costa Rica)

Questionnaire 2020

RESPONSE OF THE REPUBLIC OF AZERBAIJAN

HOW DATA PROTECTION RULES ARE IMPACTING ON CIVIL LITIGATION

1. Do you store digital data in your jurisdiction?
 - Digital data related to court cases is stored electronically in the courts to which the "Electronic Court" information system is connected (At present, 64% of 117 courts in the country). In the Supreme Court of the Republic of Azerbaijan, appellate and district courts, where court proceedings are conducted electronically, data is stored in a systematized way in electronic form.
2. How is it stored and for how long?
 - Digital data is stored in the system's database and servers. They are kept permanently and archived for a period determined by law. Electronic documents are stored in electronic media in accordance with the Law of the Republic of Azerbaijan on "Electronic signature and electronic document" in a form that will allow to check their integrity on these media.
3. Who has access to the digital data in your jurisdiction?
 - Access to digital data is provided to the relevant court official and the judge to whom the case is assigned. At the same time, the decision and information related to the case are sent to the "Electronic Cabinet" formed by the person involved in the case by registering on the "Electronic Court" portal.
4. Are there digital data protection rules in place in your jurisdiction?
 - In order to protect digital data, software and hardware are used in accordance with the legislation of the Republic of Azerbaijan. Regulation of this field is carried out in accordance with the laws of the Republic of Azerbaijan "On personal data", "On information, informatization and protection of information", as well as the Regulations on the information system "Electronic court".
5. Who covers the costs relating to the storage and protection of the digital data in your jurisdiction?
 - As digital data is stored in the "Electronic Court" information system, the costs associated with its storage and protection are covered within the financing of the system.