

NATIONAL CRIME AGENCY -V- SULEYMAN JAVADOV AND IZZAT KHANIM JAVADOVA

We represent Mr Suleyman Javadov and Mrs Izzat Khanim Javadova (“our clients”). On 28 May 2020, the NCA made applications for forfeiture under s303Z14 of POCA in relation to funds contained in 10 bank accounts belonging to our clients.

Our clients have settled the case today with the NCA on a commercial no-admissions basis. The Court and the NCA recognise that settlement does not amount to an admission or finding of liability or wrongdoing against either or both of our clients.

These were civil proceedings that focused on the funds as opposed to the persons; and they involved no criminal charge. Our clients adduced evidence that the funds in their bank accounts were derived from legitimate sources of income.

The NCA’s case relied on the fact that the funds went through various corporate entities which had accounts with Danske bank and ABLV which have subsequently been linked to the Azerbaijani Laundromat.

Our clients had no knowledge of the route of transfer; and nor do they have any personal links to the Azerbaijani Laundromat. As confirmed by our expert evidence “as with any transfer system, including Barclays, Lloyds, HSBC and many others, money transfer customers would not, and could not, be expected to be aware of the precise route of the funds after it had been deposited and any funds arriving in the UK as electronic deposits must have satisfied the UK banks own anti-money laundering requirements.”

Therefore an individual cannot be expected to know the route their funds take when they transfer money. The NCA and the Court Order of today’s date accepted that the money was transferred through the entities without our clients’ knowledge. The money was received by reputable banks in the UK and accumulated in our clients’ bank accounts over many years.

Our clients have agreed to forfeiture of funds within 4 of the 10 accounts on a commercial no-admissions basis having subsequently been informed of the route that the funds were transferred to the U.K. The NCA have accepted a dismissal of forfeiture of the remaining 6 accounts. They have also agreed that they will not seek to take action in relation to our clients’ properties in the U.K.

Due to the fact that our clients have settled the case, our clients’ evidence that the transfers were innocently made, will not be made available to the public as there is no longer a trial. Unfortunately, the press has not seen their side of the case and the reporting of the case has therefore been one sided. The unnecessary and uncorroborated allegations of wrongdoing in the press are denied. Our clients have legitimate business dealings and trusted that their money transfers were dealt with by the banks in accordance with the law. The U.K. banks that received the funds were satisfied as to the original source of funds at the time and the funds remained in their accounts over many years.

Our clients are represented by James Lewis QC and Bart Casella instructed by Sonia Ahmad and Niall Kelly of Banks Kelly Solicitors Limited.