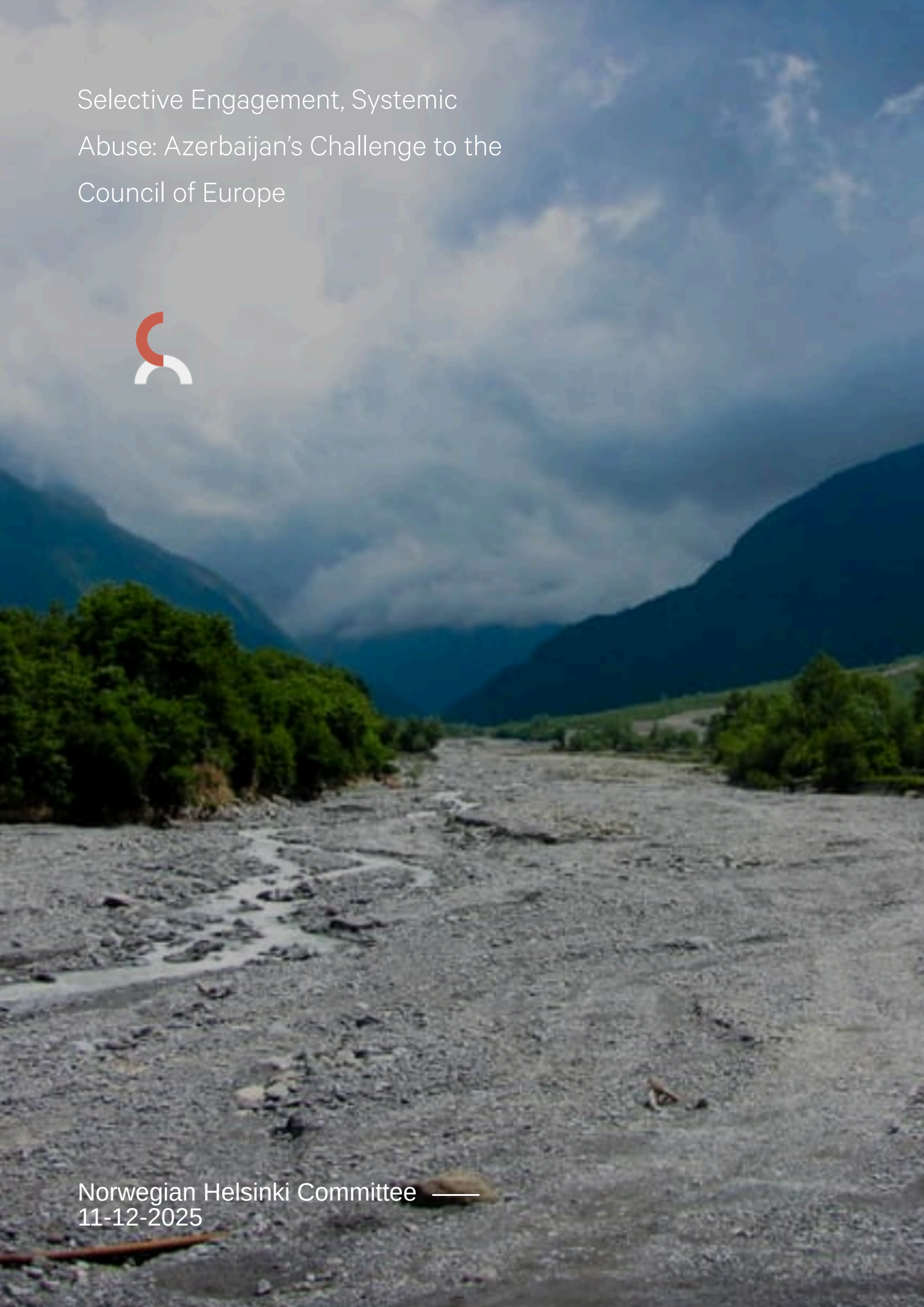
Selective Engagement, Systemic Abuse: Azerbaijan's Challenge to the Council of Europe



Norwegian Helsinki Committee
11-12-2025

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Preface

The Norwegian Helsinki Committee (NHC) is a Norway-based, internationally oriented human rights organisation that advocates for countries to respect and uphold international human rights, democratic principles, and the rule of law. We run projects in Norway, Eastern Europe, Central Asia, and globally, supporting civil society organisations in human rights work, documenting human rights abuses and serious international crimes, and fighting against impunity. We are members of some of the largest international networks of human rights organisations, including the International Federation for Human Rights (FIDH) and the Coalition for the International Criminal Court (CICC).

The NHC works to ensure that all individuals, regardless of their ethnic, religious, or sexual identity, have fundamental freedoms, can participate in free and democratic elections, and benefit from the rule of law. We employ various methods, including reporting on human rights violations, observing elections, developing documentation databases, and teaching human rights to students and politically engaged young people. We publish articles, reports, books, and video interviews, and participate in campaigns to encourage authorities to prioritise human rights. Through social media, we raise awareness and foster political will to confront abuses and promote respect for human rights.

A significant part of our work focuses on strengthening human rights organisations, defenders, whistleblowers, journalists, and lawyers. We are primarily dedicated to supporting individuals, groups, and networks that are most vulnerable to human rights violations.

Like many other human rights groups, we strive to inform intergovernmental organisations about human rights issues within their member states. We believe these organisations can play a vital role in advising, advocating, and teaching states how to fulfil their international obligations to respect and protect human rights, democracy, and the rule of law.

For European states, the Council of Europe, the European Union, and the Organisation for Security and Co-operation in Europe (OSCE) play vital roles in this respect, alongside the United Nations. In this report, we examine Azerbaijan's failure to meet its commitments since joining the Council of Europe in 2001. Even though it was widely recognised that the country was far from meeting the membership criteria at the time of accession, there was also widespread hope that membership would guide the country in the right direction.

Unfortunately, this report presents a different story. Instead of the Council of Europe influencing Azerbaijan, Azerbaijan challenges the very integrity and authority of the organisation. By failing to execute the judgments of the European Court of Human Rights, organising free and fair elections, and denying courts and media the ability to function independently, Azerbaijan fails to uphold the rights of its own citizens. However, it also weakens the Council of Europe, which has some of the most advanced regional human rights systems in the world.

We hope the report will prompt coordinated efforts by both the Council of Europe Member States and the Council of Europe itself to address this fragile situation effectively and in a coordinated manner. In the end, Azerbaijan must comply with membership requirements or eventually cease to be recognised as a member.

Berit Lindeman
Secretary General
Oslo, 11 December 2025

1. Executive summary

This report examines the deteriorating relationship between Azerbaijan and the Council of Europe (CoE) in the context of the country's deepening authoritarianism. When Azerbaijan joined the Council in 2001, it pledged to uphold fundamental rights and freedoms. Nearly a quarter-century later, it stands out among member states for its systemic violations and one of the worst human rights records in the region.

Since late 2023, Azerbaijani authorities have intensified their suppression of independent media, civil society, and political opposition. Independent journalists have been silenced, non-governmental organisations (NGOs) have been compelled to close or operate underground, and many activists continue their efforts only from exile. Meanwhile, the number of political prisoners has risen to over 350.

Azerbaijan's suspension from the Parliamentary Assembly of the Council of Europe (PACE) in January 2024 has fragmented its membership. While refusing to seek renewed credentials at PACE, the government in Baku continues to engage selectively with other Council of Europe bodies, favouring institutions that pursue quiet diplomacy over those demanding accountability.

This selective engagement has revealed divisions within the Council itself. PACE has conditioned Azerbaijan's return on the release of political prisoners and an end to harassment of civil society, media, and opposition groups. However, the Committee of Ministers and the Secretary General continue to depend on behind-the-scenes dialogue – a strategy that has yielded no meaningful results so far. As a result, nineteen months after Azerbaijan's suspension, the Council has failed to respond to the Assembly's decision or to the country's rapidly worsening human rights situation.

The issue goes beyond PACE. Azerbaijan remains one of the Council of Europe's worst offenders before the European Court of Human Rights, ranking among the states with the highest number of cases and the lowest compliance with judgments. This ongoing defiance undermines the Council's authority and weakens the European human rights system.

By allowing Azerbaijan to enjoy the benefits of membership without fulfilling its obligations, the Council risks legitimising authoritarian consolidation in Baku, undermining its own credibility, and setting a dangerous precedent. Georgia's recent withdrawal from PACE ahead of a vote on democratic backsliding indicates that this precedent is already spreading, signalling a deepening institutional crisis within the Council.

The human toll of this failure is evident. Azerbaijan currently holds the highest number of political prisoners in twenty years. Detainees are denied effective domestic remedies, while the authorities openly refuse to execute judgments of the European Court of Human Rights. For these prisoners – and for their families, who face harassment and intimidation – the Council of Europe has offered not protection but the illusion of accountability.

2. Background

Azerbaijan became a member of the Council of Europe (CoE) in January 2001. This membership raised expectations of a more democratic future and an improved human rights record. Following its membership, Azerbaijan ratified several key conventions, including the European Convention on the Prevention of Torture (2001), the European Convention on Human Rights (2002), and the European Charter of Local Self-Government (2002). The country's first delegation to the Parliamentary Assembly of the Council of Europe (PACE) was led by Ilham Aliyev, then a young member of parliament and son of President Heydar Aliyev, whom he would later succeed.

Under Heydar Aliyev's leadership, Azerbaijan declared its European aspirations and pledged to pursue democratic development. While the 2000 parliamentary elections were assessed by international observers as falling short of democratic standards, some progress was noted, particularly in terms of enhanced political pluralism.[1] Overall, the first decade of Council of Europe membership reflected a mixed record: although significant legal commitments were made, tangible improvements in practice remained limited.

The transition of power in 2003, following the death of Heydar Aliyev, brought Ilham Aliyev to the presidency. Post-election protests in 2003 were brutally suppressed, and the pro-democracy youth movement Yeni Fikir faced a crackdown ahead of the 2005 parliamentary elections.

During this period, human rights violations often peaked around election cycles. While civic space formally existed and local NGOs continued engaging with Council of Europe institutions, warning signs began to emerge. The arrest of two satirical bloggers in 2009 foreshadowed a more restrictive government policy, as the Aliyev administration – worried about the risk of "colour revolutions" – increasingly targeted the active NGO sector.

[1] OSCE Office for Democratic Institutions and Human Rights (ODIHR), "Azerbaijan: Parliamentary Elections, 5 November 2000 and 7 January 2001", Warsaw 15 January 2001 (https://bit.ly/4nFShF7).

3. First crackdown on civil society

In the early 2010s, the aftermath of the Arab Spring accelerated the restrictive trend. Sporadic protests were met with excessive force, and political activists were routinely detained, usually based on fabricated charges such as drug possession or hooliganism. The arrest in February 2013 of Ilgar Mammadov, presidential candidate, leader of the REAL movement and head of a Council of Europe-affiliated political leadership school, and political activist Tofig Yagublu, marked the beginning of a particularly repressive phase. A sweeping crackdown on civil society culminated in 2014, when legislative changes severely curtailed NGO activities and tightened administrative measures for registering NGOs and receiving foreign grants.[2] The office of Radio Free Europe/Radio Liberty's (RFE/RL) Azerbaijani Service was raided, and its journalists were forced to relocate.[3] Through politically motivated prosecutions on charges such as tax evasion and the forced exile of key rights defenders and journalists, the Azerbaijani authorities have effectively decimated the country's civic space.[4]

The CoE's response during this period was widely criticised as inadequate. Despite mounting evidence of human rights abuses, the institution often appeared reluctant to confront the Azerbaijani authorities. In 2010, the mission of the PACE, headed by Polish MP Tadeusz Iwinski, downplayed widespread irregularities and issued only muted criticism of Azerbaijan's conduct. The report declared that Azerbaijan's parliamentary elections showed "progress in meeting OSCE standards and commitments", even though not a single opposition candidate secured a seat.[5]

Furthermore, a month before the arrests of Mammadov and Yagublu in 2012, in January 2013, PACE rejected a landmark report on political prisoners in Azerbaijan, prepared by German MP Christoph Strãsser on behalf of the PACE Committee on Legal Affairs and Human Rights.[6] The report had been commissioned in 2009, following a resolution that mandated the appointment of a special rapporteur to examine allegations of political imprisonment in the country – an initiative strongly opposed by the Azerbaijani authorities.

Throughout his mandate, Strässer faced systematic obstruction. The Azerbaijani government repeatedly denied him entry, preventing direct access to detainees or opportunities to carry out fact-finding on the ground.[7] Despite these restrictions, Strässer completed his work, drawing on extensive documentation from human rights organisations, lawyers, and the families of detainees. His report identified dozens of political prisoners in Azerbaijan and called for their immediate release.

The presentation of the report to PACE triggered a heated debate. The Azerbaijani delegation, backed by political allies within PACE, engaged in a coordinated campaign to discredit both the rapporteur and his

[2] Institute for Reporters' Freedom and Safety (IRFS), "New legislation makes it easier to ban NGO work in Azerbaijan", IFEX, 7 February 2014 (https://bit.ly/4or4UoF).

[3] "RFE/RLE Baku Bureau Raided by Azerbaijani Prosecutors", RadioFreeEurope/Radio Liberty, 26 December 2014 (https://bit.ly/3LOYykw).

[4] Human Rights Watch, *World Report 2015: Azerbaijan* (https://bit.ly/3WL5HVm).

[5] *Observation of the parliamentary elections in Azerbaijan (7 November 2010),* PACE Election observation report, Doc. 12475, 24 January 2011 (https://bit.ly/4oZ907h).

[6] Christoph Strässer, "The follow-up to the issue of political prisoners in Azerbaijan", PACE Report, Dox. 13079, 14 December 2012 (https://bit.ly/3WKsmkQ).

[7] RFE/RL, "Report on Azerbaijani Prisoners Voted Down in Council of Europe", RadioFreeEurope/RadioLiberty, 23 January 2013 (https://bit.ly/4hN2LRX).

findings. Arguments centred on Strässer's lack of access to the country – an obstacle created by the Azerbaijani authorities themselves – and on attempts to question the definition of "political prisoner".

In the end, PACE voted against the report by a margin of 125 to 79, with 20 abstentions.[8] The decision marked a severe blow to the CoE's credibility, effectively silencing institutional recognition of political prisoners in Azerbaijan at a time when repression was already deepening. According to some analysts, the rejection of the Strässer report could have also emboldened the authorities in their crackdown against dissenting civic groups and greenlighted the wave of upcoming arrests.

PACE's unusually favourable approach toward Azerbaijan was later found to be influenced by hidden motives. Investigations carried out by the German think tank European Stability Initiative (ESI) in 2012 and 2016 uncovered a systematic corruption scheme, in which Azerbaijani authorities offered luxury gifts and financial incentives to PACE members in exchange for softening or hiding criticism of Azerbaijan's deteriorating human rights record.[9] This practice, which came to be known as "caviar diplomacy", ultimately discredited PACE and forced a reassessment of the CoE's approach to Azerbaijan.[10]

The turning point came in 2015, when the European Parliament (EP) adopted a resolution unequivocally condemning politically motivated arrests in Azerbaijan.[11] International human rights organisations intensified the pressure with coordinated campaigns such as *Sport for Rights*,[12] making the deepening crisis impossible to ignore. In December 2015, the Council of Europe Secretary-General, Thorbjørn Jagland, launched a formal inquiry into Azerbaijan's implementation of the European Convention on Human Rights. He justified the move, citing mass arrests of civil society actors and what he described as "an arbitrary application of the law".

A central issue was the government's persistent refusal to comply with the 2014 European Court of Human Rights (ECtHR) judgment in the case of Ilgar Mammadov. The Court had found that his arrest and detention were unlawful, and that the actual purpose was "to silence and punish" him for criticising the government. Despite this ruling, Mammadov remained in prison for years.

Azerbaijan has had a pattern of selectively executing ECtHR rulings – although some compensation was paid to individuals who won their cases, the underlying issues remained unaddressed.

By 2017, as a result of international pressure, Azerbaijan had released most of the prominent human rights defenders from jail, but Mammadov remained behind bars. Facing persistent non-compliance on the matter, Secretary-General Jagland called on the CoE Committee of Ministers to launch infringement proceedings against Azerbaijan. This procedure, introduced in the 2010 reforms of the European Convention on Human Rights (ECHR) system, grants the Committee of Ministers the authority to act against Member States that refuse to execute ECtHR judgments. Often referred to as the institution's "nuclear option," it can, in extreme cases, lead to suspension or expulsion from the CoE.

[8] PACE votes to reject draft resolution on political prisoners in Azerbaijan, PACE, 23 January 2013 (https://bit.ly/3WLpwMq).

[9] All reports on the caviar diplomacy are available on the website of the European Stability Initiative (https://bit.ly/4hUQZoG).

[10] For a description and assessment of integrity problems in inter-governmental organisations, including the caviar diplomacy scandal in PACE, see: Gunnar M. Ekeløve-Slydal, "Sir Thomas More and Integrity in Justice", in Morten Bergsmo and Viviane E. Dittrich (editors), *Integrity in International Justice*, Torkel Opsahl Academic EPublisher, Brussels, 2020, pp. 151-212, and in particular pp. 158-160.

[11] European Parliament, "Motion for a resolution on the human rights in Azerbaijan", 8 September 2015 (https://bit.ly/4nOREt4).

[12] "Sport For Rights: Baku Games Opening. Press Release, Press Briefing and Media Advisory on International Protests», World Organisation Against Torture (OMCT), Statement of 11 June 2015 (https://bit.ly/4oSTqds).

In the meantime, the announcement triggered a backlash in Azerbaijan. Pro-government media outlets threatened withdrawal from the Council and launched a smear campaign against Jagland personally. Nevertheless, in December 2017, the CoE Committee of Ministers, for the first time in the institution's history, voted to initiate infringement proceedings to determine whether Azerbaijan had failed to meet its obligations under the ECHR.

4. Caviar diplomacy exposed and limited concessions

Further actions followed in April 2018, when PACE released a 219-page investigative report into allegations of corruption involving its members and Azerbaijani officials.[13] The independent panel of judges who investigated the allegations concluded that several former and current PACE members had acted in breach of PACE's code of conduct, finding "a strong suspicion of corruption".[14]

The report highlighted the role of high-profile figures. Former PACE President Pedro Agramunt, already discredited after a controversial trip to Syria in 2017, was identified as playing "a key role" in orchestrating voting favourable to Azerbaijan. Italian MP Luca Volonte was singled out as a central figure in undermining a PACE report on political prisoners. In 2021, Volonte was sentenced by an Italian court to four years in prison for accepting bribes from Azerbaijani sources.

Following the report's findings and undeniable evidence of organised corruption, PACE adopted a series of reforms to restore credibility and prevent future misconduct, including a stronger code of conduct and new transparency and lobbying rules.

Mounting pressure from the Council of Europe, coupled with the fallout of the corruption scandal, eventually pushed the Azerbaijani government to make limited concessions. In August 2018, Ilgar Mammadov was conditionally released from prison. However, his conviction was not formally quashed until 2020, reflecting the government's reluctance to fully comply with ECtHR rulings.

Even then, the outcome was only a partial victory. The authorities deliberately separated Mammadov's case from a larger group of related cases, later referred to as the Mammadli group. While Mammadov and fellow activist Rasul Jafarov had their convictions overturned in accordance with Strasbourg judgments, many others did not. Several convictions from the group remained in effect, and in some cases, repression intensified. Notably, Mammadli – one of the original applicants – was re-arrested on new politically motivated charges.

Between 2017 and 2023, Azerbaijan maintained restrictive legislation regulating civil society operations and access to funding. Although underground NGOs and grassroots initiatives were mainly tolerated during this period, their activities remained precarious and exposed to state interference. At the same time, many observers believed that the authorities might be softening their approach to civil society, as the space for informal activism appeared to be expanding.

However, attempts at official dialogue with opposition forces, launched by the Presidential Administration, attracted only limited participation and produced negligible results. Paradoxically, even as the government framed these talks as efforts to open space for dissenting voices, it simultaneously adopted a new law on political parties that further restricted the functioning of the political opposition.[15] It was followed by a new,

[13] Report of the Independent Investigation Body on the allegations of corruption within the Parliamentary Assembly, PACE 15 April 2018 (https://bit.ly/49NSPFw).

[14] *Ibid.*

[15] Heydar Isayev, "Azerbaijani political parties struggle amid new restrictive law", Eurasianet, 27 January 2023 (https://bit.ly/48fL8WD).

even more restrictive media legislation, passed in 2021 despite criticism from both local and international organisations.[16]

In early 2020, PACE rapporteur Thorhildur Sunna Ævarsdóttir of Iceland formally presented her report on the continuing problem of political prisoners in Azerbaijan, sharply criticising Baku's failure to implement ECtHR judgments and warning that the convictions still stood in the lead-up to national elections, thereby undermining democratic legitimacy.[17] Following her fact-finding visit in 2019, she initially noted a "constructive" tone from authorities, but later deplored their refusal to follow through on reforms.[18]

The report prompted both institutional and public backlash. PACE Committee on Legal Affairs and Human Rights endorsed the findings. At the same time, Azerbaijani officials – including chair of the Azerbaijani delegation, MP Samad Seyidov – denounced her statements as "unacceptable," reflecting mounting tensions between PACE's human rights mandate and Baku's resistance to international scrutiny.

[16] Tony Wesolowsky, "A New Draconian Media Law In Azerbaijan Gives The Government The Power To Decide What's News", RadioFreeEurope/Radio Liberty, 20 February 2022 (https://bit.ly/49Ul7hE).

[17] Thorhildur Sunna Ævarsdóttir, "Reported cases of political prisoners in Azerbaijan", PACE Committee on Legal Affairs and Human Rights, Doc. 15050, 18 December 2019 (https://bit.ly/49M8nts).

[18] "PACE rapporteur finalizes her fact-finding visit to Azerbaijan", Meydan TV, 10 September 2019 (https://bit.ly/3JXTV7d).

5. Post-Karabakh period, growing tensions and suspension

The dynamics between Azerbaijan and the Council of Europe shifted after 2020. That year, Azerbaijani forces regained military control over large parts of Nagorno-Karabakh and seven surrounding districts. Buoyed by high public support and strong backing from Turkey, two years later, the government established complete control over the entire Nagorno-Karabakh through a swift military offensive. The operation prompted the exodus of nearly the whole of the Armenian population, an outcome condemned by PACE in a resolution on the humanitarian situation in Nagorno-Karabakh, highlighting the allegations of ″ethnic cleansing."[19]

The wording contributed to a long-term crisis in Azerbaijan's relationship with the institution, as the Government strongly disputed the term. According to Azerbaijan's official position, ethnic Armenians in Karabakh retained the right to live under Azerbaijani jurisdiction and no forced exodus took place. Baku also argued that it was Armenia's occupation of Azerbaijani territories for nearly three decades that constituted the actual case of ethnic cleansing, reminding of the displacement of hundreds of thousands of Azerbaijanis in the early 1990s.

The Nagorno-Karabakh population issue resurfaced in January 2024, this time against the backdrop of the ongoing human rights crisis in Azerbaijan. Citing the country's persistent failure to fulfil its core membership obligations, a new resolution highlighted restrictive legislation on civil society, the growing number of political prisoners, lack of judicial independence, the absence of free and fair elections, non-cooperation with PACE monitors, and the deteriorating humanitarian situation in Nagorno-Karabakh.[20] On these grounds, the resolution challenged the credentials of the Azerbaijani delegation. A majority of parliamentarians supported suspending the delegation for a period of one year.

The resolution deliberately linked Azerbaijan's human rights record with the situation in Nagorno-Karabakh, a strategy designed to secure broad support. However, this approach generated concern among exiled Azerbaijani civil society actors, who have consistently called on PACE to address the two issues separately.

In response, the Azerbaijani government announced its withdrawal from PACE during a hastily convened press conference held only hours before the scheduled vote. Officials further threatened to terminate Azerbaijan's membership in the CoE. In their final statement, Azerbaijani representatives dismissed concerns about human rights. They accused PACE of holding a biased stance on Nagorno-Karabakh, while also referring to "Azerbaijanophobia" and "Islamophobia" as an alleged motivation behind the decision.[21]

As a retaliatory measure, Azerbaijani authorities barred all PACE members who had voted in favour of the resolution from entering the country. The decision was only made public several months later, sparking strong criticism and anger among parliamentarians.

The confrontation marked a new escalation of the crisis.

[19] "The humanitarian situation in Nagorno-Karabakh", PACE Resolution 2517, 12 October 2022 (https://bit.ly/4qUVbbP).

[20] "Challenge, on substantive grounds, of the still unratified credentials of the parliamentary delegation of Azerbaijan", PACE Resolution 2527 (https://bit.ly/4nUYi11).

[21] Ismi Aghayev, "Azerbaijan leaves PACE after vote to exclude their delegation", OC Media, 25 January 2024 (https://bit.ly/47PHrGK).

Despite discreet negotiations throughout late 2024, Azerbaijan did not agree to any concessions and continued to escalate its authoritarian trajectory. Independent media outlets were dismantled, dissent was further suppressed, and politically motivated prosecutions expanded.

Furthermore, the Azerbaijani authorities declined to invite a PACE election observation mission for the early parliamentary elections scheduled for September 2024, despite having extended an invitation to the Office for Democratic Institutions and Human Rights (ODIHR) of the OSCE.

The September 2024 elections, which ODIHR assessed as lacking pluralism and genuine political competition, could have provided an opportunity for Azerbaijan to nominate a new PACE delegation. However, no such delegation was appointed, underscoring Baku's reluctance to re-engage with the Assembly under the current circumstances. PACE has reiterated that the release of political prisoners and resuming cooperation with PACE monitors remain a key prerequisite for Azerbaijan's return.

On the latter matter, before its suspension from PACE, Azerbaijan had routinely refused or agreed only to limited cooperation with PACE rapporteurs.

Before she lost her parliamentary mandate in 2024, Hannah Bardell, Scottish MP and PACE rapporteur on "Threats to life and safety of journalists and human rights defenders in Azerbaijan", closely monitored the worsening situation and had issued several statements condemning the widening wave of arrests of journalists and rights defenders. Due to Azerbaijan's withdrawal from PACE, its crucial monitoring report has not been presented yet, following an unwritten rule that no discussion can take place on the country without its delegation's presence.

6. Selective Engagement

The Council of Europe is facing a profound membership crisis in its dealings with Azerbaijan, primarily driven by the institution's lack of unity.

While the Committee of Ministers and the Secretary General favour a conciliatory approach, PACE has conditioned approval of a new Azerbaijani delegation on concrete progress, including the release of political prisoners.[22]

Since the suspension of the Azerbaijani delegation from PACE, the Secretary General's office has continued dialogue with Baku. Still, these discussions remain behind closed doors and have yet to yield any meaningful results.

During the November 2024 COP29 climate summit, Secretary General Alain Berset visited Baku. The official press release issued by his office did not refer to the ongoing wave of arrests targeting journalists and activists. Instead, the statement highlighted "Azerbaijan's significant contribution to interreligious and intercultural dialogue," with Berset emphasising the importance of continued dialogue.

The majority of the Committee of Ministers has expressed a similar position. Representatives of several member states argue that PACE exceeded its mandate by challenging the credentials of specific delegations and should have prioritised dialogue instead. Concerns have also been raised that Azerbaijan's withdrawal from PACE could escalate into its withdrawal from the Council of Europe as a whole. Many states fear that, if Azerbaijan follows through on this threat, others may be encouraged to do the same, potentially undermining the institution's *raison d'etre.*[23]

Despite earlier threats and concerns from the Committee of Ministers, Azerbaijan has not attempted to withdraw from the CoE. On the contrary, after a brief pause following the suspension of its PACE delegation, Baku resumed cooperation with selected CoE bodies. The country remains actively engaged in the Committee of Ministers and continues its dialogue with the Secretary General. It has also not rejected the upcoming edition of the Action Plan – a four-year reform plan scheduled to start this year. Although no details have been revealed, Council of Europe representatives confirmed earlier this year that work was underway to initiate it.

When it comes to the ECtHR, Baku used the PACE suspension as a pretext to ignore its judgments. In April 2025, President Ilham Aliyev declared that, since Azerbaijan had not participated in the election of ECtHR judges after PACE refused to ratify its credentials, "none of the decisions of the European Court are valid for us."[24]

[22] Arna Zamejc, „Azerbaijan and the Council of Europe: a return through the back door?", New Eastern Europe, 16 April 2025 (https://bit.ly/3XpP7dW).

[23] *Ibid.*

[24] Aytan Farhadova, "Aliyev announces that Azerbaijan will no longer consider ECHR decisions valid", OC Media, 11 April 2025 (https://bit.ly/43WE3bS).

One of the CoE bodies Azerbaijan has consistently ignored is the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). In July 2024, the CPT took the rare step of issuing a public statement on Azerbaijan. The Committee cited the government's "outright refusal" to cooperate and expressed deep concern over systemic ill-treatment of detainees in police custody.

Azerbaijan's absence from PACE has a dual effect. On the one hand, it restricts Azerbaijan's political presence within the institution. It limits its ability to defend national interests, as it cannot participate in debates, vote on resolutions, or contribute to the election of the Secretary-General and ECtHR judges. On the other hand, this absence shields Azerbaijan from critical scrutiny. Without a delegation in place, rapporteurs and the Monitoring Committee are unable to present reports on the country's human rights record, as there are no representatives to respond to findings or engage in oversight.

Overall, Azerbaijan's selective engagement approach allows it to benefit from CoE membership while avoiding core obligations. The cost, however, is borne by the institution itself. The credibility of the CoE is steadily eroding, and a concerning precedent has been established.

The dangers are no longer hypothetical. In 2025, Georgia began to replicate this approach after deeply flawed elections in 2024 and in anticipation of a critical PACE resolution on democratic backsliding. By pre-emptively withdrawing its parliamentary delegation, the Government in Tbilisi shielded itself from scrutiny while retaining the benefits of CoE membership.[25]

This action demonstrates how Azerbaijan's challenge has emboldened others to push the limits of the institution's tolerance. If such practices are left unchecked, the CoE risks a series of partial withdrawals and selective compliance, rendering its core mechanisms ineffective and its authority seriously weakened.

[25] Kaha Gogolashvili, "PACE could demand Georgia's withdrawal from the Council of Europe", JAMnews, 2 February 2025 (https://bit.ly/43pqUYI).

7. Solutions within the Council of Europe

The Council of Europe has various mechanisms in place to address such issues. However, despite the gravity of the situation, none of these measures has been activated, indicating a persistent lack of political will among member states and the organisation's leadership. This paralysis not only undermines the CoE's authority but also encourages Azerbaijan's ongoing defiance.

In early 2020, in response to the crisis in the CoE's relations with Russia, PACE and the Committee of Ministers introduced a new joint complementary procedure for addressing situations in which a member state "violates its statutory obligations or fails to uphold the standards, fundamental principles, and values of the Council of Europe."[26]

The procedure includes an "enhanced dialogue" with the concerned state, aimed at addressing the violations. If such a dialogue is ineffective, the mechanism allows for the suspension or expulsion of the member state from the organisation. The Secretary General may initiate a joint complementary procedure, the Committee of Ministers, or the PACE (in the latter case, with a qualified majority of two-thirds of the votes).

To date, the complementary procedure has not been implemented in relation to Azerbaijan. Concerns that its activation could escalate tensions and lead Baku to withdraw from the CoE have discouraged both the Committee of Ministers and the Secretary General from initiating the mechanism. Within PACE, the high voting threshold needed to trigger the procedure has been seen as an additional obstacle to its utilisation.

Another option exists in Article 52 of the ECHR, which authorises the Secretary General to request official explanations from a member state concerning its implementation of the Convention. This inquiry mechanism aims to deliver a quick and formal assessment of systemic violations and, if necessary, to refer the matter to the Committee of Ministers for further action. Despite Azerbaijan's repeated failure to meet its obligations, no such inquiry has been launched.

The hesitation appears to reflect a broader reluctance on the part of the Secretary General to openly confront the government in Baku before all avenues of dialogue have been exhausted.

A further mechanism consists of interstate complaints and infringement proceedings linked to the ECtHR. These procedures enable member states or the Committee of Ministers to initiate proceedings against a state for failing to comply with binding judgments of the Court. They can result in authoritative findings of systemic violations and, in extreme cases, can open the path toward suspension of membership. Azerbaijan has been subject to such proceedings in the past, most notably in the *case of Ilgar Mammadov*, which concluded in 2020. Yet in the current context – despite Baku's rejection of the Court's authority and refusal to implement rulings – no new action has been taken. Here again, the absence of political resolve has left the CoE's legal instruments unused.

[26] "Committee sets out detail of a complementary joint procedure when a state violates it obligations", PACE Committee on Political Affairs and Democracy, 9 December 2019 (https://bit.ly/3JTUaAh).

8. No Action on the Action Plan

One of the instruments used for reforms in Azerbaijan is the Action Plan, a comprehensive program designed to align the country's policy standards with those of the Council of Europe. However, its effectiveness has been questioned from the outset, despite over 9 million euros being invested in the program over the past decade.[27]

Launched in 2014, the Action Plan was developed as a joint initiative between the CoE and the authorities of Azerbaijan. Its purpose was to support the country in meeting its statutory and specific obligations as a member state of the CoE, while addressing core challenges in the areas of human rights and the rule of law. The focus remained on the CoE's key areas of expertise: promoting and protecting human rights, strengthening the rule of law, and fostering democratic governance. Implemented in two- or three-year cycles, subsequent editions of the Action Plan failed to halt the country's authoritarian trajectory, yet it continued to be rolled out.

The latest 2022-2025 edition was aimed to "support key national reforms and ultimately bring the country's legislative and regulatory frameworks, institutions and practice further in line with European standards."

There were clear objectives: effectively implementing the ECHR and ECtHR judgments; strengthening judicial independence and efficiency; enhancing the autonomy and capacity of the Azerbaijani Bar Association (ABA) and legal aid frameworks; aligning criminal justice practices with Council of Europe standards; and ensuring safer conditions for civic space, media, and elections.

In practice, outcomes went in the opposite direction. Azerbaijan's authorities curtailed cooperation with key CoE mechanisms, rejected the validity of ECtHR judgments, intensified pressure on lawyers, journalists, and NGOs, and conducted non-competitive elections – all of which undermined the goals of the Action Plan. Furthermore, the Action Plan's core theory of change, which aimed to achieve reform through technical cooperation, monitoring, and political dialogue, proved impossible to implement without political will.

It didn't stop, though, the CoE – or the EU, which is the plan's primary funder – from continuing the program without any conditionality in place or proper evaluation of the impact of the previous editions of the plan.

[27] According to documents available on the Council of Europe website, the Action Plan 2014-2017 included funding of € 6.7 million. The 2018-2021 edition included €1.6 million, and the 2021-2025 edition included €1.1 million. It is unclear how much was spent on the last edition, as no official report is available yet.

9. Political prisoners and patterns of legal harassment

Rather than addressing longstanding human rights concerns during its two decades of Council of Europe membership, the Azerbaijani government has intensified its domestic crackdown. Authorities continue to target human rights defenders, independent journalists, and political opponents with spurious criminal charges and convictions.

According to the Institute of Peace and Democracy, a rights group operating from exile and run by human rights defenders Leyla and Arif Yunus (themselves former political prisoners), there were 375 political prisoners in Azerbaijan as of June 2025 – the highest number in the past two decades. An increasing number of those targeted come from journalism (such as Ulvi Hasanli and Ulviyya Ali), civic activism (such as Bakhtiyar Hajiyev, Akif Gurbanov and Azer Gasimli), election observation (like Anar Mammadli), and academia (including Bahruz Samadov, Igbal Abilov, and others) – particularly individuals affiliated with independent media or critical scholarship. Their detention reflects a coordinated effort to suppress independent analysis and reporting.

The judicial system plays a central role in legitimising repression. Courts are not independent and routinely endorse prosecutorial requests, even in the absence of credible evidence.

Intimidation extends beyond the courtroom. Families of dissidents are frequently targeted through job dismissals, public smear campaigns, and threats. Surveillance, both physical and digital, is pervasive, creating a chilling effect on any form of dissent.

Restrictions for Lawyers

Independent lawyers in Azerbaijan – particularly those who defend human rights – operate under a deeply hostile environment, constrained by an oppressive professional framework controlled by the Bar Association. The Bar systematically uses a politically biased admission process and has suspended or disbarred at least a dozen human rights defenders, effectively excluding all but a few from legal practice.

Lawyer Shahla Humbatova was disbarred after speaking out on prison conditions and defending political prisoners, while the Bar Association has repeatedly undermined confidentiality obligations and access to vulnerable clients.[28] Another independent human rights lawyer, Alasgar Mammadli, one of the founders of Toplum TV, who is suffering from a serious medical condition, has found himself behind bars on charges of smuggling foreign currency.[29]

Overall, these mixed tactics of intimidation, persecution and arrests have resulted in the near-elimination of human rights legal representation within domestic courts and impeded international collaboration, with only a handful of courageous lawyers able to navigate the system in defence of civic space and fundamental freedoms.

[28] Read more about the case of Shahla Humbatova at the website of the European Human Rights Advocacy Centre (EHRAC) (https://bit.ly/3WXvjyz).

[29] Read more about the case at the website of the Campaign to End Repression in Azerbaijan (https://bit.ly/3JTgIkM).

10. Silencing of Independent Media

On 30 December 2021, Azerbaijan's Parliament adopted a new media law that further tightened restrictions on press freedom. The legislation drew widespread criticism from both domestic and international actors, sparking street protests by local journalists. Among its most troubling provisions, the law banned foreign funding and imposed restrictive controls on print, online, and broadcast outlets, as well as on individuals and groups producing audiovisual content.

In its legal assessment of the legislation, the Venice Commission found that Azerbaijan's new media law aims to regulate almost all aspects of the media sector, including online outlets. It also noted that many provisions do not meet European standards on freedom of expression and media freedom, advising that the law should not be enforced in its current form.[30]

Yet this was only the start. Over the next two years, the authorities went beyond legal restrictions to orchestrate the near-total dismantling of independent journalism in Azerbaijan.

In late 2023 and early 2024, authorities began targeting the staff of Abzas Media, one of the few outlets consistently reporting on corruption and human rights abuses. Journalists, including chief editor Ulvi Hasanli, editors, and correspondents, were arrested on charges ranging from "illegal business activity" to "smuggling".[31]

Soon, other media outlets were also targeted. Staff members of Meydan TV, an online outlet with a strong international following, were detained, interrogated, and charged in connection with vaguely defined "financial crimes."

At the same time, Toplum TV, another independent platform providing coverage of political and social issues, came under sustained pressure, culminating in raids, multiple arrests of its contributors, and severe restrictions on its operations.

The editor-in-chief of independent broadcaster Kanal 13, Aziz Orujov, was detained on dubious charges – including alleged illegal construction – widely seen as politically motivated and has since been sentenced to two years in prison.[32]

Arrests also extended to Radio Free Europe/Radio Liberty (RFE/RL), the U.S.-funded outlet that had been forcibly closed in Azerbaijan in 2014. Farid Mehralizade, one of its local journalists, was detained and charged with financial crimes.[33]

[30] Ibid.

[31] "Up to 9 years for Abzas journalists: "The verdict came from Ilham Aliyev. He is the ‚Reliable Source' behind this case", ABZAS, 20 June 2025 (https://bit.ly/4pd3HBp).

[32] "Azerbaijan sentences Kanal 13 director Aziz Orujov to 2 years in prison", Committee to Protect Journalists, 28 February 2025 (https://bit.ly/4ojDUH7).

[33] Will Tizard, "RFE/RL Journalist In Azerbaijan Sentenced To 9 Years", RadioFreeEurope/RadioLiberty, 20 June 2025 (https://bit.ly/3X2D46h).

In June 2025, Azerbaijani courts sentenced six journalists from Abzas Media to prison terms ranging from seven and a half to nine years.[34] They were convicted on charges of operating as an organised group to carry out financial crimes, including currency smuggling, money laundering, and tax evasion, allegedly connected to the receipt of unlawful funding from Western donors. International rights groups described the charges as "absurd and fabricated".[35] One of the journalists, Mehralizade, was sentenced to nine years in prison.

By early 2025, following the arrests of journalists, virtually all independent media outlets in Azerbaijan had been forced to shut down or suspend operations. Among them was Turan, the country's oldest independent news agency, which closed its editorial office in February after sustained government pressure.

No new alternatives have appeared to fill this void. Instead, the space for independent reporting has shrunk to nearly nothing, leaving the media landscape almost entirely dominated by state-controlled and pro-government outlets.

As a result, Azerbaijani citizens are deprived of access to reliable domestic reporting, while journalists face an impossible choice: exile or imprisonment.

According to international rights groups, there are at least 25 journalists currently imprisoned in Azerbaijan.[36] Baku also holds the highest number of incarcerated media workers in its Council of Europe membership history. Websites of many independent outlets have remained blocked since 2017.[37]

[34] "Azerbaijan: Seven journalists sentenced in latest shocking crackdown on free speech", Amnesty International, 20 June 2025 (https://bit.ly/3LHsBe4).

[35] "8 journalists given lengthy jail terms as Azerbaijan crushes free press", Committee to Protect Journalists, 23 June 2025 (https://bit.ly/48iH6Ob).

[36] Amnesty International, Op. Cit. (see note 34 above).

[37] Maria Xynou and Arzu Geybulla, "00NI measurements show ongoing internet censorship in Azerbaijan", 00NI, 28 February 2023 (https://bit.ly/3K5rh4c).

11. Repression of NGOs and the political opposition

Independent NGOs have long faced systematic restrictions, but the severity and extent of repression have grown in recent months. Although the legal framework does not explicitly ban NGOs or independent associations, it effectively makes their operations impossible. Organisations that try to operate without registration are deemed illegal, and their staff risk criminal prosecution. Meanwhile, foreign organisations encounter complex accreditation requirements and can be expelled at any time. In practice, the law maintains the appearance of legality while ensuring that independent civil society cannot function effectively.

Legal requirements for registration are influenced by political conditions, which means that many NGOs are unable to obtain official status. Foreign funding, vital for most independent groups, is effectively restricted by legislation. Even informal initiatives face harassment, raids, and prosecutions.

In 2014, the Venice Commission of the CoE issued an opinion on Azerbaijan's amended Law on Non-Governmental Organisations, warning that the new restrictions – including burdensome registration requirements, bans on foreign funding, excessive reporting obligations, and harsh penalties – posed serious threats to the freedom of association and the independence of NGOs.[38] The Commission found that the amendments deviated from international human rights standards, granting excessive powers to state authorities at the expense of civil society. It concluded that the amendments diverge from international human rights standards and provide overly broad discretion to state authorities at the expense of civil society.[39] Although consultations and dialogue on the legislation occurred in subsequent years, the restrictive framework remained unchanged and was ultimately utilised as a legal instrument to suppress civil society.

In recent years, many civil society organisations have tried to adapt to restrictive legal frameworks by adopting alternative operational models. Instead of relying solely on grants, some pursued service contracts – usually intended for businesses – in order to circumvent the restrictions. However, these strategies often put organisations under increased scrutiny, leading in several cases to accusations of "illegal entrepreneurship", subsequent sanctions, and, in some instances, direct persecution and criminal charges.

The wave of arrests has significantly chilled civil society, forcing many activists to relocate abroad. Those who stay face ongoing risks of retaliation, which further weakens the sector's capacity, resilience, and ability to carry out its mandate.

Contrary to calls from advocacy groups and international organisations to improve the environment for civil society, on 31 July 2025, the President of Azerbaijan enacted legislation further tightening regulations on NGOs.[40] The new legislation imposes stricter oversight on activities funded by foreign entities, requiring all such contracts to be registered with a designated executive authority. Most importantly, it forbids any banking or financial transactions related to foreign-funded agreements that have not been officially registered.

The overall restrictive legal and political environment also limits the space for opposition activities. Opposition political parties in Azerbaijan face significant legal and practical barriers that almost prevent them from

[38] The Venice Commission's report is available on the website of the Council of Europe (https://bit.ly/43yy3WJ).

[39] *Ibid.*

[40] "Azerbaijan Introduces New Restrictions on NGOs and Foreign Media", Free Voices Collective (https://bit.ly/4i8gVNt).

engaging in meaningful political participation. Under the 2023 Law on Political Parties, registration requirements have become much stricter, including a five-fold increase in required membership and invasive state oversight of party funding and activities. Parties risk suspension or dissolution through courts that lack independence, while many are entirely denied registration.

In practice, opposition groups are excluded from elections, deprived of media access, and subjected to harassment, arrests, and politically motivated prosecutions. As a result, Azerbaijan's political space is dominated by the ruling party, leaving virtually no room for pluralism or genuine opposition.

The case of Ali Karimli, chair of the Popular Front Party, demonstrates the government's tactic of incapacitation through legal and administrative measures. Since 2006, he has been unable to travel internationally as the government administration has refused to issue him a passport. In 2020, the authorities further restricted his access to the Internet and phone, trying to isolate him from both domestic supporters and international partners.[41] These measures fall short of formal imprisonment yet achieve the same effect: silencing dissent and eroding organisational capacity.

Another prominent opposition leader, Tofig Yagublu, has recently been sentenced to nine years in prison on charges of fraud and document forgery.[42] Yagublu, a longstanding government critic, has faced years of repression and has been detained eight times in the past.

[41] "Azerbaijani opposition leader cut off from outside world, president again calls opposition ‚enemies of the people'", JAM news, 15 April 2020 (https://bit.ly/4oIBWAP).

[42] "Azerbaijan: Opposition activist Tofig Yagublu sentenced following sham trial", Amnesty International 10 March 2025 (https://bit.ly/4pB3Rmz).

12. Impact on fundamental freedoms and ECtHR judgement implementation

The crackdown on media, NGOs, and opposition figures has deeply harmed fundamental freedoms in Azerbaijan. Freedom of expression has been nearly eradicated with the closure of independent media outlets. Restrictive laws and harsh enforcement have undermined freedom of association. Freedom of assembly is regularly violated, with public demonstrations often banned or violently dispersed.

These developments are directly at odds with Azerbaijan's obligations as a member of the Council of Europe.

Furthermore, Azerbaijan remains one of the poorest performers in the CoE concerning the implementation of ECtHR judgments. Of the 542 final judgments issued so far, only 192 have been executed, leaving a staggering 343 cases – around 64% – still pending.[43]

The backlog includes particularly serious "leading cases" that address systemic human rights violations. According to the analysis, there are around 47 leading judgments pending, many of which have been outstanding for over eight years on average.

The unimplemented ECtHR judgments encompass a wide range of human rights violations, including ill-treatment and ineffective investigations by law enforcement (*e.g.,* Sardar Jalaloglu), excessive use of police force, arbitrary extraditions, and unlawful detentions (e.g., Farhad Aliyev). The Court has also identified violations of the right to a fair trial (e.g., Ali Insanov, Panah Huseyn, Layijov), as well as cases involving the disbarment of lawyers, restrictions on journalists, and infringements on freedom of assembly and association.

Other notable judgments that have not been executed concern breaches of electoral rights, property rights, and, importantly, politically motivated imprisonments targeting members of civil society, journalists, and opposition politicians.[44]

One of the landmark cases is *Ramazanova and Others v. Azerbaijan*, which concerns the systematic violation of the right to freedom of association under Article 11 of the European Convention on Human Rights, stemming from the Azerbaijani Ministry of Justice's repeated and prolonged delays in registering an NGO founded to support homeless individuals – such delays effectively amounted to a *de facto* refusal of registration.

The ECtHR found that such conduct, including returning applications with vague deficiencies and ignoring statutory deadlines, constituted arbitrary interference with the applicants' associational rights and awarded them compensation. The judgment emphasised the need for clear, time-bound, and enforceable registration procedures to safeguard civil society. Successive reforms have failed to address these deficiencies, and Azerbaijan has yet to fully implement the Court's judgment, which is under enhanced supervision.

[43] "Azerbaijan has failed to implement 64 % of the European Court's judgments", MeydanTV, 28 April 2025 (https://bit.ly/4r6B6zw).
[44] *Ibid.*

13. Political Prisoners and the Case of Akif Gurbanov

The case of Akif Gurbanov illustrates the risks faced by any active citizen in Azerbaijan. A long-standing advocate at the Council of Europe, Gurbanov is a prominent civil society leader who, for more than a decade, has defended democratic principles, supported persecuted activists, and challenged authoritarian practices in his country.

Gurbanov first attracted public attention in 2013 as a member of the Central Election Commission, when he openly opposed and refused to endorse the official results of the presidential elections, citing widespread irregularities. Following this act of defiance, he shifted his focus towards supporting civil society organisations and individuals targeted in the government's 2014 crackdown.

That same year, Gurbanov co-founded the Institute of Democratic Initiatives (IDI), a platform aimed at promoting democratic reform and supporting human rights and media organisations operating in hostile conditions. Despite repeated attempts, the Azerbaijani Ministry of Justice refused to register the organisation, a decision later criticised by the European Court of Human Rights in its 2021 judgment *Abdullayev and Others v. Azerbaijan*, which recognised the refusal as a violation of the right to freedom of association.

Under Gurbanov's leadership, IDI grew into a critical actor within Azerbaijani civil society. Since 2015, the organisation has engaged in strategic litigation before the ECtHR, provided legal assistance to vulnerable communities, and supported the professional development of human rights defenders, journalists, researchers, and youth activists. In 2019, IDI launched a fact-checking initiative and became a member of the International Fact-Checking Network.

Besides his organisational leadership, Gurbanov has been dedicated to developing independent media. He co-founded Toplum TV, a news outlet that offers office space and supports the training of young journalists. In 2023, his civic involvement evolved into political leadership when he co-founded and became the spokesperson for the III Republic Platform, a movement advocating for a democratic political system, fair elections, and a rights-based approach to addressing social, economic, and environmental challenges.

However, his continued activism has made him a prime target. On 6 March 2024, police raided the joint offices of IDI, Toplum TV, and the III Republic Platform. Gurbanov was arrested with the use of physical force and charged with "conspiring to smuggle foreign currency" – charges widely regarded as politically motivated retaliation for his human rights work.

He is currently held in Baku Pre-Trial Detention Centre No.1 in dire conditions, facing threats, harassment, and intimidation. Reports indicate that senior officials have pressured him to cease his criticism of President Aliyev and that he has been threatened with torture. Other detainees connected to IDI and Toplum TV have also been subjected to threats of deteriorating prison conditions should Gurbanov continue his outspoken criticism.

The persecution of Gurbanov also had dire consequences for his family. Gurbanov reported from behind bars that after his arrest, his father's car, his children's computers and phones, and his father's phones were confiscated.

Despite these pressures, Gurbanov continues to deny the charges against him, framing them as retaliation for his relentless defence of democracy and human rights in Azerbaijan. His case has become emblematic of the broader assault on civil society in the country.

In 2024, Gurbanov was shortlisted for the PACE Václav Havel Human Rights Prize. Although he did not ultimately receive the award, the nomination itself served as an essential gesture of international solidarity. It provided him with a much-needed source of recognition while in detention.

14. Women Journalists Behind Bars

Although in the past, Azerbaijan followed an unwritten rule of refraining from detaining female journalists and activists, these times have passed.[45] As of mid-2025, at least nine women journalists remain behind bars or under prosecution on politically motivated charges**.**

The arrests have unfolded mainly in connection with three major cases: the Abzas Media case (beginning in November 2023), the Meydan TV case (from December 2024), and the Toplum TV case (intensified in early 2025). Authorities have relied heavily on accusations of currency smuggling, tax evasion, money laundering, and illegal entrepreneurship – trumped-up charges routinely levelled against independent outlets that receive international support.

These cases follow a strikingly similar pattern: sudden raids, confiscation of equipment, denial of access to lawyers in the first 48 hours, prolonged pretrial detention, and intimidation through threats or physical violence. The common denominator is that all of the targeted outlets – Meydan TV, Abzas Media, and Toplum TV – have published investigative reports on government corruption, human rights abuses, and social injustice.

Among those detained are several editors-in-chief. Aynur Gambarova (known as Elgunesh) of Meydan TV, despite a disability, was roughly arrested and now awaits trial on smuggling charges.[46] Similarly**,** Sevinj Vagifgizi, editor-in-chief of Abzas Media and a recipient of international recognition for her anti-corruption reporting, was sentenced to nine years in prison in June 2024.[47] Both women are recognised leaders in independent journalism whose imprisonment sends a chilling message to younger colleagues.

Others, including Nargiz Absalamova and Elnara Gasimova, both affiliated with Abzas Media, were sentenced in June 2025 to eight years in prison each on multiple fabricated charges.[48] Vagifgizi, Absalamova, and Gasimova have recently managed to write an article from prison that describes poor conditions behind bars and corruption in Azerbaijani jails.[49]

The Meydan TV Case

At least five women journalists from Meydan TV – Aysel Umudova, Aytaj Ahmadova, Khayala Agayeva, Fatima Movlamli, Aynur Gambarova (Elgunesh) and Ulviyya Guliyeva (Ali) – are currently facing trial on charges of currency smuggling. Their arrests on 6 December 2024 marked one of the most significant coordinated actions against a single media outlet in recent years.[50] Denied access to lawyers in the early

[45] However, there were some exceptions, like the arrest of award-winning investigative reporter Khadija Ismayilova in 2014 or rights defender Leyla Yunus in 2015

[46] Aynu Elgunesh's profile is available on the website of Meydan TV (https://bit.ly/480BOXL).

[47] "Azerbaijan: Up to nine years in prison for Sevinj Vagifgizi and her colleagues. RSF condemns outrageous sentencing", Reporters without Borders (https://bit.ly/4peHpiG).

[48] "8 journalists given lengthy jail terms as Azerbaijan crushes free press", Committee to Protect Journalists, 23 June 2025 (https://bit.ly/3X8D1G5).

[49] Arzu Geybullayeva *et.al.*, "How corruption and cruelty define life inside Azerbaijan's prisons", Global Voices, 27 July 2025 (https://bit.ly/48p2Zvd).

[50] "Azerbaijani police arrest the staff of Meydan TV journalists in Baku", Meduza, 6 December 2024 (https://bit.ly/3KdH1SG).

stages of detention, the journalists have since endured repeated extensions of pretrial detention, physical mistreatment in courtrooms, and disregard for their health conditions.

Fatima Movlamli, the youngest at just 24 years, was arrested after publicly anticipating her own detention in a video message.[51] She has reported beatings by prison escort officers and insists that police planted evidence in her apartment. Aytaj Ahmadova was forcibly dragged from a courtroom in June 2025 after her request to marry while in detention was rejected – an incident that highlighted the punitive, degrading treatment often meted out to women journalists.[52]

Her colleague, Ulviyya Guliyeva, arrested in May 2025, was subjected to severe physical abuse, including beatings, hair pulling, and threats of rape while in custody.[53] Reports of head injuries and repeated vomiting raise grave concerns about her access to medical care. Her case epitomises the violence and humiliation female detainees are forced to endure.

The Toplum TV Case

The wave of repression has also extended to Toplum TV**,** with Shahnaz Beylerghizi among those targeted. Beylerghizi, a well-known journalist and mother of two, was arrested in February 2025 on multiple financial crime charges. Although her detention was later modified to house arrest due to severe health conditions, the charges remain active.[54]

The imprisonment and prosecution of these ten women journalists are part of Azerbaijan's broader crackdown on independent media. The use of fabricated financial crime charges, combined with mistreatment in detention and neglect of due process, shows a calculated effort to silence dissent and dismantle independent outlets.

[51] "The Death of Journalism in Azerbaijan", Organised Crime and Corruption Reporting Project (OCCRP), 5 June 2025 (https://bit.ly/44mFG2K).

[52] "Court Denies Detained Journalist Aytac Tapdig's Marriage Request Amid Reports of Mistreatment", Institute for Reporters' Freedom and Safety (IRFS), 25 June 2025 (https://bit.ly/43AnBOA).

[53] Xandie (Alexandra) Kuenning, "Azerbaijani journalist Ulviyya Ali 'threatened with rape' by police in detention", OC Media, 19 May 2025 (https://bit.ly/4oMOTtp).

[54] "Shahnaz Baylargizi Released under House Arrest", Meydan TV, 26 February 2025 (https://bit.ly/4rfl6LO).

15. Conclusion

The current crisis has revealed how Azerbaijan is exploiting divisions within the Council of Europe. While Baku values the prestige of membership, it aims to impose its own rules and weaken the institution from within. By refusing oversight while continuing to benefit from technical cooperation and political status, Azerbaijan has turned selective engagement into a strategy of impunity.

This approach not only damages the CoE's credibility but also sets a dangerous precedent for other member states. Georgia's recent actions towards a similar strategy highlight the real risk of contagion. Governments facing criticism will withdraw from scrutiny while maintaining the privileges of membership. If left unchecked, this practice risks undermining the CoE's authority and weakening its role as the defender of democracy, human rights, and the rule of law.

Azerbaijan's citizens bear the human cost of this institutional paralysis. Political prisoners, independent journalists, human rights defenders, and lawyers are left without protection, while families of detainees face harassment and intimidation. Allowing Azerbaijan to retain the benefits of membership while openly violating its obligations sends a devastating message to them, that their rights are expendable, and that international commitments can be disregarded with impunity.

The CoE must therefore respond with unity and resolve. Any negotiations on Azerbaijan's status must be grounded in a strong collective position, beginning with the immediate release of political prisoners and concrete measures to restore civic space. The institution must also be prepared to activate its existing tools – such as Article 52 inquiries, infringement proceedings, and the joint complementary procedure – if Baku continues to defy its obligations.

Ultimately, the Azerbaijani case is a test of the CoE's integrity. Political expediency cannot override the institution's founding principles. A united, principled response is essential – not only to safeguard the rights of Azerbaijani citizens, but also to preserve the credibility and future of the CoE itself.

16. Recommendations

Secretary General

- Launch an official inquiry under Article 52 of the European Convention on Human Rights, focusing on:
  - The weaponisation of the legal system against civil society and the media.
  - The abuse of criminal law to prosecute human rights defenders, journalists, and media workers
- Engage with the Committee of Ministers and PACE members to develop a common position on the conditions that Azerbaijan must meet before any return to full participation in the Council of Europe

Committee of Ministers

- Introduce an oversight over *the Action Plan* with Azerbaijan that would include proper evaluation and quality check of the activities
- Cease negotiations on extending or adopting a new Action Plan until Azerbaijan demonstrates concrete progress on human rights
- Condition any future funding under Action Plans on clear human rights benchmarks, and adopt a roadmap of engagement based on the Secretary General's Article 52 inquiry findings
- Move the *Ramazanova and Others v. Azerbaijan group of cases* to enhanced supervision and ensure general measures are adopted to implement these judgments fully
- As part of ECtHR judgment implementation on freedom of association, urge Azerbaijan to:
  - Overhaul restrictive NGO legislation and abolish burdensome registration procedures
  - Simplify rules for registering grants, service contracts, and donations by replacing approvals with notification procedures
  - Remove onerous requirements on foreign donors and international NGOs seeking to operate in Azerbaijan

Parliamentary Assembly (PACE)

- Strengthen monitoring of Azerbaijan's obligations, with a focus on undue restrictions on civil society, and include detailed recommendations for legislative and policy reforms
- Set clear benchmarks on freedom of assembly and an enabling environment for civil society before considering reinstating Azerbaijan's credentials at the Assembly
- Ensure that the humanitarian situation of Karabakh Armenians is addressed separately from Azerbaijan's internal human rights crisis

Member States and the European Union

- Condition bilateral and multilateral funding to Azerbaijan on measurable human rights progress, aligned with benchmarks adopted by the Committee of Ministers
- Support the development of a Council of Europe roadmap of engagement with Azerbaijan, based on the outcomes of the Article 52 inquiry
- Increase direct financial support for Azerbaijani civil society and media in exile, and strengthen the protection of human rights for Azerbaijani activists and journalists residing in Europe
- Facilitate legal residency and ensure protection for Azerbaijani civil society actors and journalists applying for residence permits in Europe