



FREEDOM NOW

Azerbaijan: Council of Europe Launches Infringement Proceedings

Freedom Now welcomes today's decision by the Council of Europe's Committee of Ministers [to launch infringement proceedings](#) against Azerbaijan for its continued failure to implement the judgement rendered by the European Court of Human Rights in *Ilgar Mammadov v. Azerbaijan*. This decision marks the first use of this procedure, which was adopted in 2010. The case will now be referred back to the Court to determine whether the Azerbaijan government's non-implementation is a further violation of the European Convention on Human Rights.

"It has been more than three years since the European Court found the imprisonment of Ilgar Mammadov to be a violation of the European Convention, yet he remains imprisoned because of a sentence intended to silence his outspoken criticism of the Azerbaijani government," said Freedom Now Executive Director Maran Turner. "Azerbaijan's continued refusal to implement the European Court's decision is deeply concerning. If the country truly wishes to be part of the European community it must respect the Council and the Court and immediately and unconditionally release Ilgar Mammadov."

Ilgar Mammadov is the leader of the Republican Alternative (REAL) opposition party and an active blogger. Prior to his arrest, he announced his intention to run in the 2013 presidential elections. On January 24, 2013, Mammadov traveled to the Ismayilli region with colleagues to investigate claims of excessive force used by the Azerbaijani government to quell riots. Mammadov wrote about his experience in a blog post, where he placed ultimate responsibility for the unrest on the authorities and contradicted some of the government's official claims. He was arrested on February 3, 2013 and charged with organizing or participating in a breach of public order, resisting arrest, and mass disorder. He was convicted on March 17, 2014 and sentenced to seven years in prison.

In October 2014, the European Court of Human Rights held that Azerbaijan had violated a number of Mammadov's human rights, unanimously concluding that the actual purpose of his detention had been to silence or punish Mammadov for criticizing the government and publishing information it was trying to hide. The Court ordered Azerbaijan to pay compensation to Mammadov. In a subsequent ruling in November 2017, the Court found that Azerbaijan violated Mammadov's right to a fair trial and again ordered compensation to be paid.

Mammadov remains in Prison Number 2 in Baku where he suffers from health problems, including acute spinal pain. In July 2017, he issued a letter from prison criticizing the Azerbaijani government for consistently disregarding the Council of Europe's recommendations.