



Human Rights in Azerbaijan

*The Tragic Fate of Armenian,
Azeri, and French Prisoners*

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Grégor Puppinck, PhD, is the director of ECLJ. In 2016, he was appointed member of the OSCE/ODIHR Expert Group on Freedom of Religion or Belief, whose role is to support OSCE participating States in the implementation of their commitments regarding the right to freedom of religion or belief.

Thibault van den Bossche is in charge of religious freedom advocacy at ECLJ. He holds a Master 2 in International Relations from Lyon 3 University (France) and a Master 2 in Communication and Media from Senghor University in Alexandria (Egypt).

Nicolás Sánchez Girotti holds a law degree and a Master's degree in international relations from CUNEF (Centre attached to the Complutense University of Madrid, Spain). He is a trainee lawyer at ECLJ.

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European Center for Law and Justice

4 Quai Koch
67000 Strasbourg
www.eclj.org
secretariat@eclj.org
ECLJ, 2024.

Cover photo: Ruben Vardanyan, State Minister of Nagorno-Karabakh, during his arrest, September 2023. HANDOUT / AFP. ([Le Figaro.fr](https://www.lefigaro.fr))

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I. Introduction

The ethnic cleansing of the 120,000 Armenians in Nagorno-Karabakh is just one in a long line of human rights violations by Azerbaijan since the country's independence from the USSR. Prison conditions are particularly dramatic, whether for Azeri political prisoners, Armenian prisoners or, since September 2023, prisoners from Nagorno-Karabakh. On October 1st 2024, the European Centre for Law and Justice (ECLJ) joined *Christian Solidarity International* in co-organising a conference on the sidelines of the 57th session of the UN Human Rights Council in Geneva, to plead the cause of the 23 formally identified and confirmed Armenian prisoners arbitrarily detained and tortured in Azerbaijan.¹

Since the signing in 2022 of the Memorandum of Understanding on a Strategic Partnership in the Field of Energy between the European Union and the Republic of Azerbaijan, the Azerbaijani government has engaged in a relentless crackdown on independent media and civil society, including human rights defenders, depriving them of the freedoms of expression, association, assembly and demonstration.² Against this backdrop, ECLJ is outraged that Azerbaijan has been chosen to host COP29, the major international climate summit, from November 11 to 22, 2024. All the more so considering that hydrocarbons account for 90% of the country's exports, provide almost half of government revenue, and account for around a third of GDP, according to the International Energy Agency (IEA). In May 2024, President Aliyev's foreign policy advisor declared that this COP would be "*the COP of peace*"³, a statement that contrasts sharply with the repressive practices known in the country and the threat hanging over Armenia itself.

A. Systematic violation of human rights in Azerbaijan

In 2003, Heydar Aliyev, President of Azerbaijan since 1993, fell seriously ill and handed over to his son, Ilham Aliyev. This transition marked the beginning of a political dynasty, pushing the country into an increasingly authoritarian regime.

1. Changes to the Constitution

In 2009, a constitutional referendum abolished presidential term limits, allowing Ilham Aliyev to remain in power for as long as he wished. In 2016, another constitutional referendum further increased presidential powers (including the power to dissolve parliament), extended the presidential term of office from five to seven years, and created the post of First Vice-President, which has since been held by Ilham Aliyev's wife, Mehriban Alieva.

¹ Christian Solidarity International, "[CSI event at UN highlights Azerbaijan's Armenian hostages](#)," October 2, 2024. Conference video: "[The Fate of Armenian Detainees: A CSI Side Event at the UN Human Rights Council](#)," 1^{er} October 2024.

² Human Rights Watch, "[EU : Raise Human Rights Crisis in Azerbaijan during COP29](#)," November 6, 2024.

³ *Media Connect*, "[An advertising campaign launched at the Bonn Climate Change Conference challenges Azerbaijan to prove its commitment to the "Peace COP" by releasing Armenian political prisoners](#)," June 7, 2024.

2. Repression against the opposition

Opposition repression in Azerbaijan is marked by arbitrary arrests, surveillance of political opponents, bans on public demonstrations and restrictions on freedom of expression. Arrested opposition leaders and activists include Ali Karimli and Bakhtiyar Hajiyev; independent journalists include Ulvi Hasanli, Sevinj Abbasova Vagifgizi and Mehman Huseynov; and outspoken critics of the regime include Gubad Ibadoghlu.⁴

3. Election control

The elections, regularly marked by fraud and manipulation, are considered undemocratic by international observers.⁵ The last two were the presidential elections on February 7, 2024 (originally scheduled for April 2025), in which Aliyev was re-elected with 92% of the vote, and the parliamentary elections on September 1st, 2024 (originally scheduled for November 2024). On January 24, 2024, the Parliamentary Assembly of the Council of Europe (PACE) refused to ratify the accreditations of the Azerbaijani parliamentary delegation, citing the country's failure to meet the commitments it had made since joining the Council of Europe in 2001.⁶ Resolution 2527 (2024) stresses that the PACE "*strongly regrets*" at not having been "*to observe the forthcoming presidential election despite Azerbaijan's obligation to send such an invitation as the country is under the monitoring procedure.*"⁷

4. Nagorno-Karabakh wars and ethnic cleansing of Armenians

The wars for control of Nagorno-Karabakh (April 2016, September-November 2020 and September 2023) offered Ilham Aliyev a unique opportunity to reinforce his popularity and authority, by mobilising nationalist sentiment, tightening control over the media, and justifying a repressive climate in the name of national unity and security. On the Armenian side, 120,000 people have been forced to leave their ancestral homeland, leaving their heritage to the destructive, revisionist mercy of Ilham Aliyev. PACE and the European Parliament speak of "*ethnic cleansing.*"⁸

⁴ Human Rights Watch, "[The Council of Europe Should Address Azerbaijan Rights Crackdown. Parliamentary Assembly should develop criteria for Azerbaijan's readmission.](#)" September 25, 2024.

⁵ OSCE, "[Azerbaijan's elections devoid of real competition amid diminishing respect for fundamental freedoms, but efficiently prepared: international observers.](#)" September 2, 2024.

Norwegian Helsinki Committee, "[Azerbaijan: Snap parliamentary elections staged and flawed.](#)" September 3, 2024.

European Platform for Democratic Elections, "[Statement: Azerbaijan Parliamentary 'elections': No domestic observation possible.](#)" September 20, 2024.

⁶ PACE, "[Challenge, on substantive grounds, of the still unratified credentials of the parliamentary delegation of Azerbaijan.](#)" Resolution 2527 (2024), January 24, 2024, para 2.

⁷ *Id.*, para 6.

⁸ PACE, "[Humanitarian situation in Nagorno-Karabakh.](#)" Resolution 2517 (2023), October 12, 2023, para 13. European Parliament, "[European Parliament resolution of 5 October 2023 on the situation in Nagorno-Karabakh after Azerbaijan's attack and the continuing threats against Armenia.](#)" Resolution 2023/2879(RSP), October 5, 2023, para. D.

B. Azerbaijan's ethnic cleansing of Nagorno-Karabakh Armenians

One year after the fatal aggression of Nagorno-Karabakh by Azerbaijan in September 2023, and the forced exile and ethnic cleansing of 120,000 Armenians, their replacement by Azeris, organised, encouraged and financed by Azerbaijan, is already well underway.⁹ More than a hundred Armenians from Nagorno-Karabakh, 23 of whom are formally identified and therefore personally defended by lawyers, are still imprisoned to this day, in arbitrary, degrading and inhuman conditions of detention.¹⁰

The year was also marked by the systematic and meticulous erasure of the Armenian Christian heritage of Nagorno-Karabakh, a true witness to Armenia's millennia-long history and a common heritage of humanity. The Azeri revisionist steamroller takes many forms: irreversible destruction, degradation (Armenian cupolas modified, Armenian inscriptions erased, crosses removed), reassignment (churches become mosques), reappropriation through outright denial of its Armenian origins.

1. The humanitarian situation of displaced persons

Over 120,000 Armenians have been forced to leave their homes and seek refuge in Armenia. Despite the humanitarian aid provided, Armenia's limited resources make it difficult to meet all needs. As a result, thousands of displaced people are struggling with poverty and facing numerous social and economic challenges. This is why it is of paramount importance that the international community provides active support to Armenia in addressing the humanitarian problems of forcibly displaced people.

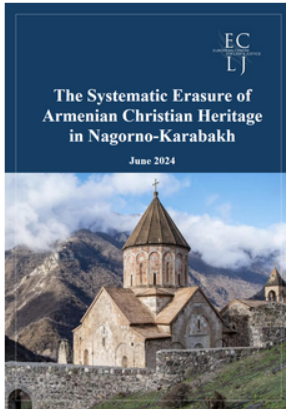
2. Preserving Armenian heritage

Azerbaijan continues its campaign of systematic eradication of traces of the Armenian presence in the region, begun in 2020, destroying monasteries, churches, sacred sites and cemeteries. Armenian properties are being illegally seized and Azeri settlements established in their place, as in the Armenian village of Karin Tak (Dashalti), which came under Azerbaijani control in November 2020, and has since been completely razed to the ground. ECLJ published a report on the issue in June 2024:¹¹

⁹ *France Info*, "[How Azerbaijan is conducting a resettlement campaign in Nagorno-Karabakh](#)," September 20, 2024.

¹⁰ Christian Solidarity International, "[Azerbaijan is holding Armenians hostage](#)," accessed October 21, 2024.

¹¹ ECLJ, "[The systematic erasure of Armenian Christian heritage in Nagorno-Karabakh](#)," June 2024.



Nagorno-Karabakh, located in what is now southwestern Azerbaijan, hosts a rich treasure trove of Armenian Christian heritage that tells of the faith and culture of the Armenian people. These cherished pieces of Armenian history, however, are being systematically erased from the region. This report seeks to bring attention to the malicious destruction and revisionism of Armenian Christian heritage, evaluate the international response to date, and provide recommendations to combat the cultural erasure occurring in Nagorno-Karabakh.

Download Our Report.

3. The right to free and safe return

Every displaced person in Nagorno-Karabakh wants to return, as Gegham Stepanyan, Nagorno-Karabakh's human rights ombudsman, asserts. This fundamental right to return, "*safely, freely and promptly*", was affirmed by the order of the United Nations International Court of Justice on November 17, 2023.¹² This collective, safe and dignified return must be unconditionally linked to the right to self-determination.

4. Arbitrary detention of Armenian civilians and prisoners of war

The illegal and brutal detention of Armenian civilians and prisoners of war does not date back to September 2023, or even to the 2020 war. Azerbaijan is regularly challenged by the European Court of Human Rights on this issue. Bagrat Katryan, an elderly resident of Nagorno-Karabakh, was abducted by the Azerbaijani authorities in full view of the International Committee of the Red Cross. Civilians David Dsan and Gor Suan were kidnapped while delivering humanitarian aid to Nagorno-Karabakh. The number of Armenians taken prisoner during the fall of Nagorno-Karabakh in September 2023 is listed by name as 23, but in reality, there are more than a hundred.

II. Torture and other cruel, inhuman or degrading treatment or punishment in Azerbaijani prisons

Inhumane treatment in Azerbaijani prisons is regularly denounced by human rights organisations and international institutions. Cases of torture, ill-treatment and deprivation

¹² International Court of Justice, "[Application of the International Convention on the Elimination of All Forms of Racial Discrimination \(Armenia v. Azerbaijan\)](#)," Order of November 17, 2023.

of medical care are often reported, particularly against political prisoners, human rights activists and journalists.

A. Azerbaijan violates its own human rights commitments

Azerbaijan is in serious breach of several of the rights and freedoms enshrined in the European Convention on Human Rights,¹³ which it ratified in 2002, following its accession to the Council of Europe in 2001. Among the rights repeatedly violated are the right to life (article 2), the prohibition of torture and inhuman or degrading treatment (article 3), and the right to liberty and security (article 5). Over the years, the European Court of Human Rights (ECHR) has handed down numerous judgments condemning Azerbaijan, particularly with regard to the treatment of Armenians and political dissidents.

On July 3, 2024, the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) took the "*exceptional decision*" to make a public statement concerning Azerbaijan under Article 10 (2) of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment,¹⁴ citing the government's "*outright refusal*" to cooperate with the Committee.¹⁵

The CPT has carried out 13 visits to Azerbaijan since 2002, and has consistently expressed its deep concern about a number of issues relating to the treatment of persons detained by law enforcement agencies, in particular those under the authority of the Ministry of the Interior. The CPT's reports are particularly damning. In a 2018 report, the CPT noted numerous allegations of severe ill-treatment of detainees in Azerbaijan. Such ill-treatment, which includes torture such as truncheon blows to the soles of the feet and electric shocks, appears to follow a systematic pattern across the country, aimed at extracting confessions or reinforcing charges.¹⁶

Azerbaijan is also bound by the International Covenant on Civil and Political Rights (ICCPR),¹⁷ which it ratified in 1992. The country has regularly violated its commitments, such as the right to life (article 6), the prohibition of torture (article 7) and the right to liberty and security of person (article 9). These violations concern not only Armenian prisoners, but also Azerbaijani citizens critical of the government, as well as foreigners like Théo Clerc.

¹³ [European Convention on Human Rights \(1950\)](#).

¹⁴ [European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment \(1987\)](#).

¹⁵ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), "[Council of Europe anti-torture Committee \(CPT\) issues public statement on Azerbaijan](#)," July 3, 2024.

¹⁶ CPT, "[Report to the Azerbaijani Government on the visit to Azerbaijan carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment \(CPT\) from 23 to 30 October 2017](#)" July 18, 2018, para 20.

¹⁷ [International Covenant on Civil and Political Rights \(1966\)](#).

On April 24, 2024, the UN Committee against Torture examined the report submitted by Azerbaijan¹⁸ under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,¹⁹ which it ratified in 1996. The Committee's expert "*many reports of abuses against Armenian prisoners of war. There was video footage of Armenian prisoners of war being kicked and hit, including with sharp metal rods. One horrifying video showed an Azerbaijani soldier decapitating a struggling Armenian man, with the assembled crowd clapping and cheering*", while Samir Sharifov, Deputy Minister for Foreign Affairs of the Republic of Azerbaijan, cynically declared that "*during the last five years, the Government of Azerbaijan had undertaken new reforms, enacted new programmes, and made amendments to the national legislation for the further promotion and protection of human rights and fundamental freedoms. Due to the Second Garabakh War of 2020 and anti-terror measures of 2023, which made it possible to restore Azerbaijan's territorial integrity and full sovereignty, the Government was now able to implement the provisions of the Convention over the whole territory of the State, unlike in the past.*"²⁰

In its concluding observations, the Committee states:

"alarmed by widespread and persistent reports of the routine use of torture and ill-treatment in the State party, most notably by members of the State Security Service and by personnel of the Main Department for Combating Organized Crime of the Ministry of Internal Affairs",

"concerned that human rights defenders and journalists continue to face both physical and judicial harassment and, in some cases, are subjected to torture and ill-treatment",

"deeply concerned by reports of severe and grave violations of international humanitarian law and human rights law committed by Azerbaijani military forces against prisoners of war and other protected persons of Armenian ethnic or national origin",

*"concerned about the effect that discriminatory statements made by high-level officials and disseminated in both online and offline media may have in creating an environment that greatly increases the likelihood of the commission of violence against persons of Armenian national or ethnic origin and other minority groups."*²¹

Moreover, Azerbaijan's actions during and after the armed conflicts against Armenia also violate international humanitarian law, in particular two of the four Geneva Conventions, to which it acceded in 1993.²² Violations of Conventions III and IV governing the treatment

¹⁸ Committee against Torture, [Fifth periodic report submitted by Azerbaijan under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2019 \(CAT/C/AZE/5\)](#), [Date received: 8 January 2020], 18 May 2020.

¹⁹ [Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment \(1984\)](#).

²⁰ OHCHR, "[Azerbaijan's review at the Committee against Torture: allegations associated with the Nagorno-Karabakh conflict and issues relating to conditions of detention and procedural safeguards are at the heart of the dialogue](#)," April 24, 2024.

²¹ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, [Concluding observations on the fifth periodic report of Azerbaijan \(CAT/C/AZE/CO/5\)](#), adopted May 6, 2024, distributed June 5, 2024, paras 16, 20, 22 and 24.

²² International Committee of the Red Cross, [The Geneva Conventions \(1949\)](#).

of prisoners of war and civilians in times of conflict have been flagrant in documented cases of mistreatment of Armenian captives. The reports show that Azerbaijan has not respected the fundamental rights of prisoners, nor the protections provided by the international conventions to which it has subscribed.²³

B. Prisoners of Nagorno-Karabakh and prisoners of Armenia

1. Ruben Vardanyan: an emblematic example of the prisoners of Nagorno-Karabakh

During its attacks on Armenians in Nagorno-Karabakh in 2020 and 2023, Azerbaijan kidnapped a number of Armenian soldiers, civilians and political leaders. Among the 23 prisoners are various political figures associated with the Autonomous Republic of Artsakh (the Armenian name for Nagorno-Karabakh), such as three former presidents; Arayik Harutyunyan, Bako Sahakyan and Arkadi Ghukasyan, as well as former ministers, such as Ruben Vardanyan (Minister of State), David Babayan (Foreign Affairs), Levon Mnatsakanyan (Defense) and Davit Manukyan (Defense). By arresting the Artsakh Republic's ruling elite, Azerbaijan has left the territory's population leaderless and in total disarray in the face of its advance. This situation has exacerbated the humanitarian crisis in the region, leaving the Armenian population vulnerable and without political protection.

The arrest of Ruben Vardanyan, former Minister of State of Artsakh and Armenian philanthropist, nominated for the 2024 Nobel Peace Prize for his charitable and humanitarian activities,²⁴ is representative of the repression directed against Armenian figures following Azerbaijan's takeover of Nagorno-Karabakh. Vardanyan, captured while attempting to flee to Armenia in September 2023, was remanded in custody. On June 14, 2024, his lawyer filed an urgent appeal with the UN Special Rapporteur on Torture, alleging torture and degrading treatment such as being forbidden to sleep, drink water or sit down.²⁵ This case illustrates the use of torture as a tool of repression against Armenian prisoners, who face an environment marked by anti-Armenian hatred and racism.²⁶

2. Prisoners of Armenia

A 2021 *ad hoc* report by the Human Rights Defender of the Republic of Armenia highlighted the atrocities suffered by Armenian prisoners of war. They are regularly beaten, humiliated and deprived of adequate medical care. Conditions of detention are worrying, they "*were kept handcuffed and were not allowed to lay down or stand up and were forced*

²³ Human Rights Defender of the Republic of Armenia, "[Ad Hoc Public Report. Responsibility of Azerbaijan for torture and inhuman treatment of Armenian captives: Evidence-based analysis \(The 2020 Nagorno-Karabakh War\)](#)", September 2021, para 98.

²⁴ Public Radio of Armenia, "[Ruben Vardanyan nominated for Nobel Peace Prize](#)," April 8, 2024.

²⁵ *Le Figaro*, "[Nagorno-Karabakh: Relatives of political prisoner Ruben Vardanyan file a complaint with the UN for 'torture' in Azerbaijan](#)," June 15, 2024.

²⁶ Council of Europe, European Commission against Racism and Intolerance (ECRI), [Report on Azerbaijan](#), adopted March 29, 2023, published June 21, 2023, para 57.

to stand or stay sitting for days on end. Meanwhile, they had empty beds next to them."²⁷ The separation of civilian and military prisoners is often ignored, which is another violation of international law.²⁸

Several ECHR rulings have condemned Azerbaijan for its treatment of Armenian civilian prisoners. Armenian civilians living on the border with Azerbaijan sometimes inadvertently cross it in search of firewood or mushrooms, losing their bearings in the darkness or fog. They are then arrested by Azeri forces, and accused of sabotage or terrorism through press releases. No criminal investigation is carried out into the conditions of their arrest or detention. Some die as a result of their torture, either in prison or after their release,²⁹ if they do not suffer lifelong mental and physical trauma.³⁰ One Armenian prisoner was decapitated and his body returned in an advanced state of decomposition,³¹ while another was found dead, hanged in his cell.

In the latter case, the Court found that *"Mr. Saribekyan - who was detained in good health and died while under the exclusive control of the Azerbaijani authorities - died as a result of acts of violence perpetrated by others, in particular by the staff of the Baku Military Police Department where he was detained. In view of the injuries sustained by Mr. Saribekyan prior to his death, as described in the Armenian forensic report, supported by photographic evidence, and the information made available to the Court concerning the configuration of his cell, the version according to which he hanged himself cannot be accepted"* and that *"the responsibility of the Respondent State for this death is engaged."*³²

These examples show a recurring tendency on the part of the Azerbaijani authorities to use the detention of prisoners of war and Armenian civilians as a tool of repression and intimidation, in clear violation of international conventions.

C. Azerbaijani political prisoners

1. Gubad Ibadoghlu: government critic under pressure

The arrest of Gubad Ibadoghlu, an economist critical of the government, reveals the way Azerbaijan treats its internal dissidents. Ibadoghlu, arrested in July 2023 on trumped-up charges, saw his health seriously deteriorate in prison, despite the intervention of the ECHR, which ordered urgent measures to protect his health. The ECHR's decision followed a request for interim measures, under Article 39 of the Court's Rules, submitted by the *European Human Rights Advocacy Center* (EHRAC) and lawyer Zibeyde Sadigova, highlighting the dramatic worsening of Ibadoghlu's state of health, due to the deprivation of proper medical care for his numerous chronic ailments.³³

²⁷ *Human Rights Defender of the Republic of Armenia*, para 31.

²⁸ *Id.* para. 30.

²⁹ ECHR, *Khojuyan and Vardazaryan v. Azerbaijan*, n° 62161/14, November 4, 2021.

³⁰ ECHR, *Badalyan v. Azerbaijan*, n° 51295/11, July 22, 2021.

³¹ ECHR, *Petrosyan v. Azerbaijan*, n°32427/16, November 4, 2021.

³² ECHR, *Saribekyan and Balyan v. Azerbaijan*, no. 35746/11, January 30, 2020, paras 69-70.

³³ *European Human Rights Advocacy Center*, "[European Court orders Azerbaijan to provide detained economist with medical assistance, in latest case regarding care of political prisoners](#)," January 31, 2024.

The conditions of Gubad Ibadoghlu's detention demonstrate the systematic repression of those who dare to criticise the regime. His case is part of a series of arrests targeting intellectuals, activists and journalists critical of the government. In September 2023, the European Parliament adopted a resolution calling for Ibadoghlu's immediate release, denouncing the inhumane treatment he was receiving in prison.³⁴ Although he was released in April 2024, he has now been placed under house arrest. The September 2023 resolution was reinforced in April 2024³⁵ and October 2024,³⁶ when the European Parliament once again called for all charges against Ibadoghlu to be dropped and for the travel ban imposed on him to be lifted. The European Parliament also mentioned that civil society organisations count nearly 300 political prisoners currently in Azerbaijan, and that the 2024 Freedom House Index ranks Azerbaijan among the least free countries in the world, behind Russia and Belarus.³⁷

2. Cases of Anar Mammadli and Mahammad Mirzali

Another notable example is Anar Mammadli, a human rights defender arrested in April 2024. This is not the first time Mammadli has been imprisoned for political reasons. Back in 2014, he was sentenced to five-and-a-half years in prison on trumped-up charges of tax evasion, illegal entrepreneurship and abuse of power, charges that many saw as a response to his activism. At the time, *Amnesty International* recognised him as a prisoner of conscience. The European Court of Human Rights subsequently ruled that his arrest in 2013 constituted a violation of his right to liberty and security (article 5§1), the right to have the lawfulness of his detention promptly determined by a court (article 5§4) and a restriction of his rights (article 18). However, the Azerbaijani authorities failed to comply with this judgment.³⁸

In April 2024, Mammadli faced new charges, this time for conspiracy to smuggle money into the country, and faced up to eight years in prison. The charges against him are widely seen as an act of retaliation for his activism and criticism of the government, illustrating the use of economic charges as a tool of political repression.³⁹ On September 18, 2024, Anar Mammadli's support team sent a letter to the new Secretary General of the Council of Europe, co-signed by 16 NGOs, denouncing and informing him of the escalation of repression in Azerbaijan, since January 2024, due to this year's new elections.⁴⁰

³⁴ European Parliament, "[The case of Gubad Ibadoghlu, imprisoned in Azerbaijan](#)," Resolution 2023/2832(RSP), September 14, 2023.

³⁵ European Parliament, "[On Azerbaijan, notably the repression of civil society and the case of Dr Gubad Ibadoghlu and Ilhamiz Guliyev](#)," Resolution 2024/2698(RSP), April 25, 2024.

³⁶ European Parliament, "[Situation in Azerbaijan, violation of human rights and international law and relations with Armenia](#)," Resolution 2024/2890(RSP), October 24, 2024.

³⁷ *Id.*, paras B and N.

³⁸ ECHR, *Mammadli v. Azerbaijan*, no. 47145/14, April 19, 2018, paras 66, 76 and 105.

³⁹ *Amnesty International*, "[Azerbaijan: Human Rights defender detained: Anar Mammadli](#)", May 16, 2024.

⁴⁰ *International Federation for Human Rights*, "[Azerbaijan: Unprecedented repression since January 2024](#)", joint letter to the Secretary General of the Council of Europe, September 18, 2024.

Azerbaijan also has a long tradition of repression of journalists. According to the Council of Europe's Platform for the Safety of Journalists, the country currently holds at least 23 journalists, often imprisoned for exposing government corruption or abuse.⁴¹

Moreover, persecution of Azerbaijani dissidents often extends beyond the country's borders, revealing the extent of control and intimidation exercised by the Aliyev regime. The case of Mahammad Mirzali, an Azerbaijani blogger who has taken refuge in France, is particularly representative of this extraterritorial repression. The latter, who has been in exile for several years, has been the target of five violent attacks, ranging from physical assaults to assassination attempts orchestrated by actors linked, directly or indirectly, to the Azerbaijani regime. In March 2021, for example, Mirzali was stabbed 16 times in Nantes, in an attack he claims was aimed at silencing him. Despite these attempts, he continues to openly criticize President Ilham Aliyev and his government, through his blog and social networks.⁴² Another Azeri political refugee, Vidadi Isgandarli, suffered a far worse fate, as he was attacked in his apartment in Mulhouse, France, on September 29, 2024, and succumbed to his injuries in hospital two days later. Vidadi Isgandarli had applied for international protection from France in 2015 after facing persecution in his native country.⁴³

III. Azerbaijan retaliates against France

Foreign citizens outside Armenia are not immune to the abuses of the Azerbaijani judicial system. Three French nationals are currently being arbitrarily detained in Baku, where French President Emmanuel Macron and French Minister Agnès Pannier-Runacher have cancelled their trip to COP29 amid the height of diplomatic tensions.⁴⁴

In September 2024, French citizen Théo Clerc was sentenced to three years in prison for graffiti in the Baku metro. This disproportionate sentence was denounced by the French government as arbitrary and discriminatory, especially as his foreign co-defendants, of Australian and New Zealand nationality, received only symbolic fines.⁴⁵ He is now awaiting trial on appeal, scheduled for November 25, 2024, three days after COP29. The French government has expressed deep concern about Clerc's conditions of detention, pointing out that he has not received a fair trial, and has repeatedly called for his immediate release.

What's more, Anass Derraz, Middle East Director of water industrialist Saur, was arrested in July 2024 while on a trip to Baku. Since then, this man, whom some media outlets present as a former associate of Alexandre Benalla, has been under house arrest in Baku. The third

⁴¹ *Safety of Journalists Platform*, "[Azerbaijan: Journalists and other media actors currently in detention](#)" (last seen October 21, 2024).

⁴² *Le Figaro*, "[Life in the shadow of Mahammad Mirzali, the most threatened Azerbaijani refugee in France](#)," January 31, 2023.

⁴³ *Amnesty International*, "[France/Azerbaijan. The murder of an opponent of President Aliyev highlights the failures of protection for exiled activists](#)," October 2, 2024.

⁴⁴ *Le Figaro*, "[The 'spy,' the graffiti artist, and the leader of Saur: these three French nationals facing justice in Azerbaijan](#)," November 16, 2024.

⁴⁵ Ministry of Europe and Foreign Affairs, "[Azerbaijan - Situation of Théo Clerc](#)," September 12, 2024.

national detained by the Azeri authorities is accused of "*espionage*". On December 4, 2023, Martin Ryan, a French businessman living in Baku, was arrested by Azerbaijan's security services (DTX). The Azeri embassy in Paris confirmed that he was "*suspected of having committed acts of espionage*", based on telephone exchanges with DGSE agents. Three weeks after Martin Ryan's arrest, Baku announced the expulsion of two French diplomats.⁴⁶

The Azerbaijani authorities use the judicial system as diplomatic leverage against France, reproaching it for its support for Armenia.⁴⁷ This support, criticized by Baku in the context of the Nagorno-Karabakh conflict, has strained diplomatic relations. Some observers believe that Théo Clerc's conviction could be seen as an act of retaliation against France.⁴⁸ Moreover, since the creation of a Baku Initiative Group (BIG) in July 2023, Azerbaijan has openly targeted France's overseas territories, considering them to be still under France's "*colonial rule*" and supporting their independence.⁴⁹

La Croix's special correspondent, Thomas Guichard, was refused entry to the country on arrival at Baku airport in January 2024 on the pretext of a "*technical problem with the chip in his passport*", according to explanations provided by Thomas Hofnung, the newspaper's international section manager. However, Mr. Hofnung considered this reason to be "*totally fallacious*", pointing out that the journalist had indeed obtained a visa and that his documents were in order.⁵⁰

The repetition of these cases led the Quai d'Orsay, in early September 2024, to advise its nationals against traveling to the country, "*except for imperative reasons*", due to a "*risk of arrest, arbitrary detention and unfair trial*."⁵¹ Relations between Azerbaijan and France have virtually broken down, and it is likely that Azerbaijan will continue to act in this way, at least until France ceases to support Armenia. A country like Azerbaijan, a member of international organisations such as the Council of Europe, which acts in this way towards foreign nationals and journalists, attempting to censor and limit any criticism of the management of the Aliyev government, should be of concern to the international community.

⁴⁶ *Le Figaro*, "[Paris deplores the extended detention of a French national in Azerbaijan](#)," April 5, 2024.

⁴⁷ *RFI*, "[Nagorno-Karabakh: Accusing France of being pro-Armenian, Azerbaijan targets its colonial past](#)," January 19, 2024.

⁴⁸ *La Croix*, "[Azerbaijan: A Frenchman sentenced to three years in prison for graffiti](#)," September 12, 2024.

⁴⁹ *France Info*, "[Azerbaijan: At COP29 in Baku, President Ilham Aliyev criticizes Emmanuel Macron's policy in the French overseas territories](#)," November 13, 2024.

France Info, "[We explain the origins of the diplomatic tensions between France and Azerbaijan during COP29](#)," November 14, 2024.

⁵⁰ *Arab News*, "[The special envoy of a French newspaper barred from entering Azerbaijan](#)," January 21, 2024.

⁵¹ French Ministry of Europe and Foreign Affairs, "[Risques d'arrestation, de détention arbitraire et de jugement inéquitable en Azerbaïdjan](#)," September 4, 2024.

IV. The scandal of COP29 in Azerbaijan and the silence of the European Union, bound by Azeri gas

ECLJ condemns the organization of COP29 in Azerbaijan. Indeed, choosing a country with a dramatic and alarming human rights record and a dependence on fossil fuels as host of the world climate conference is in contradiction with the fundamental values this meeting is supposed to promote. Freedom of expression, an essential pillar of the COP, is severely restricted in Azerbaijan. Local human rights activists and environmentalists are suffering intensified reprisals or restrictions on their activities.⁵² This was all the more predictable given that repression against civil society had already taken place on the occasion of other high-profile international events organized by Azerbaijan, including Eurovision in 2012 and the European Games in 2015.⁵³ Finally, to travel to COP29 in Azerbaijan is to overlook its responsibility for the ethnic cleansing of 120,000 Armenians from Nagorno-Karabakh, and the territorial tensions still running high with Armenia.

German Chancellor Olaf Scholz, French President Emmanuel Macron, Russian President Vladimir Putin, Canadian Prime Minister Justin Trudeau and US President Joe Biden are among the leaders who have cancelled their trips to the Azerbaijani capital. The President of the European Commission, Ursula von der Leyen, is not taking part in the summit, without condemning Azerbaijan,⁵⁴ which she had described as a "*reliable partner*" in July 2022, as part of an agreement with Azerbaijan to double European gas imports⁵⁵ "*in a few years.*" It is represented by the President of the European Council, Charles Michel, who "*congratulated President Aliyev on the organisation of COP29*" in a warm handshake.⁵⁶

By turning a blind eye, the European Union gives priority to energy and geopolitical interests at the expense of the defense of fundamental rights, even though these are part of the "Partnership Priorities" with Azerbaijan, within the framework of the Eastern Partnership.⁵⁷ This tacit complicity compromises EU values and reinforces impunity for abuses in Azerbaijan. Against this backdrop, the European Parliament was right to state that "*Azerbaijan's ongoing human rights abuses are incompatible with its hosting of COP29.*"⁵⁸

The European Parliament calls for the suspension of the 2022 gas agreement, and for an end to the EU's dependence on gas exports from Azerbaijan. It also calls for sanctions against Azerbaijani officials who have committed serious human rights violations. Finally,

⁵² RFI, "[COP29: Climate defenders increasingly repressed in Azerbaijan and around the world](#)," November 11, 2024.

⁵³ Amnesty International, "[COP29. States must pressure Azerbaijani authorities to halt offensive against civil society](#)," October 8, 2024.

⁵⁴ Euronews, "[European Commission President Von der Leyen won't go to COP29 in Baku, like Putin and Macron](#)," November 5, 2024.

⁵⁵ Marianne, "[Azerbaijani gas: Ursula von der Leyen, the awkward guest at Macron's camp kickoff in Bordeaux](#)," October 7, 2023.

⁵⁶ Journal du Dimanche, "['Insult to the Armenian people', 'serious mistake': the handshake between the President of the European Council and the leader of Azerbaijan shocks part of the political class](#)," November 12, 2024.

⁵⁷ ECLJ, "[EU-Azerbaijan relations: for better and for gas](#)," November 2023.

⁵⁸ European Parliament, "[On the situation in Azerbaijan, violation of human rights and international law, and relations with Armenia](#)," Resolution 2024/2890(RSP), October 24, 2024, paras 4.

it "Insists that any future partnership agreement between the EU and Azerbaijan be made conditional on the release of all political prisoners, the implementation of legal reforms and the overall improvement of the human rights situation in the country, as well as on Azerbaijan demonstrating its genuine readiness to faithfully engage in the negotiation of a peace agreement with Armenia and to respect the rights of Nagorno-Karabakh Armenians."⁵⁹

In response, Ilham Aliyev opened COP29 with scathing criticism of Western countries, accusing them of buying Azeri gas while criticizing the country's fossil fuel-dependent economy.⁶⁰ Ilham Aliev also attacked the Council of Europe, which he threatened to leave after being pinpointed for breaches of fundamental freedoms and suspended from the Parliamentary Assembly of the Council of Europe in January 2024.⁶¹ According to the Azeri president, "*the European Parliament and the Council of Europe, these two institutions that have become symbols of political corruption, share responsibility with President Macron's government for the murder of innocent people*", referring to the 13 people killed during Kanak protests in New Caledonia.⁶² In terms of corruption, however, it is indeed Azerbaijan that is infamous for its caviar diplomacy, which has enabled it to buy political support in the various European institutions.⁶³

V. Recommendations

- **Demand the immediate release of** all Armenian prisoners, including prisoners of war and political leaders from Nagorno-Karabakh.
- **Demand improved conditions of detention** in Azerbaijani prisons, in line with international standards.
- **Provide international transparency and humanitarian support:** Give unrestricted access to international observers, including representatives of the UN Committee against Torture, the Council of Europe's Anti-Torture Committee and the International Committee of the Red Cross.
- **Demand application of the decisions and recommendations of the European Court of Human Rights, the Council of Europe and various UN bodies.**
- Condemn the holding of **COP29** in Azerbaijan because of the flagrant and constant violation of human rights in this country .
- **Targeted sanctions:** Impose sanctions against those responsible for detaining prisoners when human rights violations are proven.

⁵⁹ European Parliament, "[Situation in Azerbaijan, violation of human rights and international law, and relations with Armenia](#)," Resolution 2024/2890(RSP), October 24, 2024, para 9.

⁶⁰ *Euronews*, "[Ilham Aliyev criticises the West at the opening of COP29](#)," November 12, 2024.

⁶¹ ECLJ, "[Azerbaijan excluded from the Parliamentary Asszmbly of the Council of Europe](#)," February 2024.

⁶² *Europe 1*, "[At COP29 in Baku, Aliyev denounces the "Macron regime" in the French overseas territories](#)," November 13, 2024.

⁶³ ECLJ, "[Azerbaijan's Aggression in Nagorno-Karabakh: Going Beyond Declarations](#)," October 2023.