



Azerbaijan

Ratified the European Convention on Human Rights in 2002

National Judge: Khanlar Hajiyev

[Judges' CVs](#) are available on the ECHR Internet site

The Court dealt with 153 applications concerning Azerbaijan in 2015, of which 123 were declared inadmissible or struck out. It delivered 19 judgments (concerning 30 applications), which found at least one violation of the European Convention on Human Rights.

Applications processed in	2013	2014	2015
Applications allocated to a judicial formation	323	402	268
Communicated to the Government	115	117	106
Applications decided:	297	256	153
- Declared inadmissible or struck out (Single Judge)	258	204	93
- Declared inadmissible or struck out (Committee)	22	35	27
- Declared inadmissible or struck out (Chamber)	4	6	3
- Decided by judgment	13	11	30
Interim measures:	3	5	3
- Granted	2	1	0
- Refused (including out of scope)	1	4	3

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#)

Applications pending before the court on 01/01/2016	
Total pending Applications*	1526
Applications pending before a judicial formation:	1516
Single Judge	7
Committee (3 Judges)	70
Chamber (7 Judges)	1438
Grand Chamber (17 Judges)	1**

* including applications for which completed application forms have not been received

** It concerns the Grand Chamber case *Sargsyan v. Azerbaijan* in which the Court has reserved the examination of the just satisfaction at a later date.

Azerbaijan and ...

Its contribution to the Court's budget

For 2016 the Court's budget amounts to approximately 71 million euros. That budget is financed by contributions from the 47 member States of the Council of Europe in accordance with scales based on population and GDP; the 2016 contribution of Azerbaijan to the Council of Europe's (EUR 326 million) budget is **EUR 1,277,189**.

The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **679**

Registry staff members, of whom **10** are

Azerbaijani.

Noteworthy cases, judgments delivered

Grand Chamber

[Sargsyan v. Azerbaijan](#)

16.06.2015

The case concerned an Armenian refugee's complaint that, after having been forced to flee from his home in the Shahumyan region of Azerbaijan in 1992 during the Armenian-Azerbaijani conflict over Nagorno-Karabakh, he had since been denied the right to return to his village and to have access to and use his property there.

[Continuing violation of Article 1 of Protocol No. 1 \(protection of property\)](#)

[Continuing violation of Article 8 \(right to respect for private and family life\)](#)

[Continuing violation of Article 13 \(right to an effective remedy\)](#)

In Mr Sargsyan's case, the Court confirmed that, although the village from which he had to flee was located in a disputed area, Azerbaijan had jurisdiction over it.

It was the first case in which the Court had to decide on a complaint against a State which had lost control over part of its territory as a result of war and occupation, but which at the same time was alleged to be responsible for refusing a displaced person access to property in an area remaining under its control.

There are currently more than one thousand similar individual applications pending before the Court.

Chamber

Right to life cases (Article 2)

[Mikayil Mammadov v. Azerbaijan](#)

17.12.2009

Suicide committed by the applicant's wife allegedly in plain view of several State agents in the course of a police operation in the context of forced eviction

[No violation of Article 2](#)

[Violation of Article 2 \(investigation\)](#)

Cases dealing with inhuman or degrading treatment (Article 3)

Violations of Article 3

[Emin Huseynov v. Azerbaijan](#)

07.05.2015

Police's treatment of a journalist who was arrested at a café in Baku during a private party to celebrate Che Guevara's birthday, and who had to be admitted to intensive care in a hospital following his release from police custody.

[The Court found in particular that Mr Huseynov had been ill-treated during his arrest and whilst in police detention and that there had been no effective investigation in this respect. It further found that he had been unlawfully deprived of his liberty and that the police intervention had amounted to an unlawful interference with his freedom of assembly.](#)

[Rizvanov v. Azerbaijan](#)

17.04.2012

The applicant, a former journalist, complained that a police officer had hit him with a truncheon in November 2005 while he was covering a demonstration in Baku held by a group of opposition political parties, and that no effective investigation had been carried out into the incident.

[Garayev v. Azerbaijan](#)

10.06.2010

The Court found that Azerbaijan would violate the Convention if it extradited the applicant to Uzbekistan, and that the applicant had been detained unlawfully pending extradition

[Muradova v. Azerbaijan](#)

02.04.2009

Excessive force used by riot police during a political demonstration.

[Hummatov v. Azerbaijan](#)

29.11.2007

Lack of adequate medical treatment in prison and lack of public character of appeal hearings in a high security prison

[Mammadov \(Jalaloglu\) v. Azerbaijan](#)

11.01.2007

Torture in police custody and lack of effective investigation

Cases dealing with liberty and security (Article 5)

Violations of Article 5

[Ilgar Mammadov v. Azerbaijan](#)

22.05.2014

Arrest and detention pending trial of an opposition politician and blogger following his reports on street protests in the town of Ismayilli in January 2013.

[Muradverdiyev v. Azerbaijan](#)

[Farhad Aliyev v. Azerbaijan](#)

09.11.2010

The applications were brought by former high-profile government officials and businessmen who complained that they had been arrested, detained for longer than authorised by domestic law before being brought before a judge, and accused of planning a coup d'état before the parliamentary elections of 2005.

Cases concerning Article 6

Right to a fair hearing/trial

Violations of Article 6

[Sakit Zahidov v. Azerbaijan](#)

12.11.2015

The case concerned Mr Zahidov's allegation that he had been convicted of a drugs offence on the basis of planted evidence.

[Huseyn and Others v. Azerbaijan](#)

26.07.2011

Complaints by four opposition activists about the unfairness of criminal proceedings brought against them for their role in clashes between demonstrators after the presidential elections of 15 October 2003.

[Rahmanova v. Azerbaijan](#)

10.07.2008

Breach of the principle of legal certainty by way of quashing of a final judgment by the Plenum of the Supreme Court under a procedure of "additional cassation".

[Abbasov v. Azerbaijan](#)

17.01.2008

Cassation hearing held in the absence of the applicant and his lawyer.

Freedom of expression cases (Article 10)

Violations of Article 10

[Fatullayev v. Azerbaijan](#)

22.04.2010

Journalist criminally convicted in unfair trials for several of his published statements.

[Mahmudov and Agazade v. Azerbaijan](#)

18.12.2008

Conviction of journalists for publishing a defamatory article and imposition of a disproportionate penalty (prison sentence).

Cases concerning freedom of assembly and association (Article 11)

Violations of Article 11

[Tebieti Mühafize Cemiyeti and Israfilov v. Azerbaijan](#)

08.10.2009

Dissolution of a public association for its alleged failure to comply with domestic law requirements on internal management of associations.

[Ramazanova and Others v. Azerbaijan](#)

01.02.2007

Unlawful delays in State registration of an association.

Cases concerning the parliamentary elections in 2005

Violation of Article 3 of Protocol No 1 (right to free elections)

[Gahramanli and Others v. Azerbaijan](#)

08.10.2015

Complaints brought by the applicants, candidates for various opposition political parties, about electoral fraud and irregularities during the 2010 parliamentary elections. Their allegations included interference with the election process by electoral commission members, undue influence on voter choice, obstruction of observers and ballot-box stuffing.

[Karimov v. Azerbaijan](#)

25.09.2014

Allegations by an opposition candidate about irregularities in the 2005 parliamentary elections.

[Kerimova v. Azerbaijan](#)

30.09.2010

Complaint about the arbitrary invalidation of election results in the applicant's electoral constituency depriving her of her victory in the elections.

[Namat Aliyev v. Azerbaijan](#)

08.04.2010

Complaint about an arbitrary and ineffective examination of the applicant's complaints about election irregularities. Seven other similar applications were struck out by the Court after this judgment following the Government's unilateral declaration acknowledging the violations.

[Sevidzade v. Azerbaijan](#)

03.12.2009

Arbitrary refusal to register the applicant, a former clergy member, as a candidate for parliamentary elections despite his having resigned from all positions that could be seen as involving "professional religious activity".

Other noteworthy cases, judgments delivered

Chamber

[Akimova v. Azerbaijan](#)

27.09.2007

Unlawful suspension of the execution of a final judgment evicting a family of internally displaced persons who had illegally settled in the applicant's apartment

[Violation of Article 1 of Protocol No. 1 \(protection of property\)](#)

Noteworthy pending cases

There are currently around 500 individual applications in respect of Azerbaijan and approximately 600 in respect of Armenia lodged by persons displaced during the conflict over Nagorno-Karabakh (see similar application [Arakelyan v. Azerbaijan](#) (no. 13465/07)).

Cases on freedom of expression

Several applications raising complaints under Article 10 (freedom of expression) of the Convention. They have been brought to the Court by journalists, politicians or political activists who were convicted allegedly for publishing defamatory articles or whose rights were otherwise restricted, allegedly because of their professional activity.

Cases on freedom of assembly and association

Around 50 applications concerning arrests and convictions, under various grounds, of political activists for participating in or organising public assemblies. The applicants mainly allege violations of Article 11 (freedom of assembly and association) of the Convention.

Cases dealing with execution or non-execution of final domestic judgments

A group of cases concerning either indefinite suspension of execution or non-execution of final judgments on eviction of internally displaced persons or refugees who illegally settled in private persons' apartments. The main issue is raised either under Article 1 of Protocol No. 1 (protection of property) to the Convention or Article 6 § 1 (right to a fair trial) of the Convention.

Cases concerning the parliamentary elections in 2010

A group of cases related to the parliamentary elections of 2010, concerning allegedly arbitrary refusals to register the applicants as candidates for election and other allegedly arbitrary measures and irregularities in the electoral process. The applicants mainly complain under Article 3 of Protocol No. 1 (right to free elections) to the Convention.

