

Anar Mammadli Speaks at the Baku Court on Grave Crimes – 22 September 2025

On 22 September 2025, human rights defender and co-founder of the Election Monitoring and Democracy Studies Center (EMDSC), Anar Mammadli, delivered his defense statement at the Baku Court on Grave Crimes. He described the charges brought against him as baseless and politically motivated, calling the proceedings not a “legal process” but a “political show staged by the regime.”

Mammadli recalled that the criminal prosecution initiated against him in 2013, based on the same articles and the same set of facts, had already been assessed by the European Court of Human Rights (ECtHR) in its judgment *Mammadli v. Azerbaijan* of 19 April 2018 as politically orchestrated and an abuse of law.

In his remarks, Mammadli emphasized that the current proceedings do not meet the standards of a fair trial. He stated that the ECtHR judgment in *Mammadli v. Azerbaijan* has already created a legal precedent, proving that his earlier conviction was politically orchestrated.

Mammadli asked: *“if the ECtHR already concluded that there had been “no reasonable suspicion” in relation to the same set of facts, how does the current process differ from the previous one?”*

He stressed that both his first and second arrests took place after the publication of critical reports on the monitoring of undemocratic elections in the country, which he described not as a coincidence but as evidence of the government’s motives of political retaliation. He called on the court to apply the ECtHR precedent, uphold the rule of law, and avoid repeating the same mistakes. Mammadli submitted the Azerbaijani translation of the 2018 judgment *Mammadli v. Azerbaijan* to both the prosecutor and the judge. He demanded that the court recognize the political motivation behind the charges and adopt a fair position.

In his statement, Mammadli specifically noted that the indictment describes him as a “previously convicted person whose conviction has not been expunged,” which he said is legally unfounded and politically motivated. He recalled that the criminal case initiated against him in 2013 had already been declared unlawful and politically motivated by the ECtHR’s 2018 judgment. The Court found that Mammadli’s detention had not met the “reasonable suspicion” standard, in other words, it was based on unfounded suspicion; that domestic courts failed to exercise effective control; and that the real purpose of his arrest was to silence him for his activities. Based on this judgment, the Azerbaijani state paid him compensation, but the main issue - the annulment of his conviction and the granting of an acquittal - has not been ensured to this day. Mammadli stressed that for seven years the Azerbaijani government has been misleading the Committee of Ministers of the Council of Europe with promises that an acquittal would be granted, but has not implemented the judgment. However, under the ECtHR ruling, his previous “conviction” should have lost its legal effect, and the Supreme Court should have issued an acquittal.

According to him, the fact that the indictment still refers to his previous conviction is not only contrary to domestic law but also to Azerbaijan’s international obligations and to the execution of ECtHR judgments. He described this as yet another instance of the state exposing its own unlawful and insincere conduct.

In his speech, Mammadli also highlighted the absurdity of the indictment, pointing out that the text consists of excessively long and convoluted sentences, lacking legal substance and clarity, in violation of elementary rules of law and language.

He noted that the indictment announced on 8 April 2025 consisted of just three sentences: the first containing 224 words, the second 554 words, and the third spanning 12 pages — approximately 6,370 words. Mammadli stressed that such convoluted and excessively long sentences resemble a “chronicle-style text” rather than a legal document. He recalled the ECtHR’s 2018 judgment in *Mammadli v. Azerbaijan*, noting that the Court had emphasized the lack of clarity and discipline in the indictments against him. Mammadli remarked that if in 2013 a one-page sentence had been treated as an “indictment,” today the practice had “developed” into drafting a 12-page sentence. According to him, this demonstrates not only the persistence of repressive practice but also the increasing irrationality of those enforcing it.

According to Mammadli, this reflects the continuation of repressive thinking inherited from the Soviet era within Azerbaijan’s law enforcement system. He compared the current charges to the show trials of the Soviet period, noting that just as in 1974 Soviet investigators branded Aleksandr Solzhenitsyn’s correspondence and archival work on *The Gulag Archipelago* as “coordinated anti-Soviet activity,” today the charges of “organized criminal group” against civil society activists in Azerbaijan follow the same logic.

He recalled that the government had dissolved the Election Monitoring Center in 2008 and refused registration to the newly established EMDSC in 2009. The ECtHR later declared both actions unlawful in *Election Monitoring Center and Others v. Azerbaijan* (2 December 2021, Application No. 64733/09) and *EMDSC v. Azerbaijan* (12 January 2023, Application No. 70981/11), obliging the state to register both organizations.

According to Mammadli, Article 12.1 of the Law on NGOs explicitly provides that associations may be formed and operate without state registration. In fact, in 2022 the government informed the Council of Europe’s Committee of Ministers that NGO registration in Azerbaijan is voluntary and that unregistered NGOs also operate legally. He argued that, despite this acknowledgment abroad, inside the country unregistered activities are criminalized, exposing a deliberate contradiction.

He added that EMDSC had pursued all legal avenues to obtain registration and won its cases before the ECtHR, yet the government has deliberately refused to comply. In such circumstances, the responsibility for the lack of registration lies with the authorities, not with EMDSC.

Mammadli likened the absurdity of these charges to Soviet practices, drawing parallels with the 1964 trial of young poet Joseph Brodsky, who was prosecuted in Leningrad’s Dzerzhinsky District Court on charges of “parasitism” simply for translating literature and presenting himself as a poet without belonging to a writers’ union. In the same way, he argued, Azerbaijan’s investigators are criminalizing EMDSC’s unregistered civic work under the guise of law.

Mammadli demanded that those responsible for the implementation of ECtHR judgments - the Chair of the Supreme Court and Azerbaijan’s Representative before the ECtHR - be summoned to

the trial or at least formally questioned about the state's compliance. He stressed that the situation is not just a legal inconsistency but a deliberately created uncertainty, which grossly violates the principles of the rule of law and legal certainty.

In conclusion, Anar Mammadli told the court that the charges against him have no legal basis and that their sole purpose is to silence him for his civic and political activities. He described the proceedings as part of the wider pattern of repression against civil society in Azerbaijan and called for the release of all political prisoners.

Mammadli will continue his defense statement at the next hearing, scheduled for 29 September 2025 at 15:45 at the Baku Court on Grave Crimes.