

JAMIL MAMMADLI



FACTS

Personal data:

1. Jamil Mammadli (DOB: 2 May 1981) is an Azerbaijani citizen from Khachmaz district. He is known as a journalist/blogger associated with Azadlıq Radiosu (RFE/RL's Azerbaijani service).
2. According to the judgment, Mammadli had been engaged in journalistic work for more than 20 years. In recent years, he had worked independently in Azerbaijan's northern region, writing in particular about abuses and arbitrariness by public officials. The case materials also reflect his connection with Azadlıq Radiosu, including his account that he had earlier been sent there in that capacity.¹
3. Publicly, Mammadli has been known primarily as a regional independent journalist whose work focused on sensitive local issues and criticism of official misconduct. His prosecution has therefore been widely viewed by supporters and observers as connected to that journalistic activity.
4. The allegations against J. Mammadli lack credibility and are widely regarded as politically driven and part of a wider crackdown on civil society and independent media launched by the Azerbaijani authorities starting from 2022.²

Date of detention:

5. During the pre-trial stage, Jamil Mammadli was detained as a suspect on 21.12.2022–22.12.2022 and again on 18.01.2023. On 18.01.2023, a preventive measure in the form of police supervision was imposed on him, but on 24.08.2023, pursuant to a court decision, that measure was replaced with pre-trial detention, from which date he remained continuously in custody.

Legal accusations:

6. On 18.01.2023, following his detention as a suspect, the investigating authorities formally charged Jamil Mammadli with the following bogus accusation:

- hooliganism, i.e. gross violation of public order accompanied by violence and resistance to a person performing a public duty, under Article 221.2.2 of the Criminal Code. A preventive measure in the form of police supervision was imposed on the same date.

7. The accusations were later expanded, and by the time the case reached trial before the Sumgayit Assize Court, Mammadli was prosecuted under the following provisions of the Criminal Code:

- fraud causing substantial damage, under Article 178.2.4;
- extortion committed by a group of persons by prior conspiracy, under Articles 182.2.1 and 182.2.2;
- hooliganism, under Article 221.2.2.

8. Public commentary has linked Mammadli's prosecution to his independent journalistic activity rather than to ordinary criminal conduct. According to the judgment, he stated that he had long worked as a journalist in Azerbaijan's northern region, focusing on official abuses, and that police had warned him to stop such work or face criminal charges.

Legal status of prisoner:

9. Jamil Mammadli is a convicted prisoner. On 17 April 2024, the Sumgayit Assize Court acquitted him under Articles 182.2.1 and 182.2.2 of the Criminal Code but found him guilty under Articles 178.2.4 and 221.2.2 and sentenced him to 6 years and 12 days' imprisonment. On 24 June 2024, the Sumgayit Court of Appeal reportedly dismissed his appeal and left the first-instance judgment unchanged.

Legal proceedings:

10. During the pre-trial stage, Jamil Mammadli was detained as a suspect on 21–22 December 2022 and again on 18 January 2023. On 18 January 2023, the investigating authority imposed a preventive measure in the form of police supervision. During the trial, however, on 24 August 2023, following applications by the prosecutor and the so-called injured parties, the court replaced that measure with pre-trial detention; from that date, he remained continuously in custody.
11. The first-instance trial concluded on 17 April 2024, when the Sumgayit Assize Court acquitted him on the extortion counts under Articles 182.2.1 and 182.2.2 of the Criminal Code, but found him guilty under Articles 178.2.4 and 221.2.2 and sentenced him, by partial aggregation with an earlier sentence, to a final term of 6 years and 12 days' imprisonment. The court also ordered that the custodial measure remain in place until the judgment entered into legal force.
12. Mammadli appealed, but on 24 June 2024, the Sumgayit Court of Appeal dismissed his appeal and left the first-instance judgment unchanged.
13. The case that reached trial was not a single coherent criminal narrative but a bundled prosecution made up of heterogeneous episodes from different contexts and periods: an alleged fraud episode arising out of Mammadli's dealings with persons who had originally approached him in connection with publicizing an unsolved killing; two extortion episodes based on alleged threats of adverse publicity; and a later hooliganism episode arising from a road incident. Framed in this way, the indictment materially increased the seriousness, stigma, and custodial exposure of the case.

LEGAL ANALYSIS

Reasons why Jamil Mammadli should be regarded as a political prisoner:

14. Assessment of whether J. Mammadli should be regarded as a political prisoner is based on the Resolution 1900 (2012) 'The Definition of Political Prisoner' of the Parliamentary Assembly of the Council of Europe and the criteria established in the Resolution (paragraph 3)³. The legal proceedings against and conviction of J. Mammadli satisfy two criteria established by the paragraph. 3 of the Resolution for defining political prisoners ((a) and (e)):

(a) Jamil's detention and imprisonment violate his fundamental rights under the European Convention on Human Rights, particularly freedom of expression and the right to freedom of association, as well as the right to a fair trial and to liberty and security.

(e) The political motives (ulterior motives) were sole and predominant in pursuing and conducting unfair criminal proceedings against him, which caused preliminary detention and imprisonment.

15. The European Court of Human Rights' jurisprudence on Article 18 of the ECHR, which prohibits restrictions on rights for improper purposes, reinforces this analysis. The following considerations based on quadripartite test should be emphasized in this totality assessment in the general contextual evaluation of a distinct state of affairs (*mutatis mutandis*, *Ibrahimov and Mammadov v. Azerbaijan*, 2020, §§ 113-131):

- 1) The prisoner's public profile;
- 2) The sequence of the events;
- 3) The manner in which the investigations and trial were carried out;
- 4) The authorities' conduct.

Jamil Mammadli's public profile:

16. The circumstances indicate that Jamil Mammadli is a regional independent journalist/blogger whose public profile derives from long-standing reporting on local issues in northern Azerbaijan. He had worked in journalism for more than 20 years, had recently operated independently in the northern region, and had focused in particular on abuses and arbitrariness by public officials. The case materials also refer to his earlier work connected with Azadlıq Radiosu / RFE/RL's Azerbaijani service, while public reporting likewise described him as a former regional correspondent who later worked independently and published mainly through social media.

17. Mammadli's prosecution should also be viewed against the fact that he was already a known critical journalist who had previously been convicted under the Criminal Code's insult and defamation provisions. The present case, therefore, appears not as an isolated criminal dispute, but as an escalation from prior speech-based criminal pressure to a custodial prosecution carrying a long prison sentence.

The sequence of events:

18. Jamil Mammadli's arrest is part of a larger, coordinated pattern of repression in Azerbaijan, in which opposition-aligned individuals and government critics have been detained on a strikingly repetitive set of allegations, most commonly serious narcotics-related accusations framed as large quantity and/or intent to sell, as well as finance/tax-related crimes and crimes against the state and national security. This uniformity, and the way charges and detention measures have been applied across multiple similar cases, strongly suggests a state-driven strategy to criminalize dissenting political affiliation and criticism rather than a legitimate process aimed at individual wrongdoing. The relevant sequence of events should therefore be assessed synthetically, as a single wave of repression with a clear policy logic and continuity.
19. Already in 2022, a discernible pattern of repression was emerging through a series of arrests that disproportionately affected persons deported/returned from abroad (notably Germany), individuals perceived as affiliated with the PFPA/AXCP, Musavat and certain minority figures. This early hunt functioned as a clear precursor to, and warning sign of, the wider crackdown that would later expand across independent media, NGOs, and other segments of civil society.
20. In December 2022, civic activist Bakhtiyar Hajiyev was arrested.⁴ In June 2023, protests against the gold mine in the village of Soyudlu, Gadabay, and their coverage by informally networked NGOs and critical media (including Toplum TV) accelerated the process of repression. After suppressing these protests, the government imposed a blockade on the village and blamed NGOs and the media for inciting the events.⁵
21. In July 2023, politician and economist Gubad Ibadoglu was detained⁶. In August 2023, pro-government media organized a smear campaign against peace activists protesting military operations in Nagorno-Karabakh⁷. In September 2023, four activists were administratively detained for one month. Around the same time, arrests were carried out against Labor Desk (İşçi Masası) activists, who sought to establish the country's only alternative trade union organization.⁸
22. The main follow-up campaign began in November 2023. First, the pro-government media published smear articles targeting almost all NGOs and media outlets. Later, at the end of November 2023, the AbzasMedia arrests began.⁹ These arrests continued in early March 2024 with a police raid against the detainee's affiliated organization and the arrest of several individuals represented in those institutions.

23. In April 2024, Imran Aliyev, the head of the Meclis.info portal monitoring the parliament, was detained.¹⁰ In May 2024, Anar Mammadli, the head of Election Monitoring and Democracy Studies (EMDS), was arrested (he had also been arrested in the previous round of repression)¹¹. These arrests demonstrate that a new wave of repression had already begun. The objective of this wave was to paralyze the activities of post-2014 informally networked NGOs and critical media. But it also expanded beyond NGOs and media into academia and peace advocacy: Igbal Abilov¹², a Talysh historian/ethnographer, was detained in July 2024 and later sentenced to 18 years' imprisonment in May 2025 on treason-related accusations and political scientist Bahruz Samadov¹³ was detained in August 2024 on treason charges similarly and later sentenced to a 15 years' prison term. Both of their arrests are widely condemned as politically motivated.
24. Repression further continued against independent media through the Meydan TV case:¹⁴ Human Rights Watch reported that the investigation targeted the outlet and that its newsroom staff were held in pre-trial detention from December 2024, with subsequent arrests feeding into a consolidated trial that began in December 2025. Finally, repression widened to formal opposition politics in late 2025, when Ali Karimli¹⁵, the long-standing leader of the Popular Front Party, was detained (29 November 2025) and remanded into pre-trial custody, amid a broader escalation against the party documented by human rights monitors.
25. This process was preceded by restrictive legislation: the Law on Media (2021)¹⁶ and the Law on Political Parties (2022)¹⁷. Both laws were criticized by the Venice Commission of the Council of Europe for being restrictive. Nevertheless, they remain valid and enforceable. A similar process took place during the repression of 2013–2014: restrictive laws were first adopted, and arrests followed.
26. In this regard, the persons arrested in this process, including the detainee, are victims of the political repression of 2023–2025. The main objective of this campaign of political arrests is to dismantle the informal, networked NGOs and critical media that revived and assumed a new format in the post-2014 era. Political arrests in this context serve an instrumental purpose.

The manner in which the investigations and trial were carried out:

27. The manner in which the case was constructed bears the hallmarks of fabrication by accumulation. Rather than pursuing one clearly evidenced accusation, the authorities assembled a composite prosecution out of unrelated allegations and presented them together as proof of ordinary criminality. This technique increased both the apparent gravity of the case and the scope for remand and imprisonment.

28. The trial record confirms that a substantial part of that case should never have been advanced in the form in which it was. The court held that the two extortion episodes under Articles 182.2.1 and 182.2.2 were not proven; indeed, it stated that the prosecution had failed to present any evidence at all sufficient to establish them. It further found that pre-trial statements relied upon by the prosecution were either not confirmed in court or were legally unusable because they rested on hearsay and were of doubtful reliability. This was not a minor correction to an otherwise sound indictment, but the collapse of one of its central components.
29. The remaining fraud accusation is itself problematic in political-prisoner terms because it criminalized conduct arising out of Mammadli's journalistic role. On the materials summarized in the judgment, the relationship began through his media contact with persons seeking publicity around a politically sensitive murder case. The prosecution then recharacterized subsequent exchanges, meetings, and money transfers connected to that interaction as acquisitive crime. In substance, activity linked to source relations, publicity, and claims of access to officials was converted into an ordinary fraud case.

The authorities' conduct:

30. The authorities' conduct should therefore be described more sharply than as a mere failure of safeguards. They advanced an inflated multi-count indictment, carried unsupported extortion allegations through to trial, and then escalated the preventive measure from police supervision to pre-trial detention during the proceedings, leaving Mammadli in custody until judgment entered into force. The resulting picture is one of cumulative criminal pressure used to neutralize a critical journalist, rather than a narrowly tailored and good-faith attempt to establish the truth.

CONCLUSION

31. The personal factors (Jamil Mammadli's public profile, absence of convincing evidence, and constant violation of procedural rights) and contextual factors (new wave of political repression) cumulatively indicate reasonable grounds to believe that Jamil Mammadli should be considered a political prisoner in light of Resolution 1900 (2012) of the Parliamentary Assembly of the Council of Europe (PACE).

RECOMMENDATION

32. Based on this conclusion, Jamil Mammadli should be released unconditionally and immediately. Furthermore, he should be compensated *restitutio in integrum*.

- ¹ The News Agency Turan, ‘Blogger Jamil Mammadli Sentenced to 6 Years in Prison’ (17 April 2024) <https://turaz.az/en/social/blogger-jamil-mammadli-sentenced-to-6-years-in-prison> accessed 12 March 2026.
- ² European Parliament, ‘Resolution on the crackdown on independent media in Azerbaijan, notably the case of Abzas Media’ (2024) P9_TA(2024)0074 https://www.europarl.europa.eu/doceo/document/TA-10-2024-0074_EN.html accessed 29 May 2025.
- ³ Parliamentary Assembly of the Council of Europe (PACE), ‘Resolution 1900 (2012): The definition of political prisoner’ (3 October 2012) <https://assembly.coe.int/nw/xml/ERef/Xref/XML2HTML-en.asp?fileid=19150> accessed 29 May 2025.
- ⁴ Eurasianet, Prominent activist detained following U.S. sanctions on Azerbaijani official <https://eurasianet.org/prominent-activist-detained-following-us-sanctions-on-azerbaijani-official> accessed 28 August 2025
- ⁵ Reporters Without Borders, Police prevent coverage of protests about environmental scandal in Azerbaijan <https://rsf.org/en/police-prevent-coverage-protests-about-environmental-scandal-azerbaijan> accessed 28 August 2025
- ⁶ Human Rights Watch, Azerbaijan: Free Academic Facing Bogus Charges <https://www.hrw.org/news/2024/07/23/azerbaijan-free-academic-facing-bogus-charges> accessed 28 August 2025
- ⁷ Musavat, “No-Warçılarının dosyesi: onlar harada və necə yetişiblər” <https://musavat.com/news/no-warçilarin-dosyesi-onlar-harada-ve-necə-yetişibler-1001622.html> accessed 28 August 2025
- ⁸ Eurasianet, Azerbaijan authorities smash unionization efforts for gig workers <https://eurasianet.org/azerbaijan-authorities-smash-unionization-efforts-for-gig-workers> accessed 28 August 2025
- ⁹ Amnesty International, Azerbaijan: Seven journalists sentenced in latest shocking crackdown on free speech <https://www.amnesty.org/en/latest/news/2025/06/azerbaijan-seven-journalists-sentenced-in-latest-shocking-crackdown-on-free-speech/> accessed 28 August 2025
- ¹⁰ Council of Europe, Safety Of Journalists — FOM Alert <https://fom.coe.int/en/alerte/detail/107640886> accessed 28 August 2025
- ¹¹ Council of Europe Commissioner for Human Rights, Azerbaijan: authorities should release imprisoned human rights defenders, journalists and civil society activists <https://www.coe.int/en/web/commissioner/-/azerbaijan-authorities-should-release-imprisoned-human-rights-defenders-journalists-and-civil-society-activists> accessed 28 August 2025
- ¹² Scholars at Risk, ‘Release academic Iqbal Abilov, wrongfully imprisoned for one year’ (22 July 2025) <https://www.scholarsatrisk.org/2025/07/release-academic-igbal-abilov-wrongfully-imprisoned-for-one-year/> accessed 7 January 2026
- ¹³ Human Rights Watch, ‘Azerbaijan: Escalating Crackdown on Critics’ (30 August 2024) <https://www.hrw.org/news/2024/08/30/azerbaijan-escalating-crackdown-critics> accessed 7 January 2026.
- ¹⁴ Arzu Geybullayeva, ‘Another Courageous Journalist Jailed in Azerbaijan’ (Human Rights Watch, 16 May 2025) <https://www.hrw.org/news/2025/05/16/another-courageous-journalist-jailed-azerbaijan> accessed 7 January 2026.

¹⁵ Amnesty International, 'Azerbaijan: Arrest of opposition leader is further evidence of consolidation of authoritarian practices' (1 December 2025) <https://www.amnesty.org/en/latest/news/2025/12/azerbaijan-arrest-of-opposition-leader-is-further-evidence-of-consolidation-of-authoritarian-practices/> accessed 7 January 2026.

¹⁶ Venice Commission. 'Opinion on On The Law On Media in Azerbaijan.' Council of Europe, Opinion No. 1078/2022, 2022, available at [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2022\)009-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2022)009-e)

¹⁷ Venice Commission and OSCE/ODIHR. Joint Opinion On The Law On Political Parties, 2023 available at <https://www.osce.org/files/f/documents/1/4/543922.pdf>

