

Top European Court Strikes Out Case Against Azerbaijan for LGBTI Arrest and Torture

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A case against Azerbaijan by a large group OF applicants who were arrested in a wave of anti-LGBTI police raids and forced to undergo medical examinations has been struck out by the European Court of Human Rights

Last week, the European Court of Human Rights decided to strike out [A. v Azerbaijan and 23 other applications](#). The case involved a wave of police raids in Baku in September 2017 that led to the arrest, ill-treatment and forced medical examinations in detention of members of the LGBTI community.

In its decision, the Court considered that it was no longer justified to continue the examination of the applications given the Government's unilateral declaration made in 2019, according to which it acknowledged that "there was a violation of the applicants' rights guaranteed in the Convention" and offered to pay compensation to the applicants.

The applicants expressed deep dissatisfaction with this declaration, saying the Government's acknowledgement lacks specificity regarding the nature and extent of the violations; the Government gave no undertaking for general measures to prevent future violations and there are no necessary provisions under domestic law for holding the perpetrators of those acts of violence accountable. This is particularly problematic as those groups kept being targeted subsequent to the 2017 arrests, in view of their perceived SOGIESC.

[According to Leyla Osmanova, a victim of 2017 arrests](#), "The world saw it, the world knew about it. We were tortured, literally. Even a million dollars cannot cover the cost of psychological trauma, as I continue to live in fear. Although I am in a safe place now, that psychological trauma ruined my life. The court process took a long time, the decision is just a mere decision, the compensation is ridiculous."

She added: "This event made me long for my native country. I have lost faith not in the country, but in the police and laws there."

ILGA-Europe together with Civil Rights Defenders and REDRESS had submitted [a third-party intervention](#) in the case. Azerbaijan currently sits at the bottom of the ILGA-Europe Rainbow Map, which ranks all 49 European countries on a scale between 0% (gross violations of human rights, discrimination) and 100% (respect of human rights, full equality).