

---

## Submission to EU-Azerbaijan Human Rights Dialogue, October 2017, by the World Organisation against Torture (OMCT) and International Partnership for Human Rights (IPHR): Individual cases of concern

According to the most recent report released by the Azerbaijani civil society working group documenting cases of political prisoners in Azerbaijan<sup>1</sup>, there are currently over 150 such prisoners in the country. The exact number fluctuates given occasional releases and new arrests. The list contains the names of journalists, bloggers, editors, religious activists, political activists and others who human rights defenders deem have been deprived of their liberty on politically motivated grounds. Below, we describe only a few selected cases of individuals who have been prosecuted, arrested and imprisoned in retaliation for their exercise of freedom of expression, association and assembly and other fundamental rights. We further highlight a number of cases in which detainees were tortured or ill-treated.

**Mehman Aliyev**, head of the last remaining independent media outlet operating in Azerbaijan, the Turan News Agency, was arrested on 25 August 2017, after tax authorities raided the offices of Turan earlier the same month. Aliyev was remanded to pre-trial detention for three months on charges of tax evasion, abuse of power and illegal entrepreneurship. He was released from pre-trial detention on 11 September; however the charges against him have not been dropped and he is subject to a travel ban, while the investigation continues. A criminal investigation was also launched against Turan for allegedly failing to pay taxes. These charges were dropped in mid-September but later re-initiated.<sup>2</sup>

**Ilgar Mammadov**, opposition figure and one of the leaders of the Republican Alternative Movement (REAL), was sentenced to seven years in prison in February 2013 on trumped-up charges of “inciting violence” after monitoring and reporting on anti-government protests in the town of Ismayilli. The European Court of Human Rights (ECHR) ruled in 2014 that Mammadov was detained without any evidence and for the purpose of silencing and punishing him for criticising the government.<sup>3</sup> Despite this judgment of the ECHR and nearly a dozen resolutions from the Committee of the Ministers of the Council of Europe calling for Mammadov’s release in follow-up to it, the Azerbaijani government has to date failed to implement the ruling and free Mammadov.<sup>4</sup>

On 9 January 2017, a group of plainclothes officers attacked well-known blogger and journalist **Mehman Huseynov**, blindfolded and gagged him with towels, forced a bag over his head and took him to the Nasimi district police station, where police used an electroshock weapon on his groin, and punched him, bloodying his nose. The next day, police officers took him to court, where he was found guilty of disobeying police orders and



fined him 200 manat (about 100 EUR). Huseynov went public about the abuses he suffered at the police station and filed a complaint with the prosecutor's office. The authorities formally opened an inquiry into his allegations but swiftly closed it, claiming the allegations were groundless. On 27 April, an appeals court upheld the prosecutor's decision to shut down the investigation. While the authorities failed to conduct a credible investigation into Huseynov's torture allegations, he was instead charged with defamation, a criminal offense on the basis of a complaint from the Nasimi police chief. After only two hearings, a Baku court found Huseynov guilty and sentenced him to two years in prison on 3 March 2017.

A popular video blogger and journalist known for his satirical language when commenting on corruption and human rights related issues, Huseynov is also editor of the popular socio-political online magazine *Sancaq* and an active commentator on Facebook, YouTube and Instagram. His most recent project prior to his arrest was documenting corruption among high-level officials in Azerbaijan and exposing their wealth through a series of video materials he shared on his YouTube channel.

**Ilkin Rustamzada**, a youth activist, was subjected to pressure by authorities after using Facebook to mobilize participants for several well-attended, peaceful rallies that were held in downtown Baku in early 2013 under the slogan "No more soldier deaths". The purpose of these rallies was to protest against hazing and non-combatant deaths in the army. Ilkin Rustamzada was first sentenced to administrative detention for being involved in protests that had not been sanctioned by authorities. However, there was more to come: in May 2013, he was arrested on criminal charges of organizing mass riots and hooliganism and a year later, he was convicted along with seven other youth activists and sentenced to eight years in prison. While the other activists with whom Ilkin Rustamzada was on trial have all been released by now, he remains behind bars. Human rights defenders believe that he was imprisoned in retaliation for peacefully exercising his rights to freedom of expression, association and assembly.<sup>5</sup>

**Seymur Hazi** is a reporter for the opposition newspaper *Azadliq*, a leading anchor for the critical satellite "Azerbaijan Saati" (Azerbaijani Hour) TV program and a senior politician with the opposition Popular Front Party of Azerbaijan. He was sentenced to five years in prison on 29 January 2015 on trumped-up charges of hooliganism for allegedly attacking a man at a bus stop. He is recognised as a prisoner of conscience by Amnesty International and several other human rights organisations. He is also on the list of political prisoners compiled by the Azerbaijani civil society working group that is documenting cases of political prisoner in Azerbaijan.

**Rashad Ramazanov**, a religious follower and a blogger, was sentenced to nine years in prison by the Baku Court of Serious Crimes for alleged drug possession on 13 November 2013. He used to write on religion and justice, and published on micro-blogs and social media, particularly Facebook where he criticised high-ranking Azerbaijani officials, including the president. His lawyer stated that Ramazanov was subjected to torture in custody. Appeals by the lawyer to relevant agencies demanding an investigation into these allegations yielded no results. Instead, his lawyer was himself detained and warned to stop making statements about torture and ill-treatment of his defendant and was subsequently dismissed from the Bar of Lawyers. Ramazanov has been recognised as political prisoner.

**Elchin Ismayilli**, an independent journalist, was sentenced to nine years in prison on charges of extortion and abuse of power on 18 September 2017. He was arrested on these charges in mid-February 2017 and had been held in pre-trial detention since then. The charges against him are considered politically motivated.

**Aziz Orujov (Qarasoglu)**, the Baku manager of the Germany-based online TV station Channel 13 and founder of the NGO “Media investigations of the Caucasus”, is currently on trial on charges of illegal entrepreneurship and abuse of office. His colleagues consider the charges against him to be politically motivated and linked to his work.<sup>6</sup> Earlier this year, in May, Orujov was sentenced to 30 days of administrative detention for allegedly resisting the lawful orders of police. When his detention came to an end, he was presented with the criminal charges and remanded to pre-trial detention.<sup>7</sup>

On 28 April 2017, blogger **Mehman Galandarov** was found dead in Baku Detention Centre No. 1, where he had been held since being arrested on 7 February 2017 on suspicious drug trafficking charges. Prison authorities claimed that he had committed suicide by hanging himself, but reportedly refused to hand over his body to his family and secretly buried him without witnesses next to his parent’s grave. A teacher of philosophy, sociology and political science, Galandarov was known for his Facebook posts critical of the government. On the day of his arrest, he had published a post in support of Giyas Ibrahimov, a political prisoner (see more on his case below). Shortly before his arrest, he had also been involved in organizing a peaceful protest in Tbilisi against the controversial constitutional amendments adopted in Azerbaijan in 2016.<sup>8</sup> To our knowledge, no investigation into the circumstances of Galandarov’s death in custody has been carried out.

In May 2016, **Giyas Ibrahimov** and **Bayram Mammadov** from the NIDA Youth Movement were arrested, after Mammadov posted a photo on Facebook of a graffiti message they had sprayed on a statue of Heydar Aliyev, the late former president of Azerbaijan and the father of the current president. They were arrested on spurious drug charges and allegedly tortured repeatedly in police custody. These allegations have not been investigated. Both were sentenced to ten years imprisonment, in October and December 2016, respectively.<sup>9</sup>

On 25 November 2016, **Ikram Rahimov**, editor in chief of the online news site realliq.info, was sentenced to one year in prison after reporting on bribery and tax evasion by local authorities. Rahimov alleged having been tortured when arbitrarily held in detention at the Sumgayit City Police Department for three days. Police allegedly put a cellophane bag over his head until he could no longer breathe and transmitted his ill-treatment via live video chat to the person whom Rahimov had reported as being involved in bribery. Police also demanded that Rahimov apologize to the person concerned.<sup>10</sup> Rahimov was released in March 2017. No investigation has been carried out into his torture allegations.

**Asif Yusifli** and **Fuad Gahramanli**, both members of the EITI NGO Coalition that works to promote transparency in extractive industries, were arrested on 25 November 2014 and 8 December 2015, respectively. Yusifli, also a high-ranking member of Azerbaijan’s opposition Popular Front Party, was later convicted on spurious charges of fraud and forgery and is presently serving a six-year prison sentence. Gahramanli, deputy chair of the Popular Front Party, was charged with inciting religious hatred because of comments he posted on Facebook. On 25 January 2017, he received a 10-year prison sentence. The cases against both men are widely believed to be politically motivated and aimed at obstructing their political opposition activities.<sup>11</sup>

**Taleh Bagirzade**, head of the opposition Muslim Union and outspoken critic of the government, was arrested together with a group of other Nardaran residents with alleged ties to the Muslim Union during a special security operation carried out in the night of 25-26 November 2015. During the shootout, seven men died, including two police officers. The authorities claimed that the Muslim Union was planning an armed rebellion to install a sharia state in Azerbaijan. In the course of the following months, dozens of religious activists and Nardaran residents were arrested. The defendants in the so-called Nardaran case were charged with a range

of serious crimes such as murder, terrorism, organizing riots, illegal possession of weapons, calling for the violent seizure of power and inciting religious hatred. Bagirzade was convicted by Baku Court for Serious Crimes on 25 January 2017 and sentenced to twenty years in prison. At the same trial, eighteen other activists were given prison sentences of 10-20 years in prison.<sup>12</sup> According to information provided by Bagirzade's lawyer, his client was tortured in connection with his arrest and in custody. During his arrest, Bagirzade was allegedly hit in his face, his head was smashed to the ground, and police verbally abused him. He was subsequently taken to the offices of the Main Organised Crime Department in Baku where he was forced to lay on the ground and was severely beaten, resulting in open wounds and the loss of blood. During his continued detention on the premises of the Organised Crime Department, Bagirzade was allegedly repeatedly tortured and pressured to confess and testify against those arrested together with him. Among others, he allegedly regularly had his head covered with a sack, while a police officer sat on his shoulder and others hit his legs until they swell to an unrecognizable shape. On 29 December 2015, Bagirzade was finally allowed to see his lawyer, who immediately filed a torture complaint. No investigation was, however, opened into these allegations and the dates for hearings in Bagirzade's case were repeatedly postponed until the wounds on his body had healed. Bagirzade withdrew his complaint on 23 February 2016 because of repeated threats and ill-treatment. Other defendants in the Nardaran case have also alleged being tortured in detention. Prior to his most recent arrest, Bagirzade previously served a prison sentence imposed on charges considered to have been politically motivated.

In September 2017, 17 other individuals imprisoned in relation to the November 2015 events in Nardaran, whose prison terms were coming to an end, were granted early release.<sup>13</sup>

#### ***Travel bans:***

A number of individuals facing politically motivated persecution remain subject to travel bans in connection with ongoing investigations or suspended sentences handed down in their cases.

**Khadija Ismayilova**, an investigative journalist was arrested on 5 December 2014 and sentenced to 7.5 years in prison on trumped-up charges of tax evasion, embezzlement, illegal business activity and abuse of power in September 2015. She was released from prison in May 2016 by the country's Supreme Court as her initial sentence was replaced by a 3.5-year suspended prison sentence. She is subject to a five-year travel ban.

**Intigam Aliev**, human rights lawyer, was arrested in August 2014 and sentenced to 7.5 years in prison on charges of tax avoidance, illegal entrepreneurship and abuse of power in April 2015. He was pardoned along with several other high-profile political prisoners in April 2016; however, the charges against him were not overturned and he is facing a travel ban.

**Faig Amirli**, the financial director of the opposition *Azadliq* newspaper was released from prison after a court replaced his prison term with a suspended sentence in September 2017. However, he is subject to a travel ban. Amirli was sentenced to three years and three months in prison in July 2017 on charges of inciting religious hatred and violating the rights of citizens under the pretext of conducting religious rites. He was arrested in August 2016, based on investigators' claims that he possessed books by US-based Turkish cleric Fethullah Gulen, who has been accused of masterminding the 2016 coup attempt in Turkey.

Four journalists working with the Berlin-based dissident *Meydan* TV are facing travel bans as a result of their work with this media outlet. These include: **Aynur Elgunes**, **Aytac Ahmadova**, **Sevinc Vagifgizi**, and **Natig Javadli**. Elgunes's appeal to lift his travel ban was recently rejected by a court in Baku. A criminal investigation was launched against *Meydan* TV in April 2016 on charges of alleged illegal business, large-scale tax evasion and abuse of power and is still under way.

---

<sup>1</sup> The report is available at: [https://www.humanrightsclub.net/wp-content/uploads/2017/08/Political-Prisoners-Report\\_Azerbaijan-August\\_2017.pdf](https://www.humanrightsclub.net/wp-content/uploads/2017/08/Political-Prisoners-Report_Azerbaijan-August_2017.pdf)

<sup>2</sup> See [http://www.contact.az/indexc\\_ru.html](http://www.contact.az/indexc_ru.html)

<sup>3</sup> The ruling is available at: [https://hudoc.echr.coe.int/eng?i=001-144124#{"itemid":\["001-144124"\]}](https://hudoc.echr.coe.int/eng?i=001-144124#{)

<sup>4</sup> See more in joint appeal by 44 NGOs, issued in May 2017, at <http://iphronline.org/azerbaijan-time-justice-ilgar-mammadov.html>

<sup>5</sup> See more in IPHR, "Azerbaijan: #FreeIlkin!", December 2016, at: <http://iphronline.org/azerbaijan-freeilkin-campaign.html>

<sup>6</sup> Radio Free Europe/Radio Liberty (RFE/RL), "Azerbaijani Journalist Goes On Trial", 27 September 2017, <https://www.rferl.org/a/azerbaijan-tv-journalist-orucov-qarasoglu-trial/28760232.html?lflags=mailer>

<sup>7</sup> Meydan TV, "Appeal of Imprisoned Azerbaijani Journalist Dismissed", 29 June 2017, <https://www.meydan.tv/en/site/politics/23844/>

<sup>8</sup> Institute for Reporters' Freedom and Safety (IRFS), "Authorities Claim that Arrested Blogger Mehman Galandarov Commits Suicide", 29 April 2017, available at: <https://www.irfs.org/news-feed/authorities-claim-that-arrested-blogger-mehman-galandarov-commits-suicide/>.

<sup>9</sup> OMCT, "Azerbaijan: Joint Statement: Stop Crackdown on Freedom of Expression", 6 December 2016, available online: <http://www.omct.org/monitoring-protection-mechanisms/urgentinterventions/azerbaijan/2016/12/d24087/>; Human Rights Watch, "10-Year Sentence for Political Graffiti in Azerbaijan", 8 December 2016, available online: <https://www.hrw.org/news/2016/12/08/10-year-sentence-political-graffiti-azerbaijan>

<sup>10</sup> IRFS, "Journalist and Citizen Whose Problems He Publicized Convicted on Defamation Charges", 30 November 2016, available at: <https://www.irfs.org/newsfeed/journalist-and-citizen-whose-problems-he-publicised-convicted-on-defamation-charges/>.

<sup>11</sup> OMCT, "Azerbaijan: Joint Letter to the Members of the Extractive Industries Transparency Initiative Board on the Working Conditions of Civil Society in Azerbaijan", 20 October 2016, available online: <http://www.omct.org/human-rights-defenders/urgent-interventions/azerbaijan/2016/10/d24009/>.

<sup>12</sup> RFE/RL, "Azerbaijani Opposition Leaders, Activists Sentenced In Baku", 25 January 2017, <https://www.rferl.org/a/azerbaijan-bagirzade-huseynov-sentenced-20-years/28259206.html>

<sup>13</sup> APA, "Another four people arrested over Nardaran events released", 14 September 2017, <http://en.apa.az/azerbaijani-news/accidents-incidents-news/another-four-people-arrested-over-nardaran-events-released.html>