



**Declassified AS/Jur (2019) 01** 22 January 2019 ajdoc01 2019

### **Committee on Legal Affairs and Human Rights**

### Political prisoners in Azerbaijan<sup>1</sup>

### **Introductory Memorandum**

Rapporteur: Ms Thorhildur Sunna ÆVARSDÓTTIR, Iceland, Socialists, Democrats and Greens Group

#### 1 Introduction

#### 1.1. Procedure

1. On 1 June 2018, the motion for a resolution on "Political prisoners in Azerbaijan" (<u>Doc. 14538</u>) was referred to the Committee on Legal Affairs and Human Rights for report.<sup>2</sup> I was appointed rapporteur by the Committee at its meeting in Strasbourg on 26 June 2018.

#### 1.2. Issues at stake

2. The issue of political prisoners in Azerbaijan has been of concern to the Council of Europe since the time of the country's accession. Following the 2001 examination of cases by the independent experts of the Secretary General (SG/Inf(2001)34, discussed below), the Parliamentary Assembly, in its Resolution 1272 (2002) on political prisoners in Azerbaijan, reiterated that no-one may be imprisoned for political reasons in a Council of Europe member state. In its Resolution 1359 (2004), the Assembly "formally ask[ed] the government of Azerbaijan for the immediate release on humanitarian grounds of political prisoners whose state of health is very critical, prisoners whose trials were illegal, prisoners having been political activists or eminent members of past governments, and members of their families, friends or persons who were linked to them ... [and] the remaining political prisoners already identified on the experts' list." In 2005, the Assembly adopted Resolution 1457 and Recommendation 1711, recalling its previous resolutions and, inter alia, calling on the Committee of Ministers to join it in adopting a joint position on the issue of political prisoners in Azerbaijan. Resolution 1750 (2010) on the functioning of democratic institutions in Azerbaijan also addressed the issue. Most recently, in 2017, the Assembly addressed the problem in Resolution 2184 on the functioning of democratic institutions in Azerbaijan, which expressed concern "about the reported prosecution and ongoing detention of NGO leaders, human rights defenders, political activists, journalists, bloggers and lawyers, based on alleged offences in relation to their work", and Resolution 2185 on Azerbaijan's Chairmanship of the Council of Europe: what follow-up on respect for human rights?, which called on Azerbaijan to "release human rights defenders, journalists and civic and political activists who were imprisoned on politically motivated grounds". This is not to say that there have been no positive developments, as acknowledged most recently in Resolution 2203 (2018) on the progress of the Assembly's monitoring procedure (January-December 2017), which took note of "the recent release of some 'political prisoners' or 'prisoners of conscience'".

<sup>2</sup> Reference to Committee No. 4386 of 1 June 2018.

<sup>\*</sup> Document declassified by the Committee on 22 January 2019.

<sup>&</sup>lt;sup>1</sup> The Rapporteur proposes to change the title of the report to "Reported cases of political prisoners in Azerbaijan"

F - 67075 Strasbourg Cedex | assembly@coe.int | Tel: + 33 3 88 41 2000 |

3. I would also recall the "Strässer report" on the follow-up to the issue of political prisoners in Azerbaijan,<sup>3</sup> which was the basis of a draft resolution rejected by the Assembly five years ago, in January 2013. The Report of the Independent Investigation Body on the allegations of corruption within the Parliamentary Assembly describes in detail the corruptive activities surrounding the Assembly's 2013 vote. Although the draft resolution was not adopted by the Assembly, Mr Strässer's report was approved by the Committee on legal affairs and human rights, and on that basis I will rely upon it as a source of information.

4. Other Council of Europe organs have also produced relevant information. The European Court of Human Rights has found violations of the European Convention on Human Rights (the Convention) in a number of relevant cases. After many years' delay in some cases, Azerbaijan recently authorised the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) to publish reports on all six of its visits to Azerbaijan.<sup>4</sup> The Council of Europe's Platform for the Protection of Journalism and Safety of Journalists has commented on relevant issues.

#### 2 Definition of "political prisoner"

#### 2.1 <u>Resolution 1900 (2012)</u>

5. The definition of "political prisoner" was elaborated within the Council of Europe in 2001 by the independent experts of the Secretary General, mandated to assess cases of alleged political prisoners in Armenia and Azerbaijan in the context of the accession of the two States to the Organisation. Resolution 1900 (2012) reaffirmed the Assembly's support for and endorsement of the definition and criteria put forward by the independent experts. Since then, this definition of "political prisoner" has been systematically applied by the Assembly<sup>5</sup> and beyond.<sup>6</sup>

#### 2.2 Summary of the criteria<sup>7</sup>

- 6. "A person deprived of his or her personal liberty is to be regarded as a 'political prisoner':
  - a. if the detention has been imposed in violation of one of the fundamental guarantees set out in the European Convention on Human Rights and its Protocols (ECHR), in particular freedom of thought, conscience and religion, freedom of expression and information, freedom of assembly and association;
  - b. if the detention has been imposed for purely political reasons without connection to any offence;
  - c. if, for political motives, the length of the detention or its conditions are clearly out of proportion to the offence the person has been found guilty of or is suspected of;
  - d. if, for political motives, he or she is detained in a discriminatory manner as compared to other persons; or,
  - e. if the detention is the result of proceedings which were clearly unfair and this appears to be connected with political motives of the authorities."

#### 3 Cases of alleged political prisoners in Azerbaijan

3.1 Overview

<sup>&</sup>lt;sup>3</sup> Doc. 13079

<sup>&</sup>lt;sup>4</sup> <u>https://www.coe.int/en/web/cpt/-/azerbaijan-torture-impunity-and-corruption-highlighted-in-new-anti-torture-committee-publications</u>.

<sup>&</sup>lt;sup>5</sup> See e.g. <u>Resolution 2231 (2018)</u> and <u>Doc. 14591; Doc. 14397</u>.

<sup>&</sup>lt;sup>6</sup> See e.g. in the European Parliament (<u>http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B7-2013-0287&language=EN</u>); and in numerous academic and NGO publications concerning different countries, e.g. <u>https://www.researchgate.net/publication/318117888\_Issues\_of\_implementation\_of\_PACE\_Resolution\_no\_19002012\_T</u> <u>he\_definition\_of\_'political\_prisoner'\_in\_national\_criminal\_and\_criminal\_procedural\_legislation;</u> https://www.ifex.org/europe\_central\_asia/2012/10/05/political\_prisoners/

<sup>&</sup>lt;sup>7</sup> SG/Inf(2001)34 of 24 October 2001, Cases of alleged political prisoners in Armenia and Azerbaijan, I. Information provided by the Secretary General, II. Report of the independent experts, Messrs Stefan Trechsel, Evert Alkema and Alexander Arabadjiev, para 10.

**7.** For the preliminary purposes of this introductory memorandum, I primarily refer to a document titled "A Unified List of Political Prisoners in Azerbaijan" (Unified List),<sup>8</sup> elaborated by a Working Group of civil society organisations working in Azerbaijan, bringing together human rights defenders, lawyers, journalists, and experts.<sup>9</sup> This list uses the criteria identified in <u>Resolution 1900 (2012)</u> above and includes all of the most emblematic cases, such as those of Ilgar Mammadov, Mehman Huseynov and Afghan Mukhtarli. I do not at this stage of my work draw definitive conclusions on the cases of "new" alleged political prisoners. <sup>10</sup> In the Strässer report, a number of individuals were recognised as "presumed" political prisoners. The individuals who were discussed in the Strässer report (or the addendum to the report) and who have since been sentenced, or who remain in prison, will be highlighted in the second part of this introductory memorandum. Before drawing conclusions of my own, I will of course give the Azerbaijani authorities a full opportunity to comment and provide further information.

#### **3.2** New cases of alleged political prisoners

**8.** I have separated the "new" cases of alleged political prisoners into seven principal groups, which I will address in turn.

#### 3.2.1 Cases of journalists and bloggers

**9.** The Unified List discusses nine "new" cases of journalists and bloggers, including individuals who have worked for opposition-leaning newspapers or presented critical television programmes,<sup>11</sup> independent journalists who have additionally organised and participated in protest rallies,<sup>12</sup> those who have edited critical websites,<sup>13</sup> and those who have posted critical material, including poems, on social media or blogs.<sup>14</sup> These individuals were subsequently arrested and imprisoned based on, *inter alia*, charges of hooliganism, drug possession, extortion, and bribery, and sentenced to between 3 and 9 years in prison.<sup>15</sup> A number of these individuals have reportedly been detained without grounds,<sup>16</sup> subjected to torture,<sup>17</sup> or their family members or lawyers have allegedly been harassed and threatened.<sup>18</sup> The case of Mr Afghan Mukhtarli, an investigative journalist who was allegedly abducted from Georgia and forcibly transferred to Azerbaijan (where he is now imprisoned), has been communicated to the European Court of Human Rights.<sup>19</sup> Calls for the immediate release of Mr Mukhtarli have been made, *inter alia*, by the Council of Europe Commissioner for Human Rights,<sup>20</sup> as well as by Volodymyr Ariev (Ukraine, EPP/CD), General Rapporteur on Media Freedom and the Safety of Journalists of the Parliamentary Assembly,<sup>21</sup> and by the European Parliament.<sup>22</sup>

#### **3.2.2** Cases of religious activists

## **3.2.2.1** Members of the Muslim Unity Movement and those arrested in the Nardaran settlement

**10.** According to its charter, the purpose of the Muslim Unity Movement (chaired by Mr Taleh Baghirzade,<sup>23</sup> who has widely criticised the government) is to educate youth in the field of development and

<sup>&</sup>lt;sup>8</sup> Covering the period up to 1 September 2018. There may have been relevant developments since that date, although every effort has been made to verify the situation at the time of writing this introductory memorandum and will be made to ensure that the final report is accurate and up-to-date.

<sup>&</sup>lt;sup>9</sup> A Unified List of Political Prisoners in Azerbaijan (Unified List), p. 3.

<sup>&</sup>lt;sup>10</sup> For further details of each individual case, including the circumstances surrounding the arrests, information regarding how the trials were conducted, and the conditions of detention, please see the Unified List.

<sup>&</sup>lt;sup>11</sup> Case No. 27: Asadli, Ziya Alirza oglu; Case No. 56: Hazi, Seymur Mashgul oglu.

<sup>&</sup>lt;sup>12</sup> Case No. 95: Mukhtarli, Afghan Sabir oglu.

<sup>&</sup>lt;sup>13</sup> Case No. 61: Ibishbayli (Faramazoglu), Fikrat Faramaz oglu; Case No. 70: Ismayilli, Elchin Samad oglu.

<sup>&</sup>lt;sup>14</sup> Case No. 53: Hasanli, Tofiq Khasay oglu; Case No. 103: Ramazanov, Rashad Aghaaddin oglu.

<sup>&</sup>lt;sup>15</sup> See Unified List, pp. 5-19.

<sup>&</sup>lt;sup>16</sup> See e.g. Unified List, pp. 8, 11.

<sup>&</sup>lt;sup>17</sup> See e.g. Unified List, pp. 8, 11.

<sup>&</sup>lt;sup>18</sup> See e.g. Unified List, p. 11.

<sup>&</sup>lt;sup>19</sup> Mukhtarli v. Azerbaijan and Georgia, Application No. 39503/17.

<sup>&</sup>lt;sup>20</sup> https://m.facebook.com/CommissionerHR/posts/802500533259192.

<sup>&</sup>lt;sup>21</sup> <u>http://assembly.coe.int/nw/xml/News/News-View-EN.asp?newsid=6694&lang=2&cat=21</u>.

<sup>&</sup>lt;sup>22</sup> European Parliament resolution of 15 June 2017 on the case of Azerbaijani journalist Afgan Mukhtarli, (2017/2722(RSP)).

<sup>&</sup>lt;sup>23</sup> Case No. 33: Baghirzade, Taleh Kamil oglu.

protection of sovereignty, peace, tolerance, democratic governance, and religious and racial unity.<sup>24</sup> In 2015, Mr Baghirzade and members of the Muslim Unity Movement began making visits to various regions of Azerbaijan, holding meetings, and giving religious speeches.<sup>25</sup> The Ministry of Justice has refused three applications for registration by the Muslim Unity Movement.<sup>26</sup>

**11.** On 5 November 2015, Mr Elchin Gasimov,<sup>27</sup> the deputy chairman of the Muslim Unity Movement (who had also strongly criticised the government) was detained by police.<sup>28</sup> Three weeks later, on 26 November 2015, the Ministry of Internal Affairs and the State Security Service held a joint operation in the Nardaran settlement, where Mr Baghirzade was temporarily settled, resulting in the death of seven persons, including two police officers.<sup>29</sup> As a result, Mr Baghirzade and a number of other individuals were detained, following which a campaign against the Muslim Unity Movement began in the media, and supporters of the movement were arrested in Baku and surrounding regions.<sup>30</sup>

#### 3.2.2.1.1 Those arrested in front of the Sabunchu District Police Station

**12.** Following the arrest of Mr Gasimov on 5 November 2015, a group of people who had gathered in front of the Sabunchu District Police Station to call for his release were arrested and charged with hooliganism and resisting police.<sup>31</sup> These individuals were initially put in administrative detention; however, a criminal case was later opened against them following the Nardaran incident,<sup>32</sup> and five individuals<sup>33</sup> received sentences of approximately 6 years in prison on 3 August 2016.<sup>34</sup> According to the Unified List, the imprisonment of these individuals is based purely on the testimonies of police officers, and the security camera recordings apparently show a conflict resulting from the use of force by police officers, with the individuals not having resisted.<sup>35</sup>

## 3.2.2.1.2 Taleh Baghirzade and those arrested with him during the operation carried out in the Nardaran settlement

**13.** The majority of these eighteen individuals<sup>36</sup> were arrested during the operation on 26 November 2015 (others were arrested in the following months) on a variety of charges.<sup>37</sup> The Ministry of Internal Affairs and the General Prosecutor's Office later released a joint statement stating that these individuals created the Muslim Unity Movement with the intent to change the constitutional structure of the state by force and build a religious state governed by the laws of shariah.<sup>38</sup>

**14.** The eighteen individuals were sentenced on 25 January 2017 to between 14 and 20 years in prison,<sup>39</sup> with the exception of Mr Abulfaz Bunyatov, whose case was joined with another and was sentenced at a

- <sup>31</sup> Unified List, p. 46.
- <sup>32</sup> Unified List, p. 42.

<sup>33</sup> Case No. 12: Ahmadov, Latif Suleyman oglu; Case No. 18: Aliyev, Anar Yusif oglu; Case No. 38: Bunyadov, Elkhan Hatif oglu; Case No. 108: Rzayev, Sahil Xalid oglu; Case No. 125: Valiyev, Niftali Ashraf oglu.

<sup>34</sup> Sabunchu District Court (Judge Suleyman Agayev), upheld by Baku Court of Appeal and the Supreme Court.

<sup>35</sup> Unified List, p. 46.

<sup>36</sup> Case No. 2: Abdulaliyev, Shamil Adil oglu; Case No. 28: Askarov, Bahruz Rahib oglu; Case No. 31: Babakishizada, Jahad Bala Huseyn oglu; Case No. 33: Baghirzade, Taleh Kamil oglu; Case No. 36: Balayev, Farhad Nasraddin oglu; Case No. 39: Bunyatov, Abulfaz Heybat oglu; Case No. 49: Guliyev, Abbas Abdulrahman oglu; Case No. 57: Huseynov, Abbas Mammadbagir oglu; Case No. 71: Ismayilov, Agil Azer oglu; Case No. 72: Ismayilov, Etibar Rasim oglu; Case No. 75: Jabbarov, Jabbar Amirkhan oglu; Case No. 76: Jabrayilov, Rasim Mirzabala oglu; Case No. 85: Khudaverdiyev, Ibrahim Mahammad oglu; Case No. 97: Mustafayev, Zakir Tapdig oglu; Case No. 100: Nuriyev, Ali Hasrat oglu; Case No. 122: Taghizade, Abbas Hafiz oglu; Case No. 124: Valiyev, Alibaba Javad oglu; Case No. 127: Yariyev, Ramin Maharram oglu.

<sup>37</sup> Unified List, pp. 49-50.

<sup>38</sup> Unified List, p. 44.

<sup>39</sup> Unified List, p. 55. Baku Court of Grave Crimes (Judge Alovsat Abbasov), upheld by Baku Appeal Court and the Supreme Court.

<sup>&</sup>lt;sup>24</sup> Unified List, p. 41.

<sup>&</sup>lt;sup>25</sup> Unified List, p. 41.

<sup>&</sup>lt;sup>26</sup> Unified List, p. 41.

<sup>&</sup>lt;sup>27</sup> Case No. 46: Gasimov, Elchin Kamal oglu.

<sup>&</sup>lt;sup>28</sup> Unified List, pp. 42-43.

<sup>&</sup>lt;sup>29</sup> Unified List, p. 43.

<sup>&</sup>lt;sup>30</sup> Unified List, p. 43.

later date.<sup>40</sup> Mr Baghirzade and those arrested with him stated at trial that they had been subjected to torture, allegedly aimed at obtaining confessions and forcing testimony.<sup>41</sup> Mr Baghirzade reportedly stated that there had been an attempt to force him to testify against opposition groups to obtain evidence of their involvement in extremist religious activities.<sup>42</sup> According to the Unified List, the observation of court proceedings showed that the investigation failed to prove the charges brought against the individuals.<sup>43</sup>

#### 3.2.2.1.3 The case of Elchin Gasimov and others

**15.** The case of Mr Gasimov was joined with those of twelve other individuals<sup>44</sup> related to the Nardaran case and sent to Baku Court of Grave Crimes<sup>45</sup> on the basis of, *inter alia*, terrorism, possession of weapons, incitement of hatred, hooliganism, and violent resistance charges.<sup>46</sup> These individuals were sentenced to between 12 years and 3 months in prison and 15 years in prison.<sup>47</sup> Mr Gasimov's case has been communicated to the European Court of Human Rights.<sup>48</sup>

#### 3.2.2.1.4 Other persons detained in connection with the Nardaran case

**16.** Fourteen individuals,<sup>49</sup> who were arrested between 26 November 2015 and 6 October 2017 on a range of serious charges, were sentenced to between 5 years and 6 months in prison and 17 years in prison.<sup>50</sup> In addition, two individuals,<sup>51</sup> who were charged with minor crimes and sentenced to 2 years and 3 months in prison and 4 years, 11 months and 7 days in prison on fire-arms charges and charges of hooliganism and violence, are still serving their sentences.

## **3.2.2.2** Persons detained in connection with the "Freedom for Hijab" protest held on 5 October 2012

**17.** On 5 October 2012, a second mass protest (following that of 6 May 2011<sup>52</sup>) took place at the Ministry of Education against the banning of the hijab in schools.<sup>53</sup> Police efforts to disperse the apparently peaceful action allegedly resulted in physical injuries to both protesters and police officers.<sup>54</sup> One individual,<sup>55</sup> who was charged with organising actions causing violation of public order or active participation in such actions and

<sup>&</sup>lt;sup>40</sup> Unified List, p. 54.

<sup>&</sup>lt;sup>41</sup> Unified List, pp. 44-45.

<sup>&</sup>lt;sup>42</sup> Unified List, p. 45.

<sup>&</sup>lt;sup>43</sup> Unified List, p. 45.

<sup>&</sup>lt;sup>44</sup> Case No. 13: Akhundov, Elgun Anvar oglu; Case No. 16: Alish, Vusal Nadir oglu; Case No. 17: Aliyev, Amirali Ismayil oglu; Case No. 23: Aliyev, Ramil Zabil oglu; Case No. 29: Aslanov, Seymur Tarlan oglu; Case No. 44: Gahramanov, Nahid Nasib oglu; Case No. 46: Gasimov, Elchin Kamal oglu; Case No. 64: Ibrahimov, Isa Tofig oglu; Case No. 69: Isgandarov, Elkhan Savadulla oglu; Case No. 96: Muradov, Farhad Mirzahasan oglu; Case No. 116: Shahbazov, Alibay Atabala oglu; Case No. 119: Shirvanov, Seyfaddin Nuralla oglu; Case No. 126: Yahyayev, Aga-ali Eldar oglu.
<sup>45</sup> Unified List. p. 56.

<sup>&</sup>lt;sup>46</sup> Unified List, pp. 56-57.

<sup>&</sup>lt;sup>47</sup> Unified List, pp. 55-61.

<sup>&</sup>lt;sup>48</sup> Dedeeboury Azerbaijan and 12

<sup>&</sup>lt;sup>48</sup> Dadashov v. Azerbaijan and 12 other applications, Application No. 47915/09.

<sup>&</sup>lt;sup>49</sup> Case No. 9: Aghayev, Elman Seydamir oglu; Case No. 15: Akhundzade, Mahammadali Ruhulla oglu; Case No. 21: Aliyev, Jabir Sabir oglu; Case No. 25: Allahverdiyev, Faig Arif oglu; Case No. 40: Bunyatov, Eldar Ali-aga oglu; Case No. 51: Guliyev, Mehman Abulfaz oglu; Case No. 55: Hasanov, Elkhan Heydar oglu; Case No. 58: Huseynov, Ali Hummat oglu; Case No. 65: Ibrahimov, Mubariz Eyyub oglu; Case No. 73: Ismayilov, Ruzi Khaliq oglu; Case No. 90: Mammadov, Mehman Sudef oglu; Case No. 93: Mikayilov, Zulfagar Sadraddin oglu; Case No. 101: Nuruzade, Ahsan Muzaffar oglu; Case No. 113: Seyfullayev, Ramil Suliddin oglu.

<sup>&</sup>lt;sup>50</sup> Unified List, p. 65. Baku Court of Grave Crimes (Judge Zeynal Agayev), upheld by Baku Court of Appeal.

<sup>&</sup>lt;sup>51</sup> Case No. 52: Habbibov, Sahib Firuddin oglu; Case No. 74: Jabbarov, Aliasgar Amirkhan oglu.

<sup>&</sup>lt;sup>52</sup> See Strässer Report, pp. 23-25.

<sup>&</sup>lt;sup>53</sup> Unified List, p. 69.

<sup>&</sup>lt;sup>54</sup> Unified List, p. 69.

<sup>&</sup>lt;sup>55</sup> Case No. 118: Shiraliyev, Telman Shirali oglu.

resistance to or use of force against a representative of authority, was sentenced to 6 years in prison on 22 April 2013.<sup>56</sup>

#### **3.2.2.3**Religious activists arrested in Masalli in 2012

**18.** Three individuals<sup>57</sup> who are religious activists and residents of the Masalli region were arrested with journalist Mr Araz Guliyev<sup>58,59</sup> They were charged with organising actions causing violation of public order or active participation in such actions, resistance to or use of force against a representative of authority, insulting the national flag or emblem of the Republic of Azerbaijan, and/or drug possession, and were all sentenced to 7 or 8 years in prison on 5 April 2013.<sup>60</sup> According to the Unified List, these individuals were arrested for assisting Mr Guliyev by, for example, collecting information for the website that he edited, and to make the charges against Mr Guliyev appear more serious, having been committed by an organised gang.<sup>61</sup>

#### **3.2.2.4** Religious activists arrested in May 2012<sup>62</sup>

**19.** A few individuals were arrested in May 2012, some of whom had published articles on the website edited by journalist Mr Nijat Aliyev<sup>63</sup> and decided to protest the apparent destruction of houses without due compensation in the run-up to the Eurovision Song Contest, as well as protesting the hijab ban by preparing CDs with speeches of, *inter alia*, theologians Mr Abgul Suleymanov<sup>64</sup> and Mr Taleh Baghirzade<sup>65</sup>, and spreading these publicly at various places in Baku.<sup>66</sup> An expert from the State Committee on Work with Religious Organisations issued an opinion report on 28 June 2012, stating that the content of the CDs propagated violence and hatred against the state structure and state bodies, and was aimed at inciting confrontation.<sup>67</sup> The court apparently did not accept a motion requesting an independent examination of the CDs.<sup>68</sup>

**20.** The four individuals<sup>69</sup> were all sentenced on 9 December 2013<sup>70</sup> to either 7 or 9 years in prison, on various charges such as import, sale or distribution of religious literature, religious items and other informational materials of religious nature with the aim of reproduction, sale and distribution without appropriate authorisation, incitement to hatred, public appeals for the violent seizure of authority, as well as drugs charges.<sup>71</sup>

#### **3.2.2.5** Other religious activists

**21.** This category includes three religious activists (one who had disseminated critical posts on Facebook,<sup>72</sup> and two others who had actively opposed the hijab ban in schools and participated in protests<sup>73</sup>) who were sentenced to between 2 years and 6 months in prison and 11 years in prison, on, *inter alia*, charges of conducting Islamic rites by an individual who has received their religious education abroad, as

- <sup>64</sup> Case No. 121: Suleymanov, Abgul Neymat oglu.
- <sup>65</sup> Case No. 33: Baghirzade, Taleh Kamil oglu.

<sup>70</sup> Baku Court of Grave Crimes, upheld by Baku Court of Appeal.

<sup>&</sup>lt;sup>56</sup> Unified List, p. 70.

<sup>&</sup>lt;sup>57</sup> Case No. 7: Aghali, Rza Gorkhmaz oglu; Case No. 83: Kazimov, Khalid Nofal oglu; Case No. 123: Tahirov, Ziya Ibrahim oglu.

<sup>&</sup>lt;sup>58</sup> Case No. 50: Guliyev, Araz Faig oglu.

<sup>&</sup>lt;sup>59</sup> Unified List, p. 70.

<sup>&</sup>lt;sup>60</sup> Unified List, pp. 70-71. Lankaran Court of Grave Crimes, upheld by Shirvan Court of Appeal.

<sup>&</sup>lt;sup>61</sup> Unified List, p. 70.

<sup>&</sup>lt;sup>62</sup> With the exception of Mr Gorkhmaz Jamalov, who was arrested on 18 January 2013.

<sup>&</sup>lt;sup>63</sup> Case No. 22: Aliyev, Nijat Nazim oglu.

<sup>&</sup>lt;sup>66</sup> Unified List, p. 72.

<sup>&</sup>lt;sup>67</sup> Unified List, p. 72.

<sup>68</sup> Unified List, p. 72.

<sup>&</sup>lt;sup>69</sup> Case No. 59: Huseynov, Elimkhan Gurbankhan oglu; Case No. 98: Nasirov, Elvin Nuraddin oglu; Case No. 109: Safarli, Jeyhun Zabil oglu.

<sup>&</sup>lt;sup>71</sup> Unified List, pp. 72-74.

<sup>&</sup>lt;sup>72</sup> Case No. 77: Jamalov, Gorkhmaz Huseyn oglu.

<sup>&</sup>lt;sup>73</sup> Case No. 32: Babayev, Sardar Arif oglu; Case No. 78: Javadov, Elnur Shakir oglu; Case No. 121: Suleymanov, Abgul Neymat oglu.

well as various other charges.<sup>74</sup> According to the Unified List, the investigation fell short of proving the charges against Mr Javadov in Court, with no forensic tests having been conducted to determine if Mr Javadov's fingerprints were on a rifle he is accused of possessing.<sup>75</sup> Witnesses apparently testified that the man who came with the police to search the house planted the rifle.<sup>76</sup> In addition, Mr Suleymanov was allegedly detained for 3 months (from May to August 2012) without a court decision.<sup>77</sup>

#### 3.2.3 Cases of political and social activists

**22.** This group of cases includes twelve individuals identified by the Unified List, many of whom were members of, or advisors to, the opposition Azerbaijan Popular Front Party,<sup>78</sup> or members of the Musavat Party<sup>79</sup> or the NIDA civic movement,<sup>80</sup> who have often been involved in the organisation of events and protest demonstrations and/or have posted articles of a critical nature in the press or on social media. These individuals were arrested on a range of charges, including implementation of operative-search actions by unauthorised persons and abuse of official powers, drugs charges, smuggling illegal funds, active insubordination towards legal requirements of representatives of the authority, public appeals to violent capture of authority, incitement of hatred, hooliganism, organisation of or participation in mass disorders accompanied by violence, fraud, and forgery, and were sentenced to between 3 years and 10 years and 3 months in prison.<sup>81</sup> The cases of youth activists Messrs Giyas Ibrahimov, Bayram Mammadov, and Elgiz Gahraman have been communicated to the Azerbaijan government by the European Court of Human Rights.<sup>82</sup>

#### **3.2.4** A case of financing of the opposition party

**23.** According to the Unified List, Mr Saleh Rustamov,<sup>83</sup> a former head of the executive power of the Gadabay region (from 1992 to 1993), who had been involved with a small business in Russia and has Russian citizenship, was arrested on 8 May 2018 and charged with illegal possession and storage of drugs.<sup>84</sup> In the month following, four more individuals, including a cousin of Mr Rustamov<sup>85</sup> and three officials of the Azerbaijan Popular Front Party,<sup>86</sup> were arrested on the same charges.<sup>87</sup> Following their arrest, the individuals were allegedly sentenced to four months in pre-trial detention, without having had legal representation.<sup>88</sup> The Prosecutor General's Office and the Ministry of Internal Affairs subsequently stated that the arrested individuals had been involved in illegal entrepreneurship and laundering criminally obtained funds.<sup>89</sup> Mr Rustamov and Mr Rustamli were apparently kept incommunicado for 15 and 17 days, respectively.<sup>90</sup> Other individuals have claimed that they were subjected to torture.<sup>91</sup> The individuals are all currently in pre-trial detention.<sup>92</sup>

#### 3.2.5 Cases of persons arrested in relation to social protests

<sup>79</sup> Case No. 86: Khurshidov, Alikram Idris oglu.

<sup>82</sup> Ibrahimov v Azerbaijan and 6 other applications, Application No. 63571/16.

<sup>83</sup> Case No. 106: Rustamov, Saleh Maharram oglu.

<sup>85</sup> Case No. 104: Rustamli, Vidadi Valeh oglu.

<sup>86</sup> Case No. 54: Hasanov, Babak Gazanfar oglu; Case No. 87: Maharramov, Agil Ali oglu; Case No. 99: Nasirov, Ruslan Shamil oglu.

<sup>87</sup> Unified List. p. 35.

- <sup>89</sup> Unified List, pp. 35-36.
- <sup>90</sup> Unified List, p. 37.
- <sup>91</sup> Unified List, p. 37.
- 92 Unified List. pp. 35-39.

<sup>&</sup>lt;sup>74</sup> Unified List, pp. 79-82.

<sup>&</sup>lt;sup>75</sup> Unified List, p. 82.

<sup>&</sup>lt;sup>76</sup> Unified List, p. 82.

<sup>&</sup>lt;sup>77</sup> Unified List, p. 81.

<sup>&</sup>lt;sup>78</sup> Case No. 11: Ahmadli, Fuad Zafar oglu; Case No. 35: Bakhishli, Orkhan Rafig oglu; Case No. 37: Bayramli, Gozal Oruj oglu; Case No. 43: Gahramanli, Fuad Ali oglu; Case No. 62: Ibrahim, Mammad Aziz oglu; Case No. 115: Seyidov, Mirfeyzulla Ahmad oglu; Case No. 128: Yusifli, Asif Gambar oglu.

<sup>&</sup>lt;sup>80</sup> Case No. 42: Gahraman, Elgiz Jamal oglu; Case No. 63: Ibrahimov, Giyas Hasan oglu; Case No. 89: Mammadov, Bayram Farman oglu; Case No. 107: Rustamzade, Ilkin Bakir oglu.

<sup>&</sup>lt;sup>81</sup> With the exception of Mr Bakhishli who is in pre-trial detention, and Mr Seyidov who is on house arrest. See Unified List, pp. 20-35.

<sup>&</sup>lt;sup>84</sup> Unified List, p. 35.

<sup>&</sup>lt;sup>88</sup> Unified List, p. 35.

#### 3.2.5.1 People arrested for the Ismayilli protests in 2013

**24.** In January 2013, an incident involving a car crash caused by a member of staff of the Chirag Hotel led to a protest by Ismayilli residents who apparently threw stones at the hotel and set it on fire, additionally demanding the resignation of the head of the regional executive authority, Mr Nizami Alakbarov, the uncle of the hotel owner, whose house and vehicles the protestors also burnt.<sup>93</sup> The protests continued, and police officers were brought in from neighbouring regions in an effort to disperse them.<sup>94</sup> Numerous protestors were arrested and many imprisoned, including Ilgar Mammadov, whose case before the European Court of Human Rights arose from these proceedings. A resident, Mr Vasif Ibrahimov,<sup>95</sup> who had voiced critical opinions, both on television and via print media, apparently gave an interview to journalists on the first day of the mass protests, describing the construction of the hotel as illegal and criticising local executive structures for their involvement.<sup>96</sup> Mr Ibrahimov was allegedly not directly involved in the protests, but was arrested a month later on charges of organising or participating in mass disorders accompanied by violence and use of violence against a representative of authority, and sentenced to 8 years in prison.<sup>97</sup>

#### **3.2.5.2** People arrested for the Mingachevir protests in 2015

**25.** In August 2015, a Mingachevir resident was arrested, suspected of possession of drugs, and taken to Mingachevir City Police Station, where he later died (according to the police, by jumping from the third floor).<sup>98</sup> Relatives of the individual and residents of the area, approximately 500 people, gathered in front of the police station to demand a detailed investigation into the incident.<sup>99</sup> According to the Unified List, the protest was peaceful until a large number of police officers arrived to disperse it, leading to a number of arrests.<sup>100</sup> Those charged were sentenced to between 4 and 6 years in prison for a variety of offences including public disorder, violence and resisting arrest.<sup>101</sup>

#### **3.2.5.3** People arrested for the Siyazan protests in 2016

**26.** Protests against rising food prices erupted in several regions of Azerbaijan in January 2016, including in Siyazan, where local residents gathered in front of the building of the executive power.<sup>102</sup> The authorities claimed that the protestors were violent, resisted police, and posed a threat to the lives and safety of the police, whereas the Unified List submits that video footage shows no sign of violence, and that police detained protestors and dispersed participants using force.<sup>103</sup> Ten individuals<sup>104</sup> were sentenced to between 3 years and 6 months and 6 years in prison for various offences, several of whom were apparently later charged also with possession of drugs and illegal fire-arms.<sup>105</sup>

#### **3.2.6** Cases of former government officials

**27.** Mr Rudat Safarov,<sup>106</sup> son of one of the founders of the ruling New Azerbaijan Party and a former MP, as well as former head of the press service of the Defence Ministry, worked as an investigator at the Zardab

<sup>&</sup>lt;sup>93</sup> Unified List, pp. 90-91.

<sup>&</sup>lt;sup>94</sup> Unified List, p. 91.

<sup>&</sup>lt;sup>95</sup> Case No. 66: Ibrahimov, Vasif Adalat oglu.

<sup>&</sup>lt;sup>96</sup> Unified List, p. 91.

<sup>&</sup>lt;sup>97</sup> Unified List, p. 91.

<sup>&</sup>lt;sup>98</sup> Unified List, p. 92.

<sup>&</sup>lt;sup>99</sup> Unified List, p. 92.

<sup>&</sup>lt;sup>100</sup> Including Case No. 3: Abdullayev, Ilkin Oruk oglu; Case No. 84: Khalilov, Ilgar Aliniyaz oglu; Case No. 88: Mahmudzade, Dilgam Dilgami oglu.

<sup>&</sup>lt;sup>101</sup> Unified List, pp. 92-94.

<sup>&</sup>lt;sup>102</sup> Unified List, p. 95.

<sup>&</sup>lt;sup>103</sup> Unified List, p. 95.

<sup>&</sup>lt;sup>104</sup> Case No. 4: Abdullayev, Kamran Saftar oglu; Case No. 8: Aghamaliyev, Talib Telman oglu; Case No. 20: Aliyev, Elchin Sadig oglu; ase No. 30: Azimov, Muslum Aghamali oglu; Case No. 34: Baghishov, Joshgun Muslum oglu; Case No. 45: Ganiyev, Nizami Maharram oglu; Case No. 81: Karimov, Fariz Karam oglu; Case No. 92: Mastanov, Namig Azizoghlan oglu; Case No. 117: Shakarov, Zaur Ilham oglu.

Case No. 120: Suleymanov, Abasat Oktay oglu.

<sup>&</sup>lt;sup>105</sup> Unified List, p. 95.

<sup>&</sup>lt;sup>106</sup> Case No. 111: Safarov, Rudat Eldar oglu.

District Prosecutor's Office.<sup>107</sup> In December 2015, he resigned from this position by way of a letter which he published in the press, detailing the reasons for his resignation, namely in protest at alleged gross violations of law, instances of injustice, and infringements of human rights by the District Prosecutor's Office.<sup>108</sup> In January 2016, a criminal case was opened against him and he was sentenced to pre-trial detention, which was later changed to house arrest.<sup>109</sup> In September 2016, Mr Safarov was sentenced to 9 years in prison on bribery charges.<sup>110</sup>

#### 3.2.7 Other "new" cases

**28.** Three additional "new" cases are cited in the Unified List, including the case of the nephew<sup>111</sup> of Mr Elshad Abdullayev, a former university rector who released a video in which a former MP of the ruling party requests 1 million AZN from Mr Abdullayev to get him elected as a parliamentarian.<sup>112</sup> Following his brother's disappearance in 2003, Mr Abdullayev reportedly publicly condemned the government, in particular the law-enforcement agencies.<sup>113</sup> In August 2013, a decade later, Mr Abdullayev's nephew was sentenced to 10 years, reduced on appeal to 8 years, in prison for extortion, having allegedly, in 2003, demanded a large sum of money from Mr Abdullayev for the return of his brother.<sup>114</sup>

**29.** Mr Murad Adilov,<sup>115</sup> the brother of the press secretary of the Azerbaijan Popular Front Party (who also presents a television programme critical of the government), was arrested and sentenced to 6 years in prison on drugs charges.<sup>116</sup> Mr Aliabbas Rustamov,<sup>117</sup> head of the Yasavul Law Firm and a prominent human rights defender, who had openly criticised the government on his Facebook page and, during the 2013 presidential election campaign, had supported the opposition nominee and took part in his rallies, was arrested in June 2014 and charged with bribery.<sup>118</sup> He was sentenced to 7 years in prison; this was reduced on appeal to the Supreme Court to 6 years.<sup>119</sup>

#### **3.3** Existing cases of "presumed" political prisoners

**30.** The following are cases that were examined in the Strässer report or addendum of individuals who either had not yet been sentenced, but since have been and are currently in prison; or who had already been sentenced and remain in prison.

#### **3.3.1** Cases of journalists and bloggers<sup>120</sup>

**31.** Three journalists and bloggers,<sup>121</sup> identified in the Strässer report or addendum as "presumed political prisoners", but who had not yet been sentenced, have since been sentenced to between 2 and 10 years in prison on various charges.<sup>122</sup> Mr Mehman Huseynov has allegedly been subjected to torture and inhumane and degrading treatment;<sup>123</sup> on 26 December 2018, shortly before his expected release, he was charged with violently resisting a state official, in protest at which he began a hunger strike.<sup>124</sup>

- <sup>111</sup> Case No. 5: Abdullayev, Mubariz Aslan oglu.
- <sup>112</sup> Unified List, p. 106.
- <sup>113</sup> Unified List, p. 106.
- <sup>114</sup> Unified List, p. 107.
- $^{\rm 115}$  Case No. 6: Adilov, Murad Gulahmad oglu.
- <sup>116</sup> Unified List, p. 108.
- $^{117}$  Case No. 105: Rustamov, Aliabbas Fakhraddin oglu.
- <sup>118</sup> Unified List. p. 19.
- $^{\rm 119}$  Unified List, p. 20.
- <sup>120</sup> See Strässer Report, pp. 17-19.

<sup>121</sup> Case No. 22: Aliyev, Nijat Nazim oglu; Case No. 50: Guliyev, Araz Faig oglu; Case No. 60: Huseynov, Mehman Rafiq oglu.

<sup>122</sup> Unified List, pp. 5-7, 13-15.

<sup>123</sup> Unified List, p. 14.

<sup>124</sup> The co-rapporteurs of the Assembly's Monitoring Committee and the Council of Europe Commission for Human Rights, amongst others, have criticised these charges, and I have written to the head of the Azerbaijan delegation to the Assembly requesting further information.

<sup>&</sup>lt;sup>107</sup> Unified List, p. 103.

<sup>&</sup>lt;sup>108</sup> Unified List, p. 103.

<sup>&</sup>lt;sup>109</sup> Unified List, p. 103.

<sup>&</sup>lt;sup>110</sup> Unified List, pp. 103-104.

#### 3.3.2 Cases of Islamist activists

#### **3.3.2.1** Islamic Party of Azerbaijan activists<sup>125</sup>

**32.** Five of the individuals<sup>126</sup> identified in the Strässer report as members of the Islamic Party of Azerbaijan who were arrested in 2011 for an attempted *coup d'état* remain in prison.<sup>127</sup>

#### **3.3.2.2** "Said Dadashbeyli group"<sup>128</sup>

**33.** All ten of the individuals<sup>129</sup> identified in the Strässer report as having been arrested with Mr Said Dadashbeyli for an alleged attempted *coup d'état* remain in prison.<sup>130</sup>

#### **3.3.3** Cases of civic activists<sup>131</sup>

**34.** Only one individual from the group of civic activists identified in the Strässer report remains in prison. Mr Elnur Seyidov,<sup>132</sup> who was not yet convicted at the time of the Strässer report, was sentenced in October 2013 to 7 years and 6 months in prison; however, on 19 January 2015, the Supreme Court dismissed two of the charges, thereby reducing the sentence to 7 years and 3 months.<sup>133</sup> The testimonies given by witnesses during the trial were allegedly inconsistent, with some stating that Mr Seyidov was not guilty; however, this was apparently not taken into consideration by the court.<sup>134</sup>

#### **3.3.4** Cases of former government officials<sup>135</sup>

**35.** Mr Ali Binnat Insanov,<sup>136</sup> former Minister of Health Care, whose case was raised in the Strässer report and two previous Assembly texts adopted on 16 April 2007<sup>137</sup> and 6 June 2008,<sup>138</sup> remains in prison.<sup>139</sup> Mr Insanov applied to the European Court of Human Rights claiming violations of Article 3 (prohibition of torture) and Article 6 (right to a fair trial) of the Convention. In March 2013, the Court found a violation of both of these rights.<sup>140</sup> The Court indicated that "the most appropriate form of redress would, in principle, be the reopening of the proceedings in order to guarantee the conduct of the trial in accordance with the requirements of Article 6 of the Convention".<sup>141</sup> The Committee of Ministers is currently examining the execution of this judgment, under the enhanced supervision procedure. Following the judgment, the

<sup>128</sup> See Strässer Report, pp. 21-23.

<sup>129</sup> Case No. 10: Aghayev, Farid (Farig) Nadir; Case No. 21: Aliyev, Ceyhun (Djeyhun/Jeyhun) Saleh oglu

Case No. 26: Aliyev, Rashad Ismail (Ismayil) oglu; Case No. 41: Dadashbayli (Dadashbeyli), Said Alakbar oglu; Case No. 47: Gojayev (Gocayev), Samir Edij oglu; Case No. 48: Guliyev (Quliyev), Baybala (Beybala) Yahya; Case No. 67: Idrisov, Mikayil Garib oglu; Case No. 79: Karimov (Kerimov), Jahangir Ramiz oglu; Case No. 80: Karimov (Kerimov), Rasim Rafiq oglu; Case No. 94: Mohbaliyev (Mehbaliyev), Emil (Emin) Nuraddin.

<sup>136</sup> Case No. 68: Insanov, Ali Binnat oglu.

<sup>141</sup> *Ibid,* para 195.

<sup>&</sup>lt;sup>125</sup> See Strässer Report, pp. 20-21.

<sup>&</sup>lt;sup>126</sup> Case No. 1: Abbasov, Faramiz (Faramaz) Zeynal olgu; Case No. 15: Akhundzade (Ahundzade), Rufulla (Ruzulla) Hojatullah oglu; Case No. 91: Mammadrzayev (Mamedrzayev), Firdovsi Teymur oglu; Case No. 111: Samadov (Samedov), Dayanat Alasgar oglu; Case No. 112: Samadov (Samedov), Movsum Mardan oglu.

<sup>&</sup>lt;sup>127</sup> Unified List, p. 74-79.

<sup>&</sup>lt;sup>130</sup> Unified List, pp. 109-115.

<sup>&</sup>lt;sup>131</sup> See Strässer Report, pp. 16-17.

<sup>&</sup>lt;sup>132</sup> Case No. 114: Seyidov, Elnur Rafig oglu.

<sup>&</sup>lt;sup>133</sup> Unified List, p. 105.

<sup>&</sup>lt;sup>134</sup> Unified List, p. 105.

<sup>&</sup>lt;sup>135</sup> See Strässer Report, p. 27.

<sup>&</sup>lt;sup>137</sup> <u>Resolution 1545 (2007)</u>, para 7.13.

<sup>&</sup>lt;sup>138</sup> <u>Doc. 11627</u>, report on "The functioning of democratic institutions in Azerbaijan", Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee), co-rapporteurs: Mr Andres HERKEL, Estonia, Group of the European People's Party, and Ms Evguenia JIVKOVA, Bulgaria, Socialist Group, para 136 and Appendix II.

<sup>&</sup>lt;sup>139</sup> Unified List, pp. 100-103.

<sup>&</sup>lt;sup>140</sup> *Insanov v. Azerbaijan,* Application No. 16133/08, Judgment of 14 March 2013.

Supreme Court reopened the criminal proceedings against Mr Insanov and referred them to the Baku Court of Appeal for re-examination on 15 November 2013. On 25 February 2014, the Baku Court of Appeal upheld the decisions taken in the proceedings impugned by the European Court. Mr Insanov has indicated that he submitted a cassation complaint against the decision of the Court of Appeal to the Supreme Court of Azerbaijan, which initially fixed a hearing for 26 November 2015 but then postponed the proceedings indefinitely.

#### 3.3.5 Cases of lifetime prisoners ("OPON" – March 1995 events)<sup>142</sup>

**36.** Three of the individuals<sup>143</sup> identified in the Strässer report as belonging to the group of cases pertaining to the 1995 rebellion of the "OPON" special police unit, who were recognised as "political prisoners" by the independent experts,<sup>144</sup> remain in prison.<sup>145</sup>

#### 4 Conclusions and proposals

**37.** In conclusion, not only do a considerable number of those whom the Assembly has in the past identified as political prisoners or presumed political prisoners remain in detention, but there appear to be a number of new cases of possible political prisoners in Azerbaijan which should be examined by the Assembly. I would like to reaffirm, however, my position that the Azerbaijani authorities must be given the opportunity to present their own views on these cases. In order to obtain further information on the issues presented in this introductory memorandum, therefore I should like to hold a hearing with experts at a future Committee meeting and organise a fact-finding visit to Azerbaijan, for both of which I request the Committee's authorisation. Since, as indicated above, I have not yet drawn definitive conclusions on "new" cases, I propose amending the title of the report to read "Reported cases of political prisoners in Azerbaijan".

#### A – Draft consolidated list of alleged political prisoners (in alphabetical order)

1 Abbasov, Faramiz (Faramaz) Zeynal oglu

2 Abdulaliyev, Shamil Adil oglu

- 3 Abdullayev, Ilkin Oruj oglu
- 4 Abdullayev, Kamran Safar oglu
- 5 Abdullayev, Mubariz Aslan oglu
- 6 Adilov, Murad Gulahmad oglu
- 7 Aghali, Rza Gorkhmaz oglu

<sup>&</sup>lt;sup>142</sup> See Strässer Report, pp. 28-29.

<sup>&</sup>lt;sup>143</sup> Case No. 26: Amiraslanov, Elchin Samed (Samad) oglu; Case No. 82: Kazimov, Arif Nazir oglu; Case No. 102: Poladov, Safa Alim oglu.

<sup>&</sup>lt;sup>144</sup> SG/Inf(2004)21, list of 716/132, 342 and 523, pilot cases Nos. 5 and 15; SG/Inf(2004)21 addendum part I, pp. 213-218.

<sup>&</sup>lt;sup>145</sup> Unified List, pp. 84-90.

- 8 Aghamaliyev, Talib Telman oglu
- 9 Aghayev, Elman Seydamir oglu
- 1 Aghayev, Farig (Farid) Nadir
- 1 Ahmadli, Fuad Zafar oglu
- 1 Ahmadov, Latif Suleyman oglu
- 1 Akhundov, Elgun Anvar oglu
- 1 Akhundzade, Mahammadali Ruhulla oglu
- 1 Akhundzade (Ahundzade), Rufulla (Ruxulla) Hojatullah oglu
- 1 Alish, Vusal Nadir oglu
- 1 Aliyev, Amirali Ismayil oglu
- 1 Aliyev, Anar Yusif oglu
- 1 Aliyev, Ceyhun (Djeyhun/Jeyhun) Saleh oglu
- 2 Aliyev, Elchin Sadig oglu
- 2 Aliyev, Jabir Sabir oglu
- 2 Aliyev, Nijat Nazim oglu
- 2 Aliyev, Ramil Zabil oglu
- 2 Aliyev, Rashad Ismail (Ismayil) oglu
- 2 Allahverdiyev, Faig Arif oglu
- 2 Amiraslanov, Elchin Samed (Samad) oglu
- 2 Asadli, Ziya Alirza oglu
- 2 Askarov, Bahruz Rahib oglu
- 2 Aslanov, Seymur Tarlan oglu
- 3 Azimov, Muslum Aghamali oglu
- 3 Babaskishizade, Jahad Bala Huseyn oglu
- 3 Babayev, Sardar Arif oglu
- 3 Baghirzade, Taleh Kamil oglu
- 3 Baghishov, Joshgun Muslum oglu
- 3 Bakhishli, Orkhan Rafig oglu
- 3 Balayev, Farhad Nasraddin oglu
- 3 Bayramli, Gozal Oruk gizi
- 3 Bunyadov, Elkhan Hatif oglu
- 3 Bunyatov, Adulfaz Heybat oglu
- 4 Bunyatov, Eldar Ali-aga oglu
- 4 Dadashbayli (Dadashbeyli), Said Alakbar oglu

- 4 Gahraman, Elgiz Jamal oglu
- 4 Gahramanli, Fuad Ali oglu
- 4 Gahramanov, Nahid Nasid oglu
- 4 Ganiyev, Nizami Maharram oglu
- 4 Gasimov, Elchin Kamal oglu
- 4 Gojayev (Gocayev), Samir Edik oglu
- 4 Guliyev (Quliyev), Baybala (Beybala) Yahya
- 4 Guliyev, Abbas Abdulrahman oglu
- 5 Guliyev, Araz Faig oglu
- 5 Guliyev, Mehman Abulfaz oglu
- 5 Habibov, Sahib Firuddin oglu
- 5 Hasanli, Tofiq Khasay oglu
- 5 Hasanov, Babak Gazanfar oglu
- 5 Hasanov, Elkhan Heydar oglu
- 5 Hazi, Seymur Mashgul oglu
- 5 Huseynov, Abbas Mannadbagir oglu
- 5 Huseynov, Ali Hummat oglu
- 5 Huseynov, Elimkhan Gurbankhan oglu
- 6 Huseynov, Mehman Rafik oglu
- 6 Ibishbayli (Faramazoglu), Fikrat Faramaz oglu
- 6 Ibrahim, Mammad Aziz oglu
- 6 Ibrahimov, Giyas Hasan oglu
- 6 Ibrahimov, Isa Tofig oglu
- 6 Ibrahimov, Mubariz Eyyub oglu
- 6 Ibrahimov, Vasif Adalat oglu
- 6 Idrisov, Mikayil Garib oglu
- 6 Insanov, Ali Binnat oglu
- 6 Isgandarov, Elkhan Savadulla oglu
- 7 Ismayilli, Elchin Samad oglu
- 7 Ismayilov, Agil Azer oglu
- 7 Ismayilov, Etibar Rasim oglu
- 7 Ismayilov, Ruzi Khaliq oglu
- 7 Jabbarov, Aliasgar Amirkhan oglu
- 7 Jabbarov, Jabbar Amirxan oglu

- 7 Jabrayilov, Rasim Mirzabala oglu
- 7 Jamalov, Gorkhmaz Huseyn oglu
- 7 Javadov, Elnur Shakir oglu
- 7 Karimov (Kerimov), Jahangir Ramiz oglu
- 8 Karimov (Kerimov), Rasim Rafig oglu
- 8 Karimov, Fariz Karam oglu
- 8 Kazimov, Arif Nazir oglu
- 8 Kazimov, Khalid Nofal oglu
- 8 Khalilov, Ilgar Aliniyaz oglu
- 8 Khudaverdiyev, Ibrahim Mahamad oglu
- 8 Khurshidov, Alikram Idris oglu
- 8 Maharramov, Agil Ali oglu
- 8 Mahmudzade, Dilgam Dilgami oglu
- 8 Mammadov, Bayram Farman oglu
- 9 Mammadov, Mehman Sudef oglu
- 9 Mammadrzayev (Mamedrzayev), Firdovsi Teymur oglu
- 9 Mastanov, Namig Azizoghlan oglu
- 9 Mikayilov, Zulfugar Sadraddin oglu
- 9 Mohbaliyev (Mehbaliyev), Emil (Emin) Nuraddin
- 9 Mukhtarli, Afghan Sabir oglu
- 9 Muradov, Farhad Mirzahasan oglu
- 9 Mustafayev, Zakir Tapdig oglu
- 9 Nasirov, Elvin Nuraddin oglu
- 9 Nasirov, Ruslan Shamil oglu
- 1 Nuriyev, Ali Hasrat oglu
- 1 Nuruzade, Ahsan Muzaffar oglu
- 1 Poladov, Safa Alim oglu
- 1 Ramazanov, Rashad Aghaaddin oglu
- 1 Rustamli, Vidadi Valeh oglu
- 1 Rustamov, Aliabbas Fakhraddin oglu
- 1 Rustamov, Saleh Mahrram oglu
- 1 Rustamzade, Ilkin Bakir oglu
- 1 Rzayev, Shail Xalid oglu
- 1 Safarli, Jeyhun Zabil oglu

- 1 Safarov, Rufat Eldar oglu
- 1 Samadov (Samedov), Dayanat Alasgar oglu
- 1 Samadov (Samedov), Movsum Mardan oglu
- 1 Seyfullayev, Ramil Suliddin oglu
- 1 Seyidov, Elnur Rafig oglu
- 1 Seyidov, Mirfeyzulla Ahmad oglu
- 1 Shahbazov, Alibey Atabala oglu
- 1 Shakarov, Zaur Ilham oglu
- 1 Shiraliyev, Telman Shirali oglu
- 1 Shirvanov, Seyfaddin Nurulla ogl
- 1 Suleymanov, Abasat Oktay oglu
- 1 Suleymanov, Abgul Neymat oglu
- 1 Taghizade, Abbas Hafiz oglu
- 1 Tahirov, Ziya Ibrahum oglu
- 1 Valiyev, Alibaba Javad oglu
- 1 Valiyev, Niftali Ashraf oglu
- 1 Yahyayev, Aga-ali Eldar oglu
- 1 Yariyev, Ramin Maharram oglu
- 1 Yusifli, Asif Gambar oglu

# A Persons who appeared in the Strässer report or addendum but who are no longer in prison (in alphabetical order)

- 1 Abbasli (Abbasly), Tural
- 2 Abbasov, Elshan Sardar
- 3 Abdullayev, Shamsi Vahid
- 4 Abdullayev, Vagif
- 5 Alekberov, Taleh
- 6 Aliyev, Farhad
- 7 Aliyev, Mamedali Dilaver
- 8 Aliyev, Rafiq
- 9 Aliyev, Sadykh Mikayil
- 1 Allahverdiyev, Faramaz (alias Novruzoglu Faramaz)
- 1 Amiraslanov, Ilham
- 1 Arbarov, Taleh
- 1 Asgarov, Mammad Tofiq
- 1 Babayev, Dayanat
- 1 Badalov, Rovshan
- 1 Bagirov, Taleh Kamil
- 1 Bayramli, Ramin
- 1 Eyvazli (Eyvazov), Zulfugar (Zulfuqar)
- 1 Farzullayev, Jeyhun Hidayet
- 2 Ganiyev, Arif
- 2 Gonagov, Vugar
- 2 Gulaliyev, Ogtay
- 2 Guliyev, Zaur
- 2 Gurbanov, Maarif
- 2 Hajibeyli, Rufet (Rufat)
- 2 Hajili (Hajily), Arif
- 2 Hasanli, Shahin
- 2 Hasanov, Babek
- 2 Huseynov, Magsud Vagif (Maqsud Vaqif)
- 3 Huseynov, Vagif (Vaqif) Rza
- 3 Ilyasov, Fahri

- 3 Iskandarov (Isgandarov), Zaur Shahlar
- 3 Iskenderov (Isganderov), Vivadi
- 3 Ismaylov, Rashif Nurulla
- 3 Ismaylov, Tarlan
- 3 Jabiyev, Aydin
- 3 Kairmov (Kerimov), Kamran Sultan
- 3 Karimov (Kerimov), Dayanat Kerim
- 3 Karimov (Kerimov), Keramat Pasha
- 4 Kerimov, Sahib
- 4 Khasmammadov, Taleh
- 4 Mahismov (Makismov), Rahib Shaval
- 4 Majidli, Elnur
- 4 Majidli, Mahammad (Mohammad)
- 4 Mamedov, Bakthiar
- 4 Mammadli (Mamedli), Ahad
- 4 Mammadov (Mammedov), Hasan Alipasha
- 4 Mammadov, Hilal Alif
- 4 Mammadov, Nurani Ahmad
- 5 Mammedaliyev (Mammadaliyev), Sahib Nureddin
- 5 Mammedov (Mammadov), Mammad Ali
- 5 Mammedveliyev, Sabuhi Seyfeddin
- 5 Meherramov (Maharramov), Nadir Eldar
- 5 Mirzayev, Fakhraddin
- 5 Musayev, Ilgar
- 5 Mustafayev, Elshad Teyyub
- 5 Mustafayev, Hasan Huseyn
- 5 Mustafayev, Maqsad Teyyub
- 5 Novruzov, Chingiz Farman
- 6 Nuriyev, Rufat Fazil
- 6 Panahov (Panahly), Neymat (Nemat)
- 6 Qayibov, Intigam Yusuf
- 6 Qualiyev, Ulvi
- 6 Rzayev, Ilgar
- 6 Safaraliyev, Alfat Khalid

- 6 Shahmuradov, Yasar Khasay
- 6 Taghiyev, Ramiz
- 6 Tahirov, Aliyusif Damet
- 6 Valiquliyev (Valiguliyev), Rashad
- 7 Zeynalli Avaz