

ELECTION MONITORING AND DEMOCRACY STUDIES CENTER

Politically Motivated Arrests Annual Fact Sheet– 2023



I. Introduction

Election Monitoring and Democracy Education Center (EMDS) has prepared a summary of facts on violations of political rights in Azerbaijan based on information collected from alternative and open sources and information disseminated by human rights organizations and socio-political organizations.

EMDS expresses regret over the deepening political crisis in protecting civil and political rights in Azerbaijan, which has persisted for several years and has notably intensified in 2023.

In the year 2023, instances of criminal prosecution targeting individuals for political reasons have seen a notable rise. The majority of those subjected to criminal charges have consistently been accused under Article 234.4.3 of the Criminal Code, specifically pertaining to the acquisition, transportation, and storage of substantial amounts of narcotics for the propose of sale.

There has been a significant increase in politically motivated administrative arrests throughout the year. The charges most commonly employed in these cases include violations of Articles 510 (petty hooliganism), 535 (disobeying a lawful order of the police), and 388-1.1 (placement of information that is prohibited to be disseminated on the Internet information resource by the owner of the Internet information resource and its domain name or by the user of the information and telecommunications network) of the Code of Administrative Offenses.

EMDS classified the persons subjected to political persecution and arrests as mainly public activists, social media users, journalists, and representatives of political parties and movements, including religious community activists.

I. Classification of politically motivated persecutions

1) Those involved in criminal prosecutions

Data from various public groups and human rights organizations show that in 2023, the number of persons were prosecuted for political motives was 85. They were arrested under the following articles of the Criminal Code:

- a) Article 234.4.3 of the Criminal Code (acquisition, transportation, storage of large quantities of narcotics for the propose of sale) - 67 people;
- b) Article 221.3 of the Criminal Code (hooliganism - using force against the victim by using a weapon or objects employed as a weapon) - 1 person;
- c) 178.3.2 of the Criminal Code (fraud committed by causing a large amount of damage), 1 person, article 126.2.4 (deliberately causing severe damage to health by a generally dangerous method, with the intention of hooliganism), 1 person, article 182.2.2

- (demanding by threats - in the event of repeated acts) - 3 persons;
- d) Article 182.2.4 of the Criminal Code (extortion by threat, when committed with the aim of obtaining a large amount of property) - 2 persons,
 - e) Article 204.3.1 of the Criminal Code (when preparation, acquisition or sale of counterfeit money or securities is committed by an organized gang) - 2 persons,
 - f) Article 167-3.1 of the Criminal Code (preparation, storage, distribution or financing of religious extremist materials) - 1 person,
 - g) Article 263.1 of the Criminal Code (violation of the rules of traffic and operation of vehicles, in case of negligence causing minor or severe harm to the health of the victim) - 1 person,
 - h) Article 264 of the Criminal Code (fleeing from the scene of the incident), 1 person, article 320.1 (falsification, illegal preparation or sale of official documents, state awards, seals, stamps, forms) - 1 person,
 - i) Article 320.2 (deliberate use of forged documents) of the Criminal Code - 1 person
 - j) Article 228.4 of the Criminal Code (illegal acquisition, sale or carrying of gas weapons, cold weapons, including cold shooting weapons) - 1 person,
 - k) Article 221.3 of the Criminal Code (hooliganism by using a weapon or an object as a weapon) - 1 person,
 - l) 206.3.2 of the Criminal Code. Article (smuggling when committed by a group of persons who colluded in advance) - 6 persons.

Arrest of activists of the Azerbaijan Popular Front Party

Alizamin Salayev, the chairman of the Salyan organization of the Azerbaijan People's Front Party (APPF), was detained on February 7. He was charged with Article 221.3 of the Criminal Code (hooliganism by using a weapon or an object as a weapon).

In the materials of the criminal case, it is claimed that the APPF member injured a person named Natig Suleymanov with a knife. Alizamin Salayev denies the charge, claiming that on the evening of February 6, while waiting for a car on the side of the road to return to the Salyan rayon where he lives in the area called "Lokbatan circle", he encountered a stranger who approached him cursing. This person suddenly pulled a knife from his pocket, prompting Salayev to perceive it as a provocation. When Salayev attempted to push the person away, others intervened, restraining him. On May 22, 2023, the Garadagh District Court sentenced Alizamin Salayev to [4 years of imprisonment](#).

On July 26, Elkhan Aliyev, deputy director of the Organizational Department of the APPF, was detained. A criminal case has been opened against him under articles 178.3.2 (fraud is committed by causing a large amount of damage), 320.1 (illegal preparation of an official document for the intent of using it) and 320.2 (knowingly using fake documents) of the Criminal Code.

In August, APFP member Elbey Karimli was arrested. The APFP asserts that although Karimli was detained at the end of August, he could only communicate the news to his party comrades on October 24. He was arrested under Article 234.4.3 of the Criminal Code (acquiring, transporting, and storing large quantities of drugs for the propose of sale) and was sentenced to [4 months of pre-trial detention](#). Elbeyi Karimli denies the accusations.

On November 28, Elnur Hasan, a member of the APFP, was apprehended by individuals in civilian attire while at the car market on Babek Avenue in Baku. Despite being charged with Article 234.4.3 of the Criminal Code (illegal trafficking of a large quantity of narcotic substances), PFLP officials contended that the member's arrest was linked to his critical speeches on social networks.

Those who were arrested for protests in the village of Soyudlu

On June 20, residents of Soyudlu village in Gadabay rayon protested against the construction of an artificial pond intended to collect acid residues discharged from a gold mine in the village. During the protest, police forces were deployed to the area. Videos circulating on social networks depict the police employing harsh tactics against the demonstrators, [dispersing the protest](#) with the use of tear gas. Despite these actions, residents attempted to protest again in the following two days. Subsequently, entry and exit to Soyudlu village were restricted.

On June 22, Soyudlu village resident Choshgun Musayev was detained during the night, and he faced charges under Article 234.4.3 of the Criminal Code for illegal trafficking of large amounts of narcotics.

On June 24, Habil Ismayilov, the owner of the printing company responsible for producing the posters and banners used by the protesters, was arrested. He was charged under Article 234.4.3 of the Criminal Code, which pertains to acquiring, transporting, and storing drugs for the propose of sale.

Arrest of public activists

On July 4, former MP and public activist Nazim Beydamirli was arrested. He was charged with articles 182.2.4 of the Criminal Code (extortion by threat - when committed for the purpose of obtaining a large amount of property) and 182.2.2 (extortion by threat - when committed repeatedly). Despite the accusations, Beydamirli denies any wrongdoing and characterizes himself as a "prisoner of ecology." He claims his arrest is connected to the protests that occurred in the village of Soyudlu, a series of environmental demonstrations that have been taking place in the village.

On September 19, public activist Rail Abbasov was detained and charged with Article 178.3.2 of the Criminal Code (fraud causing a significant amount of damage). On September 20, the Nasimi District Court sentenced him to [4 months of pre-trial detention](#). Abbasov rejects the charges, claiming that his arrest is a tactic to impede the active protection efforts of imprisoned human rights activist Bakhtiyar Hajiyev.

On September 22, public activist Ruslan Vahabov was detained and charged with Article 234.4.3 of the Criminal Code (acquiring, transporting, keeping drugs for the purpose of sale). He received a [4-month pre-trial detention](#) sentence. Vahabov denies the accusations, asserting that his arrest is linked to his activity on social media.

On October 11, public activist Zaka Miragayev was arrested. He was charged with Article 234.4.3 of the Criminal Code (illegal preparation, production, acquisition, storage,

transportation, sending or sale of narcotic drugs, psychotropic substances or their precursors, when committed in large quantities) and Sabail. The district court sentenced him to [4 months of detention on remand](#). Miragayev pleads not guilty. He said that his arrest was related to the open critical letter he wrote to the Ministry of Internal Affairs leadership.

On October 31, Orkhan Hajili, the son of Arif Hajili, the head of the Musavat Party, was apprehended. Subsequently, on November 1, a criminal case was initiated against Orkhan Hajili, invoking charges under articles 263.1 (violation of traffic and vehicle operation rules, leading to minor harm to the victim's health due to negligence) and 264 (leaving the scene of a road traffic accident) of the Criminal Code. Following legal proceedings, on November 2, the Yasamal District Court issued for [2-month pretrial detention](#); however, on December 19, the Yasamal District Court ruled to change Orkhan Hajili's detention status to house arrest.

On December 4, public activist Ilhamiz Guliyev was detained. Following this, on December 6, the Yasamal District Court issued for [4-months pre-trial detention](#). The charges brought against him were based on Article 234.4.3 of the Criminal Code (the mass preparation, production, acquisition, storage, transportation, sending, or sale of narcotic drugs).

On December 13, public activist Mohyeddin Orujov was detained. The prosecutor's office opened a criminal case against him under Article 234.4.3 of the Criminal Code (Illegal preparation, production, acquisition, storage, transportation, sending or sale of narcotic drugs, psychotropic substances or their precursors, in large quantities). On December 15, the Surakhani District Court sentenced him to a [4-month pre-trial detention](#).

Arrest of religious persons

On January 27, 2023, mass arrests of religious believers began in Azerbaijan following an armed attack on the Azerbaijani embassy in Iran. These arrests unfolded across the country, leading to the arrest of [27 members](#) of the Muslim Union Movement (MUM) and an additional [33 believers](#) over the subsequent three months. The charges brought against them were under Article 234.4.3 of the Criminal Code, specifically for acquiring, transporting, and storing large quantities of narcotic substances with the propose of sale. The courts have chosen against them to pre-trial detention measures.

Arrest of members of the Confederation of Workers' Table Trade Unions

On August 4, Elvin Mustafayev, a member of the Workers' Table Trade Unions Confederation, was detained as a suspect under Article 234.4.3 of the Criminal Code (obtaining, transporting, and storing large quantities of drugs for the purpose of sale).

On August 11, Aykhan Israfilov, another Confederation of Workers' Table Trade Unions member, was detained. He was charged with Article 234 of the Criminal Code (Illegal preparation, production, acquisition, storage, transportation, shipment or sale of narcotic drugs, psychotropic substances or their precursors).

On September 20, Afieddin Mammadov, the Confederation of Trade Unions chairman, was

detained. He is charged with 126.2.4 of the Criminal Code (deliberately causing severe harm to health in a generally dangerous manner, with the intention of hooliganism), 228.4 (Illegally acquiring, selling or carrying gas weapons, cold shooting weapons, including cold weapons) and 221.3 (hooliganism by using a weapon or an object as a weapon) was charged.

Arrest of Gubad Ibadoglu

On July 23, Gubad Ibadoglu, an economist-scientist and chairman of the Azerbaijan Democracy and Welfare Party, was detained. He was charged under Article 204.3.1 of the Criminal Code (when the production, acquisition or sale of counterfeit money or securities is committed by an organized group).

On August 8, Fazil Gasimov, a doctor of philosophy in law and economics, was detained in Turkey and subsequently extradited to Azerbaijan in connection with the case involving Gubad Ibadoglu. Fazil Gasimov was [charged](#) under Article 204.3.1 of the Criminal Code (when the production, acquisition or sale of counterfeit money or securities is committed by an organized group).

Arrest of Tofig Yagublu

On December 14, Tofig Yagublu, a Musavat Party and National Council member, was detained. On December 15, Narimanov District Court charged him with articles 178.3.2 (fraud causing massive damage) and 320 (preparation or use of a forged document) of the Criminal Code, and he was sentenced to [4 months in pre-trial detention](#). Tofig Yagublu told the court that his arrest was due to his opposition political activity.

Arrest of journalists

On November 20, Abzas Media director Ulvi Hasanli was arrested. That day, investigators from the Baku City General Police Department searched the "Abzas Media" office and discovered 40,000 euros, officially declaring that they had seized the money. Contrary to the allegations, Ulvi Hasanli contested ownership of the money, vehemently denying any connection and refuting the accusations. He maintained that his arrest was linked to his journalistic activities.

On November 21, Ulvi Hasanli was charged with Article 206.3.2 of the Criminal Code (smuggling, when committed by a group of persons who colluded in advance). Following this charge, the Khatai District Court issued a verdict, sentencing him to [4 months of pre-trial detention](#).

On November 20, Mahammad Kekalov, an employee of Abzas Media, was forcefully taken from his home by plainclothes police officers. Concerningly, neither his lawyer nor his family could obtain information about his whereabouts for two days. Subsequently, Kekalov was charged under Article 206.3.2 of the Criminal Code (smuggling, when committed by a group of persons who colluded in advance). The legal proceedings resulted in a verdict from the court, sentencing him to [3 months and 29 days of pre-trial detention](#).

On November 21, the editor-in-chief of Abzas Media, Sevinj Vagifqizi (Abbasova), faced detention at the airport upon returning to Baku from a foreign trip. She was charged under Article 206.3.2 of the Criminal Code, (smuggling, when committed by a group of persons who colluded in advance). The legal proceedings resulted in her pre-trial detention for 3 months and 29 days. Vagifqizi asserted that "all these events" were connected to her journalistic activities and the work of "Abzas Media."

On November 27, Aziz Orujov, the head of "Kanal 13" internet television, faced charges from the Sabail District Police Department in Baku under Article 188.2 of the Criminal Code (violating the right to ownership, use, or lease of land - carrying out arbitrary construction or installation works on a plot of land without a lease right). Consequently, he was detained as a suspect, and on November 28, the Sabail District Court sentenced him to [3 months of pre-trial detention](#). Orujov denied the accusations, asserting a connection between the criminal case and his journalistic activities. He maintained that there was no criminal intent in his actions.

Nargiz Absalamova, AbzasMedia journalist, was detained on November 30. On December 1, she was charged with Article 206.3.2 of the Criminal Code (smuggling, when committed by a group of persons who colluded in advance). Subsequently, the Khatai District Court sentenced the journalist to [3 months of pre-trial detention](#).

On December 11, Teymur Karimov, the director of "Kanal 11" internet television and a reporter, was detained. He faced charges under articles 182.2.2 and 182.2.4 of the Criminal Code, (extortion by threat - when repeated in order to obtain a large amount of property). Subsequently, on December 12, the Narimanov District Court handed the journalist a [4-month pre-trial detention sentence](#). Karimov denied the accusations, stating that he had not used threats to solicit money from anyone. He asserted that his arrest was directly tied to his journalistic activities and the video reports he produced.

Investigative journalist Hafiz Babaly was detained on December 13. He was charged with article 206.3.2 of the Criminal Code (smuggling, when committed by a group of persons who colluded in advance). On December 14, the Khatai District Court ordered Hafiz Babali to be [3 months of pre-trial detention](#).

On December 22, Shamo Eminov, a journalist cooperating with Anal-13 Internet TV, was arrested. Shamo Eminov, who was charged with Article 206.3.2 of the Criminal Code (smuggling, when committed by a group of persons who colluded in advance), was sentenced to [3 months and 5 days of pre-trial detention](#).

2) Administratively imprisoned persons

In 2023, the number of people were administratively imprisoned for political motives was 39. They were accused and detained under the following articles of the Code of Administrative Offenses:

- a) Article 510 (minor hooliganism) of the Code of Administrative Offenses - 21 persons,

- b) Article 535.1 of the Code of Administrative Offenses (disobeying the legal order of the police) - 22 persons,
- c) Article 388-1.1 of the Code of Administrative Offenses (the owner of the Internet information resource and its domain name or the user of the information-telecommunication network placing information prohibited from being disseminated in the Internet information resource, as well as violation of the requirements of the legislation regarding the prevention of the placement of such information) - 7 persons,
- d) Article 528.1 of the Code of Administrative Offenses (Failure to fulfill the requirements of the executive officer in connection with the execution of the decisions of the Court and other bodies) - 1 person

List of administrative imprisonment:

List	Name and Surname	Affiliation	Article of the CAO	Term of imprisonment
1	Hasan Abbaszade	MMU (Movement of Muslim Unity)	Article 510	30 days
2	Nizami Ahmad	MMU (Movement of Muslim Unity)	Article 510	30 days
3	Imran Mammadli	MMU (Movement of Muslim Unity)	Article 510	30 days
4	Tarlan Seyidov	MMU (Movement of Muslim Unity)	Article 510	30 days
5	Rovshan Aliyev	MMU (Movement of Muslim Unity)	Article 510	30 days
6	Telman Rashidov	MMU (Movement of Muslim Unity)	Article 510	30 days
7	Anar Huseynov	Azerbaijan People's Front Party (APPF)	Articles 510 and 535.1	30 days
8	Rovshan Safarov	Azerbaijan People's Front Party (APPF)	Article 535.1	30 days
9	Elnur Hasanov	Azerbaijan People's Front Party (APPF)	Articles 510 and 535.1	30 days
10	Orxan Bakhshili	Azerbaijan People's Front Party (APPF)	Article 535.1	30 days
11	Sahladar Isgandarli	Azerbaijan People's Front Party (APPF)	Articles 510 and 535.1	25 days
12	Jeyhun Novruzov	Azerbaijan People's Front Party (APPF)	Articles 510 and 535.1	30 days
13	Zaur AhmAdov	Azerbaijan People's Front Party (APPF)	Article 535.1	30 days
14	Kanan Zeynalov	Azerbaijan People's Front Party (APPF)	Article 535.1	25 days
15	Ramin Ahmadov	Azerbaijan People's Front Party (APPF)	Article 535.1	30 days

16	Orzan Bakhshili	Azerbaijan People's Front Party (APPF)	Article 510	20 days
17	Aydin Janiyev	Journalist	Article 388-1.1	30 days
18	Vali Shukurov	Fotoblogger	Articles 510 and 535.1	30 days
19	Vugar Mammadov	Editor-in-Chief of "Hurriyet" newspaper	Article 388-1.1	30 days
20	Elnur Mammadov	Reserve Colonel	Article 388-1.1	30 days
21	Nurlan Gahramanli	Journalist	Article 388-1.1	30 days
22	Rufat Muradli	Host of "Channel 13" internet television	Articles 510 and 535.1	30 days
23	Elvin Mustafayev	Member of the Confederation of Labor Table Trade Unions	Articles 510 and 535.1	25 days
24	Afieddin Mammadov	Chairman of the Confederation of Labor Table Trade Unions	Article 528.1	30 days
25	Amrah Tahmazov	Public activist	Articles 510 and 535.1	30 days
26	Qiyas Ibrahim	Public activist	Articles 388-1.1 and 535.1	32 days
27	Nemet Abbasov	Public activist	Article 535.1	30 days
28	Amrah Tahmazov	Public activist	Article 388-1.1	30 days
29	Emin Ibrahimov	Public activist, former diplomat	Article 388-1.1	30 days
30	Emin Axundov	Public activist	Articles 510 and 535.1	30 days
31	Mohyeddin Orujov	Public activist	Articles 510 and 535.1	30 days
32	Elmir Abbasov	NIDA Citizen Movement	Article 535.1	20 sutka
33	Araz Aliyev	NIDA Civil Movement and Third Republican Platform	Articles 510 and 535.1	30 days
34	Hussein Malik	Azerbaijan Democratic and Welfare Party (ADR)	Article 510	20 days
35	Allahverdi Babayev	Azerbaijan Democratic and Welfare Party (ADR)	Article 535.1	30 days
36	Vusal Zeynalov	Azerbaijan Democratic and Welfare Party (ADR)		20 days
37	Hussein Malik	Azerbaijan Democratic and Welfare Party (ADR)	Articles 510 and 535.1	30 days
38	Maharram Akbarov	"Voice of the Revolution" Platform	Articles 510 and 535.1	30 days

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