

# **MEDIA MONITORING ON ILL-TREATMENT REPORT (2019-2021)**



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# **MEDIA MONITORING ON ILL-TREATMENT**

## **REPORT (2019-2021)**

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## **1. Summary**

The right not to be subjected to ill-treatment or torture in Azerbaijan is protected not only by local legislation but also by international instruments ratified by the Republic of Azerbaijan. However, there are serious problems in this area in the country. The main objective of the report is to identify problems and make recommendations to prevent them.

The report consists of an introduction, a methodology, a definition of ill-treatment in local and international law, media monitoring, conclusions, and recommendations. The methodology shows the sources used, the methods by which the data were obtained, and the analysis of the data obtained.

The introduction discusses the concept and importance of the right not to be subjected to ill-treatment or torture, the status of this right in Azerbaijan, and the reasons for which the report is necessary.

The legislation consists of two parts. The international legislation considers both universal and regional acts to which Azerbaijan is a party. All documents contained in this section state that torture and other ill-treatment are strictly prohibited and that under no circumstances shall the right to be subjected to ill-treatment be restricted. Furthermore, the discriminatory statements of the European Court of Human Rights (ECtHR) on the types of ill-treatment and local legislation contain provisions establishing the inadmissibility of torture and ill-treatment.

The media monitoring section describes the claims regarding ill-treatment and torture reported in the media in 2019-2021. Media monitoring revealed that the right not to be subjected to ill-treatment and torture in Azerbaijan is violated regularly. During the monitoring, reports claiming that citizens were subjected to pressure and threats at police stations, that they died as a result of torture at police stations, and that they were ill-treated for their political views were found. Law enforcement agencies have generally denied allegations of torture.

## 2. Introduction

The right not to be subjected to torture is one of the fundamental values of a democratic society and an unconditional human right. This is an absolute right and this prohibition cannot be restricted in any way. In short, the right not to be subjected to ill-treatment and torture shall not be restricted even during a war, during any emergency, or during an internal panic.

States have a number of positive and negative obligations to ensure that people are not subjected to torture or ill-treatment.

The United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment places an explicit obligation on States parties to prevent torture and other forms of ill-treatment. According to Article 2.1 of the Convention, “[e]ach State Party shall take effective legislative, administrative, judicial and other measures to prevent acts of torture in any territory under its jurisdiction”, while Article 16 of the Convention requires that “[e]ach State Party shall undertake to prevent (...) other acts of cruel, inhuman or degrading treatment or punishment.”<sup>1</sup>

The UN Concluding Observations issued by the Committee Against Torture, Committee on the Elimination of Racial Discrimination, and International Covenant on Civil and Political Rights (HRC) on Azerbaijan<sup>2</sup> noted that the problem of torture and impunity persisted.

The Committee for the Prevention of Torture (CPT) of the Council of Europe reported at the end of six visits to the country between 2004 and 2017 that the use of torture and other forms of physical violence by the police and other law enforcement agencies, as well as corruption and impunity in the law enforcement system as a whole, were systematic and widespread.

By the end of 2021, the ECtHR had found a violation of Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) in 44 cases<sup>3</sup> against Azerbaijan. The ECtHR found that the right not to be subjected to torture was violated in three cases, the right not to be subjected to inhuman or degrading treatment was violated in 29 cases, and that no effective investigation was conducted in 24 cases.<sup>4</sup>

The 2021 Country Reports on Human Rights Practices of the US Department of State<sup>5</sup> states that torture and other ill-treatment are used to obtain confessions from individuals under

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<sup>1</sup> Preventing Torture: An Operational Guide for National Human Rights Institutions, <https://www.ohchr.org/sites/default/files/Documents/Publications/PreventingTorture.pdf>

<sup>2</sup> Concluding Observations issued by Committee Against Torture, Committee on the Elimination of Racial Discrimination and International Covenant on Civil and Political Rights (HRC) on Azerbaijan <https://azerbaijan.un.org/sites/default/files/2021-01/3.%20Compilation%20of%20Concluding%20Observations%20of%20CAT%2C%20CCPR%20and%20CERD.pdf>

<sup>3</sup> [https://hudoc.echr.coe.int/eng#{%22respondent%22:\[%22AZE%22\],%22violation%22:\[%223%22\]}](https://hudoc.echr.coe.int/eng#{%22respondent%22:[%22AZE%22],%22violation%22:[%223%22]})

<sup>4</sup> Overview ECHR 1959-2021, [https://www.echr.coe.int/Documents/Overview\\_19592021\\_ENG.pdf](https://www.echr.coe.int/Documents/Overview_19592021_ENG.pdf)

<sup>5</sup> 2021 Country Reports on Human Rights Practices: Azerbaijan <https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/azerbaijan/>

police surveillance although the legislation of Azerbaijan prohibits torture and other ill-treatment.

The conclusions and recommendations of the reports on the right not to be subjected to torture and ill-treatment to date show that there are serious problems in ensuring this right. Moreover, reports of ill-treatment and torture in the media make it necessary to investigate the matter.

### **3. Methodology**

During the preparation of the report, international and local legislation were reviewed, and the concept of the right not to be subjected to ill-treatment or torture was defined.

The media monitoring method was used to assess the practical situation. Media monitoring covered the period from January 1, 2019, to December 31, 2021. Media monitoring was carried out in the Google search engine and separately on the websites of RFE/RL, Meydan TV, Toplum TV, BBC Azerbaijani, and other information resources. Media monitoring was carried out using special search key words ("torture", "beaten", "ill-treatment", etc.).

Not all data obtained during media monitoring could be used in the data summarization section. However, the exact number of data in the news is reflected in the statistics.

## 4. The concept of torture and its definition in legislation

### 4.1 Torture in international documents

Absolute prohibition of torture and ill-treatment and the fact that they are not justified under any circumstances are enshrined in a number of international and regional instruments.

Article 5 of the Universal Declaration of Human Rights, adopted by the UN General Assembly in 1948, states, "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

According to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, there are some key features of the concept of "torture". So, the term "torture" means any acts:

- by which severe pain or suffering<sup>6</sup>, whether physical or mental, is intentionally inflicted on a person;
- for such purposes as:
  - obtaining from him or a third person information or a confession;
  - punishing him for an act he or a third person has committed or is suspected of having committed;
  - intimidating or coercing him or a third person;
  - for any reason based on discrimination of any kind.
- when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity;

According to Article 2 of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture. Paragraph 3 of this Article states that an order from a superior officer or a public authority may not be invoked as a justification of torture.

The definition of "torture" given by the Committee for the Prevention of Torture also lists three main elements that constitute torture:

- inflicting severe pain or suffering, whether physical or mental;
- inflicting severe pain or suffering with the consent or acquiescence of a public official;
- inflicting severe pain or suffering for specific purposes, such as obtaining information, punishing, or intimidating.

Torture can be mental or physical and can take many forms, including: *electric shocks, falaka (foot whipping), forced abidance in a painful position, beating, rape, strangling, burning with*

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<sup>6</sup> Note: It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.



*cigarettes, deprivation of food, sleep, and communication, intimidation, imitation of execution, etc.*

Furthermore, Article 3 of the ECHR states, “No one shall be subjected to torture or to inhuman or degrading treatment or punishment.”

The right to prohibit torture is absolute and is prohibited in both war and peace. This prohibition is enshrined in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and in the European Convention on Human Rights.

According to Article 15 § 2 of the ECHR, no High Contracting Party may take measures derogating from its obligations regarding the prohibition of torture and other forms of ill-treatment, except in respect of deaths resulting from lawful acts of war.

According to Article 64 of the European Prison Rules<sup>7</sup>, force may only be used by staff subject to detailed procedures in self-defence, cases of attempted escape, or resistance to lawful order. It must always be a last resort, and only the minimum level of force necessary should be used.

According to Article 70 of the Rules, people in prison must have the opportunity to make requests or complaints both to internal authorities, such as the prison director, or externally, to competent authorities such as inspection or monitoring bodies. Authorities must also take into account complaints from family or support networks. If a request is denied or a complaint is rejected, reasons should be provided and an appeal possible to an independent authority. Mediation is used, wherever possible. They must not be subject to reprisals or sanctions for making a request or complaint.

#### 4.2. The case law of the European Court of Human Rights<sup>8</sup>

According to Article 3 of the Convention, states have a number of positive obligations:

- to put in place a legislative and regulatory framework of protection;
- to take operational measures to protect specific individuals against a risk of treatment contrary to that provision;
- to carry out an effective investigation into arguable claims of infliction of such treatment.

The first two aspects of these positive obligations are classified as “substantive”, while the third aspect corresponds to the State’s procedural obligation.<sup>9</sup>

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<sup>7</sup> European Prison Rules <https://justice.gov.az/categories/103>

<sup>8</sup> Guide on Article 3 of the European Convention on Human Rights  
[https://www.echr.coe.int/Documents/Guide\\_Art\\_3\\_ENG.pdf](https://www.echr.coe.int/Documents/Guide_Art_3_ENG.pdf)

<sup>9</sup> X and Others v. Bulgaria, 2021, § 178

Ill-treatment must attain a minimum level of severity. The assessment of that level is relative and depends on all the circumstances of the case, such as:<sup>10</sup>

- duration of the treatment;
- its physical or mental effects;
- the sex, age and state of health of the victim, etc.

Other factors taken into consideration includes:<sup>11</sup>

- the purpose and intention for which the ill-treatment was inflicted;
- the context in which the ill-treatment was inflicted;
- whether the victim is in a vulnerable situation.

*Note:* Where an individual is deprived of his or her liberty or, more generally, is confronted with law-enforcement officers, any conduct by the latter vis-à-vis an individual which is considered to diminish human dignity and thus constitute a violation of Article 3 of the Convention.<sup>12</sup>

The ECtHR has found that the treatment was amount to "**torture**" in the following cases:

- the applicant was stripped naked, with his arms tied together behind his back and suspended by his arms ("Palestinian hanging") by State agents while in police custody in order to extract a confession<sup>13</sup>;
- the applicant was raped and subjected to a number acts of other physical and psychological ill-treatment while in custody<sup>14</sup>;
- an illegal immigrant was raped by a coastal guard responsible for supervising him<sup>15</sup>;
- the applicants were deprived of sleep, subjected to "Palestinian hanging" and "falaka", sprayed with water, beaten for several days while in custody in order to extract a confession<sup>16</sup>;
- the applicant, a detainee who was on hunger strike, was forced fed, despite the absence of medical necessity and with the use of handcuffs, a mouth-widener, a special rubber tube inserted into the food channel and, in the event of resistance, with the use of force<sup>17</sup>;
- the applicant was subjected to combined and premeditated measures involving handcuffing, hooding, forcibly undressing, forcibly administering a suppository while held on the ground without any medical necessity, in the framework of

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<sup>10</sup> Muršić v. Croatia, 2016, § 97

<sup>11</sup> Khlaifia and Others v. Italy, 2016, § 160

<sup>12</sup> Bouyid v. Belgium, 2015, §§ 100-101

<sup>13</sup> Aksoy v. Turkey, 1996, § 64

<sup>14</sup> Aydın v. Turkey, 1997, §§ 83-87; Maslova and Nalbandov v. Russia, 2008, § 108

<sup>15</sup> Zontul v. Greece, 2012, § 92,

<sup>16</sup> Batı and Others v. Turkey, 2004, § 110 and §§ 122-124

<sup>17</sup> Nevmerzhitsky v. Ukraine, 2005, § 98

“extraordinary rendering”, geared to obtaining information from the applicant or punishing or intimidating him<sup>18</sup>;

- severe beatings by police officers resulting in the death of the applicants’ relative<sup>19</sup>;
- the applicant was beaten to death by non-State agents hired by police<sup>20</sup>.

The European Court of Human Rights has found that treatment or punishment was “**inhuman**”<sup>21</sup> in the following cases:

- the applicant was threatened with torture while in police custody<sup>22</sup>;
- the applicant was subjected to the fear of being executed by foreign authorities<sup>23</sup>;
- the applicant, previously ill-treated, was subjected to harsh detention conditions in complete isolation with the prospect of being subjected to torture<sup>24</sup>;
- the applicants’ homes and property were intentionally destroyed by security forces, depriving the applicants of their livelihoods and forcing them to leave their village<sup>25</sup>;
- the applicant suffered uncertainty and apprehension over a prolonged and continuing period due to the disappearance of his relative<sup>26</sup>;
- the applicant witnessed the extrajudicial execution of several of his relatives and neighbours as well as the authorities’ inadequate and inefficient response after the events<sup>27</sup>;
- the applicant, a conscript suffering from health problems, was subjected to excessive level of physical exercise imposed as punishment<sup>28</sup>;
- the applicant was serving his life sentence for a long time in poor conditions and under a very restrictive regime<sup>29</sup>.

According to the EctHR, treatment is considered to be “**degrading**” when it humiliates or debases an individual, showing a lack of respect for, or diminishing, his or her human dignity, or arouses feelings of fear, anguish or inferiority capable of breaking an individual’s moral and physical resistance. The Court found that the treatment was “**degrading**” in the following cases:

- a severely disabled person was detained in inappropriate conditions where she was dangerously cold, risked developing sores because her bed was too hard or

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<sup>18</sup> El-Masri v. the former Yugoslav Republic of Macedonia 2012, § 205

<sup>19</sup> Satybalova and Others v. Russia, 2020, § 76

<sup>20</sup> Lutsenko and Verbytsky v. Ukraine, 2021, §§ 79-80

<sup>21</sup> The distinction between ill-treatment and torture derives principally from a difference in the intensity of the suffering inflicted. See: Ireland v. the United Kingdom, 1978, § 167

<sup>22</sup> Gäfgen v. Germany, 2010, §§ 91 and §§ 101-108

<sup>23</sup> Al-Saadoon and Mufdhi v. the United Kingdom, 2010, §§ 137 and § 144

<sup>24</sup> Al Nashiri v. Romania, 2018, § 675

<sup>25</sup> Selçuk and Asker v. Turkey, 1998, § 77; Hasan İlhan v. Turkey, 2004, § 108

<sup>26</sup> Orhan v. Turkey, 2002, § 360

<sup>27</sup> Musayev and Others v. Russia, 2007, § 169,

<sup>28</sup> Chember v. Russia, 2008, § 57

<sup>29</sup> Simeonovi v. Bulgaria, 2017, § 90

unreachable, and was unable to go to the toilet or keep clean without the greatest of difficulty<sup>30</sup>;

- the applicant, paraplegic, could not leave his cell nor move about the prison independently<sup>31</sup>;
- the applicant's hair was forcefully shaved by the prison administration, without any justification or legal basis<sup>32</sup>;
- the applicant's glasses were confiscated after his arrest for five months, without justification and legal basis<sup>33</sup>;
- an unaccompanied foreign minor had to live in precarious conditions in a shantytown due to the authorities' failure to execute a judicial placement order<sup>34</sup>;
- use of force on the applicants when searching their home was not strictly necessary<sup>35</sup>;
- judicial corporal punishment was inflicted on the applicant<sup>36</sup>;
- the authorities failed to ensure that a twelve-year old child, who witnessed the arrest of his parents, was looked after by an adult, and was informed about the situation while his parents were held in police custody<sup>37</sup>;
- the applicant was detained for a lengthy time in a severely overcrowded and unsanitary environment in prison<sup>38</sup>;
- the applicant was subjected to a strip search in an inappropriate manner, such as the making of humiliating remarks<sup>39</sup>;
- the applicant was stripped naked in front of a female prison officer and prison guards examined his sexual organs as well as the food he had received without gloves<sup>40</sup>;
- the detention of an asylum-seeker for three months on police premises pending the application of an administrative measure, with no access to any recreational activities and without proper meals<sup>41</sup>;
- the applicants pending their request for asylum were confined in inadequate conditions not fit for a lengthy stay in an airport transit zone<sup>42</sup>;
- asylum seekers were destitute and lived rough for several months due to administrative delays preventing them from receiving the support for which the law provided<sup>43</sup>;
- twenty-seven LGBTI (lesbian, gay, bisexual, transgender and intersex) activists were subject to vicious verbal abuse and random physical attacks by a mob of counter

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<sup>30</sup> Price v. the United Kingdom, 2001, § 30

<sup>31</sup> Vincent v. France, 2006, §§ 101-103

<sup>32</sup> Yankov v. Bulgaria, 2003, §§ 120-121

<sup>33</sup> Slyusarev v. Russia, 2010, § 44

<sup>34</sup> Khan v. France, 2019, §§ 94-95

<sup>35</sup> Ilievi and Ganchevi v. Bulgaria, 2021, §§ 56-57

<sup>36</sup> Tyrer v. United Kingdom, 1978, § 35

<sup>37</sup> Ioan Pop and Others v. Romania, 2016, § 65

<sup>38</sup> Kalashnikov v. Russia, 2002, § 102

<sup>39</sup> Iwańczuk v. Poland, 2001, § 59

<sup>40</sup> Valašinas v. Lithuania, 2001, § 117

<sup>41</sup> Tabesh v. Greece, 2009, §§ 38-44

<sup>42</sup> Z.A. and Others v. Russia, 2019, § 195

<sup>43</sup> N.H. and Others v. France, 2020, § 184

demonstrators and the promised police protection was not provided in due time or adequately<sup>44</sup>;

- as a result of the procrastination of the health professionals in providing access to genetic tests, the applicant, who was pregnant, had had to endure six weeks of painful uncertainty concerning the health of her foetus and, when she eventually obtained the results of the tests, it was already too late for her to make an informed decision on whether to continue the pregnancy or to have recourse to a legal abortion<sup>45</sup>.

### 4.3 Torture in local legislation

#### ***Constitution***<sup>46</sup>

Article 46 of the Constitution of the Republic of Azerbaijan (AR) protects the honor and dignity of everyone and completely prohibits torture and ill-treatment, degrading treatment or punishment.

#### ***Criminal Code (CC)***<sup>47</sup>

According to Article 4 of the CC, the Criminal Code is based on the principle of humanism; in other words, the punishment imposed on a person who has committed a crime can never be torture or degrading.

The definition of "torture" is defined in the note part of Article 293 of the Code. Thus, torture is defined as physical pains or mental sufferings. According to the note, torture must be carried out for the purpose of obtaining information or confession, intimidation, punishment, coercion to commit any act against the will, or for any reason based on discrimination.

Article 133 of the Criminal Code prohibits suffering, and Articles 113, 115, 293, and 329 prohibit torture. According to the CC, the concept of torture includes actions that "cause severe physical pain or mental suffering through regular beatings or other acts of violence."

Article 113 of the CC prohibits the use of torture against persons detained or otherwise deprived of their liberty.

Article 115 of the Code prohibits the torture, ill-treatment or inhuman treatment of prisoners or the conduct of medical, biological or other research on them, including the reemoval of internal organs for transplantation and their use as a barrier for protection.

Article 293 of the CC prohibits cruel, inhuman, degrading treatment or punishment at the instigation and with the consent of the officials performing their duties.

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<sup>44</sup> Women's Initiatives Supporting Group and Others v. Georgia, 2021, § 60

<sup>45</sup> R.R. v. Poland, 2011, § 159

<sup>46</sup> Constitution of the Republic of Azerbaijan <https://e-qanun.az/framework/897>

<sup>47</sup> Criminal Code of the Republic of Azerbaijan <http://www.e-qanun.az/framework/46947>

Article 329 of the Code prohibits the use of force and torture by a chief against a subordinate during military service.

### ***Code of Criminal Procedure (CPC)***<sup>48</sup>

Article 13 of the Code of Criminal Procedure (CPC) prohibits the use of degrading treatment and punishment in criminal proceedings, as well as detention in degrading conditions. Article 15.2 of the Code provides a list of a number of cases of ill-treatment:

- the use of torture and physical and psychological force, and other cruel, inhuman or degrading treatment and punishment;
- taking a statement by using violence, threats, and deceit;
- the use of medication, withdrawal of food, hypnosis, deprivation of medical aid, the imposition of long-term or severe physical pain or acts which are detrimental to health, or any similar ill-treatment.

Article 125 of the CPC also does not allow the information obtained by the above methods to be accepted as evidence in a criminal case.

### ***Law on Ensuring the Rights and Freedoms of Detainees***<sup>49</sup>

Articles 15.1.4 and 27 of the Law establish the right of detained or arrested persons not to be subjected to torture and inhuman or degrading treatment or punishment and not to be detained in degrading conditions.

According to Article 18 of the Law, proposals, petitions, and complaints addressed to local and international authorities and bodies<sup>50</sup> by detained or arrested persons shall be sent without delay and censorship, and persons may not be prosecuted in any way for submitting appeals or complaints.

Articles 22.1 and 22.3 establish the procedure for medical examination of detainees or arrested persons immediately after their admission to the place of detention. Observed injuries and complaints should be registered by the prison administration and immediately referred to the prosecutor in charge of the investigation for further investigation.

### ***Law on Police***<sup>51</sup>

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<sup>48</sup> Code of Criminal Procedure of the Republic of Azerbaijan <https://e-qanun.az/framework/46950>

<sup>49</sup> Law of the Republic of Azerbaijan on Ensuring the Rights and Freedoms of Detainees <https://e-qanun.az/framework/23933>

<sup>50</sup> Local and international authorities and bodies - investigator, prosecutor in charge of the procedural aspects of the investigation, court, bodies supervising the activities of the place of detention, Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan, UN bodies for the protection of human rights and freedoms, the European Court of Human Rights, or the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment

<sup>51</sup> Law of the Republic of Azerbaijan on Police <https://e-qanun.az/framework/2937>

This Law emphasizes the inadmissibility of degrading treatment by the police. According to Article 5 of the Law, it is prohibited to threaten, torture, or exert any physical or moral influence on a person who has committed or is suspected of committing a crime in order to force him or her to give information or confess.

### ***Law on Detective-Search Activity***<sup>52</sup>

According to this Law, bodies carrying out detective-search activities<sup>53</sup> are prohibited from committing acts of violence, use of force, threats, and blackmail that endanger people's lives, health, and legitimate interests.

### ***Resolution of the Cabinet of Ministers of the Republic of Azerbaijan on Approval of the Rules of Internal Discipline of Places of Detention***<sup>54</sup>

The Resolution of the Cabinet of Ministers of the Republic of Azerbaijan on Approval of the Rules of Internal Discipline of Places of Detention also reflects Articles 15.1.4, 18, and 27 of the Law on Ensuring the Rights and Freedoms of Detainees, which deal with inadmissibility of ill-treatment and appeal procedures.

At the same time, the Decision of the Board of the Ministry of Internal Affairs *on Approval of the Instruction on the Rules of Protection and Escort of Persons Detained in Police Detention Facilities*<sup>55</sup>, the Decision of the Board of the Ministry of Justice *on Approval of the Instruction on the Rules of Escort of Arrested Persons and Convicts*<sup>56</sup>, and the *Rules of Internal Discipline of Penitentiary Institutions*<sup>57</sup>, approved by the Board of the Ministry of Justice on December 29, 2011, No. 7-N state that detainees or arrested persons cannot be subjected to torture or other cruel, inhuman or degrading treatment or punishment, detained in degrading conditions, or transported in an airless and lightless environment.

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<sup>52</sup> Law of the Republic of Azerbaijan on Detective-Search Activity <https://e-qanun.az/framework/2938>

<sup>53</sup> Bodies carrying out detective-search activities - investigative bodies provided for in the criminal procedure legislation, and for corruption-related crimes, bodies of prosecutor's offices specializing in the fight against corruption

<sup>54</sup> Resolution of the Cabinet of Ministers of the Republic of Azerbaijan on Approval of the Rules of Internal Discipline of Places of Detention <https://e-qanun.az/framework/33805>

<sup>55</sup> Decision of the Board of the Ministry of Internal Affairs on Approval of the Instruction on the Rules of Protection and Escort of Persons Detained in Police Detention Facilities <https://e-qanun.az/framework/25287>

<sup>56</sup> Decision of the Board of the Ministry of Justice on Approval of the Instruction on the Rules of Escort of Arrested Persons and Convicts <https://e-qanun.az/framework/25284>

<sup>57</sup> Decision №7-N of the Board of the Ministry of Justice of the Republic of Azerbaijan dated 29.12.2011 on Improvement of Some Normative Documents on the Ministry of Justice <https://e-qanun.az/framework/23011>

## 5. Media monitoring regarding torture

The monitoring covers ill-treatment and torture claims in the media in 2019-2021. During the media monitoring, a search was conducted in the Google search engine, RFE/RL, BBC Azerbaijani, Toplum TV, Meydan TV, and other news websites were reviewed.

### 2021

#### Brief information on 2021:

As a result of media monitoring for 2021, 37 ill-treatment claims in the media were found. Four of the victims ( $\cong 10.8\%$ ) allegedly died as a result of torture. Six of these allegations ( $\cong 16.2\%$ ) were related to ill-treatment in previous years, and 31 ( $\cong 83.8\%$ ) were related to ill-treatment in 2021. Of these, 11 ( $\cong 29.7\%$ ) were allegedly committed in public or private places, and 26 ( $\cong 70.3\%$ ) in places of active state control (police department, penitentiary institution, Main Department for Combating Organized Crime, temporary detention facility of the district police department, administrative detention center, detention center of former Ministry of National Security). Alleged motives for ill-treatment include:

- to participate in the rally;
- to violate quarantine rules;
- to be forced to sign an application for refusal to be defended by an advocate;
- to be forced to refuse to complain against the police;
- to be forced to testify against the chairman of the APFP, Ali Karimli;
- to be forced to sign a false statement;
- to videotape the police officer who is on duty.

#### Detailed information on 2021:

##### January

On January 13, 2021, according to the [gununesi.info](https://www.gununesi.info)<sup>58</sup> news website, one of the prisoners died as a result of torture in Prison No. 13 of the Ministry of Justice. According to the report, a prisoner named *Royal*, a resident of Ganja, had been detained in a penal colony for several days and beaten regularly every day.

##### February

On February 6, 2021, a Facebook user named *Nizami Orujov* reported on Facebook<sup>59</sup> that he had been harassed by police for not wearing a mask in violation of quarantine rules on his way to work on January 20. According to the information, the police asked the citizen to get

<sup>58</sup> “Mysterious death of a prisoner in Prison No. 13 - Allegations of torture are denied by the Penitentiary Service”, “[gununesi.info](https://www.gununesi.info)”, <https://www.gununesi.info/13-cu-zonda-mu%C9%99ammali-m%C9%99hbus-olumu/>, Accessed: 17 May 2022

<sup>59</sup> <https://www.facebook.com/groups/254738361345933/posts/1992826117537140/>, Accessed: 17 May 2022



in the car to take him to the police department, and when the citizen objected, he was beaten. According to the citizen, 4-5 people beat him in a room of the police department and insulted his father, then forced him to give a statement and threatened him to confirm the false statement in court. The citizen said that despite requesting an expert examination of his injuries in court, his request was not complied with and he was sentenced to 10 days of administrative detention.

## March

On March 9, 2021, Toplum TV<sup>60</sup> reported that 25 feminist activists who marched on March 8 to protest the killings of women were reportedly detained by police, and some were ill-treated in the police department. Public activist *Rabiyya Mammadova* said on social media that she had been subjected to police violence and that she had been diagnosed with bruising of her left arm, laryngeal trauma, injury to her right ear, and partial hearing loss. Protesters *Izolda Aghayeva* and *Jala Bayramova* also said they had been subjected to police violence and insulted by police.

Former prisoners released after the pardon order told *gununesi.info*<sup>61</sup> news website on March 22, 2021, that Emin Eminaliyev, Deputy Chief of Prison No. 16, tortures *prisoners*. The former prisoners added that they complained about his actions, but their complaints were ignored.

## April

In a video<sup>62</sup> posted on Kanal Turan's Facebook page on April 9, 2021, *a resident of Balakan district* said that he had been beaten by Deputy Police Chief, Elkhan Zamanov, and that they wanted to get him into a car by force. When they failed to do so, a police officer drove over his foot. A resident of the district said that the reason for the harassment was that the police wanted to force him to withdraw his complaint.

## May

A video<sup>63</sup> posted on Kanal Turan's Facebook page on May 30, 2021, claims that citizen *Yashar Ramazanov* was tortured to death at the Tovuz District Police Department. The head of the press service of the Ministry of Internal Affairs, police major Elshad Hajiyevev, denied the allegations in his statement to *report.az*. Elshad Hajiyevev said that the citizen had previously suffered from serious diseases such as cirrhosis of the liver and hepatitis C, that

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<sup>60</sup> "Feminists detained by police: "They insulted and tortured us"", "Toplum TV", <https://toplum.tv/sosial/polise-aparilan-feministler-tehqir-edir-isgence-verirdiler>; Accessed: 17 May 2022

<sup>61</sup> "What is happening in Prison No. 16?", "gununesi.info", <https://www.gununesi.info/16-sayli-c%C9%99zac%C9%99km%C9%99-mu%C9%99sis%C9%99sind%C9%99-n%C9%99-bas-verir/>, Accessed: 17 May 2022

<sup>62</sup> "Kanal Turan" Facebook page, <https://www.facebook.com/turantvkanal/videos/1193332134435339>, Accessed: 17 May 2022

<sup>63</sup> "Kanal Turan" Facebook page, <https://www.facebook.com/turantvkanal/posts/4260103234010756>, Accessed: 17 May 2022

the citizen's condition suddenly deteriorated and he collapsed in the pre-trial detention center, and that he died four days later in hospital with a diagnosis of intracranial pressure accompanied by cerebral hemorrhage.<sup>64</sup>

According to RFE/RL<sup>65</sup>, on May 31, 2021, *Said Dadashbeyli and four others*, who had been imprisoned for more than 13 years on charges of plotting a coup and other serious charges, appealed to Prosecutor General, Kamran Aliyev, to be recognized as a victim in the case of the arrested MNS General, Movlam Shikhaliyev. Citizens stated that they had been tortured during the investigation, that Shikhaliyev was directly in charge of the torture or he was aware of what had happened. Citizens added that Emin Mammadov died as a result of these tortures.

## June

On June 10, 2021, it was reported on Facebook<sup>66</sup> that brothers *Ramil Amanov and Toghrul Rizvanli* were handcuffed and beaten by Deputy Chief of the Jalilabad District Police Department, Rovshan, and others and detained for 12 hours without medical supervision. Toghrul Rizvanli, who had bruises on his face in the video, said he was beaten in handcuffs and kicked in the head.

On June 23, 2021, according to teref.az<sup>67</sup> website, a resident of Shamkir district, *Tural Zeynalov*, who was remanded in custody for 3 months, and *seven other people* were subjected to police violence while being taken to the police station. T. Zeynalov's brother, Vusal Zeynalov, said that during the incident, the head of the Criminal Investigation Department of the Shamkir District Police Department, Vugar Garayev, also injured his father Allahverdi Zeynalov and used tear gas against other people in the restaurant. The report also says that 92-year-old resident of Dallar-Jayir village of Shamkir district, *Mammad Huseynov*, was taken to the DPD for violating quarantine rules and was beaten by the head of the Criminal Investigation Department, Vugar Garayev.

## July

According to RFE/RL, on October 14, 2021, *Razi Humbatov*, detained in Jeyranbatan settlement on July 7, 2021, was tortured at the Main Department for Combating Organized Crime (MDCOC) and was forced to sign a false drug-related interrogation report under

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<sup>64</sup> "MIA: The allegations that a Tovuz resident was killed at the police station are baseless", "report.az", <https://report.az/hadise/din-vetendasin-polis-sobesinde-doyulerek-oldurulmesile-bagli-iddialar-heqiqeti-eks-etdirmir/>, Accessed: 17 May 2022

<sup>65</sup> "Said Dadashbeyli's group wants to be recognized as a victim in the general's case", "azadliq.org" <https://www.azadliq.org/a/s%C9%99id-dada%C5%9Fb%C9%99yli-mtn/31282757.html> Accessed: 17 May 2022

<sup>66</sup> "Our Jalilabad" ("Cəlilabadımız") Facebook group, <https://www.facebook.com/Celilabad015/videos/486941562583622/>, Accessed: 17 May 2022

<sup>67</sup> "Was Tural Zeynalov tortured at the police station?", "teref.az" <https://teref.az/gundem/196893-tural-zeynalova-polis-idaresinde-isgence-verilib-.html> Accessed: 17 May 2022

torture. His advocate, Javad Javadov, said he was innocent and raised the issue of terminating the criminal case against his client.

## August

*Yunis Safarov*, accused of carrying out an armed attack on the former head of the Ganja City Executive Power, Elmar Valiyev, on August 1, 2021, was brought to the Main Department for Combating Organized Crime of the MIA. His relatives told Meydan TV<sup>68</sup> that he had been taken to the MDCOC to be forced to refuse his right of defense by an advocate and to sign false statements about a planned crime as a group and against other people, and was under severe torture at that time.

The video<sup>69</sup>, which was shared on Baku TV's YouTube page on August 4, 2021, claims that a resident of Dashkasan, *Ilkin Hasanpur*, was beaten at the police station. Speaking to hurriyyet.az website, the complainant stated that he had been beaten by civilians, had appealed to the Dashkasan District Police Department regarding the theft of his money, and had been subjected to violence and insults by Lieutenant Colonel, Seymur Afandiyev, at the police station. The citizen claimed that they had a false statement signed by him under torture as if he had lost his money. Eshgin Gasimov, chief inspector of the Ganja regional group of the press service of the Ministry of Internal Affairs, denied Ilkin Hasanpur's claims and said that the citizen had made inappropriate words while drunk, disobeyed police instructions, and was charged with hooliganism.

On August 10, 2021, Kanal14<sup>70</sup> reported that *Tural Ismayilov*'s mother claimed that her son had been tortured to death by police. In a video appeal, Anvar Ismayilov, the late Tural Ismayilov's father, claimed that his son was tortured to death by Fikrat, the head of the Criminal Investigation Department, Khayyam Azizov, an anti-drug police officer, and other police officers.

According to Nemat Karimli<sup>71</sup>, an advocate who met with APFP activist *Agil Humbatov* on August 16, 2021, Agil Humbatov was tortured at the Khazar District Police Office and threatened with stripping and raping him. Agil Humbatov said that he signed confessions for this reason. Elshad Hajiyev, head of the press service of the Ministry of Internal Affairs, said the allegations were baseless. According to the Defense Line, Humbatov has been repeatedly

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<sup>68</sup> "Yunis Safarov is under severe torture in the "bandotdel" (MDCOC)", "Meydan TV", <https://d9mc3ts4czbpr.cloudfront.net/az/article/yunis-seferov-bandotdel-de-agir-isgence-altindadir/> Accessed: 17 May 2022

<sup>69</sup> "Has the war veteran been beaten at the police station?" – "Baku TV", <https://www.youtube.com/watch?v=51YK5bGBSIE> Accessed: 17 May 2022

<sup>70</sup> "Anvar Ismayilov: "My son was tortured to death at the police station"", "Şimal Region" YouTube page, <https://www.youtube.com/watch?v=IX7s1X8JSu0&t=20s> Accessed: 17 May 2022

<sup>71</sup> "The arrested APFP activist complained to the prosecutor's office about the torture", Voice of America, <https://www.amerikaninsesi.org/a/h%C9%99bsd%C9%99-olan-axcp-f%C9%99al%C4%B1-i%C5%9Fg%C9%99nc%C9%99y%C9%99-m%C9%99ruz-qalmas%C4%B1-il%C9%99-ba%C4%9F1%C4%B1-prokurorlu%C4%9Fa-%C5%9Fikay%C9%99t-edib-/6005630.html> Accessed: 18 May 2022

detained administratively for his critical remarks, forcibly taken to a psychiatric clinic for three months, and subjected to torture, inhuman and degrading treatment.

On August 26, 2021, Aynura Amiraliyeva told the Guard (“*Gözetçi*”)<sup>72</sup> that her son, *Ali Alakbarli*, had been tortured at the police station and had been asked to confess to a crime he had not committed. The mother said her son had tried to commit suicide several times as a result of torture.

On August 31, 2021, RFE/RL<sup>73</sup> reported that *Elnur Movlanov*, who was accused of stealing jewelry from his father-in-law's house, said he had been beaten by police. He said in court on August 31 that he had been beaten and that blood had been spilled on the spot, and demanded that camera footage of the area be examined. The police officer denied Elnur Movlanov's statement, saying that the injuries were not caused by police violence, but belonged to the past.

## September

According to RFE/RL<sup>74</sup>, on September 16, 2021, *Niyamaddin Ahmadov*, a bodyguard of the chairman of the Azerbaijan Popular Front Party (APFP), Ali Karimli, said that he was threatened with his father's illness and tortured. According to the APFP activist, he was asked to sign a statement against Ali Karimli.

On September 22, 2021, the Guard (“*Gözetçi*”)<sup>75</sup> reported that *Zamin Salayev*, a member of the APFP, had been tortured in Prison No. 17. The APFP told the news website that the head of the prison, Shakir Ganiyev, twice tortured Z. Salayev to sign an application to leave the party. According to the report, it could not become possible to learn the opinion of the Penitentiary Service on the issue.

## November

According to Meydan TV<sup>76</sup>, on November 10, 2021, 24-year-old *Jahad Babakishizade*, who was shot and arrested during the “Nardaran operation”, told his family that he had been tortured in prison. Therefore, he went on a hunger strike shortly after he was taken to Prison No. 12 on October 20. According to his relatives, when J. Babakishizade said that he had been tortured, the deputy chief took the phone from him and denied the allegations of torture.

<sup>72</sup> <https://gozetci.az/en/pozuntular/xosq%C9%99d%C9%99min-proqramindan-sonra-oglumu-qurban-secdil%C9%99r/> Accessed: 17 May 2022

<sup>73</sup> <https://www.azadliq.org/a/alim-qasimov-kureken/31436673.html>

<sup>74</sup> “I was told that either you have to choose Ali Karimli or your father...”, RFE/RL, <https://www.azadliq.org/a/niyameddin-ehmedov-axcp/31462717.html> Accessed: 17 May 2022

<sup>75</sup> “Zamin Salayev is tortured in Prison No. 17”, “Guard” Human Rights Information Portal, <https://gozetci.az/az/pozuntular/zamin-salayev%C9%99-17-sayli-c%C9%99zac%C9%99km%C9%99-mu%C9%99ssis%C9%99sind%C9%99-isg%C9%99nc%C9%99-verilir/> Accessed: 17 May 2022

<sup>76</sup> [www.mtv.re/az/b/12fD](http://www.mtv.re/az/b/12fD) Accessed: 17 May 2022

According to Qafqazinfo<sup>77</sup>, on November 18, 2021, *Ramin Khanaliyev*, a resident of Sumgayit, claimed that he was beaten by traffic police officer due to filming him on the phone when his car was stopped by the officer: "Traffic police officer, Elchin, got in my car and sat in the front seat and demanded that I delete the video on the phone. When I said I wouldn't delete it, he started beating me, hitting me on the neck and head. He tried to take my phone from me by force." According to Khanaliyev, he was diagnosed with crushed soft tissues of the right neck and primary essential hypertension.

## December

There are video footages that at a rally<sup>78</sup> demanding the release of Saleh Rustamov, a political prisoner who went on a hunger strike on December 1, 2021, oppositionist *Tofiq Yagublu* was detained by police. Police used excessive physical force to try to take him to a police car. T. Yagublu told BBC Azerbaijani that he was later beaten by police and tortured during his detention.<sup>79</sup> After Yagublu was released, images of torture on his face were spread on social media. There were no signs of swelling or injuries on his face or eye when he was detained by police during the protest. According to RFE/RL<sup>80</sup>, the Sabail District Prosecutor's Office concluded that Tofiq Yagublu, a member of the National Council and the Musavat Party, had injured himself. Police officers, who were questioned by the prosecutor's office, claimed that Yagublu was detained during a rally in Fountain Square on December 1. When he was brought to the 39th Police Station, he hit his head on the door of the Post-Patrol Service car and punched himself in the station.

According to a report shared by oxu.az on December 5, 2021, a confrontation broke out between traffic police officers and *the driver of a car*. For unknown reasons, the police stopped the NIVA car. However, the driver refused to get out of the car. As can be seen in the video, several police officers tried to force the driver out of the car and put him in a service car.<sup>81</sup>

## 2020

### Brief information on 2020:

As a result of media monitoring for 2020, 33 ill-treatment claims in the media were found. One of the victims ( $\cong 3\%$ ) allegedly died as a result of torture. Two of the claims ( $\cong 6\%$ ) were

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<sup>77</sup> "The traffic police beat me due to shooting him", "qafqazinfo.az", <https://qafqazinfo.az/news/detail/yol-polisi-onu-cekdiyim-ucun-meni-doydu-video-343428> Accessed: 17 May 2022

<sup>78</sup> "Tofiq Yagublu was detained during the PROTEST - Vilayat Eyvazov's gang is running its own show in the country", "Mühacir TV", <https://www.youtube.com/watch?v=8xrQzofMWOs> Accessed: 17 May 2022

<sup>79</sup> "There is no news from some persons detained at the rally in support of Saleh Rustamov, Tofiq Yagublu says he was tortured", BBC News Azerbaijani, <https://www.bbc.com/azeri/azerbaijan-59413188> Accessed: 17 May 2022

<sup>80</sup> "Prosecutor's Office: Tofiq Yagublu injured himself", RFE/RL, <https://www.azadliq.org/a/tofiq-yagublu-polis-doyulme/31657438.html> Accessed: 17 May 2022

<sup>81</sup> "Confrontation between the traffic police officer and driver in Baku" - VIDEO, "oxu.az", <https://oxu.az/criminal/552435> Accessed: 17 May 2022

related to ill-treatment in previous years, and 31 ( $\cong 93\%$ ) were related to ill-treatment in 2020. Of these, 3 ( $\cong 9\%$ ) were allegedly committed in public or private places, 11 ( $\cong 33\%$ ) in both public or private places and in places of active state control, and 19 ( $\cong 57\%$ ) in places of active state control (police department, penitentiary institution, polling station, front of the Central Election Commission, quarantine station, Main Department for Combating Organized Crime, administrative detention center, Baku Pre-Trial Detention Center, detention center of former Ministry of National Security). Alleged motives for ill-treatment include:

- to participate in the rally;
- to prevent the exposure of election fraud;
- to be forced to sign a confession in connection with a criminal case;
- to throw rubbish from their homes into the yard and onto the police as a sign of protest against strict quarantine rules;
- to refrain from political activity;
- not to stop the car while there was car fine and the police gave the order to stop;
- to be forced to testify against the chairman of the APFP, Ali Karimli.

### Detailed information on 2020:

#### January

According to RFE/RL<sup>82</sup>, on December 16, 2021, 48-year-old *Ilkin Suleymanov*, accused in Narmin's case, said he was threatened with bringing his father to the police and torturing him. He added that the worst tortures were inflicted on him on the night of January 9-10, 2020: "After the torture, I realized that I had to confess everything and that if I did not accept what was said, I could not stand it. But I did not know what to say. But I still hoped that the truths would be revealed and that I would be found not guilty." The Prosecutor General's Office denied the allegations of torture. In response to complaints from advocates, it was stated that the fact of torture had not been confirmed.<sup>83</sup>

#### February

*Arzulla Buludov*, chairman of the Surakhani district branch of the Musavat Party, told RFE/RL<sup>84</sup> that he was physically abused by police during a rally of candidates in front of the Central Election Commission (CEC) on February 11 and taken to Clinical Medical Center No. 1 for examination at night. However, the head of the press service of the Baku City Main Police Department, Elshad Hajiyev, told APA that allegations that Arzulla Buludov and

<sup>82</sup> "The case of the death of 10-year-old Narmin: "We believe that a high-ranking official is behind this case"", RFE/RL, <https://www.azadliq.org/a/nermin-ilkin-suleymanov/31611920.html>, Accessed: 20 May 2022

<sup>83</sup> "Scandal of Dondar Gushchu residents over Narmin's crime", RFE/RL, <https://www.azadliq.org/a/nermin-ilkin-suleymanov/31622777.html>, Accessed: 20 May 2022

<sup>84</sup> "Detainees detained during candidates' rally have been released (VIDEO)", RFE/RL, <https://www.azadliq.org/a/namiz%C9%99dl%C9%99rin-oturaq-aksiyas%C4%B1/30428788.html>, Accessed: 20 May 2022



*Rabiyya Mammadova* were injured were unfounded. The head of the press service of the Musavat Party, *Mustafa Hajibeyli*, said he had been beaten by police when he was detained.

## March

On March 10, 2020, *criminal.az*<sup>85</sup> reported that *Fuad Ismayilov* was forcibly removed from the polling station and beaten by police for protesting against election fraud. *Fikrat Jafarov*, a candidate in the parliamentary elections, said: "However, there is video evidence of the beating of *Fuad Ismayilov*. Therefore, I consider the arrest of *Fuad Ismayilov* and the charges against him a political order because *Fuad Ismayilov* does not even smoke, what happened is his response to the election fraud."

On March 27, 2020, the Facebook page of the Nida Civic Movement<sup>86</sup> claimed that students in quarantine in Nakhchivan were tortured. It was written with reference to public activist *Rustam Ismayilbeyli*: "A student named *Umid*, who shot and shared the situation, was thrown into the basement and beaten with a truncheon, and the torture stopped after he vomited... A student named *Shalala*, who wanted to take care of *Umid*, was locked in a dark, cold room, detained for a while, and threatened and released... There are no lights in the military unit, everyone is kept in mass, there are no normal meals, normal toilets, etc... The chief who tortured the students says, "the state is behind me"."

## April

*Arif Babayev*, a member of the Surakhani district branch of the APFP, who was administratively arrested on April 22, was subjected to physical pressure and beaten at the 30th Police Station of the Surakhani District Police Office, the APFP told RFE/RL<sup>87</sup>: "... He was forced to "confess his guilt" through threats in the detention center of the Ministry of Internal Affairs and to say that he would not make political calls in the future, and a video was recorded." The head of the press service of the Ministry of Internal Affairs, *Ehsan Zahidov*, denied the allegations in an interview with *Turan*.

On April 26, 2020, the *konkret.az*<sup>88</sup> news website published information about the torture of journalist, former political prisoner *Parviz Hashimli* in the former MNS. The report said that *Parviz Hashimli* was taken to a special torture room for psychological pressure, where there was a special device similar to a cross in a butcher's shop, and his hands were placed in a clamp to be squeezed. *P. Hashimli* added that he was subjected to degrading treatment and

<sup>85</sup> "The person who wrote "Fu Məzi" has been arrested", "criminal.az", <https://criminal.az/fu-mezi-yazan-sexs-baresinde-hebs-qerari-cixarilib/>, Accessed: 20 May 2022

<sup>86</sup> <https://www.facebook.com/nidavh.org/photos/a.636127846424323/2827876933916059>, Accessed: 20 May 2022

<sup>87</sup> "The APFP says the activist was tortured, the MIA denies", RFE/RL, <https://www.azadliq.org/a/axcp-f%C9%99a%C4%B1n-d%C3%B6y%C3%BCld%C3%BCy%C3%BCn%C3%BC-deyir/30575081.html> Accessed: 20 May 2022

<sup>88</sup> "'In my life, I only slapped Eynulla Fatullayev," arrested MNS general said", "konkret.az", <https://konkret.az/heyatimda-yalniz-eynulla-fetullayeva-sille-vurmusam-hebsdeki-mtn-general/> Accessed: 20 May 2022

threats and was on the verge of suicide while being detained in the detention center of the former ministry: "Once I was taken naked to the walking area on the top floor of the MNS. It was a snowy day. I had a cold badly. In a separate statement, Amnesty International demanded that the head of the MNS stop torturing me. After that, the torture stopped."

## May

According to [sosxeber.info](http://sosxeber.info)<sup>89</sup>, *Afgan Sadigov*, editor-in-chief of *Azel TV*, was detained on May 13, 2020. Sadigov was previously sentenced to two and a half years in prison by the Jalilabad District Court on January 12, 2017. A. Sadigov claimed that he was slandered and tortured by police after his release. According to the report, the MIA, as a rule, denied the allegations of torture of those detained by the police.

## June

On June 7, police used unbalanced force to detain a person violating the quarantine regime in the yard of a building in Baku's Yasamal district.<sup>90</sup> In protest, the residents of the building threw rubbish and various items at them from their apartments. The next morning, while people were still asleep, the Rapid Police Regiment of the Ministry of Internal Affairs arrived at the address and detained *11 people* in a special operation, who were later administratively arrested. The videos on the ministry's operation have caused widespread discussion on social networks. The footage shows police forcibly entering people's homes, dragging them naked, and hitting them on the head. Gular Suleymanova's sons Elvin Suleymanov and Karim Suleymanov were among those detained. Karim Suleymanov was released on June 9 due to his illness. He stated that he had been tortured for five hours and injured at the police station. K. Suleymanov said he was beaten for several hours at the 29th Police Station of the Yasamal District Police Department. It was also reported that the victim had large bruises and scratches on his face and head, as well as all over his body.

In a video<sup>91</sup> posted on Meydan TV's Facebook page on June 18, 2020, it is possible to observe that the police used force on citizens and crushed the car with stones and sticks. Citizen *Aytaj Mammadova* and her friend *Sultan Aliyev* were on their way to Hajikand when the traffic police said they could not let them go because of the car fine, and there was a conflict with the police. The police grabbed Sultan Aliyev by the neck and took him out of the car, while the others drove away. Police then chased and stopped the car, used force on citizens, crushed the car with stones and sticks, and used tear gas on persons inside the car. According to A. Mammadova, she was pressured to testify against Sultan Aliyev. Two of her ribs were broken. Police said the citizens violated the rules under the influence of drugs.

<sup>89</sup> <http://sosxeber.info/diktator-ilham-%C9%99liyevin-represiya-siyas%C9%99ti-tam-gucu-il%C9%99-davam-edir/> Accessed: 20 May 2022

<sup>90</sup> "Rights violated by the police in the "garbage operation"", "faktyoxla.info", <https://faktyoxla.info/articles/Polisin-zibil-emeliyyatinda-pozdughu-huquqlar> Accessed: 20 May 2022

<sup>91</sup> <https://www.facebook.com/MeydanTelevision/posts/3017666571613715> Accessed: 20 May 2022



On June 26, 2020, Baku resident Bilal Safarov told teref.az<sup>92</sup> that the life and health of his brother Royal, who was imprisoned in Prison No. 12, were in danger. B. Safarov said his brother was tortured: "He was handcuffed and beaten. Earlier, they were sent to solitary confinement cell for 10 days in prison. When the time was up, the period was extended again, as if he had violated the rules of the regime there as well.

## July

According to BBC Azerbaijani<sup>93</sup>, on July 21, 2020, 21 people, including members of the Supreme Assembly and the Presidium of the APFP, were detained during a rally in support of the army in Baku on the night of July 14-15. According to the party, *Bakhtiyar Imanov* and *Ramid Naghiyev*, members of the Presidium of the APFP, were being tortured in order to testify against Ali Karimli. Another member, *Elvin Babayev*, was also tortured and reportedly forced to sign something.

## August

On August 12, 2020, in the Azerbaijani segment of social networks, photos of some individuals stripped and tortured were spread. According to Jam News<sup>94</sup>, several photos signed by Ganimat Zahid, who is the newspaper's former editor-in-chief and now living in France, were posted on the Facebook page of the Azadlig newspaper, which is banned in Azerbaijan. According to the statement, the photos were taken during the torture of detainees at the Main Department for Combating Organized Crime of the Ministry of Internal Affairs. It is unknown who shot and distributed them. At the same time, the identities of the tortured detainees were not disclosed. The Ministry of Internal Affairs issued a statement on the issue, saying that the photos were not taken in Azerbaijan.

## September

On September 11, 2020, *Fuad Aliyev*, a resident of Yasamal district, told RFE/RL<sup>95</sup> that he had been beaten by officers of the 29th Police Station and that a plastic valve placed on his head during the surgery was also damaged as a result of the injuries. According to F. Aliyev, he was beaten and insulted in the car when he was taken to the police department. When he was beaten in the car, he told the police that he was the second group disabled person and had a plastic valve on his head, but to no avail. The head of the press service of the MIA, Ehsan Zahidov, told the RFE/RL that Aliyev's claims that he had been beaten and injured by police were unfounded.

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<sup>92</sup> "What is happening in Prison No. 12? - The complaint was sent to the minister", "teref.az", <http://teref.az/arasdirma/157307-12-sayli-cezacekme-muessisesinde-ne-bas-verir-.html> Accessed: 20 May 2022

<sup>93</sup> "Why were APFP members detained?", BBC News Azerbaijani, <https://www.bbc.com/azeri/azerbaijan-53476951> Accessed: 20 May 2022

<sup>94</sup> "Photos of torture of those detained by the police spread in Azerbaijan - MIA denies, bloggers prove", "Jam News", <https://jam-news.net/az/az%C9%99baycan-polisd%C9%99-saxlanilanlarin-ig%C9%99nc%C9%99-fotolari-yayimlanib-din-t%C9%99kzib-bloqerl%C9%99r-subut-edir/> Accessed: 24 May 2022

<sup>95</sup> "The police beat me so much that the plastic valve on my head was damaged...", RFE/RL, <https://www.azadliq.org/a/30833317.html>, Accessed: 24 May 2022

## November

In a statement issued by RFE/RL<sup>96</sup> on November 12, 2020, it was reported that *Rasim Ramazanov* was arrested and tortured from the day he was transferred to the Baku Pre-Trial Detention Center. R. Ramazanov's relatives told the RFE/RL, "R. Ramazanov wrote a will to his family, noting that his life was in danger in the prison. He blames the prison administration, especially the deputy chief, Rashad, for what happened." According to family members, R. Ramazanov, who is the second group disabled person, said that if the torture was not stopped and the perpetrators were not punished, he would commit suicide.

## December

According to the information given to Meydan TV<sup>97</sup> by Ismayil Aydamirov, the father of *Mirali Aydamirov*, a resident of Khachmaz district, on December 31, 2020, he blamed the employees of the Khachmaz District Police Department for the death of his son: "At around 02.50 at night, police officers detained Mirali on the street. About an hour later, an ambulance was called to the police department and Mirali Aydamirov was taken to hospital. He died at Khachmaz Central Hospital on May 27 at 18.40." According to his father, only on May 27 at 16.30, the field commissioner called and informed the family about his son. Seeing Mirali Aydamirov in the hospital, his mother said that her son's whole body was bruised.

## 2019

### Brief information on 2019:

As a result of media monitoring for 2019, 27 ill-treatment claims in the media were found. One of the victims ( $\cong 3.7\%$ ) allegedly died shortly after the torture. 13 of the claims ( $\cong 48\%$ ) were related to ill-treatment in previous years, and 14 ( $\cong 52\%$ ) were related to ill-treatment in 2019. Of these, 1 ( $\cong 3.7\%$ ) were allegedly committed in public or private places, and 26 ( $\cong 96.3\%$ ) in places of active state control (police department, penitentiary institution, Main Department for Combating Organized Crime). Alleged motives for ill-treatment include:

- to participate in the rally;
- to be forced to sign a false statement;
- to demand a confession about self-injury and an apology video;
- to be forced to give a statement in connection with a criminal case;
- to be forced to testify against the chairman of the APFP, Ali Karimli.

### Detailed information on 2019:

## February

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<sup>96</sup> "The deputy chief did not just beat me, he also tore my clothes", RFE/RL, <https://www.azadliq.org/a/30944370.html>, Accessed: 24 May 2022

<sup>97</sup> "My son was beaten to death by the police", "Meydan TV", <https://d9mc3ts4czbpr.cloudfront.net/az/article/oglumu-polisler-doyub-oldurubler/> Accessed: 24 May 2022

According to the islamtimes.org<sup>98</sup> news website, on February 3, 2019, *Zulfugar Mikayilov's* advocate Rustam Zulfugarov claimed that his client was tortured at the MDCOC: "Zulfugar Mikayilov was told that if he did not sign the statement, they would undress him, take his nude video, and spread it on the Internet." The advocate said his client was innocent and demanded the termination of criminal prosecution.

On February 5, 2019, RFE/RL<sup>99</sup> reported that the prisoners *Taleh Baghirov* and *Abbas Huseynov*, who were deprived of their liberty regarding the "Nardaran events", were tortured in Gobustan prison. Taleh Baghirov's wife, Leyla Ismayilzade, last spoke to him on January 28, and Taleh Baghirov told her that he started a hunger strike together with Abbas Huseynov to protest the torture. After that, neither his advocate nor his family members could contact Taleh Baghirov. The prison administration denied that Taleh was on hunger strike. The advocate was told that Taleh was protesting against the prisoner who was kept in the same cell with him and that he did not answer the call because of it. T. Baghirov appealed both to the Penitentiary Service and the Red Cross Committee regarding the cases of torture and ill-treatment against him in prison.

According to information published by Meydan TV<sup>100</sup> on February 17, 2019, 28-year-old *Elvin Gasimov*, a resident of Bilasuvar district, set himself on fire because he was tortured. Mayis Gasimli, E. Gasimov's brother, told Meydan TV: "I received a call that my brother was dragged by 7-8 policemen, put in a car, and taken away. I went to the police department, I demanded a meeting with my brother, they lied and said that he did not want to see me. I was barely able to see my brother, his face and eyes were covered with blood, his forehead, mouth, and nose were smashed. He said: "My whole body hurts, they hit me everywhere. 7-8 policemen brutally beat me." That night, with the help of one person, we got my brother out of the police department with great difficulty." Before setting himself on fire, Elvin Gasimov called the 102 service of the Ministry of Internal Affairs and said that he would set himself on fire as a protest against the injustices against him by the police.

## March

On March 22, 2019, *Rufat Safarov* stated that he was tortured in an interview with RFE/RL<sup>101</sup>. His father, Eldar Sabiroglu, said that his son was ill-treated: "They stripped my son, spat on his face and body, performed the most disgusting actions, tied his hands and feet to an iron bed. He was left in this situation for one day! Of course, they had him relieved

<sup>98</sup> "News of torture of Haji Zulfugar Mikayilov", "Azeri Islam Times", <https://www.islamtimes.org/az/news/775899/hac%C4%B1-z%C3%BClf%C3%BCqar-mikay%C4%B1lova-j%C5%9Fg%C9%99nc%C9%99-x%C9%99b%C9%99ri> Accessed: 29 May 2022

<sup>99</sup> "Again, there are reports of torture", RFE/RL, <https://www.azadliq.org/a/qobustan-hebsxanasi-iddialar/29752903.html> Accessed: 29 May 2022

<sup>100</sup> "Bilasuvur resident: My brother was tortured and slandered, so he set himself on fire", "Meydan TV", <https://d9mc3ts4czbpr.cloudfront.net/az/article/bilesuvar-sakini-qardasima-igence-verib-serledikleri-ucun-ozunu-yandirdi/>, Accessed: 29 May 2022

<sup>101</sup> "They tied my hands and feet and tortured me - Rufat Safarov, released from prison", RFE/RL, <https://www.youtube.com/watch?v=GtgbHc5QNgw> Accessed: 29 May 2022

himself on bed and laughed at him! They dragged him in the toilet and watched this disgusting act."

On March 29, 2019, the news published by [benefisiar.org](http://benefisiar.org)<sup>102</sup> contained an allegation that a resident of Guba district was tortured in the police department. *Rashid Mammadov*, a resident of Guba, told Meydan TV that after being tortured in the district police department last November, he was put under administrative arrest for 10 days on the charge of resisting the police. According to R. Mammadov, he was detained in the cell behind the duty station until noon on November 17. He was kept hungry, dehydrated, handcuffed, and was not told why he was there, and when he demanded it, he was beaten and then taken to the office of the head of the department. It was alleged that the citizen insulted the policemen and hurt himself by hitting the walls, and he was asked to write a letter of apology. He was threatened that if he did not write, they would take him to the toilet and urinate on his head.

## May

On May 3, 2019, according to a report written by RFE/RL<sup>103</sup>, 65-year-old *Mahammad Mammadov*, who was charged with criminal responsibility for the fire at the Republican Drug Rehabilitation Center in which 25 people died, said in court that he was innocent, that he did not set the Drug Rehabilitation Center on fire, and that he was left holding the bag through torture.

According to the report written by Voice of America<sup>104</sup>, on May 8, 2019, the Baku Court of Appeal, under the chairmanship of Judge Ramiz Bayramov, rejected the appeals of *Saleh Rustamov*, the former head of the Gadabay District Executive Power, *Agil Maharramov*, a member of the Presidium of the APFP, and *Babak Hasanov*, the chairman of the Narimanov district branch of this party, and upheld the verdict of the first instance court. Ali Karimli, chairman of the APFP, said that the people on whom the court made a decision were innocent. "These people were defamed. A false accusation was made against them. This is the first crime. Second, these people were subjected to torture. This is considered one of the serious crimes in Azerbaijani legislation," he said.

## July

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<sup>102</sup> "The chief said, if he doesn't write, take him to the toilet and urinate on his head", Beneficiary ("Benefisiar") Legal Assistance Center, <https://benefisiar.org/xeberler/6645/quba-sakini-polis-sob%C9%99sind%C9%99-ona-veril%C9%99n-isg%C9%99nc%C9%99d%C9%99n-danisib.html> Accessed: 29 May 2022

<sup>103</sup> "The doctor-narcologist who was punished for the fire: "I sacrificed my family for my profession"", RFE/RL, <https://www.azadliq.org/a/narkoloji-dispanser-yangin/29919316.html>, Accessed: 29 May 2022

<sup>104</sup> "The ruling of the court smells like a political order", Voice of America, <https://www.amerikaninsesi.org/a/m%C9%99hk%C9%99m%C9%99nin-h%C3%B6km%C3%BCnd%C9%99n-siyasi-sifari%C5%9F-iyisi-g%C9%99lir-/4908831.html>, Accessed: 29 May 2022

According to the news broadcast by Meydan TV<sup>105</sup> on July 2, 2019, eight more people (*brothers Sabir Azizov and Jabir Azizov, Fikrat Mirzaliyev, Sabuhi Rajabov, Elman Guliyev, Eyruz Hajiyeve, brothers Gulmirza Nuruzade and Riya Nuruzade*) who were arrested regarding the “Ganja events” filed a complaint against the verdict. They said that they were innocent, that they were forced to sign false statements under torture, and they demanded that the sentence against them is annulled and that they are acquitted. R. Nuruzade said that they were subjected to unimaginable torture for days in order to make them sign the statement against the accused Elman Guliyev. Accused Jabir Azizov said that he could not stand the torture and decided to kill himself. J. Azizov objected to the prosecutor's words "your advocates were there when you were interrogated" and said that not only he was tortured in the police station, but also other detainees.

According to the video shared by Azel TV<sup>106</sup> on YouTube on July 25, 2019, Habil Amiraslanov, the head of the Masalli District Police Department, tortured *a citizen*. The citizen said in an interview to the channel: “They deceived me and took me to the police department. Amiraslanov came, they beat me so much that my face was smashed. I was detained for 15 days, the police blacked my eyes and said, "A citizen like you should die, you are not needed".”

## August

According to the news reported by turan.az<sup>107</sup> on August 22, 2019, the *prisoners* serving their sentences in Penitentiary Institution No. 13 were subjected to torture. Bayram Mammadov, a former political prisoner and social activist who served a sentence in that penitentiary, said this with reference to sources in the penitentiary. According to him, "prisoners' rights are violated personally by the head of the penitentiary, Chingiz Yunusov. In particular, the new chief poured the alcohol illegally prepared by the prisoners on their heads. He recorded this process on the camera of his mobile phone. In addition, on the order of the chief, the prisoners were lain on the ground and beaten with a baton, and he records this on his phone."

## September

On September 30, 2019, one of the four people arrested in the "Ganja case", *Elmir Huseynzade*, said in an interview with RFE/RL<sup>108</sup> that he was tortured: "We should have been acquitted of all charges because we have no guilt. What have we done?! Do they arrest and torture a person for looking at something from the outside?"

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<sup>105</sup> “Ganja prisoner: They tortured me so much that I cut my veins, I wanted to die”, “Meydan TV”, <https://d9mc3ts4czbpr.cloudfront.net/az/article/gence-mehbusu-o-qeder-igence-verdiler-ki-damarlarimi-dogradim-olmek-isteyirdim/>, Accessed: 29 May 2022

<sup>106</sup> “The police chief of Masalli, Habil Amiraslanov, tortures a citizen”, “Azel TV”, <https://www.youtube.com/watch?v=z5maP9zw5EQ>, Accessed: 29 May 2022

<sup>107</sup> “The activist gave information about the torture in Penitentiary Institution No. 13”, “turan.az”, <https://turan.az/cache/2019/Social/free/news-2019-8-free-Social-az-83253.htm>, Accessed: 29 May 2022

<sup>108</sup> “4 people were released in the "Ganja case"”, RFE/RL, <https://www.azadliq.org/a/g%C9%99nc%C9%99-i%C5%9Fi-nd%C9%99-4-n%C9%99f%C9%99r-burax%C4%B1ld%C4%B1/30190933.html>, Accessed: 29 May 2022

*Shahin Verdiyev*, who had health problems during his imprisonment and lost his ability to move for a while, also told RFE/RL that what happened was the result of the torture he was subjected to.

## October

In the video shared on the "Kanal Turan" Facebook page<sup>109</sup> on October 11, 2019, public activist *Fatima Movlamli* claims that she was harassed when she went to file a complaint at the police station.

On October 19, 2019, *Ali Karimli*, the chairman of the APFP, who participated in the uncoordinated rally of the National Council, told RFE/RL<sup>110</sup> that he was tortured in the police station. However, the Baku City Prosecutor's Office concluded that there was no criminal element in the actions of the police and issued a decision to reject the initiation of a criminal case. The decision was appealed to the court, both the court of the first instance and the court of appeal did not satisfy the appeal and upheld the decision of the prosecutor's office.<sup>111</sup>

The US Embassy in Azerbaijan issued a statement<sup>112</sup> on the rally of the National Council held on October 19. The statement strongly condemned the dispersal of the peaceful protest, as well as the arrest of protestors and bystanders, and police violence against the participants.

## November

According to the information published by *yenixeber.org*<sup>113</sup> on November 22, 2019, there were complaints from the officers of the military unit No. N of the Civil Defense Forces of the Ministry of Emergency Situations (MES) located in Shirvan city. A group of soldiers who complained to Meydan TV said that the officers tortured them and tried to humiliate them. Among the complainants are those who have completed their military service. According to the complainants, the officers regularly insulted and tortured the soldiers. One of the main complaints is related to the serviceman Azad Aghayev. According to the soldiers, Azad Aghayev's favorite pastime is to have soldiers clean the headquarters with a shoe brush. According to the soldiers, the head of the engineering service, senior lieutenant Elnur Huseynov likes to flick soldiers hard on the head or punch them in the head, and warrant officer Elchin Rasim oglu Talibov regularly insults the soldiers and tortures them.

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<sup>109</sup> "Violence against a young activist in the police station", "Kanal Turan"  
<https://www.facebook.com/watch/?v=397450377868693> Accessed: 29 May 2022

<sup>110</sup> "Ali Karimli, chairman of the APFP, talks about the violence against him", RFE/RL,  
<https://www.azadliq.org/a/mitinq-aksiya-m%C3%BCxalif%C9%99t-polis/30225097.html>, Accessed: 29 May 2022

<sup>111</sup> "Local courts refused to consider Ali Karimli's complaint regarding torture", RFE/RL,  
<https://www.azadliq.org/a/31032966.html>, Accessed: 29 May 2022

<sup>112</sup> "Statement of the US Embassy on the October 19 protest", US Embassy in Azerbaijan,  
<https://az.usembassy.gov/az/abs-s%C9%99firliyinin-19-oktyabrda-yer-alan-etiraz-aksiyasina-dair-b%C9%99yanati/>, Accessed: 29 May 2022

<sup>113</sup> "Soldiers are beaten in the military unit of the MES and forced to sweep the floor with a shoe brush", "yenixeber.org" information portal, <https://yenixeber.org/manset/83461-fhn-in-herbi-hissesinde-esgerler-doyulur-ayaqqabi-sotkasiyla-ver-supurdulur.html>, Accessed: 29 May 2022



## December

On December 3, 2019, *gundemxeber.az*<sup>114</sup> reported that *Ramin Osmanov* died from torture at the police station. According to the report, R. Osmanov was tortured in the Khudat District Police Department and forced to give a statement against someone else. Nazila Malikova, a resident of Khachmaz district, while talking about her 35-year-old brother Ramin Osmanov, said that R. Osmanov was released after being detained by the police for three days. He died a few days ago. His sister claims that R. Osmanov died from the injuries he received during police torture.

On December 24, 2019, *Aliyev Natig Feruz oglu* and his uncle *Hasanov Azer Zahid oglu*, residents of Atakishili village, Kurdemir district, reported to the AFN news website (*afn.az*)<sup>115</sup> that they were physically tortured at the Aghsu District Police Department. According to the complainants, policemen spoke aggressively with citizens and punched them in the police department. Furthermore, they were kept hungry and dehydrated in solitary confinement cells and were not allowed to undergo expert examinations.

Blogger *Mehman Huseynov* claimed that a group of policemen beat him on December 27 around 12 o'clock in the night in his report to RFE/RL<sup>116</sup>. The blogger received a medical certificate from Clinical Medical Center No. 1 ("Semashko") on December 28. According to him, the report confirmed that he was injured in his legs and neck. Huseynov claimed that police officers beat him in the car. He noted that at first, they thought about taking him to the Garadag District Police Department, and then they took him to a wasteland and beat him there, threatening with the word, "it will be bad for you if we see you in the center of the city again". Allegedly, this process was recorded on the phone by the police. Ehsan Zahidov, head of the public relations department of the Ministry of Internal Affairs, denied the detention and beating of M. Huseynov: "Mehman Huseynov's statements about being beaten by the police do not reflect the truth, they are lies and fabrications."

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<sup>114</sup> "“My brother died from police torture...” - Sensational claim regarding a mysterious death”, “*gundemxeber.az*” daily independent socio-political newspaper, <https://gundemxeber.az/gundemxeber/53995-qardashim-polislerin-verdiyi-ishgenceden-dunyasini-deyishdi-muemmal-olumle-bagli-sensation-iddia-fotolar.html>, Accessed: 29 May 2022

<sup>115</sup> “Torture at Aghsu District Police Department - Two young men were tortured”, “AFN Azerbaijan Favorite News”, <https://afn.az/xeber/85142-agsu-polis-daresinde-ishgence-.html> Accessed: 29 May 2022

<sup>116</sup> “Mehman Huseynov says that the police beat him, and the Ministry of Internal Affairs ... Updates”, RFE/RL, <https://www.azadliq.org/a/mehman-huseynov-onu-polislerin-doyduyunu-deyr-din-ise/30348688.html>, Accessed: 29 May 2022

## 6. Conclusions

When the report on the right not to be subjected to ill-treatment in Azerbaijan was prepared, it was found that the right not to be subjected to ill-treatment and torture is regularly violated in practice. During the monitoring, it was observed in the news published through media organizations and websites that although there are some norms in the legislation regarding the right not to be subjected to ill-treatment, it is not effectively implemented in practice. According to the claims, it was observed that statements of citizens were taken under pressure and threats in police stations.

- It was noted in the news published in 2021 that Said Dadashbeyli, Razi Humbatov, Yunis Safarov, Agil Humbatov, Ali Alakbarli, Zamin Salayev, Ilkin Suleymanov, Ilkin Hasanpur, etc. were beaten and forced to sign a statement at the police station.
- In the same way, in the news published in 2020, it was claimed that Arif Babayev, Afgan Sadigov, Bakhtiyar Imanov, Ramid Naghiyev, Elvin Babayev, etc. were demanded to admit their "guilts" by threats.
- In the news published in 2019, it was claimed that the brothers Zulfugar Mikayilov, Rashid Mammadov, Mahammad Mammadov, brothers Sabir Azizov and Jabir Azizov, Fikrat Mirzaliyev, Sabuhi Rajabov, Elman Guliyev, Eyruz Hajiyeve, brothers Gulmirza and Riya Nuruzade, etc. were beaten and demanded to give a statement and apologize.
- Moreover, during monitoring, it is possible to encounter claims that citizens who were tortured in police stations died as a result of these tortures.
- It was claimed that a convict named Royal, a resident of Ganja city, Emin Mammadov, Tural Ismayilov, and Yashar Ramazanov were beaten to death in the police station in 2021.
- It is possible to find the claim of Mirali Aydamirov's relatives that he died after being tortured in the police station in 2020.
- There is a claim that R. Osmanov died as a result of torture in 2019.
- And finally, we can mention that it is also possible to come across claims that people were ill-treated because of their political opinions.
- It was claimed in the news published in 2021 that Agil Humbatov, Niyamaddin Ahmadov, and Zamin Salayev, activists of the APFP, were ill-treated.
- In the news published in 2020, there are reports of torture on Musavat Party member Arzulla Buludov and APFP activists Arif Babayev, Bakhtiyar Imanov, Ramid Naghiyev, and Elvin Babayev.
- In 2019, the allegation that Ali Karimli, the chairman of the APFP, was tortured was spread in the news.



## 7. Recommendations

Taking into account the above, we make the following recommendations:

1. Legal mechanisms and controls against ill-treatment and torture should be strengthened;
2. Judicial practice in cases of ill-treatment and torture should be improved;
3. Citizens' complaints about torture and ill-treatment should be investigated timely and transparently;
4. Conditions for media organizations and human rights defenders should be created to investigate and monitor the conditions of detention facilities;
5. Torture claims published in mass media should be investigated in a transparent manner;
6. Torture, ill-treatment, and arbitrary detention should be eliminated in accordance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
7. The Law of the Republic of Azerbaijan on Police should be widely promoted among police officers and the implementation of the law should be monitored;
8. Attention should be increased to ensure unhindered meetings of advocates with their clients;
9. Flexibility and effectiveness of the execution of court decisions related to torture and ill-treatment should be increased;
10. The public should be regularly informed about the number of complaints of alleged torture and ill-treatment committed by law enforcement officers and state officials, as well as the number of complaints investigated by the state, as well as the court proceedings initiated in connection with these complaints, arrest decisions, and judgments;
11. The public should be periodically informed about the officials who have been disciplined for failing to adequately investigate complaints of torture or ill-treatment or for refusing to cooperate in the investigation of such complaints;
12. It should be ensured that every person has access to independent and effective complaint mechanisms that promptly investigate and respond both in law and in practice, and that the persons accused of violence are brought to criminal responsibility, that they are punished in accordance with the degree of severity of the crime if they are found guilty, and that the victims are compensated.<sup>117</sup>

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<sup>117</sup> <https://azerbaijan.un.org/sites/default/files/2021-01/3.%20Compilation%20of%20Concluding%20Observations%20of%20CAT%2C%20CCPR%20and%20CERD.pdf>

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Reference to IDI is compulsory when using information.

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