

ELBEYI KARIMLI



FACTS

Personal data:

1. Elbeyi Karimli (DOB: 20 January 2001) was an Azerbaijani citizen, born in Baku. He was a member/young activist of the opposition Popular Front Party of Azerbaijan (AXCP/PFPA). He died in prison on 12 December 2025, while serving his sentence, in circumstances that remain unclear: public reports described an apparent suicide in the medical unit of Penal Colony No. 2, the Justice Ministry confirmed his death, and an investigation was opened, but no public findings appear to have been released.
2. He was detained on 18 August 2023 in Baku and initially prosecuted under Article 234.4.3 of the Criminal Code for alleged illegal acquisition/possession/transportation of narcotic substances in a large quantity with intent to sell, based on 30.135 grams of heroin allegedly found on him. On appeal, however, the court removed the sale element, reclassified the case under Article 234.1-1, and reduced the sentence from six to five years; that outcome was then upheld by the Supreme Court.¹
3. Publicly, Karimli's case was widely presented as politically motivated. The appeal materials record the defense position that he was targeted after writing "Stalin" on a Heydar Aliyev monument and that his confession had been extracted under police pressure. Public reporting likewise linked the narcotics case to that act of protest and treated the prosecution as fabricated retaliation against a young opposition activist.

4. The allegations against E. Karimli lack credibility and are widely regarded as politically driven and part of a wider crackdown on civil society and independent media launched by the Azerbaijani authorities starting from 2022. ²

Date of detention:

5. On 18.08.2023, Elbeyi Karimli was detained as a suspect by law-enforcement authorities, and on 19.08.2023, pursuant to a decision of the Nasimi District Court, a pre-trial detention measure was imposed on him.

Legal accusations:

6. Following his detention on 18.08.2023, the investigating authorities formally accused Elbeyi Karimli of the following bogus accusation:

- illegal acquisition/possession/transportation of narcotic drugs with intent to sell, committed in a large quantity, under Article 234.4.3 of the Criminal Code; the accusation was based on the allegation that 30.135 grams of heroin had been found on him after he was taken to the Nasimi District Police Department, 22nd Police Station. The first-instance court proceeded on that basis, although the appellate court later found that the intent to sell element had not been proven and reclassified the case under Article 234.1-1.
7. Publicly, Karimli's case was discussed as politically motivated retaliation for his having written "Stalin" on the pedestal of a Heydar Aliyev monument, and more broadly as part of Azerbaijan's recurring practice of using narcotics charges against youth activists, opposition members and other government critics. Public reporting linked his prosecution to an established pattern of bogus drug cases, including earlier graffiti-related prosecutions such as those of Bayram Mammadov and Giyas Ibrahimov, and to the wider use of fabricated criminal charges against opposition activists, including members of AXCP/PFPA.

Legal status of prisoner:

8. At the time of his death, Elbeyi Karimli was a convicted prisoner serving a custodial sentence. On 2 April 2024, the Baku Assize Court found him guilty under Article 234.4.3 of the Criminal Code and sentenced him to 6 years' imprisonment. On 6 June 2024, the Baku Court of Appeal amended that judgment by reclassifying the offence from Article 234.4.3 to Article 234.1-1, removing the intent to sell element and reducing the sentence to 5 years' imprisonment, while leaving the remainder of the judgment unchanged. Finally, on 1 May 2025, the Supreme Court of the Republic of Azerbaijan dismissed the cassation appeal and upheld the appellate decision, with the result that the 5-year custodial sentence remained in force until his death in custody on 12 December 2025. Publicly, his detention and conviction were widely regarded as politically motivated, and his death was reported in prison in circumstances for which no public investigative findings appear to have been released.

Legal proceedings:

9. On 18.08.2023, Elbeyi Karimli was detained by law-enforcement authorities, and on 19.08.2023 the Nasimi District Court imposed a pre-trial detention measure on him, counting the detention period from 18 August 2023. He remained in custody throughout the criminal proceedings; following conviction, the time spent in detention was credited toward his sentence, and he was not released before his death in prison on 12.12.2025.
10. The first-instance trial concluded on 2 April 2024, when the Baku Assize Court found Karimli guilty under Article 234.4.3 of the Criminal Code and sentenced him to 6 years' imprisonment in a general-regime penitentiary institution. The court further ordered that the custodial measure remain in place until the judgment entered into legal force, counted the sentence from 18 August 2023, and also applied compulsory narcological treatment/registration measures.
11. Karimli appealed through counsel. On 6 June 2024, the Baku Court of Appeal rejected the appeal insofar as it sought acquittal, but amended the first-instance judgment by reclassifying the offence from Article 234.4.3 to Article 234.1-1, holding that the intent to sell element had not been established, and reducing the sentence to 5 years' imprisonment; the remainder of the judgment was left unchanged, and the appellate decision entered into force immediately. On 1 May 2025, the Supreme Court dismissed the cassation appeal and upheld the appellate decision.
12. The courts' reasoning was built predominantly on police-generated procedural materials and prosecution evidence: the arrest and personal-search records, the seizure of the package allegedly taken from Karimli's trouser pocket, the video-recording of the search, the testimony of the police operatives involved, and the forensic reports confirming that the seized substance was heroin and recording alleged narcotic dependency. The initial incriminating statements attributed to Karimli were also used against him despite his subsequent retraction and his account that they had been extracted under coercion. Significantly, the appellate court itself accepted that the evidentiary record did not prove any intent to sell and that the accusation under Article 234.4.3 had been constructed on assumptions rather than reliable proof; nevertheless, it treated the same state-generated evidentiary package as sufficient to sustain conviction under Article 234.1-1.
13. During the proceedings, Karimli denied the accusation, linked his arrest to his having written "Stalin" on the pedestal of a Heydar Aliyev monument, and stated that he had been beaten, threatened, pressured to choose between a planted weapon and planted narcotics, and induced to make self-incriminating statements. The defense further argued that his torture allegations had not been effectively investigated, that the state-appointed lawyer's involvement had been merely formal, and that the remand decision had been issued on formalistic grounds. Yet the judgments do not show any meaningful independent judicial scrutiny capable of testing those allegations against the official police version. Instead, the courts preferred the police witnesses and procedural records, and the Supreme Court ultimately concluded, in standard terms, that no violation of defense or fair-trial rights had been established and that the conviction rested on lawful, reliable and sufficient evidence.

LEGAL ANALYSIS

Reasons why Elbeyi Kerimli should be regarded as a political prisoner:

14. Assessment of whether E. Kerimli should be regarded as a political prisoner is based on the Resolution 1900 (2012) ‘The Definition of Political Prisoner’ of the Parliamentary Assembly of the Council of Europe and the criteria established in the Resolution (paragraph 3). The legal proceedings against and conviction of E. Kerimli satisfy two criteria established by the paragraph. 3 of the Resolution for defining political prisoners ((a) and (e)):

(a) Elbeyi’s detention and imprisonment violate his fundamental rights under the European Convention on Human Rights, particularly freedom of expression and the right to freedom of association, as well as the right to a fair trial and to liberty and security.

(e) The political motives (ulterior motives) were sole and predominant in pursuing and conducting unfair criminal proceedings against him, which caused preliminary detention and imprisonment.

15. The European Court of Human Rights’ jurisprudence on Article 18 of the ECHR, which prohibits restrictions on rights for improper purposes, reinforces this analysis. The following considerations based on quadripartite test should be emphasized in this totality assessment in the general contextual evaluation of a distinct state of affairs (*mutatis mutandis*, *Ibrahimov and Mammadov v. Azerbaijan*, 2020, §§ 113-131):

- 1) The prisoner’s public profile;
- 2) The sequence of the events;
- 3) The manner in which the investigations and trial were carried out;
- 4) The authorities’ conduct.

Elbeyi Karimli’s public profile:

16. Elbeyi Karimli was a young Azerbaijani opposition activist affiliated with the Popular Front Party of Azerbaijan (AXCP/PFPA). His public profile was defined by open dissent and direct political expression. He became a target of the authorities after writing “Stalin” on the back of a Heydar Aliyev monument in central Baku. This symbolic act of protest plainly triggered the retaliation against him. He was therefore not an ordinary criminal defendant, but a politically engaged young activist singled out and prosecuted because of a visible anti-government act.

17. Karimli's prosecution formed part of the well-established Azerbaijani practice of neutralizing dissent through fabricated narcotics charges. His case followed the classic pattern: a politically inconvenient activist was recast as a serious drug offender through a constructed accusation, coercive police methods, and courts unwilling to expose the falsity of the case. The purpose of the proceedings was punitive and deterrent. They were used to punish Karimli for political expression, to suppress youth opposition activism, and to send a broader warning that even a symbolic act of protest could be met with severe criminal repression.

The sequence of events:

18. Elbeyi Karimli's arrest is part of a larger, coordinated pattern of repression in Azerbaijan, in which opposition-aligned individuals and government critics have been detained on a strikingly repetitive set of allegations, most commonly serious narcotics-related accusations framed as large quantity and/or intent to sell, as well as finance/tax-related crimes and crimes against the state and national security. This uniformity, and the way charges and detention measures have been applied across multiple similar cases, strongly suggests a state-driven strategy to criminalize dissenting political affiliation and criticism rather than a legitimate process aimed at individual wrongdoing. The relevant sequence of events should therefore be assessed synthetically, as a single wave of repression with a clear policy logic and continuity.

19. Already in 2022, a discernible pattern of repression was emerging through a series of arrests that disproportionately affected persons deported/returned from abroad (notably Germany), individuals perceived as affiliated with the PFPA/AXCP, Musavat and certain minority figures. This early hunt functioned as a clear precursor to, and warning sign of, the wider crackdown that would later expand across independent media, NGOs, and other segments of civil society.

20. In December 2022, civic activist Bakhtiyar Hajiyev was arrested.⁴ In June 2023, protests against the gold mine in the village of Soyudlu, Gadabay, and their coverage by informally networked NGOs and critical media (including Toplum TV) accelerated the process of repression. After suppressing these protests, the government imposed a blockade on the village and blamed NGOs and the media for inciting the events.⁵

21. In July 2023, politician and economist Gubad Ibadoglu was detained.⁶ In August 2023, pro-government media organized a smear campaign against peace activists protesting military operations in Nagorno-Karabakh⁷. In September 2023, four activists were administratively detained for one month. Around the same time, arrests were carried out against Labor Desk (İşçi Masası) activists, who sought to establish the country's only alternative trade union organization.⁸

22. The main follow-up campaign began in November 2023. First, the pro-government media published smear articles targeting almost all NGOs and media outlets. Later, at the end of November 2023, the AbzasMedia arrests began. These arrests continued in early March 2024 with a police raid against the detainee's affiliated organization and the arrest of several individuals represented in those institutions.

23. In April 2024, Imran Aliyev, the head of the Meclis.info portal monitoring the parliament, was detained.¹⁰ In May 2024, Anar Mammadli, the head of Election Monitoring and Democracy Studies (EMDS), was arrested (he had also been arrested in the previous round of repression).¹¹ These arrests demonstrate that a new wave of repression had already begun. The objective of this wave was to paralyze the activities of post-2014 informally networked NGOs and critical media. But it also expanded beyond NGOs and media into academia and peace advocacy: Igbal Abilov¹², a Talysh historian/ethnographer, was detained in July 2024 and later sentenced to 18 years' imprisonment in May 2025 on treason-related accusations and political scientist Bahruz Samadov¹³ was detained in August 2024 on treason charges similarly and later sentenced to a 15 years' prison term. Both of their arrests are widely condemned as politically motivated.
24. Repression further continued against independent media through the Meydan TV case:¹⁴ Human Rights Watch reported that the investigation targeted the outlet and that its newsroom staff were held in pre-trial detention from December 2024, with subsequent arrests feeding into a consolidated trial that began in December 2025. Finally, repression widened to formal opposition politics in late 2025, when Ali Karimli¹⁵, the long-standing leader of the Popular Front Party, was detained (29 November 2025) and remanded into pre-trial custody, amid a broader escalation against the party documented by human rights monitors.
25. This process was preceded by restrictive legislation: the Law on Media (2021)¹⁶ and the Law on Political Parties (2022)¹⁷. Both laws were criticized by the Venice Commission of the Council of Europe for being restrictive. Nevertheless, they remain valid and enforceable. A similar process took place during the repression of 2013–2014: restrictive laws were first adopted, and arrests followed.
26. In this regard, the persons arrested in this process, including the detainee, are victims of the political repression of 2023–2025. The main objective of this campaign of political arrests is to dismantle the informal, networked NGOs and critical media that revived and assumed a new format in the post-2014 era. Political arrests in this context serve an instrumental purpose.

The manner in which the investigations and trial were carried out:

27. The investigative authorities acted in bad faith in Elbeyi Karimli's case. From the outset, the proceedings were not aimed at establishing the truth but followed the pattern of a standardized narcotics prosecution built around a predetermined outcome. The case was based on an opaque operational trigger, a police-controlled search at the station, incriminating statements that Karimli said had been obtained through violence and threats, and courts that accepted the official version without subjecting the prosecution's key steps to real adversarial scrutiny.

28. The case began with generic operational information alleging that Karimli had obtained and was carrying narcotics, but that trigger was never made genuinely testable. The operative witness merely stated that information had been received and that an operational-search measure had followed, while the accusation itself described the alleged acquisition as occurring at an unknown time, in an unknown place, from an unknown source. The defense request to obtain the operational-registration materials and journal was refused. The weakness of the accusation was later underscored by the appellate court itself, which found the allegation of possession for sale unsupported by the facts.
29. The decisive investigative steps were carried out entirely under police control. Karimli was stopped on the street, taken to the 22nd Police Station, and only there formally detained and subjected to a video-recorded personal search. The prosecution claimed that he produced a small wrapped package of heroin from his trouser pocket and identified it as heroin. Karimli, by contrast, stated that he had been beaten, threatened, forced to choose between a weapons case and a drugs case, had narcotics planted on him, and was instructed how to behave on camera. The evidentiary core of the case was thus created inside police premises and validated through police protocols, police witnesses and police-handled video material.
30. The prosecution and the courts gave decisive weight to Karimli's early incriminating statements despite his retraction and repeated account that they had been extracted through torture and intimidation. The defense argued that he had withdrawn the confession, complained of ill-treatment to the investigator and prosecutor, and received no effective inquiry; it also maintained that the state-appointed lawyer's participation had been purely formal, including the failure to challenge the remand order. Nevertheless, the courts continued to rely on the confession-type material as corroborated by the rest of the state evidence and dismissed the allegations of police abuse. Even after the appellate court rejected the intent to sell element, it preserved the conviction on the basis of the same tainted evidentiary package.
31. The handling of detention and torture allegations further confirmed the proceedings' formalistic and bad-faith character. The remand decision relied on stock formulae rather than any individualized assessment, and the defense complaints that the hearing was purely formal, that alternatives to detention were not seriously considered, that defense motions were rejected without reasons, and that the beatings allegation was not meaningfully investigated were never properly addressed. The Supreme Court disposed of those complaints in similarly formulaic terms, holding that the evidence had been lawfully obtained and that no defence or fair-trial violation had been established. Taken together, these features show a process designed to secure conviction and continued incarceration rather than to determine the truth through an independent and safeguarded criminal procedure.

The authorities' conduct:

32. The authorities failed to secure basic procedural safeguards in Elbeyi Karimli's case. The state-appointed lawyer's participation was merely formal, and no appeal was lodged against the detention order; key defense motions were rejected without real reasoning, undermining equality of arms. Karimli's allegations that he had been beaten, threatened and coerced into incriminating himself were not effectively investigated, and the courts consistently preferred the police version. Even after the appellate court found the allegation of possession for sale unproven, the authorities maintained the conviction on the basis of the same police-generated evidence. Overall, their conduct shows a concerted effort to validate a fabricated prosecution rather than to ensure a fair and adversarial process.

Additional considerations:

33. Finally, international human rights observers such as Human Rights Watch¹⁸ have denounced the charges against E. Karimli as politically motivated.

CONCLUSION

34. The personal factors in Elbeyi Karimli's case, such as his opposition profile, the absence of convincing evidence, and the persistent violation of his procedural rights, together with the wider context of renewed political repression, provide reasonable grounds to conclude that Elbeyi Karimli was a political prisoner under PACE Resolution 1900 (2012). Since he died in custody on 12 December 2025, he should be regarded as having been a political prisoner at the time of his death.

RECOMMENDATION

35. As Elbeyi Karimli died in custody, he should be officially recognized as having been a political prisoner, the circumstances of his death should be investigated in line with international standards, and his family should receive full reparation.

¹ Giorgi Gogia, 'Azerbaijan Intensifies Crackdown on Political Opposition' (Human Rights Watch, 22 December 2025) <https://www.hrw.org/news/2025/12/22/azerbaijan-intensifies-crackdown-on-political-opposition> accessed 13 March 2026.

² European Parliament, 'Resolution on the crackdown on independent media in Azerbaijan, notably the case of Abzas Media' (2024) P9_TA(2024)0074 https://www.europarl.europa.eu/doceo/document/TA-10-2024-0074_EN.html accessed 29 May 2025.

³ Parliamentary Assembly of the Council of Europe (PACE), 'Resolution 1900 (2012): The definition of political prisoner' (3 October 2012) <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=19150> accessed 29 May 2025.

⁴Eurasianet, Prominent activist detained following U.S. sanctions on Azerbaijani official <https://eurasianet.org/prominent-activist-detained-following-us-sanctions-on-azerbaijani-official> accessed 28 August 2025

⁵ Reporters Without Borders, Police prevent coverage of protests about environmental scandal in Azerbaijan <https://rsf.org/en/police-prevent-coverage-protests-about-environmental-scandal-azerbaijan> accessed 28 August 2025

⁶ Human Rights Watch, Azerbaijan: Free Academic Facing Bogus Charges <https://www.hrw.org/news/2024/07/23/azerbaijan-free-academic-facing-bogus-charges> accessed 28 August 2025

⁷ Musavat, “No-Warçuların dosyesi: onlar harada və necə yetişiblər” <https://musavat.com/news/no-war-cularin-dosyesi-onlar-harada-ve-nece-yetisibler-1001622.html> accessed 28 August 2025

⁸ Eurasianet, Azerbaijan authorities smash unionization efforts for gig workers <https://eurasianet.org/azerbaijan-authorities-smash-unionization-efforts-for-gig-workers> accessed 28 August 2025

⁹ Amnesty International, Azerbaijan: Seven journalists sentenced in latest shocking crackdown on free speech <https://www.amnesty.org/en/latest/news/2025/06/azerbaijan-seven-journalists-sentenced-in-latest-shocking-crackdown-on-free-speech/> accessed 28 August 2025

¹⁰ Council of Europe, Safety Of Journalists — FOM Alert <https://fom.coe.int/en/alerte/detail/107640886> accessed 28 August 2025

¹¹ Council of Europe Commissioner for Human Rights, Azerbaijan: authorities should release imprisoned human rights defenders, journalists and civil society activists <https://www.coe.int/en/web/commissioner/-/azerbaijan-authorities-should-release-imprisoned-human-rights-defenders-journalists-and-civil-society-activists> accessed 28 August 2025

¹² Scholars at Risk, ‘Release academic Igbal Abilov, wrongfully imprisoned for one year’ (22 July 2025) <https://www.scholarsatrisk.org/2025/07/release-academic-igbal-abilov-wrongfully-imprisoned-for-one-year/> accessed 7 January 2026

¹³ Human Rights Watch, ‘Azerbaijan: Escalating Crackdown on Critics’ (30 August 2024) <https://www.hrw.org/news/2024/08/30/azerbaijan-escalating-crackdown-critics> accessed 7 January 2026.

¹⁴ Arzu Geybulla, ‘Another Courageous Journalist Jailed in Azerbaijan’ (Human Rights Watch, 16 May 2025) <https://www.hrw.org/news/2025/05/16/another-courageous-journalist-jailed-azerbaijan> accessed 7 January 2026.

¹⁵ Amnesty International, ‘Azerbaijan: Arrest of opposition leader is further evidence of consolidation of authoritarian practices’ (1 December 2025) <https://www.amnesty.org/en/latest/news/2025/12/azerbaijan-arrest-of-opposition-leader-is-further-evidence-of-consolidation-of-authoritarian-practices/> accessed 7 January 2026.

¹⁶ Venice Commission. ‘Opinion on On The Law On Media in Azerbaijan.’ Council of Europe, Opinion No. 1078/2022, 2022, available at [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2022\)009-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2022)009-e)

¹⁷Venice Commission and OSCE/ODIHR. Joint Opinion On The Law On Political Parties, 2023 available at <https://www.osce.org/files/f/documents/1/4/543922.pdf>

¹⁸ Human Rights Watch, 'Azerbaijan' (World Report 2023) (2023) <<https://www.hrw.org/world-report/2023/country-chapters/azerbaijan>\> accessed 25 January 2026.

