

RAIL ABBASOV



FACTS

Personal data:

1. Rail Abbasov (DOB: 26 June 1979) is an Azerbaijani citizen and a civic activist, known as a close associate and defender of detained activist/public figure Bakhtiyar Hajiyev. He had already come to the attention of the authorities in June 2023, when he was questioned and his home was searched in connection with his activism around Hajiyev's case. After his September 2023 detention, he consistently maintained that the prosecution was retaliation for that activity.¹
2. According to the judgment, Abbasov was prosecuted for allegedly obtaining AZN 200,000 from a would-be buyer in the course of a proposed apartment transaction and was ultimately sentenced on 9 January 2025 by the Baku Assize Court to 6 years and 6 months' imprisonment. Throughout the proceedings, he denied guilt and expressly stated that the case had been fabricated because of his role in defending Bakhtiyar Hajiyev. That account is consistent with contemporaneous reporting describing the charges as politically motivated and linking them directly to his civic activity.
3. The allegations against R. Abbasov 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:

4. On 19 September 2023, Rail Abbasov was detained by law enforcement authorities. On 20 September 2023, the Nasimi District Court imposed pre-trial detention for four months. His detention was then prolonged during the proceedings; in particular, on 18 January 2024, the court extended his remand for a further two months.

Legal accusations:

5. Following his detention, the authorities formally charged Rail Abbasov under Article 178.3.2 of the Criminal Code of Azerbaijan with large-scale fraud.

Legal status of prisoner:

6. Rail Abbasov is a convicted prisoner. On 9 January 2025, the Baku Assize Court found him guilty under Article 178.3.2 and sentenced him to 6 years and 6 months' imprisonment.

Legal proceedings:

7. Rail Abbasov was detained on 19 September 2023, and, on 20 September 2023, the Nasimi District Court ordered his pre-trial detention for four months. He remained in custody throughout the proceedings.

8. The first-instance trial concluded on 9 January 2025, when the Baku Assize Court found Abbasov guilty under Article 178.3.2 of the Criminal Code and sentenced him to 6 years and 6 months' imprisonment. The judgment expressly ordered that the custodial measure remain in force until the judgment entered into legal force.

9. Abbasov rejected the charge throughout the proceedings and stated that the case had been fabricated because of his public defense of Bakhtiyar Hajiyev.

10. The court's reasoning was built around a narrow prosecution narrative: it accepted that Abbasov had allegedly taken a large sum of cash from the complainant in a cafe on 14 September 2023 under the pretext of securing an apartment at a reduced price, and relied on the complainant's testimony, supporting witness evidence, video footage, call-location data, and other police-collected materials. The judgment treated this evidentiary package as coherent and sufficient, despite the obvious need for heightened scrutiny in a case where the defendant insisted from the outset that the accusation was fabricated.

11. Abbasov denied receiving any money, maintained that the cafe package contained chocolates rather than cash, challenged the plausibility of the prosecution version, and argued that the case was retaliation for his activism in defense of Bakhtiyar Hajiyev. Yet the court rejected that defense and convicted him.

LEGAL ANALYSIS

Reasons why Rail Abbasov should be regarded as a political prisoner:

12. Assessment of whether R. Abbasov 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).³ The legal proceedings against and conviction of R. Abbasov satisfy two criteria established by the paragraph. 3 of the Resolution for defining political prisoners ((a) and (e)):

(a) Rail’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.

13. 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.

Rail Abbasov’s public profile:

14. Rail Abbasov is a civic activist, not an ordinary criminal defendant. The case materials identify him as a previously unconvicted real-estate intermediary, but both the judgment and public reporting make clear that his prosecution unfolded against the backdrop of his visible association with imprisoned activist Bakhtiyar Hajiyev. Abbasov stated in court that his arrest was connected to his activity in Hajiyev’s defense, and public reporting shows that he had already come under direct pressure in June 2023, when he was questioned and his home was searched during the investigation against Hajiyev. Hajiyev himself later publicly stated that Abbasov had continued defending him despite knowing he might be arrested for it.

15. Abbasov's case fits the broader pattern of repression against civic and political activists in Azerbaijan. Public reporting and international human-rights assessments treat his prosecution as part of the authorities' wider campaign to silence dissent, punish solidarity networks, and criminalize people connected to outspoken government critics. Human Rights Watch expressly lists Rail Abbasov among activists convicted on spurious charges. Read in context, Abbasov was prosecuted not because he represented any real criminal danger, but because he openly supported a well-known government critic and did not back away from that position.

The sequence of events:

16. Rail Abbasov'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.

17. 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.

18. 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

19. 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-Karabakh.⁷ 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

20. 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 at the end of November 2023, the AbzasMedia arrests began.⁹ 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.
21. 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.
22. 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.
23. 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.
24. 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:

25. The investigative and judicial handling of Rail Abbasov's case was marked by bad faith from the outset. This was not a neutral fraud prosecution directed at establishing the truth; it was a politically contaminated process built around a pre-selected outcome. The authorities advanced a narrow accusatory version, ignored obvious evidentiary weaknesses, and treated Abbasov's political explanation for the case as something to be dismissed rather than seriously examined. The judgment itself records that Abbasov consistently stated that the prosecution was linked to his defense of Bakhtiyar Hajiyev, yet that central defense position was not subjected to any real inquiry.
26. The core accusation was inherently vulnerable. According to the prosecution version accepted by the court, Abbasov allegedly received AZN 200,000 in cash in a café on 14 September 2023 on the pretext that he would secure a reduction in the sale price of an apartment. Abbasov's replied that such a transaction made no practical sense in the context of ordinary real-estate practice, especially where the complainant had already recently completed another property purchase through formal notarial and banking channels and knew how such transactions are normally conducted. He maintained that no money was handed over at all, that he received only a bag containing chocolates, and that the accusation had been constructed afterwards. The court nevertheless accepted the prosecution's version without demonstrating the degree of caution required in a case resting on such an implausible and weakly corroborated cash-transfer narrative.
27. The evidentiary structure was selective and prosecution-centric. The court relied on the complainant's testimony, a supporting witness brought by the complainant, video footage showing Abbasov holding a bag, and call-location data placing the parties in broadly relevant locations. But none of that evidence, on its face, conclusively resolved the central disputed fact: whether the bag contained AZN 200,000 or chocolates. Abbasov specifically stated that the chocolate boxes remained at his home and that, after his detention, he asked that they be retrieved, but the authorities showed no interest in securing that potentially exculpatory material. Once the prosecution theory turned on the contents of the bag, the failure to preserve or verify the defense version was not a minor investigative gap, but a decisive refusal to test a plainly material line of defense.
28. The proceedings also displayed a clear inequality of arms. Public reporting from the trial records that the defense complained that adversarial guarantees were being violated, that defense motions were not granted, and that the court refused to replace detention with house arrest despite the political context and the weakness of the evidence. Counsel argued publicly that the file had been fabricated and that Abbasov was being punished for his active defense of Bakhtiyar Hajiyev. Those complaints align with the broader structure visible in the judgment itself: the court repeated the prosecution narrative at length, but gave no persuasive, independent analysis of why Abbasov's account should be rejected in a case so closely tied to his activism.

29. The overall pattern reinforces the conclusion that the case was pursued as retaliation, not as an ordinary criminal matter. Abbasov had already been questioned and subjected to a search in June 2023 in connection with the pressure campaign around Bakhtiyar Hajiyev. He was later arrested in September 2023, remained in custody throughout the proceedings, and was ultimately sentenced on 9 January 2025 after a trial in which he continued to insist that the case was fabricated because of his public activity.

The authorities' conduct:

30. The authorities failed to ensure even basic fairness safeguards in Abbasov's case. They did not investigate the obvious exculpatory significance of the bag and its alleged contents; they maintained detention throughout the proceedings; they opposed meaningful relaxation of custody; and, as reported during trial, the court rejected defense motions and conducted the proceedings in breach of adversarial standards. At the same time, independent reporting repeatedly framed Abbasov's case as politically motivated and directly linked it to his support for Bakhtiyar Hajiyev. The cumulative picture is clear: the authorities used criminal proceedings as an instrument of pressure against a civic activist, then ran the case in a manner designed to secure conviction rather than to establish the facts in an impartial and balanced way.

Additional considerations:

31. Finally, international human rights observers such as Human Rights Watch¹⁸ have denounced the charges against R. Abbasov as politically motivated.

CONCLUSION

32. The personal factors (Rail Abbasov's public profile, absence of convincing evidence, and constant violation of procedural rights) and contextual factors (new wave of political repression) cumulatively indicate reasonable grounds to believe that Rail Abbasov should be considered a political prisoner in light of Resolution 1900 (2012) of the Parliamentary Assembly of the Council of Europe (PACE).

RECOMMENDATION

33. Based on this conclusion, Rail Abbasov should be released unconditionally and immediately. Furthermore, he should be compensated restitutio in integrum.

- ¹ AzadlıqRadiosu, ‘Həbsdə olan ictimai fəal: “Mən Bəxtiyar Hacıyevə görə girovam...”’ (13 May 2024) <https://www.azadliq.org/a/rail-abbasov/32944207.html> accessed 14 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.
- ⁴ Eurasianet, 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-Warçıların dosyesi: onlar harada və necə yetişiblər” https://musavat.com/news/no-war-cilarin-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)

¹⁷ Venice 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.

