

ZAMIN SALAYEV



FACTS

Personal data:

1. Zamin Salayev (DOB: 1 January 1976) is an Azerbaijani citizen and an opposition activist affiliated with Azərbaycan Xalq Cəbhəsi Partiyası/Popular Front Party of Azerbaijan (AXCP/PFPA); he identified himself as the chairman of the party's Salyan district branch. He had previously been targeted in connection with his opposition activity.
2. Salayev was detained on 7 February 2023 in Baku and charged under Article 221.3 of the Criminal Code (hooliganism committed with the use of a weapon or an object used as a weapon). He denied the accusation and said in court that the incident had been set up. On 22 May 2023, the Garadag District Court sentenced him to four years' imprisonment; that judgment was upheld by the Baku Court of Appeal on 13 July 2023 and left in force by the Supreme Court on 20 June 2024.¹
3. His case is politically motivated. Freedom House² recorded his arrest and imprisonment as part of the broader pressure on AXCP/PFPA members, noting his lawyer's claim that the case was a pre-arranged provocation; Freedom on the Net 2023³ likewise linked the prosecution to his criticism of the government on social media. Contemporary reporting also connected his case to his prolonged hunger strike and opposition activism, reinforcing the view that the prosecution was not an ordinary violent-crime case but part of the wider pattern of reprisals against outspoken AXCP/PFPA figures.
4. The allegations against Z. Salayev 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 2022.⁴

Date of detention:

5. On 07.02.2023, Zamin Salayev was detained as a suspect by the investigating authorities. On the same date, he was brought as an accused under Article 221.3 of the Criminal Code; on 08.02.2023, the Garadag District Court ordered his pre-trial detention for three months, counting the detention period from 07.02.2023.

Legal accusations:

6. Following his detention, the investigating authorities formally charged Zamin Salayev with the following bogus accusation:

- hooliganism committed with the use of a weapon or an object used as a weapon, under Article 221.3 of the Criminal Code.

7. His case has been publicly discussed as politically motivated and as part of the broader pattern of reprisals against AXCP/PFPA activists and outspoken government critics. Public reporting and trial-monitoring materials linked the prosecution to his opposition activity and criticism of the authorities on social media, while Salayev himself stated that the incident had been set up and that the charge was fabricated.

Legal status of prisoner:

8. Zamin Salayev is a convicted prisoner. On 22.05.2023, the Garadag District Court found him guilty under Article 221.3 of the Criminal Code and sentenced him to 4 years' imprisonment. On 13.07.2023, the Baku Court of Appeal dismissed the defense appeal and upheld the first-instance judgment. Finally, on 20.06.2024, the Supreme Court dismissed the cassation appeal and left that judgment in force. He is still serving this sentence in Correctional Facility No. 11.

Legal proceedings:

9. On 07.02.2023, Zamin Salayev was detained by the investigating authorities as a suspect and charged on the same date under Article 221.3 of the Criminal Code; on 08.02.2023, the Garadag District Court ordered his pre-trial detention for three months, counting from 07.02.2023. He remained in custody throughout the trial, and the first-instance court later ordered that the custodial measure remain in force until the judgment entered into legal force.

10. The first-instance trial concluded on 22.05.2023, when the Garadag District Court found Salayev guilty under Article 221.3 of the Criminal Code and sentenced him to 4 years' imprisonment in a strict-regime penal institution, with the sentence calculated from 07.02.2023; the court also ordered that the pre-trial detention measure remain unchanged pending the judgment's entry into force.

11. Salayev appealed, but on 13.07.2023, the Baku Court of Appeal dismissed the defense appeal and left the first-instance judgment unchanged. His lawyers then filed a cassation appeal, which the Supreme Court dismissed on 20.06.2024, thereby upholding the appellate decision.
12. The reasoning of the domestic courts, especially at the appellate and cassation levels, was built around the prosecution file as a coherent and self-confirming evidentiary package. The courts treated Salayev's guilt as fully established by the injured party's account, witness statements, forensic medical reports, identification procedures, inspection records, confrontation and other investigative protocols, as well as a fingerprint trace allegedly linked to him. Rather than critically testing whether those materials reliably excluded fabrication or provocation, the higher courts largely repeated the formula that the evidence had been lawfully collected, mutually corroborative and sufficient for conviction.
13. At trial, Salayev denied guilt and explicitly stated that this incident is fabricated, identifying himself as the AXCP/PFPA Salyan branch chair and pointing to timing inconsistencies in the prosecution narrative, including the availability of Bolt order data and discrepancies between the alleged time of the incident and the witness accounts. The courts nevertheless preferred the version advanced by the prosecution witnesses and dismissed the defense case in essentially conclusory terms, holding that there were no grounds for acquittal, no procedural violations affecting his defense rights, and no basis to disturb the conviction.

LEGAL ANALYSIS

Reasons why Zamin Salayev should be regarded as a political prisoner:

14. Assessment of whether Z. Salayev 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)⁵. The legal proceedings against and conviction of Z. Salayev satisfy two criteria established by the paragraph. 3 of the Resolution for defining political prisoners ((a) and (e)):

(a) Zamin'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.

Zamin Salayev's public profile:

16. The circumstances indicate that Zamin Salayev is not an ordinary criminal defendant but a known opposition activist with an established political profile at local level. He is the chairman of the AXCP/PFPA Salyan branch and Salayev stated that the incident in question had been fabricated. Public reporting likewise describes him as an AXCP/PFPA activist who had regularly criticized the authorities on social media and had been repeatedly targeted before the present case; that earlier targeting included a 2020 conviction for slander/insult after he publicly accused a local police officer of rape. His 2023 prosecution attracted significant public attention because he responded with a prolonged hunger strike, prompting solidarity actions and external scrutiny, including public statements that the United States was monitoring the case.

17. From the outset and viewed in context, Salayev's case appears consistent with the broader Azerbaijani pattern in which opposition activism and critical speech are recast as ordinary criminality through familiar public-order or hooliganism charges. Freedom House expressly linked his 2023 conviction to his criticism of the government on social media, while contemporaneous reporting presented his arrest as part of the repeated targeting of an AXCP/PFPA district-level organizer rather than an isolated violent incident. His significance, therefore, lies not in any national leadership role but in his visibility as a persistent local opposition figure: repeated arrests, prior imprisonment, public criticism of official misconduct, and the authorities' resort to a serious criminal charge together support the inference that the proceedings served a punitive and deterrent political purpose, namely to silence a vocal AXCP/PFPA activist and warn similarly placed critics that even local-level dissent may carry severe penal consequences.

The sequence of events:

18. Zamin Salayev'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.⁶ 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.⁷
21. In July 2023, politician and economist Gubad Ibadoglu was detained.⁸ In August 2023, pro-government media organized a smear campaign against peace activists protesting military operations in Nagorno-Karabakh⁹. 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.¹⁰
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.¹¹ 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.¹² 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).¹³ 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 Abilov¹⁴, 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 Samadov¹⁵ 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:¹⁶ 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 Karimli¹⁷, 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)¹⁸ and the Law on Political Parties (2022)¹⁹. 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 case materials support the conclusion that the investigation and trial were conducted in a distinctly prosecution-centred manner and that the defense allegation of fabrication was never subjected to genuinely rigorous judicial scrutiny. From the outset, Salayev denied guilt, identified himself as the AXCP/PFPA Salyan district branch chair, described the incident as set up, and pointed to objectively verifiable timing material, including his Bolt order and inconsistencies in the witnesses' account of when the incident supposedly occurred. Yet the domestic courts did not meaningfully engage with those points; instead, they accepted the prosecution narrative as essentially self-sufficient.

28. The evidentiary basis of the conviction was narrow and vulnerable. As reflected in the judgments, the prosecution case rested primarily on the injured party's account, witness statements, photo identification, confrontation protocols, the scene-inspection record, and expert material concerning the knife, blood traces and fingerprints. However, the cassation complaint identified serious unresolved contradictions: the injured party reportedly stated at trial that he lost consciousness immediately after the stabbing and only learned in hospital what had happened, whereas his investigative statement described calling the emergency service, being taken to hospital by unknown persons, and receiving treatment; he also reportedly said he had not filed a complaint, although a complaint appeared in the file. Those are not peripheral discrepancies, but they were not resolved by any careful judicial assessment.
29. The handling of the physical evidence raises additional procedural concerns. The defense argued that the scene-inspection protocol was internally inconsistent as to the recovery of the knife, fingerprints and blood traces; that the protocol was drafted with incomplete identifying information for the attesting witnesses; that parts of it were illegible and couched in generic language; and that it failed to reflect the kind of measurements, plans and schematics required by the Code of Criminal Procedure. The same complaint also noted that, although there were said to be multiple surveillance cameras in the area, the authorities obtained no usable footage and later indicated that the relevant data had not been preserved. Instead of testing whether these deficiencies undermined evidential integrity, the courts treated the inspection materials as regular and reliable.
30. Nor did the forensic material eliminate reasonable doubt in the way the courts suggested. The judgments record that one fingerprint lifted from the knife handle was linked to Salayev's left index finger, but other papillary traces were unsuitable for identification. The serological findings were also materially less conclusive than the conviction reasoning implies: blood was found on the knife and clothing, but the expert conclusion was that the group characteristics were compatible not only with the injured party but also with Salayev, if he himself had been bleeding; moreover, two swabs reportedly taken from the scene were not submitted for expert examination at all.
31. The judicial response was formalistic. The appellate court dismissed the defense case as resting on formal considerations, while the Supreme Court expressly reframed the core defense objections, contradictions in testimony, evidential reliability, procedural irregularities at the scene, and the absence of convincing support for the prosecution version, as matters lying outside meaningful cassation review. It then simply endorsed the stock formula that the evidence had been lawfully collected, properly assessed and mutually corroborative. This approach insulated the conviction from effective review. It is also notable that the Supreme Court itself restated the established domestic principle that hooliganism cannot be made out where the conduct arises from a purely personal conflict, yet it still upheld a hooliganism conviction based on a file narrative whose immediate trigger was an interpersonal altercation after one man allegedly stepped on the other's foot. The courts never convincingly explained that tension.

The authorities' conduct:

32. The authorities' overall conduct reinforces the inference that the case was handled less as a neutral criminal process than as a punitive response to a known opposition activist. Public reporting and Freedom House both linked the prosecution to Salayev's criticism of the authorities on social media and situated his case within the broader use of hooliganism charges against critics. During detention, he undertook a prolonged hunger strike; his lawyer publicly reported weight loss, discriminatory treatment in detention, failure to transfer him to the medical-sanitary unit, and unlawful restrictions on family phone calls and visits. Against that background, the courts' refusal to engage substantively with the fabrication claim, the evidential inconsistencies and the procedural objections gave the proceedings the character of a managed affirmation of the prosecution's case rather than an impartial search for the truth.

Additional considerations:

33. Finally, international human rights observers such as Freedom House have denounced the charges against Z. Salayev as politically motivated.

CONCLUSION

34. The personal factors (Zamin Salayev'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 Zamin Salayev should be considered a political prisoner in light of Resolution 1900 (2012) of the Parliamentary Assembly of the Council of Europe (PACE).

RECOMMENDATION

35. Based on this conclusion, Zamin Salayev should be released unconditionally and immediately. Furthermore, he should be compensated restitutio in integrum.

- ¹ JAMnews, ‘Imprisoned oppositionist on hunger strike for three months’ (9 May 2023) <https://jam-news.net/case-of-alizamin-salaev/> accessed 14 March 2026.
- ² Freedom House, ‘Azerbaijan: Nations in Transit 2024 Country Report’ <https://freedomhouse.org/country/azerbaijan/nations-transit/2024> accessed 14 March 2026
- ³ Freedom House, ‘Azerbaijan: Freedom on the Net 2023 Country Report’ <https://freedomhouse.org/country/azerbaijan/freedom-net/2023> accessed 14 March 2026.
- ⁴ 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.
- ⁵ 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.
- ⁶ 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
- ⁷ 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
- ⁸ 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
- ⁹ Musavat, “No-Warçılarının dosyesi: onlar harada və necə yetişiblər” https://musavat.com/news/no-war-cilarin-dosyesi-onlar-harada-ve-necə-yetisibler_1001622.html accessed 28 August 2025
- ¹⁰ Eurasianet, Azerbaijan authorities smash unionization efforts for gig workers <https://eurasianet.org/azerbaijan-authorities-smash-unionization-efforts-for-gig-workers> accessed 28 August 2025
- ¹¹ 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
- ¹² Council of Europe, Safety Of Journalists — FOM Alert <https://fom.coe.int/en/alerte/detail/107640886> accessed 28 August 2025
- ¹³ 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
- ¹⁴ Scholars at Risk, ‘Release academic Iqbal 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

¹⁵ 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.

¹⁶ 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.

¹⁷ 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.

¹⁸ 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)

¹⁹ 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>

²⁰ Freedom House, 'Azerbaijan: Nations in Transit 2024 Country Report' <https://freedomhouse.org/country/azerbaijan/nations-transit/2024> accessed 14 March 2026

