

ELNUR HASANOV



FACTS

Personal data:

1. Elnur Hasanov (DOB: 17 February 1985) is an Azerbaijani citizen, an activist/member of the Popular Front Party of Azerbaijan (AXCP/PFPA), and as an outspoken social-media critic of police abuse, especially the State Traffic Police; he also has earlier short-term administrative arrests linked to protest activity and criticism of the authorities.
2. Hasanov was detained on 28 November 2023 in Baku and initially charged under Article 234.4.3 of the Criminal Code (large-quantity narcotics/psychotropic possession with intent to sell). According to public reporting and the case materials, he was taken by plain-clothes officers from the car market area after months of online criticism of the traffic-police leadership. The trial court later reclassified the accusation to Article 234.1-1 (without intent to sell) and sentenced him to three years' imprisonment; that outcome was upheld on appeal.¹
3. His case has been widely presented as politically motivated. His arrest is linked to his criticism of arbitrary fines and the conduct of the traffic police, and is not an ordinary drugs case, but another instance in which an opposition activist was prosecuted after public dissent.
4. The allegations against E. Hasanov 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 28.11.2023, Elnur Hasanov was detained as a suspect by law-enforcement authorities, and on 30.11.2023, pursuant to a court decision, a pre-trial detention measure was imposed on him.

Legal accusations:

6. On 28.11.2023, following his detention, the investigating authorities formally charged Elnur Hasanov with the bogus accusation of illegal acquisition, possession and transportation of psychotropic substances with intent to sell, committed in a large quantity, under Article 234.4.3 of the Criminal Code. The accusation was constructed as a methamphetamine trafficking case. The first-instance court later abandoned the intent to sell element and reclassified the case to Article 234.1-1.
7. His case fits a well-established pattern in Azerbaijan whereby opposition activists and outspoken online critics are silenced through drug accusations. Hasanov had been openly criticizing the leadership of the traffic police and contesting unlawful fines shortly before his arrest, and the prosecution was immediately understood as retaliation for that criticism. Nor was this an isolated episode: during the same broader crackdown, other activists and government critics, including Ilhamiz Guliyev, were likewise targeted with drug accusations after exposing police abuse or engaging in protected public criticism.

Legal status of prisoner:

8. Elnur Hasanov is a convicted prisoner. On 2 August 2024, the Baku Assize Court found him guilty under Article 234.1-1 of the Criminal Code and sentenced him to 3 years' imprisonment, having reclassified the original accusation under Article 234.4.3. He appealed, but on 25 September 2024, the Baku Court of Appeal dismissed the appeal and upheld the first-instance judgment in full, leaving the 3-year custodial sentence in force.

Legal proceedings:

9. On 28.11.2023, Elnur Hasanov was detained by law-enforcement authorities, and on 30.11.2023, a court ordered his pre-trial detention. He remained in custody throughout the proceedings.
10. The first-instance trial concluded on 02.08.2024, when the Baku Assize Court rejected the original trafficking narrative under Article 234.4.3, reclassified the accusation to Article 234.1-1 of the Criminal Code, and sentenced him to 3 years' imprisonment. The court also ordered that the custodial measure remain in place until the judgment entered into legal force.
11. Hasanov appealed, seeking an acquittal. On 25.09.2024, the Baku Court of Appeal dismissed the appeal and upheld the first-instance judgment in full, leaving the 3-year sentence in force.

12. The courts' reasoning was built overwhelmingly on police-generated procedural documents and other state-produced evidence: the operational information that triggered the arrest, the 28 November 2023 apprehension and personal-search protocols, the video recording of the search, police witness testimony, and forensic reports confirming that the seized substance was 5.372 grams of methamphetamine. Even the first-instance court accepted that this evidentiary package did not prove intent to sell yet still treated it as sufficient to convict him under Article 234.1-1. At the same time, the review of his phone data yielded no information relevant to the accusation, but this absence of incriminating material did not lead the courts to exercise genuine caution.
13. At trial, Hasanov categorically denied possessing narcotics and stated that the drugs had been planted on him after he was seized by plain-clothes officers and taken to the police station. He said he was beaten, threatened, and forced to repeat the police version on camera, and he explicitly linked the case to his political and public criticism of senior police and traffic-police officials. The courts nonetheless dismissed this defense as untruthful and self-serving, relied on police accounts and the absence of recorded bodily injuries, and accepted the prosecutor's refusal to open a criminal case over his ill-treatment allegations as sufficient to dispose of the issue. In substance, the courts treated the official version as presumptively true and refused to subject the search, the seizure, and the allegedly coerced statements to the level of independent scrutiny required in a politically sensitive prosecution.

LEGAL ANALYSIS

Reasons why Elnur Hasanov should be regarded as a political prisoner:

14. Assessment of whether E. Hasanov 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 E. Hasanov satisfy two criteria established by the paragraph. 3 of the Resolution for defining political prisoners ((a) and (e)):

(a) Elnur'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 emphasised 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.

Elnur Hasanov's public profile:

16. The circumstances establish that Elnur Hasanov is an opposition activist associated with the AXCP/PFPA whose public profile was shaped by persistent criticism of police abuse rather than by formal office. Before this prosecution, he had already come repeatedly to the attention of the authorities through earlier administrative arrests, protest-related punishment, and continual so-called police preventive conversations. He openly challenged the conduct of the traffic police, complained about unlawful fines and corrupt practices, sought access to the leadership of the State Traffic Police, and publicly criticized senior officials. Taken together, these elements placed him squarely within the category of opposition-aligned citizens who are politically inconvenient even without being senior party leaders.

17. From the outset, Hasanov's prosecution bore the hallmarks of retaliatory enforcement. He was seized in plain clothes at the car market after sustained public attacks on the traffic-police leadership, and that conflict was immediately recast as a narcotics case. This is not an isolated feature of his file but part of a broader and well-recognized pattern in Azerbaijan: opposition activists and outspoken critics are routinely neutralized through standardized drug accusations that reframe dissent as ordinary criminality. Hasanov's case fits that pattern exactly. He did not need to be a high-ranking political figure to be targeted; visible AXCP/PFPA affiliation, repeated public complaints, and direct criticism of the police leadership were sufficient. In that context, the proceedings served an obvious punitive and deterrent function: to silence his criticism, punish his defiance, and warn other opposition activists that persistent confrontation with the authorities can be converted into serious criminal liability.

The sequence of events:

18. Elnur Hasanov'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.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.
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 investigation was conducted in bad faith. From the start, the authorities built the case on the standard narcotics template: undisclosed operational information, immediate apprehension, a police-controlled search at a police station, and a ready-made seizure narrative. The process was geared to producing an incriminating record, not to testing the truth.

28. The trigger for the operation was never meaningfully scrutinized. The police relied on vague intelligence alleging drug activity, yet the source, basis, and reliability of that information remained opaque. That defect mattered, because the entire arrest-and-search sequence was justified by that untested police information.

29. The key incriminating step was entirely police controlled. Hasanov was taken from the street to the 34th Police Station, and the alleged methamphetamine was then found during a filmed search inside the police premises in the presence of officers and a state-provided lawyer. That is precisely the kind of setting in which planting allegations require strict scrutiny, yet no such scrutiny was applied.

30. Hasanov consistently stated that the drugs had been planted, that he had been beaten and threatened, and that he had been forced to repeat the police version on camera. The courts did not seriously test those allegations. Instead, they preferred the statements of the same police officers who carried out the operation and treated official denials as sufficient.

31. The first-instance court itself rejected the prosecution's original trafficking theory and reduced the charge from Article 234.4.3 to Article 234.1-1. That collapse of the central accusation should have triggered deeper scrutiny of the entire case. However, it did not. The courts simply preserved the conviction on the narrower count, which confirms that the proceedings were driven by a determination to secure punishment at all costs, not by a careful and impartial assessment of the evidence.

The authorities' conduct:

32. The authorities failed to provide Elnur Hasanov with genuine procedural safeguards. The decisive search was carried out inside a police station under full police control, with only a state-provided lawyer formally present. When Hasanov stated that the drugs had been planted, that he had been beaten, and that he had been forced to repeat the police version on camera, the authorities did not respond with an effective, independent inquiry. Instead, the prosecution refused to open a criminal case, the courts relied on the absence of recorded injuries two days later, and the appellate court went further by faulting the defense for not having pursued separate judicial-review procedures earlier. At the same time, his detention was simply maintained until the judgment became final. Taken together, the authorities' conduct shows a clear preference for preserving the police narrative and securing a conviction, rather than for establishing the facts through an impartial process.

CONCLUSION

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

RECOMMENDATION

34. Based on this conclusion, Elnur Hasanov should be released unconditionally and immediately. Furthermore, he should be compensated *restitutio in integrum*.

- ¹ ‘AXCP üzünün narkotik ittihamı ilə həbs olunduğu bildirilir’ Azadlıq Radiosu (30 November 2023) <https://www.azadliq.org/a/elnur-hesenov-axcp/32706324.html> 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.
- 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-Warçılarının 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-activistsnd-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 Geybullayeva, '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>

