

JEYHUN SALAHOV



FACTS

Personal data:

1. Jeyhun Salahov (DOB: 21 March 1972) is an Azerbaijani citizen, born in Ganja. He is married, has specialized secondary education, is self-employed and has no previous convictions. Salahov had lived in Russia for many years before returning to Ganja in 2015, where he operated a computer-service business. He knew Safarov and several other defendants through personal and religious circles.
2. Salahov pleaded not guilty and alleged that the authorities planted narcotics on him after his arrest. He denied belonging to an organized terrorist group and stressed that he knew only a small number of the other defendants.

Date of detention:

3. Salahov was detained on 8 July 2018 and remained imprisoned throughout the proceedings.

Legal accusations:

4. Following his detention in July 2018, Jeyhun Salahov was prosecuted within the criminal case concerning Yunis Safarov's attack on the then Head of the Ganja City Executive Authority, Elmar Valiyev. According to the indictment, Salahov was formally charged under the following provisions of the Criminal Code of the Republic of Azerbaijan:

- attempted intentional murder committed under aggravating circumstances, namely: by a group of persons, a group acting by prior conspiracy, an organized group or criminal association (Article 29 in conjunction with Article 120.2.1); in connection with the victim's performance of official duties or public duty (Articles 29 and 120.2.3); with particular cruelty or by a generally dangerous method (Articles 29 and 120.2.4); against two or more persons (Articles 29 and 120.2.7); and in connection with robbery, extortion, terrorism or banditry (Articles 29 and 120.2.11);
- terrorism, allegedly committed by a group acting by prior conspiracy, an organized group or criminal association, with the use of firearms or objects used as weapons, and on grounds of religious hostility, religious radicalism or religious fanaticism (Articles 214.2.1, 214.2.3 and 214.2.6);
- public calls for terrorism, including public calls for the commission of terrorist offences or dissemination of materials containing such calls (Article 214-2);
- illegal acquisition, transfer, sale, storage, transportation or carrying of firearms, ammunition, explosives or explosive devices by an organized group (Article 228.3);
- illegal acquisition, storage, transportation or carrying of narcotic drugs with intent to sell in aggravated circumstances (Article 234.4.3);
- preparation for an attack on the life of a State or public figure (terrorist act) (Articles 28 and 277);
- an attack on the life of a State or public figure (terrorist act), committed for the purpose of terminating that person's official or political activity or in retaliation for such activity (Article 277);
- actions aimed at forcibly changing the constitutional order, including its secular character, partitioning the territorial integrity of the Republic of Azerbaijan, or forcibly seizing State power, where committed on grounds of religious hostility, religious radicalism or religious fanaticism (Article 278.2); and
- public calls directed against the State, including calls for the forcible seizure or retention of power, forcible alteration of the constitutional order or partition of the territorial integrity of Azerbaijan, in the aggravated circumstances specified in Article 281.3.

5. The prosecution presented these accusations as elements of the same broader organized conspiracy allegedly involving Salahov, Yunis Safarov and the other defendants. In Salahov's individual case, it relied principally on his personal contacts with Safarov and other defendants, telephone communications, religious and political material found on his Facebook account, and an electronic recording allegedly given to him by Safarov. According to the prosecution, Safarov gave Salahov a recording in which he explained his reasons for intending to kill Elmar Valiyev and asked Salahov to preserve it and publish it on the internet after the attack; the prosecution alleged that Salahov accepted the recording and agreed to do so. The authorities used these circumstances to argue that Salahov knowingly shared the alleged group's objectives of attacking State officials, carrying out terrorism and forcibly replacing Azerbaijan's secular constitutional order with a State governed according to Sharia law.
6. Salahov categorically rejected the prosecution's overarching account and pleaded not guilty. He denied belonging to an organized terrorist group or participating in a plan to kill Elmar Valiyev or overthrow the government. He maintained that, as part of his computer-service work, he had copied electronic materials without knowing their alleged criminal purpose. His position was also complicated by evidence showing that, after the June 2017 attack on security officer Elshan Nasibov, Salahov had identified Yunis Safarov to the police from photographs and surveillance footage as the person who had attacked Nasibov and taken his service weapon. Salahov further alleged that narcotics used against him had been planted by police. The central issue in his case was therefore whether his personal and religious associations, electronic communications and handling of digital material could legitimately establish his own knowledge of and participation in the much broader terrorist and anti-State conspiracy alleged by the prosecution.

Legal status of prisoner:

7. On 16 August 2021, Salahov was sentenced to 19 years' imprisonment, with the first four years in prison and the remainder in a strict-regime institution.
8. Importantly, the court itself rejected part of the prosecution's narcotics theory: it found insufficient evidence that the drugs allegedly discovered on Salahov had been possessed with intent to sell and therefore reclassified Article 234.4.3 to the less serious Article 234.1.
9. The Baku Court of Appeal upheld the judgment on 15 April 2022, and the Supreme Court rejected cassation on 3 May 2024. Salahov remains on the political-prisoner list.

Legal proceedings:

10. Salahov's case contains a particularly significant contradiction concerning his relationship with law enforcement. After the June 2017 attack on security guard Elshan Nasibov, police showed Salahov surveillance material and he identified Yunis Safarov as the person depicted.

11. Salahov further stated that police used his computer shop as part of their efforts to locate Safarov and that undercover officers waited there in case Safarov appeared. He was therefore already known to law enforcement as a person through whom Safarov might potentially be located.
12. The prosecution later transformed those same personal contacts into evidence that Salahov was one of Safarov's organized co-conspirators. The crucial allegation became whether he knowingly copied and agreed to disseminate ideological material associated with the planned attack.
13. Salahov disputed this. He maintained that he had no knowledge of a terrorist plan and that the narcotics case used to detain him was fabricated. In his final statement he said that officers placed drugs in his pocket in front of him while his hands were cuffed.¹
14. At the Supreme Court in May 2024, Salahov again protested that he had spent approximately six years imprisoned without understanding why and argued that he had initially been detained on narcotics allegations and subsequently written into the alleged organized group without proper evidentiary analysis.²

LEGAL ANALYSIS

Reasons why Jeyhun Salahov should be regarded as a political prisoner:

15. Assessment of whether Jeyhun Salahov 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 the conviction of J. Salahov satisfy two criteria established by the paragraph. 3 of the Resolution for defining political prisoners ((c) and (e)):
 - (c) Salahov's 18-year sentence appears clearly disproportionate to the conduct individually and reliably established against him. He was not shown to have participated directly in Safarov's attack yet was held responsible for an extensive terrorist and anti-State conspiracy on the basis of association, communications and disputed evidence.
 - e) Most importantly, Salahov's imprisonment resulted from proceedings affected by serious fair-trial deficiencies including allegations of torture and fabricated evidence, restrictions on effective defense, rejected defense motions, unresolved contradictions in the evidence and insufficient individualization of criminal responsibility, which appear connected with the authorities' political objective of sustaining the broader narrative of an organized Islamist and anti-State conspiracy.

16. 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 the 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.

Jeyhun Salahov's public profile:

17. Salahov was not a public political figure or organized activist. He was a self-employed computer technician and practicing Muslim.

18. He did maintain a personal Facebook account containing religious and political material, but nothing identified in the judgment establishes that he operated a public political organization or openly campaigned for terrorism. The prosecution used such material chiefly as ideological corroboration for the wider conspiracy.

The sequence of events:

19. Jeyhun Salahov's prosecution should be assessed against a continuous pattern of politically instrumental criminal justice in Azerbaijan that continued throughout the history of this regime being in power. The most structured and consolidated repression has developed through successive and overlapping waves since at least 2013–2014. The targets and criminal accusations have changed over time from financial and tax offences against NGOs and human rights defenders, to terrorism and attempted-coup charges against religious groups, to organized-conspiracy cases following public disorder, and later to narcotics, smuggling, treason and other offences against journalists, activists and opposition politicians but the underlying pattern has remained strikingly consistent. The European Court of Human Rights has itself identified a "troubling pattern" of arbitrary arrest and detention of government critics through retaliatory prosecutions and misuse of criminal law, while the Parliamentary Assembly of the Council of Europe has concluded that Azerbaijan systematically uses the criminal justice apparatus against opposition politicians, civil-society activists, journalists, human-rights defenders and other perceived dissidents.⁴

20. The first decisive stage of the contemporary crackdown took place in 2013–2014, when the authorities moved against the institutional infrastructure of independent civil society. Leading human-rights defenders, lawyers, election monitors and journalists, including Anar Mammadli, Leyla and Arif Yunus, Rasul Jafarov, Intigam Aliyev and Khadija Ismayilova, were arrested or prosecuted on charges such as tax evasion, illegal entrepreneurship, abuse of office, fraud and, in some cases, treason. NGO offices were searched and sealed, bank accounts were frozen and organizations were deprived of access to funding. At least 40 activists, journalists and human-rights defenders were arrested or convicted in politically motivated cases in 2014 alone.⁵ At the same time, successive amendments to legislation governing NGOs, grants and foreign funding made lawful independent civil-society activity increasingly difficult. The Venice Commission criticized these restrictions, including excessive state supervision and interference with NGO autonomy.⁶
21. The partial release of prominent prisoners in late 2015 and 2016 did not mark an end to that crackdown. Their convictions generally remained in force, travel and professional restrictions persisted, and many organizations could not resume their previous activities. Human Rights Watch documented that some activists left Azerbaijan altogether, while organizations whose leaders had been released remained unable to register, obtain funding or function normally. Thus, the 2014 campaign achieved a structural result that survived the release of individual prisoners: much of the previously formalized, institutionally funded human-rights and NGO sector had been dismantled or forced into inactivity.⁷
22. The Nardaran case of 2015–2017 marked an important development in the methods of repression. Rather than relying principally on financial or regulatory charges, the authorities increasingly employed the language of terrorism, armed conspiracy and violent seizure of power. On 26 November 2015, security forces conducted a large armed operation in Nardaran and detained dozens of people, including Muslim Unity Movement leaders Taleh Bagirzade and Abbas Huseynov. Eighteen defendants in the principal case were subsequently sentenced to prison terms ranging from 10 to 20 years for offences including terrorism, attempted violent seizure of power, weapons offences and homicide. The proceedings were accompanied by extensive allegations of torture and coerced testimony. Amnesty International described the trial as failing to meet international standards, while PACE later noted allegations that witnesses withdrew incriminating statements because they had been obtained through torture and that the prosecution had failed to present sufficient individualized evidence against defendants.⁸
23. Repression continued through 2016 and 2017, demonstrating that there was no meaningful interval between the 2014 crackdown and the cases that followed. Ahead of the 2016 constitutional referendum, activists, opposition supporters and persons active on social media were prosecuted on drug-possession, illegal-business and administrative charges. In 2017, journalist Afgan Mukhtarli, who had continued reporting critically on Azerbaijan while living in Georgia, was abducted and brought to Azerbaijan and prosecuted for illegal border crossing, currency smuggling and violence against an official. PACE subsequently considered the weakness of the evidence and the surrounding circumstances sufficient to raise a presumption that his imprisonment was political.⁹

24. The Ganja events of July 2018 constituted the next major stage. After Yunis Safarov shot Ganja Executive Authority head Elmar Valiyev on 3 July 2018, and after a subsequent gathering in Ganja on 10 July ended in violence and the deaths of two police officers, the authorities constructed a much broader security narrative around the events. A special investigative group involving the Ministry of Internal Affairs, the State Security Service and the Prosecutor General's Office identified 29 persons as alleged militant co-conspirators in Safarov's attack, while another group of dozens of people detained in connection with the 10 July events was characterized as part of a radical religious and criminal conspiracy against the State. In total, scores of people were prosecuted and many more were detained.¹⁰
25. The significance of the Ganja prosecutions lies not only in their scale but also in the manner in which criminal responsibility was expanded outward from the persons who had actually committed violent acts. Independent investigators documented detainees who had not participated in the 10 July gathering, allegations of detention without access to lawyers, torture and other ill-treatment, and claims that detainees were forced to sign pre-written confessions. The international fact-finding report on the Ganja cases concluded that there was reasonable basis to believe that detainees had been physically abused in order to obtain false self-incriminating statements and considered the vast majority, if not all, of those arrested in relation to the events to have been arbitrarily detained. A subsequent PACE report similarly noted serious problems concerning the sufficiency and credibility of prosecution evidence and concluded that many of those prosecuted following the Ganja events could be presumed to be political prisoners.¹¹
26. Jeyhun Salahov's prosecution belongs specifically to this stage of the repression. Unlike prominent opposition politicians, human-rights defenders or religious leaders targeted in earlier cases, Salahov was not a public political actor. He became implicated principally through his previous acquaintance and communications with Yunis Safarov. The prosecution nevertheless incorporated him into an extensive alleged organized terrorist conspiracy extending over many years and ultimately secured a 20-year sentence. The Ganja case therefore demonstrates an important expansion of the repressive model: severe political and national-security prosecutions were no longer confined to publicly active critics or organized movements, but could encompass ordinary citizens whose personal relationships or communications allowed them to be incorporated into a broader state narrative of conspiracy.
27. The following years demonstrate further continuity. In October 2019, police violently dispersed peaceful opposition and civic demonstrations in central Baku, detained dozens of participants and subjected opposition activists to administrative imprisonment. Human Rights Watch reported that at least 35 senior Popular Front Party figures received sentences of up to 60 days on spurious charges. The use of short-term administrative detention operated alongside criminal prosecution as a mechanism for preventing and punishing collective political activity.¹²

28. In 2020, the same machinery was intensified during the Covid-19 pandemic and following the July pro-army demonstration in Baku. President Ilham Aliyev publicly characterized the opposition as a “fifth column”, and numerous opposition figures were subsequently detained. After a small number of participants in the 14 July rally entered the parliament building, the authorities presented the incident as an opposition-organized attempt to overthrow the government. Human Rights Watch documented the arrest of numerous Popular Front members, including people who had not entered parliament and, in some cases, had not attended the rally at all. Senior party figures were additionally accused of attempting to overthrow the government. The similarity to the Nardaran and Ganja model is important: an identifiable incident involving violence or disorder was used to construct a substantially wider political conspiracy and extend criminal responsibility to a broader circle of individuals.
29. 2021-2022 did not represent liberalization but further consolidation. Peaceful demonstrations continued to be dispersed and activists detained or ill-treated. At the same time, the authorities increasingly supplemented direct repression with legislation restricting the remaining institutional channels for independent public activity. The new Law on Media, drafted in late 2021 and signed in February 2022, introduced a substantially more controlled regulatory framework for journalists and media entities. The Venice Commission found numerous problems with the law, including restrictions on media activity, financing and registration and insufficient independence of the regulatory authority.¹³
30. During the same period, a further pattern emerged involving Azerbaijani political emigrants returned from Europe. Several activists deported from Germany after unsuccessful asylum applications were arrested after returning to Azerbaijan, frequently on serious narcotics charges. Human Rights Watch documented, among others, Punhan Karimli and Jafar Mirzayev, deported in November 2021 and arrested in January 2022, as well as Malik Rzayev and Mutallim Orujov. This demonstrated that physical departure from Azerbaijan did not necessarily end exposure to politically motivated prosecution and that drug charges remained a recurrent instrument against persons perceived as politically disloyal.¹⁴
31. By late 2022, the transition into the current phase was visible. Civic activist Bakhtiyar Hajiyev was arrested in December 2022 after earlier intimidation and threats associated with his criticism of the authorities. His initial prosecution subsequently expanded into numerous financial and economic charges. In parallel, a new Law on Political Parties was adopted in December 2022 and entered into force in January 2023. The Venice Commission and OSCE/ODIHR concluded that regulation had become substantially stricter in key areas including party registration, state control, financing and dissolution, against the background of Azerbaijan’s already extensive record of violations of freedom of association.¹⁵

32. The repression then intensified sharply in 2023. In June, police violently suppressed residents protesting the environmental consequences of mining in Soyudlu and subsequently restricted access to the village and obstructed journalists. In July, economist and opposition politician Gubad Ibadoglu was arrested. During the summer and autumn, labor organizers, government critics and other activists were subjected to criminal or administrative prosecution, including drug and violence-related accusations. These developments did not introduce a fundamentally new method; rather, they applied long-established methods of politically instrumental prosecution to the informal civic initiatives that had emerged after the destruction of much of the traditional NGO sector.¹⁶
33. From November 2023 onward, repression moved toward the systematic dismantling of the remaining independent media and informal civil-society networks. Journalists associated with Abzas Media were arrested, followed in 2024 by the raid on Toplum TV and arrests of journalists and civic activists associated with it. Human-rights defender and election monitor Anar Mammadli was again arrested in April 2024. Repression simultaneously expanded into academic research, peace advocacy and minority-related work, including the prosecutions of Iqbal Abilov and Bahruz Samadov. Human Rights Watch described this period as an escalating crackdown involving politically motivated charges against journalists, activists, researchers and human-rights defenders, while noting that fear and arrests had driven increasing numbers of independent civil-society actors out of the country and forced some organizations and media initiatives to close.¹⁷
34. The progression from the NGO restrictions and prosecutions of 2013–2014, through Nardaran in 2015, Ganja in 2018, the suppression of opposition mobilization in 2019–2020, and the restrictive Media and Political Parties laws of 2021–2022, to the mass arrests beginning in late 2022 and 2023 should therefore be understood as cumulative rather than episodic. Each phase narrowed another sphere in which autonomous political or social activity could exist: first established NGOs and human-rights organizations; then independent religious mobilization; then informal networks and personal associations framed as security threats; then street opposition and protest; then independent media and formal political parties. The arrests beginning in 2023 represented the culmination of this process by targeting many of the remaining informal organizations, media outlets and grassroots initiatives that had survived or emerged after the 2014 crackdown.
35. The current repression is consequently not a new phenomenon detached from the Ganja case. It is the most intensive stage of a system that had been progressively constructed and tested over the preceding decade. Jeyhun Salahov's prosecution is particularly relevant within this continuum because it illustrates how the authorities' use of collective-conspiracy narratives could reach beyond organized political actors and punish an ordinary citizen on the basis of association with a principal accused. By 2023–2025, the same logic of expansive criminalization had been extended across virtually every remaining independent sphere: media, NGOs, labor activism, political parties, academic research, minority advocacy and peace activism, resulting in the de facto near-closure of autonomous civic and political space inside Azerbaijan.¹⁸

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

36. Salahov's allegation that police planted narcotics is individualized and serious. It is particularly relevant because the trial court itself concluded that investigators had failed to prove the aggravated element (intent to sell) that had originally justified the more serious narcotics charge.
37. The prosecution's terrorism case depended heavily on an inferential step: from Salahov having copied electronic material and possessing religious/political material on Facebook to knowing participation in an organized terrorist enterprise. His explanation that he had copied material without viewing it required careful examination of actual knowledge and intent.
38. The evidence that Salahov had previously helped police identify Safarov further complicates the organized-group theory. A person may of course later join a criminal enterprise, but the prosecution had to prove such a transition rather than infer it simply from continuing acquaintance.
39. These questions remained unresolved when the appellate courts affirmed the 19-year sentence.

The authorities' conduct:

40. Salahov's case displays a recurring feature of politically instrumental criminal prosecution in Azerbaijan: an initial narcotics allegation, religious and social-media material, and personal association were combined into a much larger State-security case. The court's own rejection of the aggravated drug theory demonstrates that at least one important component of the original prosecution had been overstated.

Additional considerations:

41. Finally, international human rights observers and international organizations have denounced the charges against Jeyhun Salahov as politically motivated.

CONCLUSION

42. The personal factors (Jeyhun Salahov's public profile, absence of convincing evidence, and constant violation of procedural rights) and contextual factors (politically repressive environment) cumulatively indicate reasonable grounds to believe that Jeyhun Salahov should be considered a remand political prisoner in light of Resolution 1900 (2012) of the Parliamentary Assembly of the Council of Europe (PACE).

RECOMMENDATION

43. Based on this conclusion, Jeyhun Salahov should be released unconditionally and immediately. Furthermore, he should be compensated *restitutio in integrum*.

- ¹ Radio Free Europe/Radio Liberty, Azerbaijani Service, ‘Bizə terror ittihamı verilir, dünyaya isə ölkədə terror olmadığı deyilir’ (6 August 2021), Azadlıq Radiosu.
- ² Radio Free Europe/Radio Liberty, Azerbaijani Service, ‘Elmar Vəliyevə sui-qəsd işi: “6 ildir həbsdəyəm, amma niyə həbs olunduğumu bilmirəm”’ (4 May 2024), Azadlıq Radiosu.
- 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 Parliamentary Assembly of the Council of Europe, Reported cases of political prisoners in Azerbaijan, Doc. 15020 (2020), especially paras. 27–29. The report relies on European Court of Human Rights judgments identifying retaliatory prosecutions, misuse of criminal law and systemic failures of judicial protection.
- ⁵ Human Rights Watch, Harassed, Imprisoned, Exiled: Azerbaijan’s Continuing Crackdown on Government Critics, Lawyers, and Civil Society (20 October 2016); Human Rights Watch, World Report 2015: Azerbaijan.
- ⁶ Venice Commission, Opinion on the Law on Non-Governmental Organizations (Public Associations and Funds) as Amended of the Republic of Azerbaijan, CDL-AD(2014)043, 15 December 2014.
- ⁷ Human Rights Watch, Harassed, Imprisoned, Exiled (2016).
- ⁸ Amnesty International, Azerbaijan: Torture and Travesty of Justice in Nardaran Case (6 February 2017); Parliamentary Assembly of the Council of Europe, Reported cases of political prisoners in Azerbaijan, paras. 57 et seq.
- ⁹ *ibid* (n. 10); *ibid* (n.11) para. 58.
- ¹⁰ *ibid* (n.2).
- ¹¹ *ibid* (n.2); *ibid* (n.11), discussion of the Ganja cases.
- ¹² Human Rights Watch, World Report 2023: Azerbaijan.
- ¹³ Venice Commission and Directorate General of Human Rights and Rule of Law, Joint Opinion on the Law on Media of Azerbaijan, CDL-AD(2022)009, adopted 17–18 June 2022.
- ¹⁴ *ibid* (n.15).
- ¹⁵ Human Rights Watch and Freedom Now, “We Try to Stay Invisible”: Azerbaijan’s Escalating Crackdown on Critics and Civil Society (8 October 2024); Venice Commission and OSCE/ODIHR, Joint Opinion on the Law on Political Parties of Azerbaijan, CDL-AD(2023)007.
- ¹⁶ *ibid* (n.18).
- ¹⁷ *ibid* (n.18).
- ¹⁸ Parliamentary Assembly of the Council of Europe, Reported cases of political prisoners in Azerbaijan (2020); *ibid* (n.18).

