

ALPAY MAMMAD



FACTS

Personal data:

1. Alpay Mammad (DOB: 24 February 1990) is an Azerbaijani citizen, election-monitoring specialist and civil society activist. He is the executive director of the Election Monitoring Alliance, and has worked on election observation, democratic participation and civic initiatives since around 2010.
2. He was arrested in Baku on 14 March 2025. According to the case file, he was initially charged under Articles 193-1.3.2, 308.2 and 313 of the Criminal Code and remanded in custody for 3 months and 28 days. The prosecution later broadened the case substantially, ultimately accusing him under Articles 192.3.2, 193-1.2.2, 193-1.2.3, 193-1.3.1, 193-1.3.2, 206.4, 213.2.1, 308.2, 313, 320.1 and 320.2.¹
3. The allegations against A. Mammad 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 14.03.2025, Alpay Mammad was detained by the Azerbaijani authorities in connection with the reopened “NGO case”. On the same day, the Binagadi District Court imposed a pre-trial detention measure of 3 months and 28 days. The case file further records that this detention was later extended on 09.07.2025 and 30.09.2025, keeping him in custody until 12.01.2026.

Legal accusations:

5. On 14 March 2025, following his detention, the investigating authorities formally charged Alpay Mammad with the following bogus accusations:

- legalization of property obtained through crime, committed in a significant amount, under Article 193-1.3.2 of the Criminal Code;
- abuse of official powers, under Article 308.2 of the Criminal Code;
- official forgery, under Article 313 of the Criminal Code.

6. The case was later substantially broadened. By late 2025, he was ultimately charged with illegal entrepreneurship on an especially large scale (Article 192.3.2); money laundering, including repeated laundering, laundering through abuse of official position, laundering by an organized group, and laundering in a significant amount (Articles 193-1.2.2, 193-1.2.3, 193-1.3.1 and 193-1.3.2); smuggling by an organized group (Article 206.4); tax evasion by an organized group (Article 213.2.1); abuse of official powers with grave consequences (Article 308.2); official forgery (Article 313); forgery, illegal preparation or sale of official documents and related official items (Article 320.1); and the knowing use of forged official documents (Article 320.2). Publicly, his prosecution has been discussed as part of the wider “QHT işi” / “NGO case”, that is, the renewed use of the old criminal case against independent civil society, election-monitoring structures and donor-linked organizations. Human rights organizations and independent media have described the charges as spurious and politically motivated, while Alpay Mammad himself stated in court that his arrest was directly linked to his work in the fields of elections and human rights.

Legal status of prisoner:

7. Alpay Mammad is currently a detained defendant, not a convicted prisoner. The indictment completed in December 2025 still recorded him as being held in the Baku Investigative Detention Centre. In January 2026, the Baku Assize Court held preparatory hearings, sent the case for trial, and scheduled the hearing on the merits for 5 February 2026. The final judgment had yet to be delivered in this case.

Legal proceedings:

8. On 14 March 2025, Alpay Mammad was detained in the reopened “NGO case” and, on the same day, the Binagadi District Court ordered his pre-trial detention for 3 months and 28 days. On 19 March 2025, the Baku Court of Appeal upheld that detention order. A subsequent defense request to replace custody with house arrest was rejected by the Binagadi District Court on 16 May 2025. Public reporting and the later trial-stage record indicate that his detention was then extended further and that he remained in custody throughout the investigation and into the trial phase.

9. The proceedings against him were linked to the revived 2014 criminal case concerning NGOs, which, according to public reporting, had earlier been closed and was then reopened. By 8 January 2026, his case had reached the Baku Assize Court, where a preparatory hearing was held. At that hearing, procedural issues were discussed, the prosecutor requested additional time to familiarize himself with the materials, and the case was adjourned to 22 January 2026.
10. At the 22 January 2026 preparatory hearing, the defense sought a number of procedural accommodations, including replacement of detention with house arrest, permission for Alpay Mammad to sit next to his lawyers, and permission to film the proceedings. The court rejected those requests, committed the case for trial on the merits, and scheduled the first substantive hearing for 5 February 2026.
11. His case had entered the trial stage but had not yet concluded. In related proceedings against Anar Mammadli and Anar Abdulla on 2 March 2026, Alpay Mammad was brought to court in handcuffs as a witness and stated, at least initially, that he did not wish to testify because he himself was being tried on similar charges. This confirms that, by that point, he remained both in detention and under active prosecution in his own case.
12. The available record presently shows is a sequence of procedural decisions consistently favoring continued detention and rejecting less restrictive or defense-facilitating measures, while the case proceeded from investigation into full trial.

LEGAL ANALYSIS

Reasons why Alpay Mammad should be regarded as a political prisoner:

13. Assessment of whether A. Mammad 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 A. Mammad satisfy two criteria established by the paragraph. 3 of the Resolution for defining political prisoners ((a) and (e)):

(a) Alpay’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.

14. 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.

Alpay Mammad's public profile:

15. The circumstances indicate that Alpay Mammad is not an ordinary private individual drawn incidentally into a financial case, but a long-standing and publicly identifiable election-monitoring and civil-society actor. He is the head / executive director / coordinator of the Election Monitoring Alliance and has been active since 2010 in election observation, democratic participation, and civil-society work, including participation in observation missions in Azerbaijan and abroad. He is also affiliated with organization's public-facing infrastructure, including smdtaz.org, gozetcı.az.

15. From the outset, therefore, his public profile placed him within a category of independent civic actors long exposed to retaliatory pressure in Azerbaijan: election monitors, donor-supported NGO representatives, and human-rights defenders operating outside state-controlled structures. The public framing of his arrest strongly supports that inference. International organizations described him as a prominent human rights defender and characterized his detention as arbitrary and aimed at punishing legitimate human-rights work; Human Rights Watch⁴ situated his prosecution within the reopened 2014 NGO case and a broader effort to extinguish independent activism. In that context, the proceedings against Alpay Mammad bear the hallmarks not of neutral financial-law enforcement, but of a broader campaign to suppress independent election monitoring and civic scrutiny.

The sequence of events:

16. Alpay Mammad'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 political groups such as 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.⁵ 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.⁶
19. In July 2023, politician and economist Gubad Ibadoglu was detained.⁷ In August 2023, pro-government media organized a smear campaign against peace activists protesting military operations in Nagorno-Karabakh.⁸ 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 organisation.⁹
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 November 2023, the AbzasMedia arrests began.¹⁰ 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.¹¹ 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).¹² 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 Abilov¹³, 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 Samadov¹⁴ 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: 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 Karimli, 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)¹⁷ and the Law on Political Parties (2022).¹⁸ 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 authorities acted in bad faith in Alpay Mammad's case and, in substance, treated the outcome as predetermined. The indictment itself is framed in that register: before any final judicial determination, it states that the accusations were established by a body of evidence that was allegedly sufficient and irrefutable, and it presents his activities as part of an organized criminal scheme rather than as disputed civil-society and election-monitoring work. That approach is especially striking given the broader context: the case was pursued as part of the renewed "NGO case", which public reporting and international human rights organizations have described as a wider campaign of judicial harassment against independent civil society.

26. The triggering and structuring of the investigation were themselves highly problematic. According to the case file, the underlying 2014 NGO criminal case had been suspended in February 2022 and was then reopened on 3 February 2025 on the basis of media publications concerning alleged USAID-related violations. Shortly afterwards, the prosecution assembled a large joint operational-investigative group bringing together prosecutors, anti-corruption operatives and tax investigators, and then folded Alpay Mammad into that revived file. This sequence matters since the case was not presented as arising from a newly discovered concrete victim complaint or a fresh, narrowly defined criminal event, but from the political reactivation of an old NGO file in an atmosphere of mounting pressure on independent organizations.

27. The subsequent evidentiary architecture was overwhelmingly state-controlled, document-heavy and prosecutorially curated. The indictment says his guilt is proven by a standardized package consisting of accused and witness statements, search and seizure protocols, expert reports, telephone data, bank records, tax information, social-media exchanges, disks, letters and other investigative materials. The file further shows that the prosecution relied heavily on digital extractions from devices and accounts associated with others in the case, including contact lists, mailboxes, budget spreadsheets, donor correspondence and telecom data, in order retrospectively to recharacterize openly conducted project work as organized criminal conduct. In substance, the case appears to have been built not around concealed criminal behavior discovered through neutral investigation, but around the later reinterpretation of civic, donor-facing and administrative activity through a criminal-law lens.

28. The treatment of the defense case reinforces the same conclusion. The indictment records that Alpay Mammad denied guilt, denied engaging in unlawful activity, said that any signatures attributed to him on project or grant-related documents were not his and may have been falsified, maintained that the relevant agreements were service contracts rather than grants, and stated that taxes had been paid and the funds were project income rather than criminal proceeds. Yet the prosecution's response was not to engage even-handedly with those explanations, but to classify them as mere defense arguments and declare them rebutted by alleged numerous reliable materials, including official letters and expert reports. The formulation is telling as his exculpatory account was not treated as a live issue requiring rigorous adversarial testing, but as something already administratively neutralized within the case file itself.
29. The handling of detention and the trial phase also points to a coercive and control-oriented process rather than one guided by strict necessity and equality of arms. He was detained on 14 March 2025, remanded for 3 months and 28 days, and his detention was then extended twice. His appeals against detention were dismissed. At the preparatory stage, the court rejected defense requests for house arrest, for permission to sit next to counsel, and for permission to film the proceedings. Public reporting further indicates that, when brought to testify in related proceedings against Anar Mammadli and Anar Abdulla, he was produced in handcuffs and remained cuffed while giving evidence. Taken together, these features suggest a process focused on maintaining custody and control over the defendant rather than minimizing restrictions compatible with a fair trial.

The authorities' conduct:

30. The conduct of the authorities, taken as a whole, was plainly repressive. Public reporting shows that pro-government media began framing the renewed NGO investigation before and around the arrests in language that effectively presumed guilt, alleging that independent civil-society actors had already been proven to be acting with foreign organizations against state interests and portraying donor-supported work as politically subversive. APA¹⁹ circulated the prosecution narrative in accusatory terms immediately after the arrests, while OC Media²⁰ identified such coverage as an early signal of the new crackdown. At the same time, international human rights organizations characterized Alpay Mammad's arrest and prosecution as arbitrary detention and judicial harassment linked to his legitimate human-rights and election-monitoring work. In that setting, the investigation, detention, media framing and courtroom restrictions formed part of a single coercive continuum rather than a neutral criminal-justice response.

Additional considerations:

31. Finally, international human rights observers such as Human Rights Watch²¹ have denounced the charges against A. Mammad as politically motivated.

CONCLUSION

32. The personal factors (Alpay Mammad'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 Alpay Mammad 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, Alpay Mammad should be released unconditionally and immediately. Furthermore, he should be compensated restitutio in integrum.

¹ AzadlıqRadiosu, 'Haqqında həbsli axtarış qərarı çıxarılan ictimai fəal: "Ədliyyə Nazirliyi niyə soruşmurdu ki..."' (19 March 2025) <https://www.azadliq.org/a/vetendas-cemiyyeti-feallarinin-saxlanmasi/33348172.html> accessed 23 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 Human Rights Watch, 'World Report 2024: Azerbaijan' (Human Rights Watch, 11 January 2024) <https://www.hrw.org/world-report/2024/country-chapters/azerbaijan> accessed 23 March 2026.

⁵ 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

⁶ 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

⁷ 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

⁸ 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

⁹ Eurasianet, 'Azerbaijan authorities smash unionization efforts for gig workers' <https://eurasianet.org/azerbaijan-authorities-smash-unionization-efforts-for-gig-workers> accessed 28 August 2025

¹⁰ 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

- ¹¹ Council of Europe, Safety Of Journalists — FOM Alert <https://fom.coe.int/en/alerte/detail/107640886> accessed 28 August 2025
- ¹² 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
- ¹³ 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
- ¹⁴ 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.
- ¹⁵ 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.
- ¹⁶ 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.
- ¹⁷ 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)
- ¹⁸ 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>
- ¹⁹ Emin Şirvanzadə, ‘Bəşir Süleymanlı və Məmməd Alpay həbs olunub - YENİLƏNİB’ APA (14 March 2025) <https://apa.az/hadise/besir-suleymanli-ve-memmed-alpay-hebs-olunub-yenilenib-892450> accessed 23 March 2026
- ²⁰ Aytan Farhadova, ‘Civil society crackdown continues as Azerbaijan ramps up attacks on USAID’ OC Media (17 March 2025) <https://oc-media.org/civil-society-crackdown-continues-as-azerbaijan-ramps-up-attacks-on-usaid/> accessed 23 March 2026.
- ²¹ Human Rights Watch, ‘Azerbaijan’ (World Report 2023) (2023) <<https://www.hrw.org/world-report/2023/country-chapters/azerbaijan>> accessed 25 January 2026.

