

# BAKHTIYAR HAJIYEV

---



## FACTS

### Personal data:

1. Bakhtiyar Hajiyev (DOB: 28 March 1982) is an Azerbaijani citizen, civic and political activist, blogger, and former parliamentary candidate. He is a longstanding government critic known for anti-corruption advocacy, election-related criticism, public campaigning on social media, and sustained engagement with Azerbaijan's embattled civil society space. He had already been imprisoned in 2011–2012 in retaliation for his activism after exposing electoral violations and calling for protests.
2. B. Hajiyev was detained in Baku on 9 December 2022. He was initially prosecuted on hooliganism and contempt of court charges linked to an earlier courtroom incident; the prosecution was later expanded to include a wide range of financial and document-related offences, including illegal entrepreneurship, money laundering, smuggling, tax evasion, forgery, and use of forged documents. On 13 January 2025, the Baku Assize Court sentenced him to 10 years' imprisonment, with confiscatory measures against his property and funds; the conviction was upheld on appeal and then by the Supreme Court on 18 November 2025.<sup>1</sup>
3. B. Hajiyev's case is a fabricated political prosecution aimed at silencing a prominent independent critic. His arrest came after years of reprisals for peaceful dissent, including his earlier imprisonment, repeated harassment, and the April 2022 abduction and beating after he publicly criticized the interior minister. International institutions and rights bodies have treated his detention and imprisonment as part of Azerbaijan's broader campaign against activists, critics, and civil society actors; he has been identified among the country's political prisoners, and his 2025 sentence has been expressly described as resting on fabricated and politically motivated charges.

**Date of detention:**

4. On 9 December 2022, Bakhtiyar Hajiyev was detained by the authorities in Baku. A court then ordered his pre-trial detention for 50 days, and he remained in custody thereafter.

**Legal accusations:**

5. Following his detention on 9 December 2022, the authorities brought the following bogus accusations against him:

- hooliganism under Article 221.2.2 of the Criminal Code;
- contempt of court under Article 289.1 of the Criminal Code.

6. These were later expanded into a wider fabricated case, including:

- illegal entrepreneurship under Article 192.1;
- legalization of criminally obtained property (money laundering) under Article 193-1.3.2;
- smuggling under Article 206.1;
- tax evasion under Article 213.1;
- forgery of official documents under Article 320.1; and
- use of forged documents under Article 320.2 of the Criminal Code.

7. B. Hajiyev's prosecution is recognized as a politically motivated retaliatory case. He was initially jailed on hooliganism and contempt of court charges, and in June 2024, the authorities added financial/tax accusations to build a heavier case against him. His imprisonment fits the established pattern in Azerbaijan of using criminal law, including public-order and financial charges, to silence outspoken critics, civil society figures, and human rights defenders.

**Legal status of prisoner:**

8. Bakhtiyar Hajiyev is a convicted prisoner. On 13 January 2025, the Baku Assize Court found him guilty and sentenced him to 10 years' imprisonment, imposed confiscatory measures against his apartment and funds, and banned him from educational activity for one year after release. On 7 April 2025, the Baku Court of Appeal upheld that judgment. Finally, on 18 November 2025, the Supreme Court of the Republic of Azerbaijan dismissed the cassation appeal and left the conviction and sentence in force. The sentence is counted from 9 December 2022.

## Legal proceedings:

9. On 9 December 2022, Bakhtiyar Hajiyev was detained by law-enforcement authorities, and a court subsequently ordered his pre-trial detention. He remained in custody throughout the proceedings. His detention was repeatedly extended, despite the absence of any credible justification for keeping him imprisoned pending trial.
10. The first-instance proceedings ended on 13 January 2025, when the Baku Assize Court convicted him and sentenced him to 10 years' imprisonment. The court also ordered confiscation measures in respect of his apartment and funds and imposed an additional restriction on his professional activity after release.
11. Hajiyev appealed. On 7 April 2025, the Baku Court of Appeal dismissed the appeal and left the first-instance judgment essentially unchanged. On 18 November 2025, the Supreme Court of the Republic of Azerbaijan rejected the cassation appeal and upheld the conviction and sentence in full.
12. The courts' reasoning rested overwhelmingly on the prosecution's own evidentiary package and treated the accusations as effectively established from the outset. The conviction was built around official financial assessments, records obtained by the investigative authorities, and a prosecution-led interpretation of Hajiyev's civic, educational, and grant-related activities as criminal conduct. The courts accepted this narrative without applying the level of independent scrutiny required in a politically charged prosecution.
13. Throughout the proceedings, Hajiyev denied the charges and maintained that the case had been fabricated in retaliation for his activism and criticism of the authorities. That position was borne out by the structure of the case itself: conduct long associated with his public, civic, and organizational work was retrospectively recast as criminal activity, while the courts ignored the obvious political context, declined to confront the selective and punitive character of the prosecution, and reduced the trial to a formal endorsement of the investigators' version of events

## LEGAL ANALYSIS

### Reasons why Bakhtiyar Hajiyev should be regarded as a political prisoner:

14. Assessment of whether B. Hajiyev 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).<sup>3</sup> The legal proceedings against and conviction of B. Hajiyev satisfy two criteria established by the paragraph. 3 of the Resolution for defining political prisoners ((a) and (e)):

(a) Bakhtiyar'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.

#### **Bakhtiyar Hajiyev's public profile:**

16. Bakhtiyar Hajiyev is a prominent Azerbaijani civic and political activist, blogger, former parliamentary candidate, and former political prisoner. For years, he has been publicly identified with anti-corruption advocacy, criticism of the authorities, election-related activism, and independent civic mobilization, especially through social media and public commentary. He was imprisoned in 2011 after helping organize pro-democracy protest activity and exposing election violations, and was released in 2012, which established him long ago as a visible and persistent critic of the ruling system.

17. Hajiyev's prosecution is inseparable from that public profile. He was not an obscure defendant swept up in an ordinary criminal process, but a well-known activist already subjected to retaliation for his speech and organizing. In April 2022, masked men abducted, beat, and humiliated him after his criticism of Interior Minister Vilayat Eyvazov, and he was threatened over his online posts. His later arrest and conviction therefore, fit the same repressive trajectory: the authorities moved against a high-visibility critic whose activism, public reach, and refusal to retreat made him a target. The case served an unmistakable political purpose: to punish him, silence him, and warn other activists, bloggers, and civil society actors of the cost of sustained dissent.

## The sequence of events:

18. Bakhtiyar Hajiyev'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.<sup>4</sup> 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.<sup>5</sup>
21. In July 2023, politician and economist Gubad Ibadoglu was detained.<sup>6</sup> In August 2023, pro-government media organized a smear campaign against peace activists protesting military operations in Nagorno-Karabakh.<sup>7</sup> 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.<sup>8</sup>
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.<sup>9</sup> 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.<sup>10</sup> 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).<sup>11</sup> 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 Abilov<sup>12</sup>, 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 Samadov<sup>13</sup> 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:<sup>14</sup> 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<sup>15</sup>, 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)<sup>16</sup> and the Law on Political Parties (2022)<sup>17</sup>. 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 and prosecution of Bakhtiyar Hajiyev reveal a process in which the outcome was effectively predetermined and the criminal law was instrumentalized to neutralize a persistent government critic. From the outset, the authorities built the case through a prosecution-controlled evidentiary structure that framed Hajiyev's civic, advocacy, and organizational activities as criminal conduct. The investigative record reflects a selective approach to evidence: the prosecution narrative was accepted largely at face value, while exculpatory explanations and the broader political context surrounding the case were disregarded.

28. The proceedings were initiated with public-order accusations (hooliganism and contempt of court) arising from an earlier courtroom dispute, which were then progressively expanded into a wide set of economic and document-related offences. This prosecutorial escalation fundamentally reshaped the case. Conduct that had long been associated with Hajiyev's public, educational, and civic work, including grant-related activity and organizational engagement, was retrospectively reframed as criminal enterprise. The resulting indictment relied heavily on financial interpretations produced by the investigative authorities themselves, leaving the defense with limited opportunity to meaningfully challenge the evidentiary basis of the accusations.
29. The structure of the evidentiary record remained firmly investigator-driven. The courts placed decisive reliance on documentation generated by state bodies, financial reviews, official records, and investigative conclusions, while treating those materials as inherently reliable. There is no indication that the courts subjected these materials to the level of independent scrutiny expected where the prosecution narrative itself depends almost entirely on state-produced evidence. The trial thus functioned less as an adversarial examination of competing interpretations than as a formal endorsement of the investigative authorities' version of events.
30. The defense consistently argued that the charges were fabricated in retaliation for Hajiyev's activism, noting the abrupt expansion of the case and the absence of credible criminal intent in activities that had been publicly known for years. These objections were not meaningfully addressed. Instead, the courts rejected them through formulaic reasoning that reproduced the prosecution's conclusions without engaging with the defense's central argument: that the alleged offences were constructed through selective interpretation of lawful civic activity.
31. The handling of detention further reinforced the appearance of a predetermined outcome. Hajiyev remained in continuous pre-trial detention from the moment of arrest through conviction, and the courts repeatedly extended that detention without providing an individualized assessment demonstrating why continued custody was strictly necessary. This approach, combined with the prosecution's progressive broadening of the charges, ensured that the proceedings unfolded under conditions of sustained incarceration that limited the defense's ability to effectively contest the case.

**The authorities' conduct:**

32. The authorities failed to guarantee fundamental procedural safeguards throughout the proceedings. Defense arguments were routinely dismissed without substantive analysis, and the courts relied almost exclusively on prosecution-generated materials when determining both the facts and the credibility of the accusations. At the same time, pro-government media outlets publicly portrayed Hajiyev as a criminal and reproduced the investigative narrative in advance of the final judicial determination, contributing to public stigmatization and reinforcing the perception of guilt. Taken together, the investigative strategy, the evidentiary structure of the case, and the courts' highly deferential approach to the prosecution demonstrate that the proceedings were conducted in a manner designed to secure a conviction rather than establish the truth through a genuinely adversarial and impartial process.

### **Additional considerations:**

33. Finally, international human rights observers such as Human Rights Watch have denounced the charges against B. Hajiyev as politically motivated.

### **CONCLUSION**

34. The personal factors (Bakhtiyar Hajiyev'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 Bakhtiyar Hajiyev 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, Bakhtiyar Hajiyev should be released unconditionally and immediately. Furthermore, he should be compensated *restitutio in integrum*.

- <sup>1</sup> Turan Information Agency, ‘Bakhtiyar Hajiyev Sentenced to 10 Years of Imprisonment’ (Turan Information Agency, 13 January 2025) <https://turan.az/en/politics/bakhtiyar-hajiyev-sentenced-to-10-years-of-imprisonment-789102> accessed 14 March 2026.
- <sup>2</sup> 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](https://www.europarl.europa.eu/doceo/document/TA-10-2024-0074_EN.html) accessed 29 May 2025.
- <sup>3</sup> 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.
- <sup>4</sup> 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
- <sup>5</sup> 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
- <sup>6</sup> 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
- <sup>7</sup> Musavat, “No-Warçılarin dosyesi: onlar harada və necə yetişiblər” [https://musavat.com/news/no-war-cilarin-dosyesi-onlar-harada-ve-nece-yetisibler\\_1001622.html](https://musavat.com/news/no-war-cilarin-dosyesi-onlar-harada-ve-nece-yetisibler_1001622.html) accessed 28 August 2025
- <sup>8</sup> Eurasianet, Azerbaijan authorities smash unionization efforts for gig workers <https://eurasianet.org/azerbaijan-authorities-smash-unionization-efforts-for-gig-workers> accessed 28 August 2025
- <sup>9</sup> 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
- <sup>10</sup> Council of Europe, Safety Of Journalists — FOM Alert <https://fom.coe.int/en/alerte/detail/107640886> accessed 28 August 2025
- <sup>11</sup> 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
- <sup>12</sup> 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
- <sup>13</sup> 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.

<sup>14</sup> 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.

<sup>15</sup> 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.

<sup>16</sup> 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)

<sup>17</sup> 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>

<sup>18</sup> Human Rights Watch, ‘Azerbaijan’ (World Report 2023) (2023) <<https://www.hrw.org/world-report/2023/country-chapters/azerbaijan>\> accessed 25 January 2026.

