

BASHIR SULEYMANLI



FACTS

Personal data:

1. Bashir Suleymanli (DOB: 20 March 1980) is a human rights defender, civil society activist, and chairman of the Institute for Citizens' Rights. He was arrested in connection with his work to promote the rule of law, provide free legal assistance, and advance civic education among youth and vulnerable populations.
2. On 14 March 2025, Bashir Suleymanli was detained by the Investigation Department of the Prosecutor General's Office of the Republic of Azerbaijan and charged with the legalisation of criminally obtained property (Article 193-1.3.2 of the Criminal Code), abuse of official powers (Article 308.2), and official forgery (Article 313).¹
3. The allegations against B. Suleymanli lack credibility and are widely regarded as politically motivated, forming part of a broader crackdown on civil society and independent media launched by the Azerbaijani authorities in the autumn of 2023.²

Date of detention:

4. Bashir Suleymanli was detained on 14 March 2025 by the Investigation Department of the Prosecutor General's Office. On the same day, the Baku Binagadi District Court ordered his pre-trial detention for a period of three months and twenty-eight days. He appealed the decision, but the Baku Court of Appeal upheld the ruling of the lower court. On 9 July 2025, the Baku Binagadi District Court extended his pre-trial detention for a further three months.

Legal accusations:

5. On 14 March 2025, the Investigation Department of the Prosecutor General's Office officially charged B. Suleymanli with the following fabricated accusations:

- legalisation of criminally obtained property, that is — the conversion or transfer of property, knowing that it has been obtained by criminal means, for the purpose of concealing the true origin of such property, or assisting an offender to evade liability; or, for the same purposes, carrying out financial transactions or other dealings involving property known to have been obtained by criminal means when committed in substantial amount under Article 193-1.3.2 of the Criminal Code;
- abuse of official powers, that is, the use by an official of his or her service authority, in connection with the performance of official duties, knowingly contrary to the interests of service, or the failure to use such authority when required by the interests of service, for the purpose of obtaining an unlawful advantage for himself or herself or for a third person, where such conduct causes significant harm to the rights and lawful interests of natural or legal persons, or to the legally protected interests of society or the state, when resulted in grave consequences or are committed for the purpose of influencing the outcome of an election (or referendum) under Article 308.2 of the Criminal Code;
- official forgery, that is, the deliberate inclusion by an official of knowingly false information in official documents or information resources, as well as the making of alterations to such documents or information resources that distort their true content, when such acts are committed for purposes of gain or other personal motives under Article 313 of the Criminal Code.

6. The trajectory of events and charges against Bashir Suleymanli indicates a clear pattern of targeting prominent civil society figures. As head of the Institute for Citizens' Rights, Suleymanli—together with Mammad Alpay, Executive Director of the Election Monitoring Alliance; Asaf Ahmadov, Chair of the Ganja Regional Community Centre; social worker Zamin Zaki; Hafiz Hasanov, Chair of the Law and Development Public Union; and Khalid Aghaliyev, Coordinator of the Media Law Institute—was linked and framed in a similar “NGO case” for the alleged legalisation of large amounts of property obtained through criminal means, abuse of official powers causing serious consequences, and forgery in office.³

Legal status of the remand prisoner:

7. B. Suleymanli is a remand prisoner. On 14 March 2025, the Baku Binagadi District Court issued an arrest warrant and ordered his pre-trial detention. On 19 March 2025, the Baku Court of Appeal upheld that decision. On 9 July 2025, the Baku Binagadi District Court extended his pre-trial detention for a further three months. He remains in pre-trial detention and is currently awaiting trial.

Legal proceedings:

8. Bashir Suleymanli was detained on 14 March 2025 by the Investigation Department of the Prosecutor General's Office. On the same day, the Baku Binagadi District Court ordered his pre-trial detention for a period of three months and twenty-eight days, citing the gravity of the offences and the risk of his absconding or obstructing the investigation. He appealed the decision, but the Baku Court of Appeal upheld the ruling of the lower court. Subsequently, on 9 July 2025, the Baku Binagadi District Court extended his pre-trial detention for a further three months pending trial.

LEGAL ANALYSIS

Reasons why Bashir Suleymanli should be regarded as a political prisoner:

9. Assessment of whether B. Suleymanli 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)⁴. The legal proceedings against and conviction of B. Suleymanli satisfy two criteria established by the paragraph. 3 of the Resolution for defining political prisoners ((a) and (e)):

(a) Bashir'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.

10. The European Court of Human Rights' jurisprudence on Article 18 of the European Convention on Human Rights (ECHR), which prohibits restrictions on rights for improper purposes, reinforces this analysis. The following considerations, based on the quadripartite test, should be emphasised in the overall assessment of the totality of circumstances in the general contextual evaluation of the case (*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.

Bashir Suleymanli's public profile:

11. The set of circumstances manifestly reveals that Bashir Suleymanli is a distinguished Azerbaijani human rights defender and civic leader whose work has been dedicated to promoting democratic participation, civic freedoms, and the rule of law. As the chairperson of the Institute for Citizens' Rights, he has been a visible figure in Azerbaijan's pro-democracy movement, engaging in domestic and international advocacy on the right to free and fair elections, the rule of law, and the defence of politically persecuted individuals. He was also a co-founder and Executive Director of the Election Monitoring and Democracy Studies Centre (EMDSC) and has already been targeted for his work on election monitoring, legal empowerment, and civic education.
12. In May 2014, following an unfair trial, he was sentenced to three and a half years' imprisonment on politically motivated charges, including embezzlement, illegal business activities, tax evasion, abuse of authority, and forgery—charges linked to his organisation's election monitoring work. He was released in March 2015 after receiving a presidential pardon.
13. In December 2021, the European Court of Human Rights ruled in *Election Monitoring Centre and Others v. Azerbaijan* that the dissolution of the EMDSC and refusal to register it were violations of the applicants' rights under the Convention, affirming that the organisation was targeted for its civic engagement and critical oversight of the electoral process.
14. Returning to public service, Suleymanli continued civic activism until March 2025, when he was arrested again on charges of official forgery, abuse of power, and large-scale legalisation of property obtained through criminal means, based on alleged discrepancies in grant-related documentation.
15. His repeated prosecution—stemming from both his past and current civic activities—reflects a systemic effort to suppress voices who defend democratic accountability and transparency. Bashir Suleymanli's history of civic dedication, international recognition of violation of his rights by the ECHR, and ongoing legal harassment underscore the politically motivated nature of his persecution.
16. Azerbaijani authorities, as in 2014–2015, persist in invoking alleged financial crimes as a pretext to persecute members of civil society.⁵

The sequence of events:

17. Bashir Suleymanli was detained on 14 March 2025 by the Investigation Department of the Prosecutor General's Office. On the same day, the Baku Binagadi District Court issued an arrest warrant, keeping him in pre-trial detention for 3 months and 28 days, citing the gravity of the offences and the risk of him absconding or obstructing the investigation. He appealed the decision, but the Baku Court of Appeals kept the decision of the lower court in force. Subsequently, on 09 July 2025, the Baku Binagadi District Court extended his pre-trial detention for another 3 months until trial.
18. Suleymanli's ongoing pre-trial detention, ordered by the Binagadi District Court on 14 March 2025, exemplifies the misuse of detention measures to restrict civic space in Azerbaijan. The court authorised almost four months of deprivation of liberty based on allegations of large-scale money laundering, abuse of official powers, and official forgery, yet the decision provides no specific, independently verifiable evidence linking Suleymanli to any criminal conduct. Instead, it recites the wording of the Criminal Procedure Code and reproduces generic assertions by the investigative authorities about potential interference with the investigation, without demonstrating why less restrictive measures would be inadequate. The ruling does not assess the credibility of the alleged facts, the proportionality of detention, or the absence of concrete risks, thereby failing to meet both domestic legal requirements under Articles 155–158 of the Criminal Procedure Code and international fair trial standards under Article 5 of the European Convention on Human Rights. His detention, in the absence of compelling justification, constitutes an arbitrary restriction on liberty and reflects a broader pattern of using unsubstantiated financial crime accusations to incapacitate independent civic actors before trial.
19. His prosecution forms part of a broader pattern of politically motivated targeting of independent civil society leaders and human rights defenders in Azerbaijan. His case unfolded in the same climate of intensifying restrictions on civil society following the enactment of the restrictive^{6,7} 2021 Law on Media and the 2022 Law on Political Parties. The Venice Commission of the Council of Europe criticised both laws for being restrictive,. Nevertheless, both Acts are valid and enforceable.

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

20. The investigation in Bashir Suleymanli's case has been characterised by significant procedural deficiencies and a reliance on evidence of questionable probative value. The prosecution's allegations—large-scale legalisation of criminally obtained property, abuse of official powers, and official forgery—rest almost entirely on assertions by the investigative authorities concerning the administration of foreign grants and the execution of project-related contracts. The detention order does not identify specific, independently verifiable evidence demonstrating criminal intent or unlawful enrichment, nor does it provide concrete proof that the alleged transactions were fraudulent. No independent financial audit or expert accounting analysis was conducted to assess the legitimacy of the contracts, the origin of funds, or the expenditure patterns. The reasoning of the court in authorising pre-trial detention largely reproduces the generic language of the Criminal Procedure Code and the prosecution's untested claims, without addressing the necessity or proportionality of detention, or the availability of less restrictive alternatives.

Because the case has not yet proceeded to trial, the court has thus far considered only the prosecution's detention application, which relied on speculative risks of interference with the investigation, unsupported by specific factual circumstances. The defence's objections—pointing to the absence of material evidence, the lack of independent expert assessment, and the political context of the case—were summarily dismissed without substantive engagement. No meaningful steps have been taken to corroborate the prosecution's claims through independent means or to explore alternative explanations for the alleged financial transactions. By accepting unverified allegations as sufficient grounds for extended deprivation of liberty, the court has undermined the presumption of innocence at the pre-trial stage, raising serious concerns about the fairness and impartiality of the proceedings to come.

The authorities' conduct:

21. From the outset, the authorities failed to guarantee Suleymanli's fundamental procedural safeguards. He was detained on 14 March 2025 pursuant to a closed hearing, without the presentation of specific, verifiable evidence justifying his pre-trial detention. The decision relied on generic references to possible risks of absconding or obstructing justice, without demonstrating why these risks could not be mitigated by less restrictive measures. The prosecution's case is based almost entirely on the investigative body's interpretation of financial documents and grant arrangements, with no independent verification. Suleymanli has consistently denied the charges and maintained that his NGO activities and related financial dealings were lawful and transparent, yet these explanations were not meaningfully addressed by the court. By disregarding the need to test the credibility of the prosecution's claims, to examine the provenance and legality of the transactions through independent audit, or to consider alternative measures short of detention, the court effectively shifted the burden of proof onto the defence. These circumstances strongly indicate that Suleymanli's detention serves to incapacitate a prominent civic leader rather than to secure the impartial administration of justice.

Additional considerations:

22. Finally, international human rights observers, including Amnesty International⁸ and Human Rights Watch⁹ have denounced the charges against B. Suleymanli as politically motivated.

CONCLUSION

23. The personal factors (Bashir Suleymanli's public profile, the absence of convincing evidence, and the consistent violation of procedural rights) and the contextual factors (the new wave of political repression) cumulatively indicate reasonable grounds to believe that Bashir Suleymanli should be considered a political prisoner in light of Resolution 1900 (2012) of the Parliamentary Assembly of the Council of Europe (PACE).

RECOMMENDATION

24. Based on this conclusion, he should be released unconditionally and immediately. Furthermore, Bashir Suleymanli should be compensated restitutio in integrum.

¹ ‘Bashir Suleymanli’ (Demand Rights at COP, 2024) <https://www.demandrightsatcop.org/bashir-suleymanli>

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 ‘Court Extends Detention of Bashir Suleymanli and Mammad Alpay’ (Abzas Media, 7 July 2025) <https://abzas.net/en/2025/7/court-extends-detention-of-civ1c47a46f-8/>.

⁴ 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

⁵ Nijat Mammadbayli, ‘From Reactive Oppression to Codified Authoritarianism’ (Baku Research Institute, 2 May 2023) <https://bakuresearchinstitute.org/en/from-reactive-oppression-to-codified-authoritarianism/>.

⁶ 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)

⁷ 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>

⁸ Amnesty International, Public Statement: Azerbaijan—Academics Dealt Long Prison Sentences on Spurious Charges (Amnesty International, 23 June 2025) <https://www.amnesty.org/en/wp-content/uploads/2025/05/IOR4093252025ENGLISH.pdf>

⁹ ‘Azerbaijan: Uses Old Criminal Case to Ramp Up Repression’ (Human Rights Watch, 29 April 2025) <https://www.hrw.org/news/2025/04/29/azerbaijan-uses-old-criminal-case-ramp-repression>.

