

KHAYALA AGHAYEVA



FACTS

Personal data:

1. Khayala Aghayeva (DOB: 18.01.1997) is an Azerbaijani independent journalist and women's rights activist. She has been a reporter for Meydan TV since 2015 and experienced detentions and interference with her reporting while covering protests and other politically sensitive events during her work period. She was arrested on 6 December 2024 in the context of the criminal case publicly known as the "Meydan TV case". Since her arrest¹, international press-freedom and human-rights organizations have treated her detention as part of a politically motivated crackdown on independent media and have called for her release, and she is widely regarded as a political prisoner by observers monitoring the case. Her arrest is part of a broader crackdown on civil society and independent media that escalated in the autumn of 2023.²

Date of detention:

2. Khayala Aghayeva was detained on 6 December 2024 by the Baku Metropolitan General Police Department (BMGPD) in connection with the criminal case known publicly as the "Meydan TV case".

Legal accusations:

3. On 06 December 2024, Khayala Aghayeva was charged under Article 206.3.2 of the Criminal Code (conspiracy to commit bulk cash smuggling) and remanded in custody by the Khatai District Court. Her case is being prosecuted under what has become known as the "Meydan TV case."
4. On 28 August 2025, the investigative authorities requalified the accusations and announced following additional charges:

¹ Committee to Protect Journalists, 'Azerbaijani authorities detain at least 6 journalists on currency smuggling charges' (Committee to Protect Journalists, 7 December 2024) <https://cpj.org/2024/12/azerbaijani-authorities-detain-at-least-6-journalists-on-currency-smuggling-charges/> accessed 7 January 2026the.

² European Parliament, 'Resolution on the crackdown on independent media in Azerbaijan, notably the case of Abzas Media' (2024) P9_TA(2024)0074

- Conspiracy to commit illegal entrepreneurship in the form of an organized criminal group and an aggravated and significant amount (Article 192.3.2 of the Azerbaijani Criminal Code),
- Conspiracy to commit money laundering in the form of an organized criminal group and a substantial amount (Articles 193-1.3.1 and 193-1.3.2 of the Azerbaijani Criminal Code),
- Conspiracy to commit bulk cash smuggling in the form of an organized criminal group (Article 206.4 of the Azerbaijani Criminal Code),
- Conspiracy to commit tax evasion in the form of an organized criminal group (Article 213.2.1 of the Azerbaijani Criminal Code),
- Forgery and the use of forged documents (Articles 320.1 and 320.2 of the Azerbaijani Criminal Code).

Legal status of the remand prisoner:

5. Khayala Aghayeva is in pre-trial detention and a remand prisoner. Despite numerous appeals to release her during the trial period, the Court kept her in custody. At the time of writing, her case is pending before the Baku Assize Court together with other defendants in the “Meydan TV case”.

Legal proceedings:

6. On 6 December 2024, Khayala Aghayeva was detained in Baku in connection with the criminal case publicly known as the “Meydan TV case.”
7. Public reporting indicates that, during the initial operation, law-enforcement authorities carried out home searches of detained journalists and seized personal and work-related items/equipment, with detainees taken into custody in the framework of the Baku city police operation.
8. On 8 December 2024, the Khatai District Court ordered four months’ pre-trial detention for Khayala Aghayeva and other detained Meydan TV journalists on the initial accusation under Article 206.3.2.
9. On 14 March 2025, the Khatai District Court extended Khayala Aghayeva’s pre-trial detention until 6 July 2025.
10. On 24 June 2025, the Khatai District Court further extended the pre-trial detention of the journalists involved in the “Meydan TV case” by three months, including Khayala Aghayeva.
11. On 12 December 2025, the consolidated trial in the “Meydan TV case” began before the Baku Assize Court, with Khayala Aghayeva listed among the defendants.

LEGAL ANALYSIS

Reasons why Khayala Aghayeva should be regarded as a political prisoner:

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

(a) Her detention and imprisonment violate her fundamental rights under the European Convention on Human Rights, particularly freedom of expression and the right to freedom of association.

(e) The political motives (ulterior motives) were sole and predominant in pursuing and conducting unfair criminal proceedings against her, which caused preliminary detention and imprisonment.

13. 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 emphasised in this totality assessment in the general contextual evaluation of a distinct state of affairs (*mutatis mutandis*, *Ibrahimov and Mammadov v. Azerbaijan*, 2020, §§ 113-131):

- 1) The prisoner’s public profile;
- 2) The sequence of the events;
- 3) The manner in which the investigations and trial were carried out;
- 4) The authorities’ conduct.

Khayala Aghayeva’s public profile:

14. Khayala Aghayeva is a well-known independent journalist and women’s rights activist in Azerbaijan, recognized primarily for sustained reporting on politically sensitive issues, including protests, civic mobilization, and alleged rights violations. Public sources identify her as a Meydan TV reporter (with reporting that she has worked with the outlet for many years) and note that she has repeatedly faced interference and short-term detentions while covering public demonstrations and other sensitive events. Her visibility in the independent media sphere and in rights-related reporting situates her among the journalists most exposed to retaliatory targeting in the context of tightened restrictions on expression and assembly.

15. From the outset and the circumstances of the criminal case, including the broader official narrative surrounding the “Meydan TV case,” the prosecution appears consistent with a pattern of targeting independent journalism by reframing media work and professional networks as financial or foreign-funding criminality. In this context, Khayala Aghayeva’s public profile provides reasonable grounds to believe she was targeted not for genuine criminal conduct, but because of her journalistic activity and her visibility as a persistent reporter on politically sensitive developments at a time of intensified pressure on independent media since 2023.

Sequence of events and contextual factors:

16. Khayala Aghayeva’s arrest is part of a larger, coordinated campaign against independent journalism in Azerbaijan, in which journalists and media workers have been detained on a strikingly repetitive set of financial accusations (notably currency smuggling and related offences). This uniformity, and the way charges and detention measures have been applied across different media cases, strongly suggests a state-driven strategy to criminalize independent journalism 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. The proto-repression began in the last quarter of 2022. In December 2022, civic activist Bakhtiyar Hajiyevev was arrested.³ 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.⁴

18. In July 2023, politician and economist Gubad Ibadoglu was detained.⁵ In August 2023, pro-government media organized a smear campaign against peace activists protesting military operations in Nagorno-Karabakh.⁶ 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.⁷

19. 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.⁸ 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.

20. In April 2024, Imran Aliyev, the head of the Meclis.info portal monitoring the parliament, was detained.⁹ 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).¹⁰ 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 Abilov¹¹, 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 Samadov¹² 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.

21. Repression further continued against independent media through the Meydan TV case:¹³ Human Rights Watch reported that the authorities' investigation was directed at the outlet and that its staff were placed in pre-trial detention beginning in December 2024 (Khayala Aghayeva was among the first individuals arrested), with later arrests incorporated into the same proceedings, culminating in a consolidated trial that opened in December 2025. Finally, repression widened to formal opposition politics in late 2025, when Ali Karimli¹⁴, 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.

22. This process was preceded by restrictive legislation: the Law on Media (2021)¹⁵ and the Law on Political Parties (2022)¹⁶. 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.

23. 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.

Manner in which the investigation and detention measures were carried out:

24. The investigative authorities acted in bad faith in Khayala Aghayeva's case and systematically circumvented procedural safeguards. As reflected in the indictment, the prosecution is anchored in broadly framed operational-search assertions and police-controlled investigative measures carried out during the initial December 2024 operation against Meydan TV-linked journalists.
25. These elements, taken together with contemporaneous reporting of coercive questioning practices and constraints on legal defense, indicate an investigation structured around custodial control and selective evidentiary framing rather than adversarially testable proof. According to the indictment's narrative, law-enforcement bodies acted on unspecified operational information/data suggesting that persons linked (in the authorities' framing) to Meydan TV were involved in transporting undeclared foreign currency into Azerbaijan and coordinating its handling.
26. However, neither the source nor the method of obtaining this information is disclosed in a way that would enable meaningful scrutiny: the indictment does not clarify whether the operational information derived from surveillance, witness testimony, an informant, or other methods, nor does it provide reliability indicators. This is legally significant because it undermines foreseeability and challengeability of the basis used to justify detention and prosecution (*mutatis mutandis*, *Ibrahimov and Mammadov v Azerbaijan* (2020) §§ 119–120).
27. The indictment identifies the initiating tangible evidentiary episode as a police-controlled operational interception on 6 December 2024 at Heydar Aliyev International Airport, where 38,000 EUR was allegedly discovered in the luggage of another defendant (Ramin Jabrayilzade/Deko) immediately after border entry. On the same date, Khayala Aghayeva and other journalists were detained and charged under Article 206.3.2. In substantive terms, the case architecture raises concerns that liability is extended outward from a seizure attributed to another individual into an associative group narrative, without the indictment (as publicly reflected) demonstrating individualized conduct by Khayala Aghayeva satisfying the elements of bulk-cash smuggling.
28. Public reporting further raises concerns about coercion and the integrity of early-stage investigative measures. A rights-monitoring account records that Khayala Aghayeva was subjected to psychological pressure and forced to give testimony before her lawyer arrived, and that she later exercised her right to retract those initial statements once represented. This is directly relevant to the fairness of the investigative phase: obtaining testimony in the absence of counsel, under pressure, undermines the reliability of evidence and the practical effectiveness of defense rights from the outset.

29. Finally, the subsequent procedural conduct reinforces the inference of bad faith. Khayala Aghayeva's pre-trial detention was maintained through repeated extensions, applied in a group manner across the "Meydan TV case" defendants, rather than through a demonstrated, individualized assessment of the credibility of evidence and necessity of continued detention. The later escalation of the case into a wider package of financial and document-related accusations across the defendant group, reported as part of the completed investigation and trial phase, further supports the appearance of a detention-driven, consolidated prosecution strategy rather than a narrowly tailored inquiry into individual criminal responsibility.

Authorities' conduct:

30. The relevant authorities, at first, denied Khayala Aghayeva procedural safeguards. The domestic courts failed to assess criminal procedural legislation properly. Moreover, the pro-governmental media constantly published defamatory coverage about the detainee. Investigative authorities leaked personal files obtained through investigative measures to the pro-governmental media in a selective way. That led to the misuse of the personal data obtained unlawfully from the detainees in this case and for the construction of defamatory content.

Additional considerations:

31. Finally, international human rights observers, including Amnesty International and Human Rights Watch, have denounced the charges against Khayala Aghayeva and others from Meydan TV as politically motivated (see cited footnotes above).

CONCLUSION

32. The personal factors (Khayala Aghayeva's public profile, absence of convincing evidence, and constant violation of procedural rights) and contextual factors (defamatory media campaign and new wave of political repression) cumulatively indicate reasonable grounds to believe that Khayala Aghayeva 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, Khayala Aghayeva should be released unconditionally and should be compensated *restitutio in integrum*.

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- 4.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
- 5.Human Rights Watch, Azerbaijan: Free Academic Facing Bogus Charges
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- 7.Eurasianet, Azerbaijan authorities smash unionization efforts for gig workers
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- 8.Amnesty International, Azerbaijan: Seven journalists sentenced in latest shocking crackdown on free speech
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- 9.Council of Europe, Safety Of Journalists — FOM Alert
<https://fom.coe.int/en/alerte/detail/107640886> accessed 28 August 2025
- 10.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
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<https://www.hrw.org/news/2024/08/30/azerbaijan-escalating-crackdown-critics> accessed 7 January 2026.
- 13.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.
- 14.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.
- 15.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)
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