

MUTALLIM ORUJOV



FACTS

Personal data:

1. Mutallim Orujov (DOB: 20.07.1969) is an Azerbaijani citizen and an Azərbaycan Xalq Cəbhəsi Partiyası/Popular Front Party of Azerbaijan (hereafter AXCP/PFPA) member since 2009. He emigrated to Germany in 2016 (together with two sons), remained politically active and outspoken online while abroad, and was repatriated to Azerbaijan on 1 June 2021.
2. He was detained on 23 October 2021 in the Guba district and charged with illegal acquisition/possession/transportation of narcotics/psychotropic substances with intent to sell, involving a large quantity.¹
3. Orujov has denied the charges throughout, alleging narcotics were planted and that incriminating statements were obtained under coercion; he links the prosecution to his opposition profile and political activity in Germany. The case is discussed in the defence record as part of a broader pattern of narcotics prosecutions against opposition-affiliated individuals deported/returned from Germany. The allegations against M. Orujov 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 23.10.2021, Mutallim Orujov was detained in Guba district during an operational measure conducted by officers of the Ministry of Internal Affairs' Main Department for Combating Drugs and was taken to the Guba District Police Department, where a personal search was conducted and narcotics were allegedly seized; on 24.10.2021, by decision of the Narimanov District Court in Baku, a four-month pre-trial detention measure was imposed on him.

Legal accusations:

5. Following his detention on 23.10.2021, the investigating authorities opened a criminal case against Mutallim Orujov and charged him with the following bogus accusation:

a. illegal acquisition/possession/transportation of narcotic drugs or psychotropic substances with intent to sell, committed in large quantity under Article 234.4.3 of the Criminal Code;

6. His case has been publicly discussed as part of the commonly described deported/returned from Germany drug-case pattern, in which opposition-affiliated returnees (or government critics active online/abroad) are prosecuted shortly after return under Article 234.4.3 on alleged trafficking/intent-to-sell grounds. Human Rights Watch³ explicitly references spurious drug charges against several deportees from Germany and names Mutallim Orujov alongside Malik Rzayev, Punhan Karimli, and Jafar Mirzayev as examples.

Legal status of the remand prisoner:

7. Mutallim Orujov is a convicted prisoner. On 21 October 2022, the Sumgayit Assize Court found him guilty under Article 234.4.3 of the Criminal Code and sentenced him to 7 years' imprisonment.

8. He appealed, and on 1 March 2023, the Sumgayit Court of Appeal dismissed the appeal and upheld the first-instance judgment. On 1 February 2024, the Supreme Court of the Republic of Azerbaijan dismissed the cassation complaint and left the appellate decision unchanged, thereby keeping the 7-year sentence in force.

Legal proceedings:

9. On 23.10.2021, Mutallim Orujov was detained in the Guba district during a police operation and taken to the Guba District Police Department, where a personal search and alleged seizure were carried out; on 24.10.2021, the Narimanov District Court in Baku imposed on him a four-month pre-trial detention.

10. The first-instance proceedings concluded on 21.10.2022, when the Sumgayit Assize Court convicted Orujov under Article 234.4.3 and sentenced him to 7 years' imprisonment.

11. Orujov appealed, and on 01.03.2023, the Sumgayit Court of Appeal dismissed the appeal and upheld the first-instance judgment. He then lodged a cassation complaint, and on 01.02.2024, the Supreme Court of the Republic of Azerbaijan dismissed the cassation and left the appellate decision unchanged, keeping the 7-year sentence in force.
12. The courts' reasoning, repeated verbatim at cassation, relied overwhelmingly on police- and prosecution-generated materials. The judgments treated this one-sided evidentiary package as presumptively reliable, with no meaningful sceptical scrutiny of how it was produced or whether it could have been manipulated.
13. Although Orujov denied guilt and alleged coercion/ill-treatment and pressured statements, the appellate and cassation decisions effectively deflected the complaint by pointing to a prosecutor's refusal to open a criminal case and stressing that the refusal was not judicially challenged, rather than ensuring an independent, adversarial examination capable of testing the credibility of the search-and-seizure narrative and the integrity of the confession evidence.

LEGAL ANALYSIS

Reasons why Mutallim Orujov should be regarded as a political prisoner:

14. Assessment of whether M. Orujov 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 M. Orujov satisfy two criteria established by the paragraph. 3 of the Resolution for defining political prisoners ((a) and (e)):

(a) Mutallim'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 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):

- The prisoner's public profile;
- The sequence of the events;
- The manner in which the investigations and trial were carried out;
- The authorities' conduct.

Mutallim Orujov's public profile:

16. The circumstances indicate that Mutallim Orujov is an opposition-aligned Azerbaijani citizen whose political engagement is reflected in long-term AXCP/PFPA membership (since 2009), domestic participation in opposition life, and continued online political expression while living in Germany. Case materials record that he emigrated in 2016 after sustained pressure (including interference with his small business), remained politically active on social media during his residence abroad, and was deported to Azerbaijan on 1 June 2021, after which he linked subsequent police attention and prosecution to his political stance and activity in Germany.
17. Orujov is also publicly discussed as one of several opposition-affiliated returnees/deportees from Germany who were arrested soon after return under the same serious narcotics provision, reinforcing the observable enforcement pattern that individuals do not need to be prominent leaders to be targeted: party membership, diaspora visibility, and sustained criticism have been treated as sufficient risk factors. This cluster has been reported in regional and international media and includes (among others) Malik Rzayev, Punhan Karimli, and Jafar Mirzayev, alongside Orujov.
18. From the outset and in the broader context surrounding narcotics prosecutions of opposition-leaning returnees, Orujov's case appears consistent with a pattern in which political expression and opposition-linked networks are reframed as serious criminality through standardised drug allegations under Article 234.4.3. Orujov has consistently denied any genuine link to narcotics and has alleged that he was subjected to coercion/ill-treatment and threatened in custody; he maintains that the prosecution is retaliation for his political activity and visibility (including abroad).

19. The repeated deployment of large-quantity / intent-to-sell drug charges against multiple Germany-returnee activists supports a reasonable inference that these proceedings served a deterrent and punitive political function: discouraging diaspora mobilisation, penalising online dissent, and signalling that even ordinary opposition affiliation or participation in protest activity abroad can trigger severe criminal consequences on return.

The sequence of events:

20. Mutallim Orujov'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. This uniformity, and the way charges and detention measures have been applied across multiple similar cases, strongly suggests a state-driven strategy to criminalise 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.
21. 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.
22. 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
23. In July 2023, politician and economist Gubad Ibadoglu was detained.⁷ In August 2023, pro-government media organised 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

24. 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 organisation and the arrest of several individuals represented in those institutions.
25. 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 paralyse 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.
26. Repression further continued against independent media through the Meydan TV case:¹⁵ 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 Karimli¹⁶, 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.
27. This process was preceded by restrictive legislation: the Law on Media (2021)¹⁷ and the Law on Political Parties (2022)¹⁸. Both laws were criticised 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.
28. 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:

29. The investigative and judicial approach in Mutallim Orujov's case reflects a prosecution-centric, outcome-oriented method: the authorities relied on a familiar "drug-case" evidentiary bundle (opaque operational intelligence, a police-controlled search/seizure, police testimony, and state expert reports) while neutralising defence efforts to subject the decisive steps to meaningful adversarial testing.
30. On the courts' own narrative, the case was triggered by unidentified so-called operational information alleging that Orujov was engaged in large-quantity narcotics activity, followed by an operational-search decision dated 22.10.2021 that was later declared lawful by a Guba District Court decision dated 26.10.2021. Yet the provenance, content, and reliability of that information remain essentially unexaminable from the record as reflected in the judgments, no source, method (surveillance/informant/controlled purchase), or verifiable predicate is disclosed, while it nonetheless operates as the gateway justification for coercive measures.
31. The pivotal evidentiary event, the alleged discovery of 7.812 g of heroin, was generated under exclusive police control. Orujov was detained on 23.10.2021 in the Guba district and taken to the Guba District Police Department, where a personal search and seizure were conducted inside police premises and recorded on video. The courts then accepted, largely at face value, the police-authored protocol/video narrative that drugs were found in his jacket pocket after he was already under police custody, a structural set-up that heightens integrity risks and required heightened judicial scepticism that is not apparent in the reasoning.
32. The prosecution's case and the courts' conclusions rested heavily on police testimony and state expert reports, supplemented by reliance on Orujov's initial incriminating account (later retracted) about obtaining heroin from an Iranian contact. The forensic-chemical report establishes the substance identity/weight; it does not, by its nature, prove lawful seizure, exclude planting, or establish voluntariness of statements. Nonetheless, the first-instance court inferred intent to sell primarily from the quantity itself and treated the state-produced package as dispositive, rather than rigorously testing contested circumstances and defence explanations.
33. The handling of coercion/ill-treatment allegations further reinforces an inference of bias. Orujov consistently alleged intimidation, humiliation and physical/psychological pressure, and asserted that incriminating statements were extracted under duress; yet the appellate and cassation materials indicate these claims were effectively disposed of by pointing to a prosecutorial refusal to open a criminal case and noting that refusal was not pursued through judicial review. This is an approach that functionally substitutes official denials and internal file outcomes for an independent, adversarial verification capable of testing the integrity of the search narrative and the confession evidence.

The authorities' conduct:

34. The relevant authorities, at the outset, failed to ensure effective procedural safeguards in Mutallim Orujov's case. The domestic courts adopted a formalistic approach to criminal procedure, endorsing investigative and detention measures without meaningful scrutiny and rejecting defence motions without substantive reasoning. Allegations of pressure and ill-treatment raised by Orujov were dismissed through reference to official denials rather than through any demonstrably independent or effective inquiry.

Additional considerations:

35. Finally, international human rights observers such as Human Rights Watch¹⁹ have denounced the charges against Mutallim Orujov as politically motivated.

CONCLUSION

36. The personal factors (Mutallim Orujov'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 Mutallim Orujov should be considered a political prisoner in light of Resolution 1900 (2012) of the Parliamentary Assembly of the Council of Europe (PACE).

RECOMMENDATION

37. Based on this conclusion, Mutallim Orujov should be released unconditionally and immediately. Furthermore, he should be compensated *restitutio in integrum*.

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