

# Azerbaijani human rights lawyers who have been disbarred, suspended or criminally prosecuted

Compiled by the European Human Rights Advocacy Centre (EHRAC) on the basis of publicly available reports from international human rights organisations and information from partner lawyers in Azerbaijan

## Contents

A. Disbarment, suspension, and other disciplinary action against human rights lawyers .....	2
1. Javid Javadov (punished with a reprimand).....	3
2. Shahla Humbatova (license suspended, disbarment request pending).....	3
3. Yalchin Imanov (punished with a reprimand).....	3
4. Elchin Sadigov (punished with a reprimand).....	3
5. Irada Javadova (disbarment request pending) .....	4
6. Nemat Kerimli, Asabali Mustafayev (licences suspended for one year).....	4
7. Fakhraddin Mehdiyev (licence suspended for one year) .....	5
8. Agil Layic (licence suspended for 6 months) .....	5
9. Farhad Mehdiyev (disbarred) .....	6
10. Shafiga Naghiyeva (licence suspended for six months) .....	6
11. Muzaffar Bakhishov (disbarred) .....	6
12. Alayif Hasanov (disbarred) .....	7
13. Khalid Baghirov (disbarred, also suspended in 2011) .....	7
14. Aslan Ismayilov (disbarred) .....	8
15. Afgan Mammadov (disbarred).....	8
16. Elchin Namazov (disbarred) .....	8
17. Osman Kazimov (disbarred) .....	9
18. Namizad Safarov, Hidayat Suleymanov and Latifa Aliyeva (disbarred).....	9
19. Intigam Aliyev and Annagi Hajibeyli (denied admission to reorganised Bar).....	9
B. Criminal prosecution of human rights lawyers.....	10
20. Intigam Aliyev (conditionally released in April 2016, travel ban imposed).....	10
21. Alayif Hasanov .....	11
22. Gurban Mammadov .....	11

## A. Disbarment, suspension, and other disciplinary action against human rights lawyers 2020

### *1. Javad Javadov (punished with a reprimand)*



On 9 June 2020 lawyer Javad Javadov shared information on social media about the alleged physical ill-treatment of his client Mr. Kerim Suleymanli in police custody. Following this, the Azerbaijan Bar Association (ABA) issued Mr. Javadov with a warning. He had previously visited his client in detention. Mr. Suleymanli informed Mr. Javadov about the ill-treatment and showed him injuries on his body. Mr Javadov took photographs and later shared them on social media. In a press release issued on 11 June 2020, the ABA alleged that the distribution of such information caused the public to form an erroneous opinion about

the events, and that Mr. Javadov therefore violated the Law on Lawyers and Lawyers' Activities and the Regulations on the Rules of Conduct of Lawyers. Mr Javadov was also warned by the ABA that serious measures will be taken if such actions continue in the future.[1]

Mr. Suleymanli is a Baku resident who was arrested as part of a police raid on 8 June 2020 in a neighbourhood that had been protesting the strict quarantine measures imposed by the authorities because of the COVID-19 pandemic. The detained citizens the events, reported being forcefully taken from their homes early in the morning and without any prior warning. They have claimed that such disproportionate police violence was unnecessary. The individuals were all sentenced to 10 to 30 days of administrative detention on charges of disobeying police orders.

[1] <https://barassociation.az/news/580>

2019

## *2. Shahla Humatova (license suspended, disbarment request pending)*



On 27 November 2019, the ABA made a decision to suspend the licence of Azerbaijani human rights lawyer Shahla Humatova and to seek her disbarment from the court on the basis of a complaint from a past client and the alleged failure to pay several months of Bar membership fees.[2] Humatova dismisses the accusations from her client and considers such ABA measures disproportionate and retaliatory for her human rights defence work.

Ms. Humatova acted as a defence lawyer in the case known as the ‘Ganja case’ relating to an attempted assassination of Ganja’s mayor, which led to arrest and detention of dozens of individuals who alleged being ill-treated in detention.[3] Earlier in 2019, the ABA threatened Humatova with disciplinary proceedings after the Azerbaijani penitentiary service filed a complaint against her for spreading allegedly false information after she spoke publicly about the hunger strike and the poor health condition of her client, the then-political prisoner and blogger Mehman Huseynov in January 2019.[4]

## *3. Yalchin Imanov (disbarred)*



A member of the Azerbaijan Bar Association (ABA) since 2007, Yalchin Imanov is a human rights lawyer in Azerbaijan, who has taken on high-profile and politically-sensitive cases, especially those involving human rights defenders and political prisoners. On 8 August 2017, after having visited his client Abbas Huseynov who informed him about having being tortured by the prison officials for several days, and having witnessed injuries to the client’s body himself, Mr. Imanov provided information about the torture

allegations to the local media and appealed to the relevant state institutions for investigation. The next day, the Penitentiary Service appealed to the ABA asking for Mr. Imanov to be disbarred, claiming that he had defamed the prison officials and damaged the reputation of the law enforcement agencies. On 20 November 2017, the ABA adopted a decision to seek his disbarment from a court. On 22 February 2019, Mr. Imanov was indefinitely disbarred by the Ganja Administrative Economic Court.[5] In July 2019, he submitted a complaint to the European Court of Human Rights.

---

[2] [Open Letter to the Presidium of the Azerbaijani Bar Association by human rights organisations on 4 December 2019 available here <https://crd.org/2019/12/04/open-letter-to-the-presidium-of-the-azerbaijani-bar-association/>

[3] International Partnership for Human Rights, ‘New Report: Azerbaijani government crackdown in Ganja’, 29 January 2020, <https://www.iphronline.org/new-report-on-azerbaijani-government-crackdown-in-ganja.html>

[4] Open Letter to the Presidium . . .

[5] Human Rights Watch, ‘Lawyer Disbarred in Azerbaijan After Filing Torture Complaint’, 27

November 2017 <https://www.hrw.org/news/2017/11/27/lawyer-disbarred-azerbaijan-after-filing-torture-complaint>; Human Rights House Foundation, *Bias and disbarment leave handful of lawyers to take sensitive cases*, 26 February 2019 <https://humanrightshouse.org/articles/bias-and-disbarment-leave-handful-of-lawyers-to-take-sensitive-cases>

#### *4. Elchin Sadigov (punished with a reprimand)<sup>2</sup>*



On 5 September 2018, the Prosecutor General's Office discharged Elchin Sadigov from the criminal proceedings in which he was the defence counsel for Yunus Safarov and complained to the ABA, claiming that he proposed that his client falsely complain that the investigative authorities tortured him. According to Mr. Sadigov, the Prosecutor General's Office formal complaint referred only to the confidential conversation between the lawyer and his client during their meeting while the client was in detention. During the disciplinary proceedings, however, the allegations relating to lawyer Mr. Sadigov illegally urging his client to claim that he was tortured were no longer based on confidential lawyer-client communication, but rather on a letter allegedly drafted by the client himself. The initial complaint by the Prosecution did not mention any letter submitted by client against his lawyer Mr. Sadigov.

On 25 February 2019, the ABA decided to punish Mr. Sadigov with a reprimand.<sup>[6]</sup> It did not consider the photos and videos published online after Mr. Safarov's arrest, which revealed clear and multiple signs of severe beatings and torture, or his mother's claim that her son was tortured for more than 25 days in detention.

### **2018**

#### *5. Irada Javadova (disbarment request pending)*

Irada Javadova is a human rights lawyer who was involved in many resonant cases, including numerous violations of citizens' property rights and protection of political activists and human rights defenders. She is the former head of NGO "Human Rights Education" and has been a member of the ABA for the last 13 years and served as a member of the ABA Presidium from 2012 to 2017. In 2017, Ms. Javadova was the only member of the ABA Presidium to vote against the disbarment of human rights lawyer Yalchin Imanov (see his case description above).

On 11 June 2018, the ABA Presidium made a decision to seek for her disbarment on the basis of a complaint from her client who allegedly stated that Ms. Javadova wrote a public letter about her case without her consent and without having a notarised power of attorney, and requested that the ABA take action against the human rights defender. Ms. Javadova has denied the allegations, stating that she had an agreement with her client and that she had legitimately defended her and acted within the law. In her letter, Ms. Javadova had raised concerns about the possible arbitrary detention of her client after having received a request from her client's mother to inquire about the whereabouts of her daughter. She had submitted the agreement with the complainant to the ABA, but the ABA expressed doubts about the authenticity of the client's signature. On 14 June 2018, Ms. Javadova appealed the Presidium's decision to disbar her. Her case is till pending before the first instance court.

---

[6] <https://www.nhc.nl/statement-in-support-of-azerbaijani-human-rights-lawyer-elchin-sadigov/>

### *6. Nemat Kerimli and Asabali Mustafayev (licences suspended for one year)*



On 23 April 2018 the ABA issued a decision to suspend the licences of Nemat Kerimli and Asabali Mustafayev for one year. Both lawyers are known for taking cases relating to politically-motivated prosecutions. The move came after the prosecutor's office lodged complaints about the lawyers' public statements concerning the politically motivated cases on which they were working.<sup>[7]</sup>

Mr. Mustafayev represented Gozel Bayramli, a political activist who was sentenced to three years' imprisonment after being found guilty of smuggling 12,000 EUR in cash across the Georgia-Azerbaijan border. Both the Prosecutor's office and the ABA failed to take into consideration that Mr. Mustafayev had not yet been appointed as Ms. Bayramli's defence lawyer when he made the statement about her arrest being politically motivated, and made his comment as a private individual. The second lawyer, Mr. Karimli, represented Afgan Mukhtarli – who was kidnapped in Georgia and brought across the border to Azerbaijan where he was found guilty of smuggling 10,000

EUR, illegally crossing the Georgia-Azerbaijan border and resisting police. Mr. Mukhtarli was subsequently sentenced to six years in prison.<sup>[8]</sup>

### *7. Fakhraddin Mehdiyev (licence suspended for one year)*

On 22 January 2018 the ABA issued a decision to suspend Fakhraddin Mehdiyev's licence for one year. client, Jahangir Hajiyev (former Chairman of the Board of the International Bank of Azerbaijan), to media representatives. Mr. Mehdiyev argued that this was legal as the case had already been decided at the time the interview was given.<sup>[9]</sup>

### *8. Agil Layic (licence suspended for 6 months)*

In January 2018, a disciplinary investigation was launched into the actions of lawyer Agil Layic because a petition submitted to court on behalf of Mr. Layic's client was signed by Mr. Layic and not the client himself. The investigation eventually concluded with Mr. Layic's licence being suspended for 6 months by the ABA. Mr. Layic and his client signed a written agreement in June 2017. Hence, Mr. Layic had the authority to sign and file motions without the client's signature. Moreover, the client himself had no complaint about the petition or the lawyer's signature on it.

---

<sup>7</sup> Human Rights Watch, *World Report 2019 - Azerbaijan* <https://www.hrw.org/world-report/2019/country-chapters/azerbaijan>

<sup>8</sup> International Partnership for Human Rights, *Justice under threat in Azerbaijan as Bar Association bans yet more independent lawyers*, 16 May 2018 <https://www.iphronline.org/justice-under-threat-in-azerbaijan-as-bar-association-bans-yet-more-independent-lawyers.html>

<sup>9</sup> Human Rights Watch, *World Report 2019 - Azerbaijan* (17 January 2019) <https://www.ecoi.net/en/document/2002242.html>; International Bar Association Human Rights Institute, 'IBAHR calls for Azerbaijan Bar Association to revoke suspension of human rights lawyer's licence' 22 March 2018, <https://www.ibanet.org/Article/NewDetail.aspx?ArticleUid=468F15C6-F397-43EA-8796-86583B43287E>

## 2016

### *9. Farhad Mehdiyev (disbarred)*

On 15 September 2016, Farhad Mehdiyev, a well-known law professor and advocate in Azerbaijan, was disbarred by the decision of the ABA on allegations that his membership payments to the ABA were overdue.

Mr. Mehdiyev became a member of the ABA on 5 August 2008. In 2012, he requested the ABA to temporarily suspend his membership to pursue his academic career at the Qafqaz University where he worked from 1997-2017. He authored several legal textbooks in the areas of administrative law, human rights law and the theory of law. In August 2016, he requested the ABA to restore his licence, in accordance with domestic law, and, after having passed the necessary tests, he was re-admitted to the ABA on 9 September 2016. On 15 September 2016, following an appeal by the Prosecutor's Office for Grave Crimes on the basis that Mr. Mehdiyev was subjected to criminal investigation, the ABA decided to disbar him. In 2017, he was dismissed from his work in the University by the authorities. Mr. Mehdiyev believes his disbarment and dismissal are related to his critical statements on corruption and the legal profession in the country. His disbarment case is currently pending before the European Court of Human Rights (App. No. 36057/18).

### *10. Shafiga Naghiyeva (licence suspended for six months)*

On 21 July 2016, lawyer Shafiga Naghiyeva was suspended for six months by a decision of the ABA Presidium following "multiple complaints", according to one of the members of the Presidium. She was also said to have committed "multiple violations in the legal consultation office where she works". She claims that she was not invited to the meeting of the Presidium at which her case was considered, and she only heard of her suspension from the news. Due to health issues, she was in hospital for a certain period of time, thus the decision was taken in her absence despite her allegedly valid reason for not appearing before the disciplinary body.[10]

### *11. Muzaffar Bakhishov (disbarred)*

On 1 April 2016, lawyer Muzaffar Bakhishov's licence was suspended by a decision of the ABA Presidium on the basis of the complaint of Supreme Court Judge Tatiana Goldman. His disbarment was confirmed by the Narimanov District Court in May 2016. It was alleged that Mr. Bakhishov had demonstrated "disrespect" to the judge and court staff by comments he made at a Supreme Court hearing and thereby violated professional ethics. Mr. Bakhishov denied the allegations relating the reason for the decision to an interview he gave to a news website moderator.az on 17 November in which he pointed out irregularities in the justice system and criticized the chairman of the Supreme Court Ramiz Rzayev. Mr. Bakhishov alleges that he was not properly informed of his rights at the Disciplinary Commission hearing. He said that he had access to the minutes of the relevant Supreme Court hearing for the first time only at the hearing of the Disciplinary Commission.<sup>11</sup>

## 2015

---

<sup>10</sup> International Commission of Jurists, *ICJ Mission Report 2016 'Defenceless Defenders: Systemic Problems in the Legal Profession of Azerbaijan'* (ICJ, 2016) 34 <https://www.icj.org/wp-content/uploads/2016/11/Azerbaijan-Systemic-problems-Legal-Prof-Publications-Reports-Mission-reports-2016-ENG.pdf>

<sup>11</sup> International Commission of Jurists, *ICJ Mission Report 2016 'Defenceless Defenders: Systemic Problems in the Legal Profession of Azerbaijan'* (ICJ, 2016) 35 <https://www.icj.org/wp-content/uploads/2016/11/Azerbaijan-Systemic-problems-Legal-Prof-Publications-Reports-Mission-reports-2016-ENG.pdf>

### 12. Alayif Hasanov (disbarred)



Human rights lawyer Alayif Hasanov was disbarred by the ABA on 3 July 2015 on the grounds of having a previous conviction for criminal defamation.

In 2014, he visited one of his clients – renowned human rights defender and activist Leyla Yunus – in a pre-trial detention centre where she told him about her physical and psychological harassment by a cellmate, and the authorities’ failure to protect her. As the prison management ignored his complaints, Mr. Hasanov shared the information about Leyla’s situation online, which was later republished by the media. The next day, the same cellmate sued him for referring to her as a criminal, a smoker and a recidivist, despite the fact that the latter statement was added by the media. Mr. Hasanov was convicted of libel, and was permanently disbarred in July 2016 as a result of the conviction. Following his disbarment, Mr. Hasanov is no longer able to represent Leyla Yunus, and is completely and indefinitely unable to practise as a lawyer before domestic courts in Azerbaijan.<sup>12</sup> He is awaiting judgment in his disbarment case before the European Court of Human Rights, as the proceedings were finalised in February 2019 ([Hasanov v Azerbaijan](#) (App. No. 68035/17)).

### 13. Khalid Bagirov (disbarred, also suspended in 2011)



Khalid Bagirov is a prominent human rights lawyer in Azerbaijan. On 24 August 2011, Mr. Bagirov’s licence was suspended for one year following his comments about the suspicious death of his client in police custody and his intentions to protest it.

Since the 2014 crackdown on civil society he has represented human rights defenders, activists and lawyers. Disciplinary proceedings were instituted against him following comments he made during a trial in September 2014 concerning a domestic court’s failure to implement the European Court judgment in the case of Ilgar Mammadov, an opposition activist whose arrest was found to be politically motivated by the Court. The ABA held that he had breached the ethical rules of conduct by making a remark at the court hearing about the judicial system. Mr. Bagirov is alleged to have said *“Like State, like court...If there were justice in Azerbaijan, Judge Rashid Huseynov would not deliver unfair and partial judgments, nor would an individual like him be a judge.”* The ABA lodged a request for Mr. Bagirov’s disbarment on 18 December 2014, and he was disbarred in a decision by the Nizami District Court on 10 July 2015, which was upheld on appeal.<sup>13</sup>

---

<sup>12</sup> EHRAC press release ‘Human rights lawyer Alayif Hasanov’s disbarment violates his Convention rights’, 5 December 2018, <http://ehrac.org.uk/news/alayif-hasanovs-disbarment-violates-convention>;

<sup>13</sup> EHRAC press release ‘European Court asks Azerbaijani Government to account for human rights lawyer Khalid Bagirov’s disbarment’, 24 June 2016, <http://ehrac.org.uk/news/european-court-asks-azerbaijani-government-to-account-for-human-rights-lawyer-khalid-bagirows-disbarment/>

International Commission of Jurists, *ICJ Mission Report 2016 ‘Defenceless Defenders: Systemic Problems in the Legal Profession of Azerbaijan’* (ICJ, 2016) 34 <https://www.icj.org/wp-content/uploads/2016/11/Azerbaijan-Systemic-problems-Legal-Prof-Publications-Reports-Mission-reports-2016-ENG.pdf>

In 2016, Khalid Baghirov was selected as one of the finalists for the Front Line Defenders award for Human Rights Defenders at Risk.[14]

Mr. Baghirov's complaints regarding his suspension ([App. No. 81024/12](#)) and disbarment ([App. No. 28198/15](#)) are pending judgment before the European Court of Human Rights.

## **2013**

### ***14. Aslan Ismayilov (disbarred)***

Aslan Ismayilov, a prominent lawyer and an active critic of the judicial system and the executive, was disbarred on 10 September 2013 by a decision of the Nariman District Court following the ABA decision of 8 May 2013 to refer the case to the court. The following day his law firm "Aslan and partners" was ordered to be closed down. The ground for his disbarment was a complaint by Elnur Hasanov, judge of the Sabail District Court in Baku that Mr. Ismayilov had insulted him. Earlier, he had complained about Judge Hasanov's actions to the Ministry of Justice alleging that the judge was biased.<sup>15 16</sup>

### ***15. Afgan Mammadov (disbarred)***

Afgan Mammadov has been a member of the ABA since 2007 and was the co-founder and lawyer of Law Firm No. 11 in the capital Baku. In April 2012, he publicly criticised the ABA as lacking independence from the state authorities and that its then President Azer Tagiyev had been holding his position unlawfully for several years after his five-year term expired in November 2009.<sup>17</sup> Soon after, disciplinary proceedings were initiated against him by the ABA, which decided to request his disbarment by the court on 22 May 2012. Mr. Mammadov was disbarred by the Binagadi District Court on 20 February 2013 which held that his statements were inconsistent with the principles of legal practice and advocacy ethics. His disbarment was upheld by the higher instance courts. Mr. Mammadov's complaint before the European Court of Human Rights has been under examination by the Court since 3 September 2018, and is awaiting judgment (*Mammadov v Azerbaijan*, [App. No. 43327/14](#)).

## **2011**

### ***16. Elchin Namazov (disbarred)***

Elchin Namazov is a lawyer famous for defending political opponents of the Government of Azerbaijan, including journalist Ramin Baymarov, blogger Bakhtiyar Hajiyev and the young activist Rufat Hajibeyli.<sup>18</sup>

Mr. Namazov was disbarred on 16 September 2011 on the recommendation of the ABA Presidium. The recommendation to disbar him was based on court records and the allegation by a judge who claimed that Mr. Namazov had demonstrated "disrespect" to the judge, violating ethical norms, during a trial. According to Mr. Namazov, at the meeting of the Presidium concerning his case, the Presidium only

---

<sup>14</sup> Profile of Khalid Bagirov on the website of Front Line Defenders <https://www.frontlinedefenders.org/en/profile/khalid-bagirov>

<sup>15</sup> International Commission of Jurists, *ICJ Mission Report 2016 'Defenceless Defenders: Systemic Problems in the Legal Profession of Azerbaijan'* (ICJ, 2016) 34 <https://www.icj.org/wp-content/uploads/2016/11/Azerbaijan-Systemic-problems-Legal-Prof-Publications-Reports-Mission-reports-2016-ENG.pdf>

<sup>16</sup> Lawyers for Lawyers, *Human Rights Committee Consideration of the Periodic Report of Azerbaijan: Submission on the List of Issues* (18 December 2015) 6 [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/AZE/INT\\_CCPR\\_ICO\\_AZE\\_22708\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/AZE/INT_CCPR_ICO_AZE_22708_E.pdf)

<sup>17</sup> 'Lawyer accuses the Bar Association' by Azadliq newspaper, 12 June 2012 (in Azerbaijani) <https://www.azadliq.info/17986.html>

<sup>18</sup> Worldwide movement for Human Rights, *Political Repression must stop* (24 October 2011) <https://www.fidh.org/en/region/europe-central-asia/azerbaijan/Political-Repression-must-stop>



referred to the court records and the decision sent by the judge who claimed he had “disrespected” the court, violating professional ethical standards, during the trial.[19]

### *17. Osman Kazimov (disbarred)*

Osman Kazimov, a lawyer who had represented a number of well-known political leaders, was disbarred in May 2011. Disciplinary proceedings were initiated by the ABA following a motion of the First Deputy of the Prosecutor General. The complaint against the lawyer was based on his refusal to sign the interrogation record of one of his clients due to alleged falsification of the testimony. He was accused of a procedural violation in not signing the record. He was disbarred by the ABA following a recommendation by the law enforcement bodies.[20]

## **2005**

### *18. Namizad Safarov, Hidayat Suleymanov and Latifa Aliyeva (disbarred)*

In 2005 and 2006, three members of the ABA were disbarred: Namizad Safarov, Hidayat Suleymanov and Latifa Aliyeva. The opinion of the ABA Presidium in their case referred to violations when carrying out their professional duties as reasons for their disbarment. The lawyers claimed that they were never invited to a hearing and their disbarment was conducted in a speedy and summary manner. The lawyers alleged that the true reason for their disbarment was their critical remarks about the ABA and its leadership.[21]

### *19. Intigam Aliyev and Annagi Hajibeyli (denied admission to reorganised Bar)*

In 2005, two prominent human rights lawyers Intigam Aliyev and Annagi Hajibeyli were denied re-admission to the Bar Association which was reorganised in 1999, despite the fact that the domestic law at the time provided that lawyers with a licence would undergo a simplified procedure for renewed admission. On 19 April 2018, the European Court of Human Rights found that the ABA refusal to re-admit them violated their right to freedom of expression and was based on their criticism towards the ABA ([Hajibeyli and Aliyev v Azerbaijan](#), App. nos. 6477/08 and 10414/08).

---

<sup>19</sup> International Commission of Jurists, *ICJ Mission Report 2016 'Defenceless Defenders: Systemic Problems in the Legal Profession of Azerbaijan'* (ICJ, 2016) 35 <https://www.icj.org/wp-content/uploads/2016/11/Azerbaijan-Systemic-problems-Legal-Prof-Publications-Reports-Mission-reports-2016-ENG.pdf>

<sup>20</sup> International Commission of Jurists, *ICJ Mission Report 2016 'Defenceless Defenders: Systemic Problems in the Legal Profession of Azerbaijan'* (ICJ, 2016) 34 <https://www.icj.org/wp-content/uploads/2016/11/Azerbaijan-Systemic-problems-Legal-Prof-Publications-Reports-Mission-reports-2016-ENG.pdf>; Karl Rahder, 'Azerbaijan: prominent lawyer disbarred, youth activist arrested' (Foreign Policy Association, 6 February 2011) <https://foreignpolicyblogs.com/2011/02/06/azerbaijan-opposition-lawyer-disbarred-youth-activist-arrested/>

<sup>21</sup> International Commission of Jurists, *ICJ Mission Report 2016 'Defenceless Defenders: Systemic Problems in the Legal Profession of Azerbaijan'* (ICJ, 2016) 33 <https://www.icj.org/wp-content/uploads/2016/11/Azerbaijan-Systemic-problems-Legal-Prof-Publications-Reports-Mission-reports-2016-ENG.pdf>

## B. Criminal prosecution of human rights lawyers

2014

### *20. Intigam Aliyev (conditionally released in April 2016, travel ban imposed)*



A prominent human rights lawyer and the head of the NGO Legal Education Society, Intigam Aliyev was convicted of tax evasion, illegal entrepreneurship and abuse of power on 22 April 2015 and sentenced to seven and a half years' imprisonment by the Baku Court on Grave Crimes, as part of the wider Government crackdown on civil society that started in the summer of 2014. His NGO was *de facto* shut down as a result of the criminal

case. Mr. Aliyev was conditionally released by the Supreme Court on 28 March 2016, after spending more than 19 months in detention. A travel ban imposed on him following his release remains in place to date, subject to examination by the European Court of Human Rights (*Aliyev v Azerbaijan*, App. No. 22365/18).

Following his detention and imprisonment, Intigam Aliyev was recognised as a political prisoner by Amnesty International.<sup>22</sup> He received a number of international awards: the Homo Homini Award (2012);<sup>23</sup> the Andrei Sakharov Freedom Award of the Norwegian Helsinki Committee, together with Leyla Yunus, Rasul Jafarov and other political prisoners in Azerbaijan (2014);<sup>24</sup> the Human Rights Award of the International Bar Association for outstanding contribution to human rights (2015);<sup>25</sup> the Human Rights Award, of the Council of Bars and Law Societies of Europe (CCBE), for devoting "*his life to protecting the rights of individuals against the repressive system of the Azerbaijani government*" and providing for decades a "*legal assistance and representation to the politically persecuted*" (2016)<sup>26;27</sup> and the Civil Rights Defender of the Year Award, Civil Rights Defenders (2016).<sup>28</sup>

On 20 September 2018, the European Court of Human Rights found that Mr. Aliyev's arrest and pre-trial detention were baseless and was aimed at punishing him for his human rights work (*Aliyev v*

---

<sup>22</sup> Amnesty International, 'Azerbaijan released human rights lawyer Intigam Aliyev', 28 March 2016 <https://www.amnesty.org/en/latest/news/2016/03/azerbaijan-releases-human-rights-lawyer-intigam-aliyev/>

<sup>23</sup> Belarusian Human Rights House, 'Azerbaijani ILIA project expert Intigam Aliyev – the human rights defender of year 2012', 29 May 2013 <https://humanrightshouse.org/articles/azerbaijani-ilia-project-expert-intigam-aliyev-the-human-rights-defender-of-year-2012/>

<sup>24</sup> Norwegian Helsinki Committee, 'Andrei Sakharov Freedom Award to Political Prisoners in Azerbaijan', 06 October 2014 <https://www.nhc.no/en/andrei-sakharov-freedom-award-to-political-prisoners-in-azerbaijan/>

<sup>25</sup> International Bar Association, 'Intigam Aliyev receives IBA Human Rights Award 2015 for outstanding contribution to human rights', 9 October 2015 <https://www.ibanet.org/Article/NewDetail.aspx?ArticleUid=64ff755c-125c-4da6-8619-43d4a14e3c9b>

<sup>26</sup> The Council of Bars and Law Societies of Europe (CCBE) Press Release, 04 February 2016 [https://www.ccbe.eu/NTCdocument/EN\\_pr\\_0316pdf1\\_1454584730.pdf](https://www.ccbe.eu/NTCdocument/EN_pr_0316pdf1_1454584730.pdf)

<sup>27</sup> VOA News, 'Intigam Əliyev: Bizim dəyərlər insan haqları, onların dəyərləri hakimiyyət hərisliyi və zorakılıq', 04 February 2016 [https://www.amerikaninsesi.org/a/intigam\\_aliyev/3176417.html](https://www.amerikaninsesi.org/a/intigam_aliyev/3176417.html)

<sup>28</sup> Radio Liberty, 'Intigam Aliyev Civil Rights Defender Of The Year', 7 April 2016 <https://www.azadliq.org/a/27660951.html/>

[Azerbaijan](#), App. Nos. 68762/14 and 71200/14).<sup>29</sup> <sup>30</sup> His complaint challenging the criminal proceedings and the conviction is pending before the Court ([Intigam Aliyev v Azerbaijan](#), App. No. 51324/16).

### *21. Alayif Hasanov*

In November 2014, human rights lawyer Alayif Hasanov was convicted of libel and sentenced to 240 hours of community work for sharing information about the harassment of his client, human rights defender Leyla Yunus, in prison online. [See case No. 8 above for further details on this case](#), and the disbarment that followed the conviction.

### *22. Gurban Mammadov*

In September 2012, lawyer Gurban Mammadov was the driver of a car involved in an accident, as a result of which a watchman in a car park broke his leg. Long after the accident, in June 2013, the Mr. Mammadov was arrested. He was later sentenced to three years' imprisonment and released in December 2014. Many independent experts suggested that his arrest was politically motivated as he had represented clients in a number of political cases and was a vocal critic of the Government. He was later disbarred by the ABA.

---

<sup>29</sup> EHRAC press release, '[Intigam Aliyev's arrest and detention was to punish him for his human rights activism](#)', 20 September 2018

<http://ehrac.org.uk/news/intigam-aliyevs-arrest-detention-punish-human-rights-activism/>

<sup>30</sup> International Commission of Jurists, *ICJ Mission Report 2016 'Defenceless Defenders: Systemic Problems in the Legal Profession of Azerbaijan'* (ICJ, 2016) 32 <https://www.icj.org/wp-content/uploads/2016/11/Azerbaijan-Systemic-problems-Legal-Prof-Publications-Reports-Mission-reports-2016-ENG.pdf>