

Political prisoners in Gobustan closed prison

1. Tale Kamil oglu Bagirzade – Chairman of the *Muslim Unity* Movement



Date of arrest: November 26, 2015

Charge: Articles 28 (*Preparation to a crime*); 214.2.1 (*Preparation of terrorism, committed on preliminary arrangement by group of persons, by organized group or criminal community (criminal organization)*); 214.2.3. (*Preparation of terrorism, committed with application of fire-arms or subjects used as a weapon*); 220.2 (*Appeals to active insubordination to legal requirements of representatives of authority and to mass disorders, as well as appeals to violence above citizens*); 228.4 (*Illegal purchase, selling or carrying of gas weapon, cold steel, including throwing weapon, except for districts where carrying of a cold steel is an accessory of a national suit or connected to hunting*) and 315.2 (*Resistance or application of violence concerning the representative of authority, committed with violence dangerous to life or health*) of the Criminal Code.

On May 19, 2016 the investigation brought a new charges under articles 29 (*Attempt to a crime*), 120.2.1 (*Deliberate murder, committed by group of persons, on preliminary arrangement by group of persons, by organized group or criminal community*), 120.2.3 (*Deliberate murder of victims or his close relatives in connection with implementation of a given person of service activity or performance of public debt*), 120.2.4 (*Deliberate murder, committed with special cruelty or in publicly dangers way*), 120.2.7 (*Deliberate murder of two or more persons*) and 120.2.12 (*Deliberate murder on motive of national, racial, religious hatred or enmity*) of the Criminal Code of the Azerbaijan Republic

Sentence: on January 25, 2017 the Baku Grave Crimes Court sentenced to 20 years in prison

Judge: Aloysat Abbasov

Place of detention: Gobustan Closed Prison

More information here:

http://ipdthinktank.org/NARDARAN_eng.html

2. Abbas Mammadbagir oglu Huseynov – member *Muslim Unity* Movement



Date of arrest: November 26, 2015

Charge: see articles charges Tale Bagirzade

Sentence: on January 25, 2017 the Baku Grave Crimes Court sentenced to 20 years in prison

Judge: Aloysat Abbasov

Place of detention: Gobustan Closed Prison

More information here:

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3. Jabbar Amirkhan oglu Jabbarov – member *Muslim Unity* Movement



Date of arrest: November 26, 2015

Charge: see articles charges Tale Bagirzade

Sentence: on January 25, 2017 the Baku Grave Crimes Court sentenced to 19 years in prison

Judge: Aloysat Abbasov

Place of detention: Gobustan Closed Prison

More information here: http://ipdthinktank.org/NARDARAN_eng.html

4. Abulfaz Bunyadov – one of the founders and activists of the *Muslim Unity* Movement



Date of arrest: November 26, 2015

Charge: Articles 28 (*Preparation to a crime*); 214.2.1 (*Preparation of terrorism, committed on preliminary arrangement by group of persons, by organized group or criminal community*); 214.2.3 (*Preparation of terrorism, committed with application of fire-arms or subjects used as a weapon*); 214-2 (*Public calls for terrorism*); 220.2 (*Appeals to active insubordination to legal requirements of representatives of authority and to mass disorders, as well as appeals to violence above citizens*); 228.3 (*Illegal purchase, transfer, selling, storage, transportation and carrying of fire-arms, accessories to it, supplies or explosives, committed by organized group*); 228.4 (*Illegal acquisition, selling or carrying of gas weapon, cold steel, including throwing weapon, except for districts where carrying of a cold steel is an accessory of a national suit or connected to hunting*); 278 (*Violent capture power or violent deduction power*); 279.1 (*Creation of armed formations or groups, which are not provided by the legislation of the Azerbaijan Republic, and also participation in their creation and activity, supplying them by weapon, ammunition, explosives, military engineering or military equipment*); 281.2 (*Public appeals directed against the state, committed repeatedly or by group of persons*) and 283.2.3 (*Excitation of national, racial or religious hostility committed by person with use of the service position*) of the Criminal Code of the Azerbaijan Republic

Sentence: on July 11, 2017 the Baku Grave Crimes Court sentenced to 15 years in prison, 3 years of which he will be in closed-type Gobustan prison

Judge: Afgan Hajiyev

Place of detention: Gobustan Closed Prison

Conclusion:

On November 26, 2015 the joint operation of the Ministry of Internal Affairs, the Prosecutor General's Office and State Security Service was carried out exactly in the house of Abulfaz Bunyadov, where the Chairman of the *Muslim Unity Movement* Tale Bagirzade was praying (*namaz*) together with other believers. As a result of the police shooting A. Bunyadov was wounded. This injury has caused him full paralysis, and A. Bunyadov became bedridden. However, despite his paralysis, A. Bunyadov was sent to Baku Pre-trial Detention Centre No. 1 on a stretcher. Then the measure of restraint in the form of detention was changed to police supervision. A. Bunyadov was sent home.

On August 17, 2017 the Baku Grave Crimes Court started the process of A. Bunyadov. The trial was repeatedly postponed, because A. Bunyadov was confined to the bed and was not able to appear in court. Six months later, on February 20, 2018, he was brought to the court on a stretcher. Prior to the trial, the health condition of A. Bunyadov sharply deteriorated. Ambulance was called to the court. However, the judge Afgan Hajiyev said that doctors do not have any objection of A. Bunyadov presence at the court, lying on a stretcher. From the courtroom A. Bunyadov was taken to Gobustan prison on a stretcher...

More information here: http://ipdthinktank.org/Bunyadov_Iskenderov_eng.html

5. Movsum Mardan oglu Samadov – Chairman of the *Islamic Party of Azerbaijan*



Date of arrest: January 07, 2011

Charge: Articles 28 (*Preparation to a crime*); 214.2.1 (*Preparation of terrorism, committed on preliminary arrangement by group of persons, by organized group or criminal community/organization*); 214.2.3 (*Preparation of terrorism, committed with application of fire-arms or subjects used as a weapon*); 228.3 (*Illegal purchase, transfer, selling, storage, transportation and carrying of fire-arms, accessories to it, supplies or explosives, committed by organized group*) and 278 (*Violent capture power or violent deduction power*) of the Criminal Code of the Azerbaijan Republic

Sentence: on October 07, 2011 the Baku Grave Crimes Court sentenced to 12 years in prison

Judge: Eldar Ismayilov

Place of detention: Gobustan Closed Prison

Conclusion:

The Islamic Party of Azerbaijan (IPA) was founded in 1991 in Baku and registered in 1992. Although the IPA's registration was revoked in 1995 by the Supreme Court, its activity was not actually banned. Thus the party is still operating without registration. When Movsum Samadov

was elected as the Party Chairman in 2007, the party applied to the Ministry of Justice for registration. The Ministry did not register the party.

At the IPA General Assembly held on January 02, 2011, Samadov made a speech strongly criticizing President Aliyev for the social situation in the country. In his speech, Samadov referred to articles from the *Washington Post* and the *New York Times* about villas in Dubai reportedly owned by the president and his son, adding that the wealth of the Azerbaijani people and state had been stolen; there were no jobs for Azerbaijani youth despite the country's great wealth; injustice and bribery ruled in the country; the money spent on the Flower Festival to celebrate the birthday of former President Heydar Aliyev was essentially stolen from the people; and idolatry was promoted in the country by idolizing Heydar Aliyev. Samadov's speech went viral on social media networks, particularly on YouTube, leading to broad discussions.

Five days after this speech was made, on January 07, 2011, Samadov and many of his fellows were arrested and charged in preparation of a terrorist act and a coup. However, in court Movsum Samadov and other arrested believers categorically rejected all charges and stated that law enforcement officials planted them weapons during the arrest, then tortured during the investigation. During the trial the prosecution had failed to prove the fact of preparation of terrorist act and a coup. But the court nevertheless agreed with the arguments of the prosecution and sentenced to large period of imprisonment.

More information here: http://ipdthinktank.org/Movsum_Samedov_eng.html

This is the case with the 14 prisoners of Gobustan closed prison, illegally sentenced to life imprisonment.

In 1993-1997 the ruling regime of Azerbaijan condemned a large group of veterans of Karabakh conflict – soldiers and police officers for political reasons to death under the Criminal Code approved by the law of the Azerbaijan SSR on December 08, 1960. All convicts were tortured, some died in prison before the trial.

On 10 February 1998, the Parliament of the Republic adopted the law *On amending the Criminal Code, the Criminal Procedure Code, and the Correction-Labor Code*, to abolish the death penalty in Azerbaijan. Article 4 of this law stated that the punishment of persons sentenced to the death penalty prior to the law taking force, shall be replaced with a sentence of life imprisonment. In fact, death penalty was replaced with a type of punishment that was not enshrined in any legislation at the time.

The new Criminal Code of Azerbaijan Republic, which provides for the punishment of life imprisonment, entered into force in 2000. The old Criminal Code, which was in force until 2000, did not provide for life imprisonment, but for the death penalty and a maximum term of 15 years of imprisonment. Therefore, all persons sentenced to the death penalty before 2000 should have to replace the penalty to 15 years of imprisonment or to judge again.

It is not legally lawful for them to replaced the death penalty for life imprisonment without trial and a court verdict on the basis of a decision of Parliament. When Azerbaijan joined to the Council of Europe in 2001, the Institute for Peace and Democracy (Director Leyla Yunus) presented a list of 716 political prisoners to the CoE experts. This list included also mentioned above 14 people. All of them were found for political motives.

Here are their names:

Former Special Police Detachment (OPON) officers – 6 people

1. **Elchin Samad oglu Amiraslanov** - in 1996 was sentenced to death, commuted to life imprisonment
2. **Arif Nasir oglu Kazimov** - in 1996 was sentenced to death, commuted to life imprisonment
3. **Dayanat Karim oglu Karimov** - in 1994 was sentenced to death, commuted to life imprisonment
4. **Hasan Huseyn oglu Mustafayev** - in 1996 was sentenced to death, commuted to life imprisonment
5. **Safa Alim oglu Poladov** - in 1996 was sentenced to death, commuted to life imprisonment.
6. **Aliyusif Damat oglu Tahirov** - in 1996 was sentenced to death, commuted to life imprisonment

Former members of the military detachment *Qaranqush* – 3 people

7. **Intiqam Yusif oglu Qayibov** - in 1996 was sentenced to death, commuted to life imprisonment
8. **Sahib Nuraddin oglu Mammadaliyev** - in 1993 was sentenced to death, commuted to life imprisonment
9. **Yashar Hasay oglu Shahmuradov** - in 1993 was sentenced to death, commuted to life imprisonment.

Convicted on the case of the former Prime Minister Surat Huseynov – 5 people

10. **Rashid Nurulla oglu Ismayilov** - in 1998 was sentenced to death, commuted to life imprisonment
11. **Karimov Karamat Pasha oglu** - in 1997 was sentenced to death, commuted to life imprisonment
12. **Mustafayev Elshad Teyyub oglu** - in 1995 was sentenced to death, commuted to life imprisonment
13. **Mustafayev Maqsud Teyyub oglu** – in 1995 was sentenced to death, commuted to life imprisonment
14. **Huseynov Maqsud Vaqif oglu** – in 1994 was sentenced to death, commuted to life imprisonment

A quarter of a century in a closed prison... During this time, several prisoners died in prison.

In the legislation of Azerbaijan exist a provides that a prisoner sentenced to life imprisonment can – after serving 20 years - apply for a review of the case and may be released. But none of those 14 people have been released, despite their repeated appeals. Release the killers from the organized crime group of Haji Mammadov, such as General Zakir Nasirov and Colonel Kamil Sadraddinov.

Surat Huseynov almost 20 years as released, and convicted with him, die in prison...