



# Azərbaycan Xalq Parlamenti

## Azerbaijan Popular Parliament



### RESOLUTION

#### **Of Azerbaijan Popular Parliament on the Statehood Crisis, Police Misuse, and Political Prisoners in the Republic of Azerbaijan**

The Azerbaijan Popular Parliament (APP), at its meeting on 25.01.2025, based on the thoughts, opinions, and facts expressed by Members of Parliament regarding the following issues in the country:

- the socio-political situation,
- the social and economic situation,
- the crisis in foreign policy,
- the abuses within state institutions,
- the lack of interest by the Azerbaijani government in solving the main problems related to the country's democratic development and the welfare of its citizens, and other issues, adopts this Resolution.

#### **1. The Statehood Crisis in the Country**

In the Republic of Azerbaijan, over the last 30 years:

- Anti-democratic amendments and changes were made to the Constitution, contradicting human rights and freedoms, and encouraging the concentration of power in one hand;
- The principle of separation of powers was abolished in the state administration, with the legislative and judicial branches effectively coming under the control of the executive branch;
- There is no state or public control mechanism over the President's activities, and absolute powers have been granted to the President;
- Free and democratic elections are not held in the country, opposition parties have been permanently excluded from state governance due to the abolition of the proportional electoral system;
- The Constitution and laws are not followed, and the complete disregard of laws in all judicial and state bodies has made the country ungovernable and created a total statehood crisis;
- As a rule, referendums, presidential, parliamentary, and municipal elections are completely falsified and in no case reflect the will of the Azerbaijani people.

## 2. Misuse by Law Enforcement Agencies

Law enforcement and security agencies have become tools of repression. Due to their unlawful activities, citizens' rights are grossly violated. Torture, illegal arrests, and corruption in the judiciary have eradicated the rule of law.

- **Police:** To assess police lawlessness in the country, the incidents of Elvin Iskenderov and Gozali Sahib, who lost their lives under torture at the Sumgayit City Main Police Department on 15.06.2024 and 15.09.2024, are sufficient. Citizens fear for their lives when summoned to police stations for any reason. The brutal intervention of the police in the protest held by the residents of Soyudlu village in the Gadabay region on June 20-21, 2023, in protest of cyanide being discharged into the local lake, and the police's ruthless reaction to the protest of local residents following a road accident in Imishli on January 18, 2025, which resulted in the death of schoolchildren, have left a negative image of the police in citizens' minds.
- **Prosecutor's Office:** The Prosecutor's Office has become more of an institution executing government orders rather than guaranteeing the rule of law. The participation of the prosecutor's office in falsely accusing and arresting members of civil society and ordinary citizens has placed the control of the rule of law under serious doubt. The direct involvement of the prosecutor's office in the torture and abuse of soldiers during the "Terter case" in April-July 2017 is a disgrace to law and justice. Despite the initiation of a re-investigation by the Prosecutor General's Office on 16.12.2021, officials like Khanlar Valiyev (military prosecutor), Hikmet Hasanov (commander of the first army corps), Mais Barkhudarov (commander of the second army corps), and others named by the victims have not been held accountable or even brought to trial.
- **Judicial System:** All levels of the judicial system in Azerbaijan serve as instruments of the political agenda, issuing politically motivated rulings. According to local and international legal organizations, as of 25.01.2025, there are 356 citizens imprisoned on political grounds, including many journalists, human rights defenders, and hundreds of political activists. The "judicial authority" as stated in Article 7 of the Constitution today acts as the "government's court."
- **Attitude towards Law Enforcement Agencies:** In a speech on 22.11.2024, former Finance Minister Samir Sharifov forecasted that 800 million manat would be collected through fines for the state budget, with the Ministry of Internal Affairs playing a major role in this. Azerbaijan has turned into a country where the budget deficit is filled by police-imposed fines on citizens. President Ilham Aliyev, in his 02.07.2013 speech at the Police Academy, gave the message that "no police officer will ever be punished," thus encouraging police misconduct in the country.

## 3. The Socio-Economic Crisis

The Azerbaijani government does not make efforts to improve the country's social and economic situation. The embezzlement of budget funds, the widespread growth of

monopolies, and corruption are significant obstacles to the development of the non-oil sector. The government diverts most of the income into infrastructure projects and the state apparatus, opening wide opportunities for corruption. Funds allocated for education, healthcare, and small businesses are insufficient. Social inequality and inefficient use of resources hinder the country's sustainable development. The government is not implementing serious reforms to diversify the economy and raise the welfare of the population.

Another indicator of the unbearable socio-economic situation is the growing number of suicides. Due to unemployment, high prices, and the lack of material resources, citizens fall into depression and, deprived of legal and social protection, see suicide as the only escape. In 2020, 23 veterans of the 44-day Patriotic War, fought to liberate territories occupied by Armenia, committed suicide by self-immolation, with over 100 veterans in total taking their own lives.

The food sector is fully monopolized by the government, and the quality control of food products offered to citizens is non-existent. Genetically modified food, fruits and vegetables, as well as low-quality medicines, lead to serious health problems for citizens.

#### **4. Closed Land Borders**

Azerbaijan's land borders have been closed since March 2020 under the pretext of the COVID-19 pandemic. As a result, thousands of families have been separated, with parents being separated from their children and women from their husbands. The APP considers this border closure a gross violation of the rights outlined in Article 28, sections 3 and 4 of the Constitution of the Republic of Azerbaijan, and Article 8 of the European Convention, as well as Article 3, Section 2 of Protocol No. 4.

On 25.12.2024, the "Embraer 190" aircraft, operating the Baku-Grozny flight, crashed near Aktau, Kazakhstan, with 62 passengers and 5 crew members on board. 38 people lost their lives. Since the land borders have remained closed, this flight was created starting in May 2024. The responsibility for this tragedy lies entirely with the authorities who have kept the land borders closed without justification.

#### **5. On Political Prisoners**

People in Azerbaijan are persecuted and imprisoned due to their political views and activities, and subjected to torture. This trend has been increasing in recent years. At the end of 2023, there were 231 political prisoners; today, the number has risen to 356.

Political arrests occur not only for political activity but also for media work. Repressive arrests have been carried out against media organizations such as "Abzas Media", "Toplum TV", "Meydan TV", "Kanal 13", and "Xural TV". Young female journalists, including Sevinj Vagifgizi, Elnara Gasimova, Nargiz Absalamova, Aynur Elgunesh, Khayala Aghayeva, Aytaj Tapdig, and Aysel Umudova, have also been imprisoned. Political persecution and arrests occur not only within the country but also abroad. Journalist Afgan Sadigli, residing in Georgia, was arrested at the request of the Azerbaijani authorities.

Zahid Oruj, a member of the National Assembly and a prominent spokesperson for the government, stated in a speech on 05.03.2024 that “if the mechanisms of the court and law enforcement bodies do not yield results in protecting the President’s honor and dignity, then insult laboratories should be declared legitimate targets for neutralization.” This statement was interpreted as a call for terror against political émigrés, and shortly after, political activist Vidadi Iskenderli, living in France, was stabbed and killed on 29.09.2024.

Religious discrimination is prevalent, and 235 out of 356 political prisoners are individuals with religious beliefs. These citizens are falsely charged with “narcotics” and imprisoned, while government-controlled media labels them as “agents of Iran” to create artificial hatred against them. The arrests of religious individuals occur both within the country and abroad based on political orders. Zulfigar Mikayilov was also arrested in Russia on the orders of the Azerbaijani government.

Four Members of Parliament from the Azerbaijan Popular Parliament (APP) (Avaz Zeynalli, Rza Safarsoy, Elvin Isayev, and Famil Khalilov, who has a first-group congenital disability) are also political prisoners.

The persecution of women MPs by the police has begun, with Ziyafat Abbasova being targeted by the police. This is in violation of Azerbaijani law and national moral principles.

## **6. Foreign Policy**

Currently, the stagnation of Azerbaijan-Armenia peace talks, which is a priority issue for the Republic of Azerbaijan, poses serious threats both to the region and to the country. The government must urgently restore the peace process and adopt a diplomatic approach that protects the interests of the people.

As a result of the government’s flawed policy, the mandate of Azerbaijan’s parliamentary delegation in the Parliamentary Assembly of the Council of Europe (PACE) has been revoked, and a resolution with seven points has been adopted for its restoration. One of the points calls for the conduct of democratic, fair, and transparent elections. However, the presidential elections on February 7, 2024, and the parliamentary elections on September 1, 2024, were again held amidst widespread fraud. The last municipal elections on January 29, 2025, were also conducted under similar fraudulent circumstances. In the European Parliament’s resolution of October 24, 2024, it was noted that the demands set by PACE have not been fulfilled. In the winter session of PACE in 2025, it was emphasized that Azerbaijan’s return to the organization is impossible due to the non-fulfillment of requirements related to political prisoners, democratic elections, and human rights.

**APP** considers the Azerbaijani government’s uncertain foreign policy, which does not align with the interests of our people, unacceptable.

## **7. Suppression of Freedom of Expression and the Right to Association**

The regressive “Media Law” that came into force on January 1, 2022, made it impossible for independent media organizations to operate in the country. Due to the absence of a free

advertising market, it is impossible for the media to self-finance. As a result, independent media outlets are being shut down, disbanded, or taken over by the government.

The “Political Parties Law” that came into force on January 11, 2023, serves to bring all political parties operating in the country under government control and to legally hinder the emergence of any future parties. This law restricts citizens’ “freedom of association,” as established in international documents.

Given the above, the Azerbaijan Popular Parliament resolves:

1. **Restoration of the Constitution:** All undemocratic changes and amendments to the Constitution that contradict the will of the people must be repealed. Measures should be taken to prevent the concentration of power in one hand at all levels, clarify the boundaries of the separation of powers, limit the powers of the President, transition to a parliamentary republic, restore the proportional electoral system, and ensure the independence of the judiciary by amending and making changes to the Constitution.
2. **Combating Corruption:** The embezzlement of state financial resources must be immediately stopped, and officials involved in corruption must be held accountable. Large-scale corruption cases, which have been internationally recognized, must be investigated by the Prosecutor General’s Office of the Republic of Azerbaijan, and criminal prosecution should be initiated. The fight against monopoly policies and any form of illegal monopolies should be intensified.
3. **In the Field of Law:** Compensation paid to individuals harmed by illegal actions of state authorities and illegal judicial decisions should be recovered from the officials who caused the damage and the judges who made illegal decisions through a recourse claim in favor of the state. Judges who have made illegal decisions should be immediately removed from office and held criminally liable.
4. **Social and Economic Reforms:** Transparent economic policies should be implemented to develop the non-oil sector. The state must ensure social protection for citizens, especially children, the disabled, the unemployed, veterans, and the families of martyrs.
5. **Opening of Land Borders:** The country’s land borders should be immediately opened to restore citizens’ rights as provided in Articles 28(3) and 28(4) of the Constitution of Azerbaijan and in Article 3(2) of Protocol No. 4 of the European Convention.
6. **Ensuring Rights and Freedoms:** Violations of citizens’ fundamental rights and freedoms must cease, and repressive governance mechanisms must be abolished. In accordance with the Constitution of the Republic of Azerbaijan and the international conventions that Azerbaijan is a party to, citizens’ rights to freedom of expression, freedom of association, and the right to quality legal assistance must be immediately guaranteed.

7. **Freedom of Political Prisoners:** All political prisoners who have been imprisoned on false charges should be immediately released, their rights fully restored, and they should be compensated.
8. **Peace and Stability:** A transparent foreign policy that serves the people's interests should be pursued to ensure successful results in Azerbaijan-Armenia peace talks. Mutual trust and equal partnership relations with neighboring countries should be established.

The Azerbaijan Popular Parliament will continue its struggle for the rule of law, social justice, and democratic governance in all areas, using legal methods as prescribed by law.

**APP** calls on the international community and democratic organizations to support the struggle of the Azerbaijani people for freedom and justice.

**Abid Gafarov**



**Chairman of the Azerbaijan Popular Parliament**

February 1, 2025

