

APPENDIX 4

AZERBAIJANI PRISONER LIST 2015

Prominent Muslim leaders and teachers caught up in a government campaign against independent and/or prominent activists, including some who were part of the official Azerbaijani Islamic establishment

| | NAME | DATES OF ARREST | ARTICLES OF THE CRIMINAL CODE | PLACE OF DETENTION | STATUS |
|---|--------------------------------|-----------------|-------------------------------------|--------------------|---|
| 1 | Tale Kamil Bagirov (Bagirzade) | 31 Mar 2013 | 234.1 | Labor Camp #12 | On 24 March 2013, a week before his arrest, Bagirov gave a speech at a mosque, blaming the authorities for corruption and false arrests, calling on religious followers not to be afraid of “the oppression of a dictator,” and posting the speech to social media. On 1 November 2013, Sabunchu District Court sentenced him to a two year term; In August 2014, his prison term was extended by four months; he is still imprisoned as of this writing. |
| 2 | Abdul Neymat Suleymanov | 12 Aug 2011 | 228.1, 233, 234.1, 234.4.3, 283.2.1 | Prison #8 | Suleymanov is a leader of the Jafari Heylyat (Life of Jafar) Muslim religious congregation in Baku. He was arrested in an official sweep against popular Muslim leaders. He was sentenced to an 11-year term in 10 August 2012 by Baku Court of Grave Crimes. Baku Court of Appeals upheld the sentence on 23 January 2013. |
| 3 | Jeyhun Jafarov | 10 Mar 2015 | Accusations of treason | | Jafarov, 42, has led hajj groups to Mecca; led a series on Space TV on religion; translated books by late Iranian Ayatollah Mohammadreza Mahdavi Kani; and led the Evolution Translation Center. On 4 March, he returned with his brother from an 8-day visit to Iran. After their return, Jafarov was ordered to the Ministry of National Security (MNS) secret police on 10 March 2015 and arrested. On 12 March 2015, Baku’s Sabail District Court ordered him held in pre-trial detention in the MNS secret police Investigation Prison in Baku for four months. He was told he is under investigation under Criminal Code Article 274 (“Treason”) with a term ranging from 12 years to life. |
| 4 | Elshan Mustafaoglu | Dec 2014 | Reportedly accused of treason | | On 17 December 2014, the MNS detained theologian Elshan Mustafaoglu. Two days later, the court arrested him for four months. According to some reports, he is charged with treason. Until his arrest, he was press spokesman for the Caucasus Muslim Board, which has not commented on his arrest. |

Religious activists arrested with journalist Nijat Alieyev, editor of www.azad.xeber.az, a Muslim website. Alieyev, other journalists, and young activists were arrested in 2012–2013 for campaigning against the arrests of religious believers as well as for distributing discs with religious materials, including sermons by imprisoned Muslim leaders Abdul Suleymanov and Tale Bagirov.

| | NAME | DATES OF ARREST | ARTICLES OF THE CRIMINAL CODE | PLACE OF DETENTION | STATUS |
|----|------------------------------|-----------------|---|---|---|
| 5 | Valeh Mammadaga Abdullayev | 9 Dec 2013 | 167.2.2.1, 281.2, 283.2.3 | Baku Investigative Prison (Kurdakhani Detention Center) | Abdullayev was sentenced to 8 years in jail under a decision issued by Baku Court of Grave Crimes Judge Zeynal Agayev on 9 December 2013. |
| 6 | Gorkhmaz Huseyn Jamalov | 18 Jan 2013 | 167.2.2.1, 281.2, 283.2.3 | Baku Investigative Prison (Kurdakhani Detention Center) | Jamalov was sentenced to 7 years in jail under a decision issued by Baku Court of Grave Crimes Judge Zeynal Agayev on 9 December 2013. |
| 7 | Ali Etibar Aliyev | 9 Dec 2013 | 167.2.2.1, 283.2.3 | Baku Investigative Prison (Kurdakhani Detention Center) | Aliyev was sentenced to 4 years in jail under a decision issued by Baku Court of Grave Crimes Judge Zeynal Agayev on 9 December 2013. |
| 8 | Elimkhan Gurbankhan Huseynov | 22 May 2012 | 167.2.2.1, 283.2.3 | Baku Investigative Prison (Kurdakhani Detention Center) | Huseynov was sentenced to 7 years in jail under a decision issued by Baku Court of Grave Crimes Judge Zeynal Agayev on 9 December 2013. |
| 9 | Samir Khanpasha Huseynov | 23 May 2012 | 167.2.2.1, 228.1, 228.4, 283.2.3 | Baku Investigative Prison (Kurdakhani Detention Center) | Huseynov was sentenced to 6 years in jail under a decision issued by Baku Court of Grave Crimes Judge Zeynal Agayev on 9 December 2013. Baku Court of Appeals upheld the decision on 27 June 2014. |
| 10 | Safar Rovshan Mammadov | 9 Dec 2013 | 167.2.2.1, 283.2.3 | Baku Investigative Prison (Kurdakhani Detention Center) | Mammadov was sentenced to 3 years and 4 months in jail under a decision issued by Baku Court of Grave Crimes Judge Zeynal Agayev on 9 December 2013. Baku Court of Appeals upheld the ruling on 27 June 2014. |
| 11 | Elvin Nuraddin Nasirov | 20 May 2012 | 167.2.2.1, 234.4.1, 234.4.3, 281.2, 283.2.3 | Baku Investigative Prison (Kurdakhani Detention Center) | Nasirov was sentenced to 9 years in jail under a decision issued by Baku Court of Grave Crimes Judge Zeynal Agayev on 9 December 2013. |
| 12 | Jeyhun Zabil Safarli | 20 May 2012 | 167.2.2.1, 234.4.1, 234.4.3, 281.2, 283.2.3 | Baku Investigative Prison (Kurdakhani Detention Center) | Safarli was sentenced to 9 years in jail under a decision issued by Baku Court of Grave Crimes Judge Zeynal Agayev on 9 December 2013. The Baku Court of Appeals upheld the ruling on 27 June 2014. |
| 13 | Emin Yadigar Tofidi | 16 Jan 2013 | 167.2.2.1, 283.2.3 | Baku Investigative Prison (Kurdakhani Detention Center) | Tofidi was sentenced to 3.5 years in jail under a decision issued by Baku Court of Grave Crimes Judge Zeynal Agayev on 9 December 2013. Baku Court of Appeals upheld the ruling on 27 June 2014. |

Religious activists arrested in the Masalli region along with journalist Araz Guliyev, editor of www.xeber44.com, a website critical of Azerbaijani religion policy. The defendants assisted Guliyev's journalist activity. In 2012, six Muslims from Masalli were arrested on various false charges, including stoning people during a local folk festival.

| | NAME | DATES OF ARREST | ARTICLES OF THE CRIMINAL CODE | PLACE OF DETENTION | STATUS |
|----|----------------------|-----------------|-------------------------------|--------------------|--|
| 14 | Rza Gorkhmaz Agali | 9 Dec 2012 | 233, 315.2, 324 | Prison #14 | On 5 April 2013, Agali was sentenced to 7 years in prison under a decision issued by Lankaran Court of Grave Crimes Judge Nizami Guliyev. Shirvan Court of Appeals Judge Kamran Akbarov upheld this ruling on 9 January 2014. |
| 15 | Suraj Valeh Agayev | 15 Sept 2012 | 233, 315.2, 324 | Prison #5 | On 5 April 2013, Agayev was sentenced to 5 years in jail under a decision issued by Lankaran Court of Grave Crimes Judge Nizami Guliyev. Shirvan Court of Appeals Judge Kamran Akbarov upheld this ruling on 9 January 2014. |
| 16 | Nijat Yaser Aliyev | 18 Sept 2012 | 233, 315.2, 324 | Prison #16 | On 5 April 2013, Aliyev was sentenced to 4.5 years in jail under a decision issued by Lankaran Court of Grave Crimes Judge Nizami Guliyev. Shirvan Court of Appeals Judge Kamran Akbarov upheld this ruling on 9 January 2014. |
| 17 | Khalid Nofal Kazimov | 14 Sept 2012 | 233, 234.4.3, 315.2, 324 | Prison #6 | On 5 April 2013, Kazimov was sentenced to 8 years in jail under a decision issued by Lankaran Court of Grave Crimes Judge Nizami Guliyev. Shirvan Court of Appeals Judge Kamran Akbarov upheld this ruling on 9 January 2014. |
| 18 | Namig Alisa Kishiyev | 18 Sept 2012 | 233, 315.2, 324 | Prison #5 | On 5 April 2013, Kishiyev was sentenced to 4.5 years in jail under a decision issued by Lankaran Court of Grave Crimes Judge Nizami Guliyev. Shirvan Court of Appeals Judge Kamran Akbarov upheld this ruling on 9 January 2014. |
| 19 | Ziya Ibrahim Tahirov | 9 Sept 2012 | 233, 315.2, 324 | Prison #5 | On 5 April 2013, Tahirov was sentenced to 7 years in jail under a decision issued by Lankaran Court of Grave Crimes Judge Nizami Guliyev. Shirvan Court of Appeals Judge Kamran Akbarov upheld this ruling on 9 January 2014. |

Cases of those arrested for participation in the 5 October 2012 “Freedom for hijab” public protest. On 10 December 2010, Azerbaijan’s Education Ministry offered that school uniforms had to be worn, thereby in effect banning the hijab (Islamic headscarf.) A May 2011 mass protest was violently dispersed; a second protest in October resulted in mass arrests. There are reports that government provocateurs initiated a confrontation with police that lead to violence and arrests.

| | NAME | DATES OF ARREST | ARTICLES OF THE CRIMINAL CODE | PLACE OF DETENTION | STATUS |
|----|------------------------------|-----------------|-------------------------------|--------------------|---|
| 20 | Tarlan Faiq Agadadashov | 5 Oct 2012 | 233, 315.2 | Prison #16 | Agadadashov was sentenced to 5.5 years in jail under a 22 April 2013 decision of the Narimanov District Court. The Baku Court of Appeals upheld this ruling on 19 December 2013. |
| 21 | Rovshan Huseyn Allahverdiyev | 5 Oct 2012 | 233, 315.2 | Prison #16 | Allahverdiyev was sentenced to 5.5 years of imprisonment under a 22 April 2013 decision of the Narimanov District Court. The Baku Court of Appeals upheld this ruling on 19 December 2013. |
| 22 | Nasimi Yusif Hasanov | 6 Oct 2012 | 228.1, 234.1 | Prison #16 | Hasanov was arrested in connection with his participation in the “Freedom for hijab” protest but unlike other defendants was not charged with taking part in an unauthorized public demonstration. He was sentenced to 4 years in jail on 27 July 2013. |
| 23 | Ilham Bahman Hatamov | 5 Oct 2012 | 233, 315.2 | Prison #14 | Hatamov was sentenced to 5.5 years in jail under a 22 April 2013 decision of Narimanov District Court. Baku Court of Appeals upheld the ruling on 19 December 2013. |
| 24 | David Tarlan Karimov | 5 Oct 2012 | 233, 315.2 | Prison #16 | Karimov was sentenced to 6 years in jail under a 22 April 2013 decision of Narimanov District Court. Baku Court of Appeals upheld this ruling on 19 December 2013. |
| 25 | Anar Asgar Gasimli | 5 Oct 2012 | 233, 315.2 | Prison #14 | Gasimli was sentenced to 5.5 years in jail under a 22 April 2013 decision of Narimanov District Court. The Baku Court of Appeals upheld this ruling on 19 December 2013. |
| 26 | Aydin Janbakhish Mammadov | 5 Oct 2012 | 233 | Prison #17 | Mammadov was sentenced to 2 years and 3 months in jail under a 4 June 2013 decision of Narimanov District Court. Baku Court of Appeals upheld this ruling in July 2013. |
| 27 | Elshad Fikrat Rzayev | 23 Feb 2013 | 233, 315.2 | Prison #16 | Rzayev was sentenced to 6 years in jail under a 3 June 2013 decision of Narimanov District Court. The Baku Court of Appeals upheld the decision in August 2013. |
| 28 | Telman Shirali Shiraliyev | 5 Oct 2012 | 233, 315.2 | Prison #16 | Shiraliyev was sentenced to 6 years in jail under a 22 April 2013 decision of Narimanov District Court. Baku Court of Appeals upheld the decision on 19 December 2013. |
| 29 | Ramil Rahim Valiyev | 5 Oct 2012 | 167.2.1, 233, 315.2 | Prison #5 | Valiyev was sentenced to 6.5 years in jail under a 3 June 2013 decision of the Narimanov District Court. Baku Court of Appeals upheld the decision in August 2013. |

Imam and members of the Sunni Lezgin Mosque in Baku's Old City who work in the Burhan bookshop. As of August 2014, the Lezgin mosque community was told it must vacate its mosque so it can be renovated; In February 2015, Imam Qarayev and four others were arrested on charges of selling texts that had not been officially approved.

| | NAME | DATES OF ARREST | ARTICLES OF THE CRIMINAL CODE | PLACE OF DETENTION | STATUS |
|----|---------------------------|-----------------|-------------------------------|--|---|
| 30 | Mubariz Qarayev | Feb 2015 | 167.2.1 | Pre-trial detention at MNS secret police | Imam of the Sunni Lezgin Mosque in Baku's Old City, and owner of Burhan Muslim bookshop. Arrested with several other bookstore workers. |
| 31 | Habibulla Omarov | 26 Feb 2015 | 167.2.2.1 | Pre-trial detention at MNS secret police | Bookstore worker. |
| 32 | Salim Qasimov | 26 Feb 2015 | 167.2.1 | Pre-trial detention at MNS secret police | Bookstore worker. |
| 33 | Eyvaz (last name unknown) | 26 Feb 2015 | 167.2.1 | Pre-trial detention at MNS secret police | Bookstore worker. |
| 34 | Azad Gafarov | 26 Feb 2015 | 167.2.2.1 | Pre-trial detention at MNS secret police | Bookstore worker. |

Two readers of Turkish theologian Said Nursi, whose texts are banned in Azerbaijan

| | NAME | PRETRIAL DETENTION | ARTICLES OF THE CRIMINAL CODE | PLACE OF DETENTION | STATUS |
|----|--------------------------|--------------------|-------------------------------|------------------------|--|
| 35 | Zakariyya Isakh Mammadov | 14 Apr 2014 | 168.1, 167.2.2.1, 299.0.2 | MNS Detention Facility | Accused of conducting private religious classes on banned Turkish theologian Said Nursi. |
| 36 | Shahin Hasanov | 14 Apr 2014 | 168.1, 167.2.2.1, 299.0.2 | MNS Detention Facility | Accused of conducting private religious classes on banned Turkish theologian Said Nursi. |

Jehovah's Witnesses detained for distributing religious texts not approved by the state

| | NAME | PRETRIAL DETENTION | ARTICLES OF THE CRIMINAL CODE | PLACE OF DETENTION | STATUS |
|----|--------------------|--------------------|-------------------------------|--------------------|--|
| 37 | Valida Jabrayilova | 17 Feb 2015 | 167.2.2.1 | MNS jail, Baku | Charged with distributing religious texts not approved by the state. |
| 38 | Irina Zakharchenko | 17 Feb 2015 | 167.2.2.1 | MNS jail, Baku | Charged with distributing religious texts not approved by the state. |

Jehovah's Witness jailed for conscientious objection to compulsory military service

| | NAME | DATE OF ARREST | ARTICLES OF THE CRIMINAL CODE | PLACE OF DETENTION | STATUS |
|----|--------------------|----------------|-------------------------------|--------------------------------|---|
| 39 | Kamran Shikhaliyev | 10 Oct 2013 | 335.1 | Disciplinary battalion, Salyan | Conscientious objector to compulsory military service, Jehovah's Witness. In April 2014 Jalilabad Military Court sentenced him to one year in prison. On 16 July 2014 Shirvan Appeal Court denied his appeal. |

Other cases

| | NAME | DATE OF ARREST | ARTICLES OF THE CRIMINAL CODE | PLACE OF DETENTION | STATUS |
|----|--------------------|----------------|-------------------------------|--------------------|--|
| 40 | Zohrab Shikhaliyev | 13 Nov 2014 | 228.1 | Prison #1 | A Sunni Muslim given a six month jail term for hosting a public prayer room in his home by Judge Azer Ismayilov at Sumgait City Court. |

Religious freedom/Human rights defenders

| | NAME | DATES OF ARREST | ARTICLES OF THE CRIMINAL CODE | PLACE OF DETENTION | STATUS |
|----|---------------------------------------|-----------------|--|--|--|
| 41 | Leyla Yunus (Leyla Islam Yunusova) | 30 Jul 2014 | 274, 178.3.2, 192.2.2, 213.2.2, 320.1, 320.2 | Baku Detention Facility | Yunus runs the Institute of Peace and Democracy. She has worked on numerous projects relating to human rights, religious freedom, political persecution, corruption, human trafficking, gender issues, violations of property rights, monitoring of court proceedings, peace initiatives, and more. She has studied the cases of more than 100 political prisoners and revealed their illegal arrest to be entirely politically motivated. |
| 42 | Arif Yunus (Arif Seyfulla Yunusov) | 30 Jul 2014 | 274, 178.3.2 | Baku Investigative Facility (Kurdakhani prison) | A historian, academic, and expert on Islam, he is the husband of Leyla Yunus. He worked at the Institute of Peace and Democracy. |
| 43 | Rasul Agahasan Jafarov | 2 Aug 2014 | 192.2.2, 213.1, 308.2, 179.3.2, 313 | Baku Detention Facility (Kurdakhani prison) | Jafarov is a lawyer at the Institute for Reporters' Freedom and Safety. In 2010, he co-founded the Human Rights Club. A month after presenting a list of political prisoners to a session of the Parliamentary Assembly of the Council of Europe (PACE), and immediately following the arrest of Leyla Yunus, Jafarov was taken into custody. On 16 April 2015 he was sentenced to 6.5 in prison by the Baku Grave Crimes Court. |
| 44 | Intiqam Kamil Aliyev | 8 Aug 2014 | 179.3.2, 192.2.2, 213.1, 308.2 | Baku Detention Facility (Kurdakhani Prison) | Head of the Legal Education Society, Aliyev has been involved in human rights advocacy for nearly 20 years, including on religious freedom issues. As a lawyer, he has filed over 300 complaints with the European Court of Human Rights. During a 2014 speech at a PACE session, he criticized the government for political prisoners, attacks on independent NGOs, false charges, arrests of government critics, and mass violations of property rights. He was sentenced to 7.5 years in prison and deprived of holding any position for 3 years by Baku Court on Grave Crimes. |

Criminal Code Articles:

28.2 – the criminal liability shall be instituted only for preparation of semi-serious, and serious crimes;

167.2.1 – import, sale, and distribution of religious literature, religious items and other informational materials of a religious nature with the aim of reproduction, sale and distribution without appropriate authorization;

167.2.2.1 – import, sale and distribution of religious literature, religious items and other informational materials of a religious nature with the intent to reproduce, sell and distribute without appropriate authorization, committed with advance agreement by a group of persons or an organized group;

168 – creation of a group carrying out activity under the pretext of spreading a religious faith and carrying out religious activity and by this illegally harming social order, or harming the health of citizens or violating the rights of citizens irrespective of the form of infringement, as well as distracting citizens from performance of duties established by law, as well as leadership of such a group or participation in it;

168.2 – implementation of religious activities and thus infringing rights of the citizens (involving minors in commitment of these acts);

178.3.2 – fraud, with a large amount of damage;

179.3.2 – assignment or waste, through plunder of property entrusted to the guilty party by another person, in a large amount;

180.3.1 – robbery by an organized group;

182.2.2 – Extortion, is requirement to transfer another's property or right on property or commitment of other actions which is admitted as in property nature under threat of application of violence, distribution of data, dishonoring a victim or his close relatives, as well as by threat of destruction of property belonging to them, repeatedly;

192.2.2 – illegal business committed through derivation of income in a large amount;

204.3.1 – manufacturing or selling of counterfeit money or securities by an organized group;

204.3.2 – manufacturing or selling of counterfeit money or securities in a large amount;

213.1 – evasion of taxes or obligatory state social insurance payments in a large amount;

214.2.1 – preparation of a crime committed with advance arrangement by a group of persons, an orga-

nized group, or a criminal community or organization;

213.2.2 – tax evasion, in large amounts;

214.2.3 – preparation of a crime committed with the application of firearms or objects used as a weapon;

218.1 – creation of a criminal organization in order to commit semi-serious or serious crimes, as well as a management of such organizations, structural divisions included, and also the creation of organizers' associations, heads or other representatives of the organized groups with plans to develop and conditions for committing of semi-serious or serious crimes;

218.2 – participation in criminal community (criminal organization) or in association of organizers, heads or other representatives of the organized groups;

221.3 – hooliganism, committed with a weapon or use of items as weapons;

228.1 – illegal purchase, transfer, selling, storage, transportation or carrying of firearms, accessories to it, supplies (except for the smooth-bore hunting weapons and ammunition), and explosives;

228.4 – acquiring, selling, or carrying a weapon;

228.2.1 – illegal purchase, transfer, selling, storage, transportation or carrying of fire-arms, accessories to it, supplies (except for the smooth-bore hunting weapon and ammunition to it), explosives on preliminary arrangement by group of persons;

228.3 – illegal purchase, transfer, sale, storage, transportation, or carrying of firearms, accessories, supplies (except for smooth-bore hunting weapons and ammunition), or explosives, and facilities, committed by an organized group;

228.4 – illegal purchase, selling or carrying of gas weapons, 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;

233 – organization of actions promoting infringement of a social order or active participation in such actions;

234.1 – illegal purchase or storage without a purpose of selling of narcotics or psychotropic substances exceeding an amount necessary for personal consumption;

234.4.1 – illegal purchase or storage without intent to sell of narcotics or psychotropic substances in a quantity exceeding the amount necessary for personal consumption, committed with preliminary arrangement by a group of persons or an organized group;

234.4.3 – illegal purchase or storage without intent to sell

of narcotics or psychotropic substances in a quantity exceeding the amount necessary for personal consumption, in a large amount;

263.1 – violation of traffic rules and rules of operation of vehicles;

274 – treason against the State;

299.1 – payment of money to a witness or victim, with intent to influence them to give false testimonies; to an expert with intent to influence him/her to give a false report or testimony; or to a translator with the intent to influence them to translate incorrectly;

274 – deliberate action committed by a citizen of the Azerbaijan Republic to the detriment of the sovereignty, territorial integrity, state security or defensibility of the Azerbaijan Republic: changeover to enemy side, espionage, distribution of state secrets to foreign state, rendering assistance to a foreign state, foreign organization or their representatives resulting in hostile activity against the Azerbaijan Republic;

278 – actions towards the violent capture of power or violent deduction power that infringes on the Constitution of the Azerbaijan Republic, as well as actions directed taken towards violent changes of constitutional grounds of the states;

281.2 – public appeals for the violent capture of authority, violent deduction of authority, violent change to constitutional grounds, or infringement of the territorial integrity of the Azerbaijan Republic, as well as distribution of materials of such content, committed by a group of persons;

283.1 – actions directed to incite national, racial or religious hatred or humiliation of national advantage, or actions directed to restrict citizens' rights, or establish the superiority of citizens on the basis of their national or racial belonging or creed, committed publicly or with the use of mass media;

283.2.1 – actions directed to incite national, racial or religious hostility, or humiliation of national advantage, as well as actions directed to restrict citizens' rights, or establish the superiority of citizens on the basis of their national or racial belonging or creed, committed publicly or with the use of mass media committed with the application of violence or with the threat of violence;

283.2.3 – actions directed to incite national, racial, or religious hostility, or humiliation of national advantage, as well as actions directed to restrict citizens' rights,

or establish the superiority of citizens on the basis of their national or racial belonging or creed, committed publicly or with the use of mass media, committed by an organized group;

299.0.2 – violating legislation on holding religious meetings, marches, and other religious ceremonies;

308.2 – abuse of power committed with the intent of affecting the results of an election or referendum;

312.2 – the presentation of a bribe to official for commitment of obviously illegal actions (inaction) by him or repeated presentation of a bribe;

313 – service forgery, that is submission by an official person of official documents containing clearly false data, or amending such documents to invalidate their contents, committed as a mercenary or through other personal interest;

315.2 – resistance or use of force against a representative of authority;

320.1 – forging of official documents;

320.2 – use of forged documents;

324 – actions insulting the state flag or state emblem of the Republic of Azerbaijan;

335.1 – evasion of military service by causing harm to health or in another way;