

New Hope for Azerbaijan's Political Prisoners

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Human rights campaigners claim the Azerbaijani government is holding far more political prisoners than it is prepared to admit

The Council of Europe is calling on the Azerbaijani authorities to release more than 50 political prisoners who have been languishing in jail cells since the early 1990s.

The continued existence of political prisoners is one of several issues which scuppered Azerbaijan's bid to join the Council of Europe last month. The application will be reconsidered after the parliamentary elections later this year and success depends largely on the nation's willingness to extract the skeletons from its closet.

Officially, the Baku government has admitted to holding a total of 55 political prisoners in jail but campaigners believe there may be hundreds more, arrested in the wake of nine attempted coups staged between 1992 and 1995.

They say many are serving sentences for trumped-up criminal charges - such as the owner of a restaurant where one group of conspirators met and the manager of a hotel patronised by insurgents.

The Parliamentary Assembly of the Council of Europe, PACE, has demanded that the former Soviet republic address the issue of political prisoners at the earliest opportunity.

At a May meeting, delegate Jacques Baumel urged the PACE political affairs committee to "review the cases of certain prisoners who are defined by human rights organisations as 'political' and consider the possibility of their release."

It was only after the question was raised that the Azerbaijani delegation to the Council of Europe admitted to the existence of 55 "politicals" - a similar figure to the total cited by a US State Department report earlier this year.

But human rights campaigner Saida Godzhamanly says this figure relates only to the number of radical opposition politicians who united to form the Democratic Congress. Godzhamanly estimates that more than 900 people were jailed in connection with the coups.

The National Foundation for Democracy, NFD, in Azerbaijan, which is close to the opposition, has published an additional list of 51 prisoners who are members of the People's Front party. However, NFD sources say this doesn't include the repressed relatives of political prisoners or non-party opposition figures.

Other campaigners have raised the question of prisoners who were arrested for complicity in the coups - including the head of the justice ministry who was jailed for registering a humanitarian organisation which later developed extremist tendencies. Their names did not appear on the official list.

According to rules defined by Amnesty International, any political prisoner is entitled to full legal rights and a fair trial whilst personal motivation should be a vital consideration in any court proceedings.

But the Baku authorities have resorted to legal subtleties in a bid to muddy the issue. The justice ministry argues that there is no section in the Criminal Code dealing with political prisoners, therefore the status does not legally exist. The convicts in question are merely political figures who have fallen foul of the law.

However, the International Committee of the Red Cross, which has been holding talks with the Azerbaijani government since November 1994, says that any prisoner "jailed over considerations of state security" can be termed "political". In 1998, the ICRC introduced a new category entitled "participants in attempts to overthrow the government".

The authorities in Baku are only too aware that the issue remains a major sticking point in the Council of Europe bid. President Heidar Aliev has pardoned 29 "politicals" in the last two years, although officials have been careful to bury their names in the general lists of amnestied prisoners.

In the wake of the PACE hearings, President Aliev ordered the release of two alleged putschists, Kyanan Gurel and Gadzhimurad Sadaddinov. Gurel had been jailed for "conspiring to betray the Motherland" while Sadaddinov was found guilty of being the driver of an "enemy of the people".

The presidential decree which amnestied both prisoners was careful to ascribe their release to "a difficult family situation and health concerns" with no mention of the prisoners' political status.

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