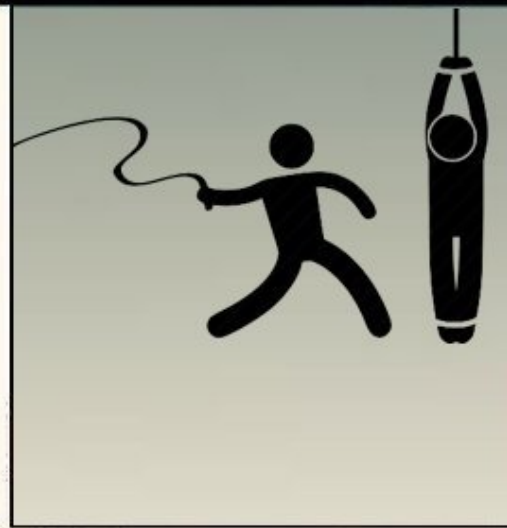




TARTAR TORTURE REPORT

Mass Torture in Azerbaijan



Terter events of 2017 -Report

General information. In May 2017, mass detentions were carried out in the military units of the Defense Ministry of Azerbaijan (a nation of 10 million people located in the South Caucasus region) situated in the country's Terter district (az. Tərtər rayonu - a district located in the west of the country), as well as in the Beylagan (az. Beyləqan rayonu - a district located in the center of the country) and Shamkir (az. Şəmkir rayonu - a district located in the north-west of the country) districts of the Republic.

During the early days of the events, the Prosecutor General's Office, the Ministry of Defense, the Ministry of Internal Affairs, the Military Prosecutor's Office, and the State Security Service of Azerbaijan issued a joint statement.

The statement said that a group of servicemen of the Azerbaijani Army and civilians allegedly working for the intelligence and special services of the Armenian Armed Forces had been exposed.

A few days before the announcement, thousands, according to some sources, 1,767 servicemen were detained. A criminal case was initiated against approximately 200 servicemen.

None of the detainees were provided with a lawyer, there were no preliminary court hearings that decided on the choice of pretrial detention on official charges. A legal analysis of the subsequent trials confirmed gross violations of the legislation of Azerbaijan and international law when the said citizens were convicted.

A criminal case was also initiated against civilians, residents of the nearby villages, whose exact number is unknown.

At least 11 people died as a result of torture, and five of them were acquitted after death.

Currently (as far as we know) 25 military servicemen are still serving sentences on charges of treason. They are sentenced to prison terms ranging from 7 to 20 years.

Report's objective. The objective of the reports is to investigate the reasons, details, and consequences of the detention of a large number of servicemen in Terter, Beylagan, and Shamkir, as well as torture against them. The goal is to objectively investigate and evaluate this event, which has become another tragic case in our recent history.

Methodology. During the preparation of the report, meetings were held with concerned parties, parents of the detainees and victims, family members, and the servicemen who are currently at large (those that were subjected to torture). At the same time, meetings and discussions were held with representatives of the Azerbaijani prosecution authorities. Monitoring of judicial materials was carried out. The indictments against the accused military personnel, forensic medical examinations, letters from the relevant departments, and other appropriate documents were studied.

Terter events. On the night of April 1-2, 2016, the Armed Forces of the Republic of Armenia subjected the advanced military positions and settlements of the Republic of Azerbaijan to intensive artillery fire. The units of the Azerbaijani Army prevented the provocation of the enemy with a counterattack. 93 Azerbaijani servicemen were killed in the course of fighting that lasted four days. The number of casualties was higher than expected. On April 3, 2016, Azerbaijani Defense Minister Zakir Hasanov reported to the Supreme Commander-in-Chief of the country that the villages of Seysulan and Talishli had been liberated from enemy occupation by the Azerbaijani Armed Forces. However, after some time it turned out that the villages of Seysulan and Talishli were still under the control of the Armenian Armed Forces. The Ministry of Defense justified the false report to the Supreme Commander-in-Chief by the alleged presence of traitors. At the end of February 2017, there also were minor clashes. In these clashes, the Azerbaijani side failed. This failure led to the dismissal or demotion of about 20 senior and mid-level officers in the Ministry of Defense. This change caused a crisis and tension in the Ministry. After that, on May 7, 2017, the Prosecutor General's Office, the Ministry of Defense, the Ministry of Internal Affairs, the Military Prosecutor's Office, and the State Security Service of the Republic of Azerbaijan issued a joint statement.

The statement said: "A group of servicemen and other civilians has been identified in Azerbaijan, who have been passing on secret military information to the intelligence and special bodies of the Armenian Armed Forces. As a result, it was found that military personnel and other civilians who took the path of betrayal of the people and the state, possessing weak will, losing their civic spirit and attachment to their homeland, to the detriment of the sovereignty, territorial integrity, state security and defense capability of Azerbaijan, were involved in secret cooperation with intelligence officers of the enemy and in the name of material interests at various times obtained and transmitted to the opposing side of the conflict information containing military secrets. Based on the materials collected, on Wednesday, May 3, a criminal case has been initiated and an operational-investigative group has been created consisting of employees of the listed state departments; a preliminary investigation is underway. As a result of urgent operational and investigative measures, provocative terrorist acts planned in public places in Baku have been prevented. The group of servicemen and civilians involved in secret cooperation have been formally charged, and a measure of restraint was chosen against them in the form of pretrial detention. At present, all the necessary operational and investigative measures are being continued on this criminal case in the direction of identifying and bringing to justice the full range of perpetrators. We declare that any provocative and terrorist activity aimed at deliberately aggravating the situation in our country, including in the city of Baku and other territories of the Republic, will be resolutely suppressed, and crushing adequate measures will be taken."

On May 1, 2017, a large number of servicemen were detained in the military units of the Terter, Beylagan, and Shamkir districts on charges of treason.

In addition to the military personnel from the Terter, Beylagan, and Shamkir military units detained on charges of treason in the course of these events, relevant government agencies also detained servicemen from other regions, who had completed military service 7-10 years prior to this affair.

Note. According to local residents and family members, the servicemen were forcibly taken away from their homes in an unknown direction by police officers and people in civilian clothes. Parents could not get any information about where their children were taken. When they insisted on getting the information, they were insulted and threatened. A few months later, they received information that the servicemen were accused of high treason.

Although the joint statement also reported on the participation of civilians and planned provocations in Baku, there was no information confirming this in the investigative and judicial documents.

What did happen in the Terter, Beylagan, and Shamkir corps since May 1, 2017? Starting in May 2017, mass arrests began in the military units located in the Terter, Beylagan, and Shamkir districts of Azerbaijan. The detainees were assembled in the buildings of a former military unit of the Ministry of Defense in Terter. Torturing of the detainees began. This torturing continued for days. As a result of torture, eleven servicemen were killed (according to some sources, the death toll was higher).

The relevant authorities buried the killed servicemen without showing the bodies to their families. The funerals were attended by a large number of police officers. Some of the servicemen were taken to a military unit in the city of Mingachevir, where torturing continued. After these events, 101 servicemen were recognized as victims by the courts. 16 employees of the Ministry of Defense were arrested on the charge of torture. Arrests, however, were only formal.

Nine persons found guilty of using torture against 101 servicemen, and the death of 11 servicemen, were sentenced to 3 years 6 months in prison; six convicts were sentenced to 6 years of imprisonment, and one person (Fuad Aghayev) was sentenced to 10 years in prison. During the 44-day war in 2020, all military personnel convicted in the framework of this case, except for Fuad Aghayev, were released from prison and sent to the combat zone. After the end of the war, the servicemen (convicted criminals), who had participated in the torture of 101 and the murder of 9 servicemen, were returned to service in military units.

Many of those accused of espionage fell into a coma during the torture and were hospitalized.

According to eyewitnesses, torturing continued in hospitals as well.

Note. Interestingly, the torture chamber in the building of the Ministry of Defense in Terter had been prepared in advance. In the early days, torture was used by officials of the same Army corps. In general, torturing lasted for a whole month. If we believe the materials of the investigation of the crime, then it becomes obvious that the Charter of the National Army of Azerbaijan was not observed, soldiers and officers acted without permission and violated discipline. However, the commander of the military detachment in question, Major General Hikmet Hasanov, and other officials were not arrested or dismissed.

The list of persons killed as a result of torture during the events in Terter

According to our research and information received, at least 11 servicemen were killed during the events in Terter. These are:

1. Lieutenant Colonel Saleh Sharif oglu Gafarov was detained on May 4, 2017 and killed on May 13, 2017;
2. Captain Suleyman Seyidagha oglu Kazimov was detained on May 4, 2017 and killed on May 7, 2017;
3. First Lieutenant Adil Tehran oglu Sabirli was killed on May 5, 2017;
4. Lieutenant Tamkin Nizamoglu was detained on May 4, 2017 and killed on May 13, 2017.
5. Lieutenant Elchin Gulu oglu Mirzaliyev was detained on May 7, 2017 and killed on May 25, 2017.
6. Warrant Officer Ruslan Ilham oglu Ojagverdiyev was detained on June 16, 2017 and killed on June 16, 2017 (on the same day);
7. Warrant Officer Sakhavat Ilyas oglu Binnatov was detained on May 8, 2017 and killed on May 16, 2017;
8. Reenlisted conscript Elchin Matlab oglu Guliyev was detained on May 3, 2017 and killed on May 6, 2017;
9. Reenlisted conscript Elkhan Kamaladdin oglu Agazadeh was detained on May 1, 2017 and killed on May 11, 2017;
10. Reenlisted conscript Mehman Telman oglu Huseynov was detained on May 1, 2017 and killed on May 8, 2017;
11. Private Dayandur Azizi was detained on May 12, 2017 and killed on May 20, 2017.

A quote from a letter by one of the victims Sultan Ramazan oglu Zeydullayev: "On May 3, 2017, the chief of staff of the military unit, Lieutenant Colonel Fikret Abdullayev, deceived me and took me from the military unit in the Aghdam district and delivered me to the commander of the corps in Barda, Major General Hikmet Hasanov. Major General Hikmet Hasanov, in front of a high-ranking officer, accused me of handing over a radio station to the enemy. When I told him that this was not the case, he replied that he would prove it to me. After that, masked men entered the office, blindfolded me, and took me to the former headquarters of the military unit in the Terter district, to the building of the former deployment center. Opening my eyes, I saw the corps commander Hikmet Hasanov in front of me. At that time, they brought in First Lieutenant Faig Alibey oglu Ahmadov, an officer who had previously served with me and was tortured and abused. He was physically tortured in front of me and forced to testify against me. Then they blindfolded me, tied

my hands behind my back, tied my legs, and dragged me into another room. Under the direction of Hikmet Hasanov, the lawyer of the corps, Major Fuad Agayev, as well as officers, warrant officers, and sergeants of the reconnaissance military unit, began to use torture. Among those present, there were also Warrant Officer Jumshudov, Warrant Officer Gahramanov, as well as people in masks, whose faces I did not see."

Torture. The vast majority of those detained in connection with the events in Terter were subjected to severe torture. They were stripped naked, and an electric current was being passed through their bodies, including through the genitals. The torturers were drowning the victims in the water, tearing out their fingernails, connecting electric current to where the nails used to be, pulling out their teeth, breaking their bones, raping them using bottles, burning them with red-hot wire, injecting unknown drugs, strangling the victims with a rubber hose. Also, corps commander Hikmet Hasanov threatened to harm the families of the detained servicemen.

Mejid Kamal oglu Gasimov, speaking about the tortures used against him, revealed the names of the torturers: these are Major General Hikmet Hasanov, Major Fuad Aghayev, Warrant Officer Jabir Gahramanov, Elchin Aliyev, Jumshud Gurbanov and masked persons. The operation was led by the Military Prosecutor, Lieutenant General Khanlar Valiyev, and his deputy Shafaat Imranov.

List of high-ranking persons who used torture against prisoners in Terter

These people are actual perpetrators. The investigation did not identify the customers.

1. Lieutenant Ruslan Muhammadali oglu Mikayilov, chief of the special group of the detachment (057), convicted and sentenced to six years of imprisonment;
2. Warrant Officer Jabir Babakhan oglu Gahramanov, deputy commander of the 2nd visual surveillance battalion (057), convicted and sentenced to six years of imprisonment;
3. Warrant Officer of the reconnaissance company Elchin Kalam oglu Aliyev (057), convicted and sentenced to six years of imprisonment;
4. Warrant Officer Sanan Sakhavat oglu Mashiyev, hand-to-hand combat instructor (057), convicted and sentenced to six years of imprisonment;
5. Junior Warrant Officer Javid Zahid oglu Aghadadashov, scout radio operator of the special purpose reconnaissance company (057), convicted and sentenced to six years of imprisonment;
7. Warrant Officer Polad Seyfaddin oglu Azizov, scout radio operator of the special purpose reconnaissance company (057), convicted and sentenced to five and a half years of imprisonment;
8. Major Fuad Ramiz oglu Aghayev, legal assistant to the commander of the military unit (051), convicted and sentenced to ten years of imprisonment;

9. Senior Warrant Officer of the special purpose reconnaissance company Gurban Gadim oglu Jumshudov, convicted and sentenced to six years of imprisonment;

10. Zameddin Zameddin oglu Ahmadov;

11. Nijat Humbat oglu Niftaliyev;

12. Nemat Alizamin oglu Poladov;

13. Nijat Rafayil oglu Pashayev;

14. Allahyar Vidadi oglu Mammadaliyev;

15. Elvin Elbrus oglu Valiyev;

16. Gunduz Famil oglu Akbarov.

As mentioned above, during the Terter events, a large number of servicemen were subjected to severe torture. These cases are reflected in the decisions of the Terter Military Court of December 28, 2018, January 31, 2019, and March 13, 2019.

According to these decisions, 103 servicemen were recognized as victims.

The medical examination carried out for these sentences revealed the whole level of cruelty of torturing.

However, the scale of torturing was reduced in the sentences. Thus, there were a large number of servicemen who had been tortured but were not recognized as victims. When meeting with human rights activists, they confirmed the facts of torture. It is impossible to determine the specific number of victims. However, we have a list of military personnel who had been subjected to severe torture but were not subsequently recognized as victims.

Legal note. *Numerous violations were committed during the preliminary investigation and trial. These included such acts as kidnapping, illegal detention, torture, extracting testimony under torture, lack of access to a lawyer, and humiliation of honor and dignity. Article 46 of the Constitution of the Republic of Azerbaijan states that everyone has the right to protect his/her honor and dignity. No circumstances can justify the humiliation of the dignity of a person. No one may be subject to torture. No one may be subject to degrading treatment or punishment. This article of the constitution has been violated. The testimonies were not rechecked. Testimony obtained under torture cannot be considered valid. Thus, during the investigation, the binding legal requirements of many articles of the Code of Criminal Procedure of Azerbaijan were also violated.*

List of servicemen arrested in 2017 and 2018 under Article 274 (high treason) and other articles of the Criminal Code of the Republic of Azerbaijan:

1. Private Emil Abdulnasirovich Aliyev, sentenced to twelve years in prison;
2. Private Sadayil Mikayil oglu Shukurov, sentenced to eleven years in prison;
3. First Lieutenant Sultan Ramazanovich Zeydullayev, sentenced to twenty years in prison;
4. Captain Rauf Rashid oglu Orujov, sentenced to seven years in prison;
5. Lieutenant Atabay Mugabil oglu Rahimov, sentenced to twenty years in prison;
6. Warrant Officer Emin Gadir oglu Adilzadeh, sentenced to sixteen years in prison;
7. Reenlisted conscript Mirpasha Zahid oglu Mehdiyev, sentenced to eight years in prison;
8. Senior Lieutenant Faig Alibey oglu Ahmadov, sentenced to twenty years in prison;
9. Lieutenant Nasif Mehman oglu Aliyev, sentenced to 20 years in prison;
10. Warrant Officer Majid Kamal oglu Qasimov, sentenced to ten years in prison;
11. Reenlisted conscript Mushfig Seymur oglu Ahmadli, sentenced to sixteen years in prison;
12. Reenlisted conscript Alizamin Alamdar oglu Guliyev, sentenced to seven years in prison;
13. Private Turan Marif oglu Ibrahimli, sentenced to nine years in prison;
14. Warrant Officer Orkhan Nariman oglu Babayev, sentenced to fifteen years in prison;
15. Reenlisted conscript Natig Altay oglu Guluzadeh, sentenced to eighteen years in prison;
16. Reenlisted conscript Emin Khormat oglu Aybov, sentenced to fifteen years in prison;
17. Reenlisted conscript Vali Savkhoz oglu Khalilov, sentenced to ten years in prison;
18. Warrant Officer Nijat Gabil oglu Rzayev, sentenced to fifteen years in prison;
19. Warrant Officer Zaur Akif oglu Abdullayev, sentenced to seventeen years in prison;
20. Private Yalchin Amir oglu Tarverdizadeh, sentenced to nine years in prison;
21. Reenlisted conscript Ismayil Intigam oglu Huseynov, sentenced to sixteen years in prison;
22. Private Seymur Israil oglu Hasanov, sentenced to fifteen years in prison;

23. Private Vagif Arif oglu Aliyev, sentenced to fifteen years in prison;

24. Reenlisted conscript Nusrat Farhad oglu Gurbanov, sentenced to sixteen years in prison;

25. Private Suleyman Eynullah oglu Hajiyev, sentenced to fifteen years in prison.

From the investigative materials, it became known that on May 3, 2017, the military prosecutor personally visited the military units concerned and began an investigation. It was during this period that there were facts of torture and murder of servicemen. Most of the perpetrators of torture were later decorated.

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On December 18, 2021, the Prosecutor General's Office of Azerbaijan issued an extensive report, confirming the facts of gross lawlessness in the Army in 2017, when numerous servicemen had been indicted on false charges of treason, tortured and some had died.

At that time, several servicemen of the Ministry of Defense, in violation of the law, without having the appropriate authority, had been interrogating their colleagues, suspecting them of treason. At the same time, the detainees had been tortured, and some had died, the Prosecutor General's Office admitted.

"Taking into account the numerous appeals of the victims, their legal successors, and other persons concerning the course and results of the investigation, on December 16, by order of the Prosecutor General of Azerbaijan, a working group has been created, which has requested all these criminal cases from the Military Prosecutor's Office of the country to fully and comprehensively investigate, identify the perpetrators and bring them to justice," the statement reads.

The special investigative group, which will re-investigate this matter, will consist of employees of the prosecution authorities, the Ministry of Internal Affairs, and the State Security Service of Azerbaijan.

Control over the investigation will be carried out by the first deputy prosecutor general, the Prosecutor General's Office said in its statement.

This department hurried to warn the media and users of social networks about the responsibility for the dissemination of preliminary investigation data.

According to the Prosecutor General's Office, this "influences the course of the investigation, forms a deliberately false public opinion, and undermines the authority of the Azerbaijani Army."