

Submissions prepared for:

# The Global Magnitsky Human Rights Accountability Act

---

As Implemented by Executive Order 13818 and §7031(c) of the Annual  
Department of State Appropriations Act

Prepared by:

Armenian Legal Center & International and Comparative Law Center

## Case 1

### Case Summary

Country: Azerbaijan

Persons responsible for serious human rights violations: torture and ill-treatment, extrajudicial killings (3):

**Lieutenant Fuad Rafael oglu Nabiye**v, Azerbaijan Ministry of Defence (reserve lieutenant);

**Zaur Guliyev** (*Zaur Hikmət oğlu Quliyev*), Captain 1<sup>st</sup> Rank, Commander of Naval Special Forces of Azerbaijan;

**Shafi Sultanov** (*Sultanov Şəfi İlyas oğlu*), Captain 2<sup>nd</sup> Rank, Commander of Naval Special Forces of Azerbaijan.

### Summary:

During the 44-day war between Armenia and Azerbaijan in 2020, heavy fighting was observed in the city of Hadrut, Khojavend District in the Nagorno-Karabakh region, particularly between 9 October and 15 October 2020. On 15 October, the day Azerbaijani military personnel released videos of themselves in the center of Hadrut, videos were shared on Telegram showing the capture and extrajudicial killing of two ethnic Armenians. The government of Azerbaijan quickly claimed these videos were fake, but independent media (BBC, Bellingcat, etc.) verified the authenticity of the videos; the BBC identified the victims as Benik Hakobyan, a 73-year-old civilian and resident of Hadrut, and Yuri Adamyan, a 25-year-old resident of the nearby village of Tyak who had volunteered with the NKR Defence Army at the beginning of the conflict in 2020. The videos showed the joint capture of Benik Hakobyan and Yuri Adamyan by Azerbaijani military personnel in the northern area of Hadrut, followed by a video of their extrajudicial execution at a park in the southern area of Hadrut.

The war saw both the extensive targeting of civilians and abuses against prisoners of war (“POWs”). Numerous videos of the extrajudicial killings of civilians were uploaded to Azerbaijani social media channels, and reports published following the war noted that dozens of ethnic Armenian civilians were killed while in the captivity or detention of Azerbaijani military personnel. Additionally, many ethnic Armenian POWs were subjected to torture and extrajudicial killings while in the captivity of Azerbaijani military personnel. To date, there has been no meaningful action taken by Azerbaijan to investigate these serious violations of human rights or hold the perpetrators accountable.

**Zaur Guliyev** and **Shafi Sultanov**, in their capacity as commanders of the Naval Special Forces of the Republic of Azerbaijan, were commanding officers during the 44-Day War and were recognized in particular for their actions in Hadrut. Units of the Naval Special Forces have been implicated in the capture of Benik Hakobyan and Yuri Adamyan. **Zaur Guliyev** and **Shafi Sultanov** were in a position to prevent crimes committed by forces under their effective control or hold them accountable under the principle of command responsibility; their refusal to do so makes them liable for the unlawful actions of military personnel under their command. **Fuad R. Nabiye**v is a reserve lieutenant in the Azerbaijani military who voluntarily joined the military of Azerbaijan and served in the 2020 war. He was a participant in the battle for Hadrut and was present at the extrajudicial killing of Benik Hakobyan and Yuri Adamyan. It is submitted that all three bear responsibility for the extrajudicial killings of Benik Hakobyan and Yuri Adamyan and should be sanctioned under the Global Magnitsky Human Rights Accountability Act as implemented by Executive Order 13818, and 7031(c) visa restrictions.

## Case 2

### Case Summary

Country: Azerbaijan

Perpetrators: Lieutenant General **Hikmat Izzat oglu Mirzayev** (Azerbaijani: Hikmət İzzət oğlu Mirzəyev), Commander of Special Forces of the Republic of Azerbaijan, 2015 through present.

Summary:

**Lieutenant General Hikmat Izzat oglu Mirzayev** is a senior military officer commanding the Azerbaijani Special Forces (2015-present). On 17 October 2020, General **Hikmat Mirzayev** was awarded the rank of Lieutenant General by order of the Azerbaijani President. On 9 December 2020, he was awarded the “Hero of Patriotic War” award by the President of Azerbaijan “for special services in restoring the territorial integrity of the Republic of Azerbaijan and for heroism in carrying out the combat mission of destroying the enemy during the liberation of the occupied territories, as well as for courage and bravery shown during military service”.

Under the command of Lieutenant **General Hikmat Mirzayev**, the Azerbaijani Special Forces committed grave human rights violations against both civilians and members of the Defence Army of the Nagorno-Karabakh Republic including **extrajudicial executions, torture, and ill-treatment**. Specifically gruesome were the Azerbaijani Special Forces’ dismemberment and decapitation of both living and dead prisoners of war and captured civilians. These grave human rights violations committed by the Azerbaijani Special Forces while under the command of **Lieutenant General Hikmat Mirzayev** were recorded during three distinct conflicts: (1) the April 2016 war; (2) the September – November 2020 war in Nagorno-Karabakh, and September 2022 invasion by Azerbaijan into Armenia proper.

These include incidents in 2016 when members of Azerbaijani Special Forces infiltrated the village of Talish in the Martakert region of Nagorno-Karabakh and committed grave human rights violations including the **ill-treatment, torture, and extrajudicial executions**, of the elderly Khalapyan family in their own home, as well as the dismemberment and decapitation of members of the Nagorno-Karabakh Defence Army while both living and deceased, Major Hayk Toroyan and Private Hrant Gharibyan.

Similar crimes were committed by the members of the Special Forces of Azerbaijan during the 2020 war in Nagorno-Karabakh, including the beheading of an elderly civilian, Yuri Asryan, in his garden in Azokh village after its capture by Azerbaijani forces. Furthermore, the Azerbaijani Special Forces extrajudicially and summarily executed a captured elderly civilian, Benik Hakobyan, and a volunteer, Yuri Adamyan, in the center of the city of Hadrut in Nagorno-Karabakh.

Moreover, the members of the Special Forces Unit committed human rights violations during Azerbaijan’s 2022 September attack on the territory of Armenia proper, including gender-based and sexual violence, desecration, mutilation, and dismemberment of women personnel of the Armenian Armed Forces. They left explicit evidence that they were the culprits on the body of one of the victims.

**Lieutenant General Hikmat Mirzayev** has been serving as the commander of the Special Forces since 2015; all of these incidents are grave human rights violations that have been committed by military units that operated under his direct command. As a commander of the Azerbaijani Special Forces, not only did he fail to prevent the human rights violations and crimes committed against civilians and servicemen of the Nagorno-Karabakh Defence Army, but he has not sought accountability for the crimes committed. As the direct commander of the Azerbaijani Special Forces, in addition to the large amount of publicly available information about the atrocities committed by Azerbaijani armed forces, he knew or ought to have known about the crimes committed by the forces under his command and did nothing to punish them.

Therefore, this submission claims that **Lieutenant General Hikmat Mirzayev** is directly responsible for serious human rights violations of **extrajudicial executions, torture, and ill-treatment**. Therefore, **Lieutenant General Hikmat Mirzayev** should be sanctioned under The Global Magnitsky Human Rights Accountability Act as implemented by Executive Order 13818, and the 7031(c) visa restrictions.

## Case 3

### Case Summary

Country: Azerbaijan

Persons and Entities Responsible (10):

1. **Elchin Guliyev** - Head of the State Border Service of Azerbaijan
2. **Ilham Mehdiyev** - Deputy head of the State Border Service of Azerbaijan
3. **Vusal Sultanov** - Commander of the Rapid Response Unit of the State Border Service
4. **Azad Alakbarov** - Deputy Head of the State Border Service of Azerbaijan
5. **Ismayil Akbarov** - Officer at the State Border Service of Azerbaijan
6. **Ramin Bagirov** - Officer at the State Border Service of Azerbaijan
7. **Ali Naghiyev** - Chief of State Security Service of the Republic of Azerbaijan
8. **Elgün Əliyev** - Head of the Military Police of Azerbaijan
9. **Kamran Aliyev** - Prosecutor General of the Republic of Azerbaijan
10. **Heydar Mirza** – Caliber.az journalist

Summary:

Torture and ill-treatment enforced disappearances and extra-judicial killings were crimes committed against Armenian POWs in numerous instances during the 2020 war in Nagorno-Karabakh. The present submission relates to sanctionable violations that happened during what is defined below as the “liberation” of Zangilan and to critical figures holding official responsibility for certain units of the Azerbaijani military forces present. As demonstrated further in the submission, sanctions by the United States government under the Global Magnitsky/EO 13818 and 7031(c) visa restrictions shall be applied against the following officials who remain liable for the torture and ill-treatment, unlawful killing, and the enforced disappearance of Armenian POWs during the “*liberation*” operation and thereafter (**Annex 5**, page 34):

- **Elchin Guliyev** (Elçin İsa oğlu Quliyev) is the head of the State Border Service of Azerbaijan (has served as head of the State Border Service since 2002, in office at the time of submission);
- **Ilham Mehdiyev** (İlham İsmayıl oğlu Mehdiyev) is the deputy head of the State Border Service of Azerbaijan (has served as the deputy head of the State Border Service since 2006, in office at the time of submission);
- **Vusal Sultanov** (Vüsal Eynulla oğlu Sultanov) is the commander of the Rapid Response Unit of the State Border Service;
- The Deputy Head of the State Border Service of Azerbaijan are **Azad Alakbarov** (Azad Ələkbərov),
- Other key figures at the State Border Service of Azerbaijan **Ismayil Akbarov** (İsmayıl Bayram oğlu Əkbərov) and **Ramin Bagirov** (Ramin Sabir oğlu Bagirov);
- **Ali Naghiyev** (Əli Nağı oğlu Nağıyev) is the Chief of the State Security Service of the Republic of Azerbaijan (was appointed as head of the State Security Service by a Presidential decree on 20 June 2019, in office at the time of submission);
- **Elgün Əliyev** was the head of the Military Police of Azerbaijan at the time of violations;
- **Kamran Aliyev** was the Prosecutor General of the Republic of Azerbaijan at the time of the violations.

On 20 October 2020, the city of Kovsakan (known as Zangilan in Azerbaijani) in the Kashatagh region of the Republic of Nagorno-Karabakh was seized by Azerbaijani soldiers. Azerbaijan refers to this operation as the “liberation” of Zangilan, and a number of Azerbaijani officers who were deemed to have significantly contributed to the operation were awarded state medals for their service by President Ilham Aliyev of Azerbaijan. Those officers, who are also responsible for the violations perpetrated during the

“liberation” operations, were, among others, the Deputy Heads of the State Border Service (“SBS”) of Azerbaijan, **Ilham Mehdiyev**, **Ismayıl oğlu** and **Nağıyev Əfqan Vəli oğlu**.

On 21 October 2020, 61 Armenian military personnel were mobilized and headed towards Kovsakan from the military base in Kapan, a city in the Syunik region of the Republic of Armenia. On the outskirts of Kovsakan, the Armenian soldiers noticed a group of armed soldiers from Azerbaijan. What followed was an exchange of gunfire between the two sides. Some of the Armenian soldiers managed to escape the ambush, while others were captured, tortured, and killed; some of the bodies of those killed were then mutilated.

Evidence is available that allows the identification of the 61 members of the Armenian personnel: 15 of them were killed in ambush, presumably in action; 20 managed to escape. 25 of them were captured, of whom 5 were later repatriated and 17 were killed in captivity (4 of those 17 were executed immediately upon capture, and the remaining 13 were subjected to inhuman treatment and torture). The fates of the remaining 3 POWs (Arsen Karapetyan, Norik Arakelyan and Aleksandr Yeghiazaryan) remain unknown. Additionally, the status and whereabouts of the one remaining Armenian soldier who was heading towards Kovsakan with the others is unknown.

One Armenian soldier, Alexander Yeghiazaryan, was last seen in the custody of Azerbaijani military police in Baku, but his current whereabouts remain unknown and his disappearance has gone unacknowledged. Consequently, the enforced disappearance of Yeghiazaryan occurred after he had been handed over to the **Baku military police**. The Head of the military police was responsible for the life and protection of Alexander Yeghiazaryan; however, he failed to take necessary measures to halt the abuses. Furthermore, the **Prosecutor General** of the Republic of Azerbaijan failed to investigate the enforced disappearances and extrajudicial killings to seek accountability for the persons or entities responsible. In relation to these circumstances, **Elgün Əliyev**, the head of the military police, and **Kamran Aliyev**, the Prosecutor General, are senior officers responsible for protecting Alexander Yeghiazaryan’s life in the military police from abuses, torture and, as happened in the present case, from enforced disappearance. Thus, the people responsible for the enforced disappearance of Alexander Yeghiazaryan, **Elgün Əliyev**, and **Kamran Aliyev** should be sanctioned by the United States.

As stated, 13 of those captured were subjected to inhuman treatment and torture; there is recorded evidence of the mistreatment, torture, and executions of Armenian military personnel, taken by the perpetrators soon after their capture.

Testimony by repatriated POWs who were held in detention in Azerbaijan further elaborates on this and the inhuman treatment and physical and mental torture they underwent while in captivity by Azerbaijani military police and state security service officials. Due to the verified, repeated nature of these crimes, the individuals included in this submission should be sanctioned under the Global Magnitsky/EO 13818 and 7031(c) visa restrictions.

## Case 4

### Case Summary

Country: Azerbaijan

Perpetrators (20):

1. **Orhan Samadov** (Samedov Orkhan Emin oglu) - Senior-level attorney at the Department for the Protection of Public Prosecutions in the Serious Crimes Courts of the General Prosecutor's Office of the Azerbaijan Republic
2. **Vugar Guliyev** (Guliyev Vugar Elbrus oglu) - Senior Prosecutor-Methodist of the State Prosecution Support Department in Serious Crimes Courts of the General Prosecutor's Office of the Azerbaijan Republic
3. **Ziya Mansurov** (Mansurov Ziya Ilham oglu) - Prosecutor of the State Prosecution Support Department in Serious Crimes Courts of the General Prosecutor's Office of the Azerbaijan Republic
4. **Parviz Mirhashimov** (Mirhashimov Parviz Boyukagha oglu) - Prosecutor of the Division for the Defence of Public Prosecutions in Grave Crimes Courts of the Department for the Protection of Public Prosecutions of the Prosecutor's General's Office of the Republic of Azerbaijan
5. **Babakhan Hasanaliyev** - Prosecutor of the Division for the Defence of Public Prosecutions in Grave Crimes Courts of the Department for the Protection of Public Prosecutions of the Prosecutor's General's Office of the Republic of Azerbaijan
6. **Hamza Eldar Akbar oglu** - Senior Prosecutor of the Division for the Defence of Public Prosecutions in Grave Crimes Courts of the Department for the Protection of Public Prosecutions of the Prosecutor General's Office of the Republic of Azerbaijan
7. **Alakbarov Valeh Hasan oglu** - Prosecutor of the Division for the Defence of Public Prosecutions in Grave Crimes Courts of the Department for the Protection of Public Prosecutions of the Prosecutor General's Office of the Republic of Azerbaijan
8. **Jeyhun Azadaliyev** (Azadaliyev Seyhun Jabrail oglu) - Junior Counsel of Justice
9. **Faiq Qaniyev** (Qaniyev Faiq Asad oglu) - Judge at Baku Court on Grave Crimes
10. **Mirza Khankishiyev** (Khankishiyev Mirza Aslan oglu) - Judge at Baku Court on Grave Crimes
11. **Ilham Mahmudov** (Mahmudov Ilham Aga oglu) - Judge at Baku Court on Grave Crimes
12. **Eldar Ismayilov** (Ismayilov Eldar Gerov oglu) - Judge at Baku Court on Grave Crimes
13. **Javid Huseynov** (Huseynov Javid Ibadylla oglu) - Judge at Baku Court on Grave Crimes
14. **Samir Aliyev** (Aliyev Samir Imamverdi oglu) - Judge at Baku Court on Grave Crimes
15. **Azad Madjidov** (Azad Ali Aga oglu Medjidov) - Judge at Baku Court on Grave Crimes
16. **Zeynal Agayev** (Zeynal Gurban oglu Aghayev) - Judge at Baku Court on Grave Crimes
17. **Sabuhi Huseynov** (Sabukhi Sabir oglu Guseynov) - Judge at Baku Court on Grave Crimes
18. **Afgan Hajiyeve** (Hajiyeve Afgan Niyatulla oglu) - Judge at Baku Court on Grave Crimes
19. **Telman Huseynov** (Huseynov Telman Qulamali oglu) - Judge at Baku Court on Grave Crimes
20. **Ali Mammadov** (Mammadov Ali Irfan oglu) – Judge at Baku Court on Grave Crimes

### Summary:

The judges and prosecutors named in this submission, who were assigned the prosecution and judicial examination of the criminal cases initiated against the Armenian Prisoners of War ("**POWs**") in Azerbaijan, are responsible for arbitrary arrest and arbitrary detentions of the Armenian POWs and, as such, sanctions shall be brought against them under the Global Magnitsky/EO 13818 and 7031(c) visa restrictions. The officials responsible for the arbitrary detention are judges and staff of the prosecution's office of Azerbaijan including, **Orhan Samadov** (a Senior-level attorney at the Department for the Protection of Public Prosecutions in the Serious Crimes Courts of the General Prosecutor's Office of the Azerbaijan Republic), **Vugar Guliyev** (Senior Prosecutor-Methodist of the State Prosecution Support

Department in Serious Crimes Courts of the General Prosecutor's Office of the Azerbaijan Republic), **Parviz Mirhashimov** (Prosecutors of the Division for the Defence of Public Prosecutions in Grave Crimes Courts of the Department for the Protection of Public Prosecutions of the Prosecutor's General's Office of the Republic of Azerbaijan), and **Babakhan Hasanaliyev** (Prosecutors of the Division for the Defence of Public Prosecutions in Grave Crimes Courts of the Department for the Protection of Public Prosecutions of the Prosecutor's General's Office of the Republic of Azerbaijan). All are responsible for the arbitrary detention and prosecution of Armenian POWs.

Furthermore, the judges who were assigned the examination of the criminal cases of the Armenian POWs, and who shall be brought under sanctions by the United States, are as mentioned above, namely **Faiq Qaniyev, Mirza Khankishiyev, Ilham Mahmudov, Eldar Ismayilov, Javid Huseynov, Samir Aliyev, Azad Madjidov, Zeynal Agayev, Sabuhi Huseynov, Afgan Hajiye, Telman Huseynov, Ali Mammadov**.

On 13 December 2020, 62 Armenian soldiers were captured by Azerbaijani military personnel when the Azerbaijani forces advanced to positions that were formally agreed to be under Armenian control following the Trilateral Statement between the Parties on 9 November 2020. Rather than engage, the Armenian forces de-escalated the situation by laying down arms and awaiting further mediation. However, they were instead brought to Baku, where they were not acknowledged as prisoners of war and were instead tried in Azerbaijani civil courts for terrorism, the illegal acquisition, transportation, storage, transportation of weapons, attack on enterprises, subdivisions, organizations, individuals in armed groups, and/or the illegal crossing of the state border. All were servicemen in the Armed Forces of the Republic of Armenia, holding positions under Armenian jurisdiction during a time when hostilities had formally concluded

The 62 Armenian servicemen were tasked with maintaining control over military positions in the Khtsaber village, in accordance with the terms outlined in the Trilateral statement to which Azerbaijan was a signatory. Following their capture, they were put on trial before the Azerbaijani courts on charges of “terrorism by a group of persons, an organized group, or a criminal association using weapons as an object” (Article 214.2.1, 214.2.3), “illegal acquisition, transportation, storage, transportation, transportation of weapons, their components, ammunition, explosives, devices by an organized group” (Article 228.3), “attack on enterprises, subdivisions, organizations, individuals in armed groups” (Article 278.2) and “the illegal crossing of the state border of the Republic of Azerbaijan by a group of persons or an organized group” (Article 318.2). Most of the charges were confirmed and most of the defendants were found guilty under **Article 318.2** (pertaining to illegal border crossing by an organized group) and **Article 228.3** (related to the illegal acquisition of ammunition and explosives by an organized group), in the meantime disregarding that the Armenian servicemen were POWs, to whom illegal border crossing does not constitute a triable offense; Regarding the illegal acquisition and possession of firearms, ammunition, and explosives by an organized group, it is essential to emphasize that these servicemen are shielded from criminal accountability as combatants under Article III of the Geneva Convention. Moreover, Azerbaijani Criminal Code Article 228 includes provisions that offer immunity from criminal prosecution to individuals who willingly surrender their weapons. The charges brought against the Armenian servicemen amounted to a denial of their status as POWs.

A portion of them were released prior to undergoing trial or receiving a conviction, while others were freed following their trials and sentencing. The final 26 were repatriated in December 2023. Among those who were convicted and sentenced, the imposed sentences varied, ranging from 6 months to 4 years or even 6 years of imprisonment. **Despite the fact that all of those individuals were captured at the same time, in connection with the same circumstances, their fates and the outcomes of their trials were**

**random, with some of them being eventually repatriated, while the final 26 individuals were only repatriated on 13 December 2023, three years after their capture.**

As elaborated in this submission, the arrest and detention of the Armenian POWs was arbitrary, with violations of their fundamental due process rights, offenses falling under the purview of the Global Magnitsky Human Rights Accountability Act. The basis of the trials from which the verdicts were issued were arbitrary and not conducted in accordance with fundamental principles of fair trial. The arbitrariness of the detention stems from the following circumstances:

1. the ***decision not to repatriate*** the Armenian POWs was ***arbitrary*** and constitutes a breach of Azerbaijan's obligations under International Humanitarian Law (IHL) and International Human Rights Law (IHRL). The arbitrariness arises specifically from:
  - a. the decision to repatriate some of the POWs of the same group of POWs in contrast to the persistent failure to repatriate the other POWs, as well as the timing of the repatriation of some of the POWs, i.e. repatriation of some of the POWs prior to the initiation of any trial proceedings against the POWs and without relying on the outcome of a judicial decision in contrast to waiting for the conclusion of the trial phase for the repatriation of some of the remaining POWs;
  - a. the nature of the charges brought against the POWs, namely illegal border crossing and possessing/carrying of weapons, both of which are offenses that POWs have immunity from.
2. the ***charges*** brought against the Armenian POWs were fabricated, and could not serve as a legal ground for their detention and trial;
3. while in detention, and with a view to having the lawfulness of their detention determined, the Armenian POWs were deprived of their ***right to appear before impartial and independent tribunals***;
4. while in detention, and with a view to having the lawfulness of their detention determined, the Armenian POWs did not have ***adequate legal representation*** during the trials in order to be able to exercise their defense in adversarial proceedings;
5. the trial judges did not deliver ***reasoned judgments*** in substantiation of their detentions and subsequent convictions.

All these circumstances demonstrate that there was arbitrary arrest and detention in the meaning of Article 2(c)(v) of EUGRHSR, as interpreted in light of relevant applicable norms, and that the Azerbaijani authorities responsible for that offense, namely certain members of the **judiciary** and the **prosecution service** as identified in this submission (including above paras 1 and 2) should be sanctioned under the Global Magnitsky Human Rights Accountability Act.



## Case 5

### Case Summary

Country: Azerbaijan

Persons and Entities Responsible (2):

1. Lieutenant Colonel **Elgun Aliyev**, Chief of the **Military Police** Department of the Ministry of Defence of Azerbaijan
2. **Military Police** Department of the Ministry of Defence of Azerbaijan

Summary:

The present submission recommends targeted sanctions, under The Global Magnitsky Human Rights Accountability Act as implemented by Executive Order 13818, against **Elgun Aliyev**, the head of the Military Police of Azerbaijan, as well as the **Military Police Department of the Ministry of Defence of Azerbaijan**, as an entity on whose premises and the individuals under whose watch and supervision the Armenian Prisoners of War (“**POWs**”) were subjected to **torture, degrading and inhuman treatment**. The necessity of imposing sanctions under Global Magnitsky/EO 13818 and 7031(c) visa restrictions is even more pressing in light of the long-standing practice of torture and inhuman treatment prevalent in the Military Police of Azerbaijan.

On 22 October 2020, a video appeared on Telegram channels where a group of eight Armenian soldiers in Armenian military uniforms were standing in a row in front of a building. Repatriated Armenian servicemen later confirmed that they were captured from the Armenian military base in Mataghis in the northern area of Nagorno-Karabakh. Analysis of open-source materials conducted by authors of this submission, as well as other human rights defense organizations and the Human Rights Defender of Armenia revealed that forces of the 1<sup>st</sup> Army Corps of Azerbaijan under the command of *Hikmet Hasanov* participated in the military activities in the direction of Mataghis, and on 3 October 2020, the Azerbaijani authorities announced the capture of Mataghis.

The video was shared on the Telegram channel *Qarabağ Xəbər* depicting a group of eight Armenians in Armenian military uniforms standing in a row in front of the Armenian military base in Mataghis. In the footage, a voice in Russian instructs the POWs to repeat, one after another, “Karabakh-Azerbaijan,” while an Azerbaijani serviceman walks along the row. In another video that appeared on 23 October 2020, the same Armenian military personnel are on their knees on the ground at a different location, their hands behind their heads, and are instructed to say all together, repeatedly, “Karabakh-Azerbaijan.” In the third video, one of the captured servicemen is interrogated by a high-ranking Azerbaijani serviceman on camera in an open space. A group of his fellow servicemen can be seen in the background with their hands tied behind their backs with zip ties.

According to testimony from the repatriated POWs, Azerbaijani military personnel found them in a bunker in the Mataghis military base. Some of them were wounded in the fighting. The testimony notes that two Azerbaijani commanders ensured the POWs faced no physical abuse during their initial captivity. However, when they were transferred to the custody of the military police, they faced extensive physical abuse, regardless of any injuries they had. They remained in the custody of the Azerbaijani military police until their repatriation on 14 December 2020.

In his capacity as Chief of the Military Police of the Republic of Azerbaijan, **Elgun Aliyev** bears responsibility for ensuring that prisoners in the custody of the military police face no mistreatment, or that those responsible for any mistreatment are held accountable. For the **torture, degrading, and inhuman treatment** that prisoners faced while in the custody of the military police under the supervision of **Elgun Aliyev**, he should be sanctioned under The Global Magnitsky Human Rights Accountability Act as implemented by Executive Order 13818, and the 7031(c) visa restrictions.

## Case 6

### Case Summary

Country: Azerbaijan

Perpetrators (2): **Colonel Elshan Sanaev (Elşən Sanayev)**, Commander of Azerbaijani Military 218<sup>th</sup> Commando Brigade (Dec. 2021 – Present); **Lieutenant General Anvar Afandiyev (Ənvər Əfəndiyev)**, Commander of Azerbaijani Ground Forces Command (Nov. 2021 – Present).

Summary:

**Colonel Elshan Sanaev** and **Lt. General Anvar Afandiyev** are senior officers in the military of the Republic of Azerbaijan. Both hold key military positions commanding units of the armed forces of Azerbaijan, including in the recent conflict between Azerbaijan and the Republic of Armenia in September 2022. On September 13, around 6:30 AM local time and on a mountain ridge at the geographic coordinates 39°35'19.6"N 46°11'11.7"E, Azerbaijani military personnel committed **extrajudicial killings, summary executions, and arbitrary killings of individuals** as they executed at least seven (7) Armenian prisoners of war. Evidence of the killings and their aftermath, recorded by the perpetrators, was then shared on Azerbaijani social media channels which are known for sharing anti-Armenian propaganda. Units under the command of **Col. Sanaev** and **Lt. Gen. Afandiyev** were responsible for the execution of the Armenian prisoners of war. The units and individuals responsible for this act have faced no repercussions, which would also fall under the prerogative of **Col. Sanaev** and **Lt. General Afandiyev** as the responsible superior officers in the chain of command.

**Col. Elshan Sanaev** is the commander of the 218<sup>th</sup> Commando Brigade of the Azerbaijani armed forces and in that capacity, he is responsible for the actions of the soldiers under his command and holding them accountable. **Lt. General Anvar Afandiyev** is the overall commander of the Azerbaijani army as the head of the Ground Forces Command, including the 218<sup>th</sup> Commando Brigade. As such he is implicated in the extrajudicial killings committed by the soldiers of the 218<sup>th</sup> Commando Brigade through the chain of command.

The Azerbaijani Ground Forces Command is the result of a reorganization of Azerbaijani armed forces; previously, they were under the command of the general staff of the army. The Azerbaijani armed forces have been responsible for numerous documented war crimes committed against ethnic Armenians including torture, ill-treatment, and extrajudicial killings. There have been no repercussions or accountability for any of these crimes from within Azerbaijan. Thus, political pressure in the form of sanctions shall be brought against them under the Global Magnitsky/EO 13818 and 7031(c) visa restrictions.

## Case 7

### Case Summary

Country: Azerbaijan

Persons responsible for human rights violations at Hadrut (7):

1. Vice-Admiral **Subhan Bakirov** (**Sübhan Kamal oğlu Bəkirova**)
2. Captain **Zaur Guliyev** (**1<sup>st</sup> Rank**)
3. Captain **Shafi Sultanov** (**2<sup>nd</sup> Rank**)
4. Captain **Farhad Ismayilov** (**3<sup>rd</sup> Rank**)
5. Captain **Ilgar Nurmamedov** (**3<sup>rd</sup> Rank**)
6. Captain **Eldar Panahov** (**3<sup>rd</sup> Rank**)
7. Captain **Babek Shirinov** (**3<sup>rd</sup> Rank**)

Persons responsible for human rights violations at Baku prison (4):

1. **Jeyhun Hasanov**, Major General, Chief of Penitentiary System, Ministry of Justice (Present)
2. **Fikrat Mammadov**, Minister of Justice of the Azerbaijani Republic (April 2000 - Present)
3. **Ali Naghiyev**, Chief of State Security Service (Present)
4. **Zakir Asker oglu Hasanov**, [Colonel General](#) Minister of Defence (October 2013 - Present)

Summary:

During the 2020 Nagorno-Karabakh War, the Azerbaijani Naval Special Forces (“NSF”) were especially active in battles for Hadrut (a city in the region of Nagorno-Karabakh referred to as “Khojavend” in Azerbaijani). Various human rights abuses towards Armenian military personnel and civilians, namely extrajudicial killings summary and arbitrary executions, and torture and inhuman treatment occurred during the NSF’s military operations in Hadrut.

During the 2020 Nagorno-Karabakh War, the NSF was under the ultimate command of then-Rear Admiral **Subhan Bakirov**. Additionally, the following men were high-ranking officers under the command structure of the NSF: Captains **Zaur Guliyev** (**1<sup>st</sup> Rank**), **Shafi Sultanov** (**2<sup>nd</sup> Rank**), **Farhad Ismayilov** (**3<sup>rd</sup> Rank**), **Ilgar Nurmamedov** (**3<sup>rd</sup> Rank**), **Eldar Panahov** (**3<sup>rd</sup> Rank**), and **Babek Shirinov** (**3<sup>rd</sup> Rank**). On December 25, 2020, the aforementioned captains were awarded with the medal “For the liberation of Khojavend” by a Presidential Decree from Azerbaijani President, Ilham Aliyev. Thus, these specific high-ranking officers of the NSF were all confirmed participants in command positions during the attack on Hadrut.

Armenian prisoners of war detained in the Hadrut region were transferred to a prison in Baku. **Jeyhun Akbar oglu Hasanov**, **Fikrat Mammadov**, **Ali Naghiyev**, and **Zakir Hasanov** are high-ranking officers in the Ministry of Justice, Ministry of Defence, and the State Security Service respectively. The Azerbaijani Ministry of Justice oversees the regulation of the justice system, overseeing the public prosecutor, maintaining the legal system, maintaining public order, and instituting law reforms. At the Ministry of Justice, **Fikrat Mammadov** holds the position of Agency Executive, and **Jeyhun Akbar oglu Hasanov** is the Major General. The State Security Service of the Republic of Azerbaijan is a governmental agency established on the base of the Ministry of National Security of Azerbaijan in 2015. The objective of the State Security Service is to operate on the commitments of observing human and civil rights, freedoms, and humanism, the principles of responsibility for the state and society. **Ali Naghiyev** is the Agency Executive at the State Security Service. The Ministry of Defence of the Republic of Azerbaijan is a government agency associated with the Azerbaijani military, established in 1991. They are responsible for keeping Azerbaijan defended in times of external threats, waging war, preservation of territorial integrity, and surveillance of the Caspian Sea and airspace. **Zakir Asker oglu Hasanov** is the Colonel General (i.e. a grade below that of a General) at the Ministry of Defence. For torture, cruel, inhuman, or degrading treatment or punishment, and prolonged detention without charges and trial as defined in the Foreign Assistance Act of 1961 (22 U.S.C. § 2304(d)(1)), sanctions should be brought against the individuals listed in this designation under the Global Magnitsky/EO 13818 and 7031(c) visa restrictions.