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AZERBAIJAN'S STATE-SANCTIONED POLICY OF EVIDENCE FALSIFICATION AND OBFUSCATION IN HUMAN RIGHTS INVESTIGATIONS

REPORT, 2025

Azerbaijan has a well-documented history of falsifying evidence, manipulating investigations, and obstructing justice as part of its de facto state policy. Independent international investigative bodies, legal institutions, foreign experts, and human rights organizations have uncovered numerous instances of Azerbaijan's fabrication of charges, manipulation of forensic reports, concealment of evidence, and the deliberate failure to investigate human rights abuses occurring within its jurisdiction. The European Court of Human Rights (ECtHR) has ruled against Azerbaijan in multiple cases, exposing a pattern of intentional injustice and system-wide impunity. This is particularly evident in Azerbaijan's treatment of Armenians and its state-sponsored, anti-Armenian narrative.

This consistent pattern of deliberate injustice demonstrates that Azerbaijan lacks the credibility to present reliable evidence or conduct independent investigations, further jeopardizing the human rights of targeted populations, especially Armenians. State conduct not only perpetuates ongoing human rights abuses but also obfuscates evidence that would otherwise demand accountability. This report highlights Azerbaijan's systematic practice of evidence falsification and obfuscation as a means to conceal war crimes and human rights violations from the international community.

SYSTEMATIC FABRICATION OF FALSE CHARGES IN SERVICE OF POLITICAL SUPPRESSION

II

Azerbaijan has fabricated false charges in order to suppress coverage of realities that undermine the state's propagandized narrative. International organizations such as Human Rights Watch (HRW) and Amnesty International are among those that have documented Azerbaijan's systematic practice of fabricating charges against dissidents and human rights activists. These include targeted attacks, arbitrary arrests, and politically motivated prosecutions against its civilians, as well as those who protest corruption and speak out against human rights abuses carried out by authorities. Among those targeted are opposition leaders, activists, and journalists, including the founder of a civil society group Anar Mammadli,¹ anti-corruption activist Gubad Ibadoghlu,² human rights defender Ilhamiz Guliyev,³

1. Amnesty International, *The Human Rights Situation in Azerbaijan Ahead of COP29* (1 November 2024)

<<https://www.amnesty.org/en/wp-content/uploads/2024/11/EUR5587032024ENGLISH.pdf>> accessed 10 April 2025;

Amnesty International, *Azerbaijan: Detained human rights advocate denied medical care* (8 November 2024)

<<https://amnesty.ca/urgent-actions/azerbaijan-detained-human-rights-advocate-denied-medical-care/>> accessed 10 April 2025.

2. Human Rights Watch, *Azerbaijan: Free Academic Facing Bogus Charges* (23 July 2024)

<<https://www.hrw.org/news/2024/07/23/azerbaijan-free-academic-facing-bogus-charges>> accessed 10 April 2025;

Amnesty International, *Gubad Ibadoghlu Denied Urgent Surgery* (5 November 2024) EUR 55/8717/2024

<<https://www.amnesty.org/en/wp-content/uploads/2024/11/EUR5587172024ENGLISH.pdf>> accessed 10 April 2025.

3. Amnesty International, *COP29: States must press Azerbaijani authorities to end assault on freedom of expression* (7 October 2024)

<<https://www.amnesty.org.uk/press-releases/cop29-states-must-press-azerbaijani-authorities-end-assault-freedom-expression>> accessed 10 April 2025;

European Parliament, *Motion for a Resolution on Azerbaijan, notably the repression of civil society and the cases of Dr Gubad Ibadoghlu and Ilhamiz Guliyev* (23 April 2024) B9-0230/2024 <https://www.europarl.europa.eu/doceo/document/B-9-2024-0230_EN.html> accessed 10 April 2025.

opposition leader Tofiq Yagublu,⁴ and academics Iqbal Abilov and Bahruz Samadov.⁵ These individuals have been detained on fabricated charges, ranging from drug trafficking to financial fraud. Such cases have been widely recognized as Azerbaijan's politically motivated attempts to curb transparency regarding human rights abuses.⁶

Azerbaijan has a documented record of engaging in what the Court considers to be acting in bad faith– violating the rights of human rights defenders, independent journalists, and those who voice dissent by using the guise of domestic criminal law for the ulterior purpose of persecution. Article 18 of the European Convention on Human Rights sets forth a limitation on the ways in which authorities are permitted to restrict rights, that:

“The restrictions permitted under this Convention to the said rights and freedoms shall not be applied for any purpose other than those for which they have been prescribed.”⁷

One of the multiple cases wherein the Court found Azerbaijan to be acting in bad faith, with ulterior motives, involved the imposition of travel bans and freezing of bank accounts of a human rights defender, Asabli Mustafayev. In establishing that these actions violated Mustafayev's right to freedom of movement and property protection, the Court applied Article 18 in conjunction with these rights. The Court noted that Azerbaijan has a record of fabricating charges as a tool of suppression, recognizing that:

“[. . .] a series of similar cases reflected a pattern of arbitrary arrest and detention of government critics, civil society activists and human rights defenders through retaliatory prosecutions and misuse of the criminal law in breach of Article 18. The Court also cannot overlook the reports and opinions made by various international human rights instances about the use of freezing of bank accounts and imposition of travel bans on the civil society activists in this context. The Court considers that the above-mentioned elements are sufficient to enable it to conclude that there was an ulterior purpose in the restriction of the applicants' rights; namely, it was to punish the applicants for their activities in the area of human rights and to prevent them from continuing those activities.”⁸

4. Human Rights Watch, *Azerbaijani Opposition Leader Convicted on Bogus Charges* (Gogia and Geybullu, 13 March 2025)

<<https://www.hrw.org/news/2025/03/13/azerbaijani-opposition-leader-convicted-bogus-charges>> accessed 10 April 2025;

U.S. Department of State, *2021 Country Reports on Human Rights Practices: Azerbaijan*

<<https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/azerbaijan/>> accessed 10 April 2025.

5. Amnesty International, *Azerbaijan: Academics Arrested on Fabricated Charges: Iqbal Abilov and Bahruz Samadov* (23 September 2024) EUR 55/8554/2024

<<https://www.amnesty.org/en/documents/eur55/8554/2024/en/>> accessed 10 April 2025;

Human Rights Watch, *Azerbaijan: Escalating Crackdown on Critics* (30 August 2024)

<<https://www.hrw.org/news/2024/08/30/azerbaijan-escalating-crackdown-critics>> accessed 10 April 2025.

6. Amnesty International, *The Human Rights Situation in Azerbaijan Ahead of COP29* (1 November 2024) EUR 55/8703/2024

<<https://www.amnesty.org/en/wp-content/uploads/2024/11/EUR5587032024ENGLISH.pdf>> accessed 10 April 2025.

7. European Court of Human Rights (ECHR), *European Convention on Human Rights*

<https://www.echr.coe.int/documents/d/echr/convention_ENG> accessed 10 April 2025.

8. *Democracy and Human Rights Resource Centre and Mustafayev v. Azerbaijan* (Application nos. 74288/14 and 64568/16, ECtHR, 14 October 2021)

<<https://hudoc.echr.coe.int/fre?i=001-212139>> accessed on 10 April 2025.

The routine targeting of individuals speaking out against state policies and defending human rights is broadly practiced by Azerbaijani authorities. By fabricating criminal charges against those who promote human rights, Azerbaijan seeks to suppress transparency and conceal the reality of violations taking place. This overt dishonesty and manipulative application of the law for ulterior purposes demonstrates that Azerbaijan is not committed to protecting human rights, but rather persecuting those who are and obfuscating this practice under the guise of legality.

While many of the individuals victimized by Azerbaijan's falsification of evidence reported severe ill-treatment and abuse, Azerbaijan refuses to investigate these allegations despite clear proof of their widespread presence. A 2021 U.S. State Department report confirmed that Azerbaijan routinely refuses to prosecute or punish officials who commit human rights abuses and engage in corruption, noting the problem of state-sponsored impunity at all levels.⁹ In the cases wherein Azerbaijan does conduct "investigations" in response to questions of human rights violations, there have been clear patterns of falsification and manipulation of evidence, alongside a lack of transparency and failure to hold responsible parties accountable.

In many cases, Azerbaijani authorities are direct participants in both the act and the cover-up of horrific abuses. A significant case of this nature, *Lapshin v. Azerbaijan*, involved the attempted murder of a blogger imprisoned after crossing the state border to cover the Nagorno-Karabakh conflict. After previously reporting he had been attacked in his cell, Lapshin was found hanging from a belt, near death, despite having no history of suicidality. Azerbaijan refused to adequately investigate this incident, dismissing it as an attempted suicide, even with substantial evidence that suggested otherwise. In the Court's assessment of Azerbaijan:

"The Court observes, however, that there were **serious deficiencies and inconsistencies in the manner in which the inquiry was conducted** and in the investigator's findings closing the inquiry. Consequently, many obvious questions concerning the incident putting the applicant's life at risk while in the hands of the Azerbaijani authorities remained unanswered."¹⁰

Forensic, psychiatric, and medical experts from Israel, Russia, and Croatia all confirmed signs of strangulation, blunt force trauma, and evidence pointing to a staged hanging, contradicting Azerbaijan's claim that his near-death was an attempted suicide.

The ECtHR ruled that Azerbaijan had violated substantive and procedural aspects of the right to life, and pointed out major inconsistencies in Azerbaijan's forensic reports and prison guard statements. Azerbaijan not only failed to adequately investigate this case but deliberately attempted to propagate a falsity in order to evade accountability.

9. U.S. Department of State, *2021 Country Reports on Human Rights Practices: Azerbaijan*

<<https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/azerbaijan/>> accessed 10 April 2025.

10. *Lapshin v. Azerbaijan* (Application no. 13527/18, ECtHR, 20 May 2021) <<https://hudoc.echr.coe.int/eng?i=001-210045>> accessed 10 May 2025.

The institutions within Azerbaijan tasked with conducting such investigations do not operate independently, further highlighting the extent of corruption and unreliability of their issued findings. Azerbaijan's judiciary and human rights institutions enable and facilitate the obstruction of justice. Azerbaijan's National Human Rights Institution (NHRI) has a documented history of refusing to investigate or address systemic violations. As a result, in 2018, the NHRI received a downgrade from A to B status, reflecting its failure to operate with impartiality and refusal to investigate credible allegations of human rights abuses perpetrated by authorities.¹¹ In the recent accreditation session of 2024, the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions rejected Azerbaijan's request for an upgraded status and recommended that Azerbaijan's Office of Human Rights Commissioner be reaccredited with the B status.¹² The NHRI of Azerbaijan currently maintains an accreditation status of B, as it has since 2018, consistent with its persistent lack of independence and failure to address ongoing human rights violations.¹³ The 2023 sixth monitoring report on Azerbaijan published by the European Commission against Racism and Intolerance corroborated this finding, noting the lack of independent institutions and a Commissioner for Human Rights who fails to seriously investigate allegations of the violations committed by the Azerbaijani State party.¹⁴ The University Network for Human Rights (UNHR) has observed that Azerbaijan has yet to investigate, charge, or convict any members of its armed forces for their participation in extrajudicial killings, even regarding the atrocities committed against Armenians in the 2020 and 2023 Nagorno-Karabakh attacks.¹⁵ This level of impunity at all levels indicates Azerbaijan's institutional complicity in the obfuscation and concealment of its human rights abuses, a blatant attempt to prop up its international reputation at the cost of justice.

FABRICATION OF ALLEGATIONS AGAINST ARMENIANS

III

Azerbaijan frequently fabricates charges against Armenian civilians, political prisoners, and POWs in order to justify illegally detaining them as leverage against Armenia. This includes the 23 POWs and civilians captured following the 2020 war who are now imprisoned and awaiting or facing trial. Azerbaijan has reclassified them as "ordinary prisoners," stripping away their protections under international humanitarian law.¹⁶ Various legal bodies, including

11. European Network of National Human Rights Institutions, 'Azerbaijan Ombudsman Institute' <<https://ennhri.org/rule-of-law-report/azerbaijan/>> accessed 10 April 2025.

12. European Network of National Human Rights Institutions, 'Outcomes announced of the latest Sub-Committee on Accreditation session' (21 June 2024) <<https://ennhri.org/news-and-blog/outcomes-announced-of-the-latest-sub-committee-on-accreditation-session/>> accessed 10 April 2025.

13. European Network of National Human Rights Institutions, 'Azerbaijan Ombudsman Institute' <<https://ennhri.org/our-members/azerbaijan/>> accessed 10 April 2025.

14. European Commission against Racism and Intolerance, *ECRI Report on Azerbaijan (sixth monitoring cycle)* (adopted 29 March 2023) <<https://rm.coe.int/sixth-report-on-azerbaijan/1680ab9e35>> accessed 10 April 2025.

15. University Network for Human Rights, *Chapter 4: Unlawful Killings and Mutilation of the Deceased* <<https://humanrightsnetwork.shorthandstories.com/we-are-no-one/we-are-no-one-all-chapters/chapter-4-unlawful-killings-and-mutilation-of-the-deceased/index.html>> accessed 10 April 2025.

16. Free Armenian Hostages, 'The Armenian hostages - POWs, civilians and political prisoners- still illegally detained by Azerbaijan' <<https://freearmenianhostages.net/?p=159>> accessed 10 April 2025.

the European Parliament,¹⁷ and human rights organizations, both Armenian and international, oppose this labeling, naming their detention unlawful and their trials a sham based on fabricated allegations.¹⁸

For those captured and repatriated Armenian POWs who have reported abuse, Azerbaijan denies this mistreatment despite conflicting video evidence and documentation from international organizations on Azerbaijan's clear violations of international law. Azerbaijan also has a demonstrable history of using torture in order to coerce false testimonies from individuals, which are then used to support fabricated charges.¹⁹ To conceal evidence of the inhumane treatment of Armenians, Azerbaijan has regularly refused to allow members of the ICRC to visit prisoners of war, eliminating their communication with the outside world and subjecting them to incommunicado captivity.²⁰ Recently, Azerbaijan has officially notified the ICRC office of its intention to evict the organization from the country. The impending closure of the local office is especially concerning as the ICRC is the only organization with access to the aforementioned group of 23 detained Armenians who are facing and awaiting trial.²¹

Another method by which Azerbaijan routinely conceals evidence of torture and obfuscates justice is through the enforced disappearances of Armenians. There are at least 80 cases of documented enforced disappearances of Armenians who were last known to be alive while held captive by Azerbaijan.²² These cases were brought before the ECtHR. Even after Rule 39 Interim Measures were issued by the Court, demanding specific information on the captives, such as the condition of their health and whereabouts, Azerbaijan refused to meaningfully investigate or share information on these captives.²³ Enforced disappearances are frequently used to conceal mistreatment, torture, and unlawful killings, as in the process, victims are silenced, evidence is destroyed, and legal accountability is eliminated. Azerbaijan's enforced disappearance of at least 80 individuals and its subsequent non-compliance serve as evidence that Azerbaijan continues to obfuscate justice in order to maintain political leverage over Armenia.

17. European Parliament, *Unlawful detention and sham trials of Armenian hostages, including high-ranking political representatives from Nagorno-Karabakh, by Azerbaijan* (13 March 2025) <https://www.europarl.europa.eu/doceo/document/TA-10-2025-0038_EN.html> accessed 10 April 2025.

18. Ibid; Protection of Rights Without Borders NGO, 'Human Rights Defenders Call for International Monitoring of Trials of Armenian Detainees in Baku' (17 January 2025) <<https://prwb.am/en/2025/01/17/human-rights-defenders-call-for-international-monitoring-of-trials-of-armenian-detainees-in-baku/>> accessed 10 April 2025.

19. United Nations General Assembly, *Report of the Human Rights Defender of Armenia on the Treatment of Armenian Prisoners of War and Civilian Captives in Azerbaijan* (1 March 2021) <https://digitallibrary.un.org/record/3934328/files/A_HRC_46_NI_12-EN.pdf> accessed 10 April 2025.

20. Ibid.

21. Reuters, 'Red Cross says Azerbaijan ordered it to leave the country' (5 March 2025)

<<https://www.reuters.com/world/red-cross-says-azerbaijan-ordered-it-leave-country-2025-03-05/>> accessed 10 April 2025.

22. University Network for Human Rights, *Chapter 3: Enforced Disappearance*

<<https://humanrightsnetwork.shorthandstories.com/we-are-no-one/we-are-no-one-all-chapters/chapter-3-enforced-disappearance/index.html>> accessed 10 April 2025.

23. International and Comparative Law Center NGO, *Submission to the United Nations Special Procedures Working Group on Enforced or Involuntary Disappearances* (submitted 18 August 2023) <<https://iclaw.am/upload/publication-documents/6748201b7a75f.pdf>> accessed 10 April 2025.

Azerbaijan has an extensive history of falsifying evidence, manipulating forensic reports, and obstructing independent investigations in order to conceal its human rights abuses, particularly those committed against Armenians. Multiple ECtHR rulings have revealed the extent of Azerbaijan's evidence falsification, deliberate procedural violations, and systematic state-sponsored impunity for the crimes committed against Armenian victims.

Azerbaijan has routinely tampered with forensic reports and testimonies of witnesses, as has been demonstrated in ECtHR rulings. In the case of *Narayan and Others v. Azerbaijan*,²⁴ Azerbaijan failed to investigate its soldier who had murdered Armenians. Two of the three murdered Armenians were unarmed soldiers killed while vulnerable and in plain clothes, one while using the toilet and another while getting water. Azerbaijan initially blamed Armenia for these killings, claiming the government of Armenia had framed the Azerbaijani soldier. However, the Court rejected this version, stating:

“Having regard to the evidence submitted by the respondent Government in the present case, which, critically did not include any in situ examination report, the Court considers that **this scenario falls short of the requirement of plausibility** [. . .]”²⁵

Azerbaijan's second claim, alleging that the Azerbaijani soldier was kidnapped by Armenians and acted in self-defense, was also dismissed by the Court:

“Moreover, that scenario **directly contradicts** statements made by the highest State official [. . .] the respondent Government's version of the facts, accordingly to which the three Armenian soldiers might have been killed by other members of the Armenian army, is **entirely speculative**.”²⁶

The Court noted that both of these scenarios were implausible and that Azerbaijan had failed to investigate the site of the incident while Armenia had conducted its criminal investigation based on substantial evidence:

“[. . .] the criminal investigation conducted by the Armenian authorities into the incidents of 29 December 2016, in which **a range of evidence corroborating their version of the facts was produced**.”²⁷

24. *Narayan and Others v. Azerbaijan* (Application nos 54363/17 and two others, ECtHR, 19 December 2023) <<https://hudoc.echr.coe.int/eng?i=001-229602>> accessed 10 April 2025.

25. *Ibid.*

26. *Ibid.*

27. *Ibid.*

Additionally, the Court also noted that the ten witness testimonies produced by Azerbaijan contained “substantial identical elements,” to the degree that demonstrated the statements were fabricated:

“[. . .] the investigation conducted by the Azerbaijani authorities had lacked effectiveness and the evidence produced to that investigation was unreliable, if not fake, as, for instance, the statements taken from the witnesses appeared to be, given that they included many paragraphs which were identical word for word.”²⁸

The Court’s ruling that Azerbaijan had violated both substantive and procedural aspects of the victims’ right to life and presented implausible claims and evidence further demonstrates Azerbaijan’s unreliability as a source.

Another case wherein Azerbaijan has presented fabricated evidence to the ECtHR in an attempt to conceal human rights abuses is *Saribekyan and Balyan v. Azerbaijan*.²⁹ The Armenian civilian was captured and later found dead in Azerbaijani custody, with the Azerbaijani authorities declaring his cause of death to be suicide using soft materials. However, independent Armenian forensic reports concluded his death was caused by strangulation and noted crucial evidence of torture, including brain trauma from blunt force trauma inflicted days prior and just before the victim’s death. The Court sided with Armenia:

“Given the injuries [. . .] and the information made available to the Court regarding the configuration of his cell, the account according to which he hung himself cannot be accepted.”³⁰

The Armenian report was supported by substantive evidence, including photographs and schematic drawings, materials that Azerbaijan’s medical report noticeably lacked. The Court also expressed concern at Azerbaijan’s blatant failure to make note of evidence that the Azerbaijani forensic expert should have examined:

“[. . .] the photographs included in the Armenian forensic report appear to show injuries that ought to have been examined by the Azerbaijani forensic expert, in particular the cranio-cerebral trauma.”³¹

Again, the Court found Azerbaijan guilty of violating the right to life and the prohibition of torture. The Court also criticized Azerbaijan’s lack of examination and decision to ignore evidence. This is yet another example of Azerbaijan presenting incomplete reports created to hide its culpability for atrocious human rights abuses, demonstrating that Azerbaijan’s forensic examinations are not dependable.

28. *Ibid.*

29. *Saribekyan and Balyan v. Azerbaijan* (Application no. 35746/11, ECtHR, 30 January 2020)

<<https://hudoc.echr.coe.int/eng?i=001-200439>> accessed 10 April 2025.

30. *Ibid.*

31. *Ibid.*

In *Khojyan and Vardazaryan v. Azerbaijan*,³² Azerbaijan not only fabricated charges in the arrest of a 77-year-old man they declared as an “Armenian saboteur,” but also regarding his abuse during detention. When he was eventually returned to Armenia in a severely deteriorated condition, examinations during his hospitalization revealed evidence of torture, including blunt trauma to his head, ribs, and arms as well as a bullet wound in his arm. He died two months later. Azerbaijan failed to investigate or include note of these injuries in their examinations of his body, denying these injuries despite evidence indicating that they occurred while he was in Azerbaijani captivity. In this case’s assessment, the Court noted:

“[. . .] that the medical evidence presented by the applicants was supplemented with photographs showing Mr Khojyan’s state at the time of his release, and which substantiate their claim that he suffered from multiple injuries to different parts of his body when he was released from detention. It considers that **these injuries must have been visible to Azerbaijani authorities** [. . .] the origin of these injuries gives cause for concern.”³³

The Court rejected Azerbaijan’s attempt to shift responsibility:

“The Court therefore finds that the respondent Government [Azerbaijan] **have not provided a plausible explanation** about the circumstances in which Mr Khojyan was shot in the arm.”³⁴

The Court found Azerbaijan guilty of violating both the prohibition of torture and the victim’s substantive and procedural right to life. This case is one of many wherein Azerbaijan has intentionally left out crucial observations and obfuscated relevant evidence in an attempt to conceal its extensive abuse against Armenians.

Azerbaijan has also repeatedly manipulated evidence to cover up its extrajudicial killings of Armenians, including the enforced disappearances and executions of POWs. In the case of *Petrosyan v. Azerbaijan*,³⁵ Azerbaijan captured an Armenian resident who lived near the border. When he died under captivity, Azerbaijan claimed his death was caused by a heart condition and that notable injuries on his body were wounds he suffered from before his apprehension. However, concerning Azerbaijan’s forensic report:

32. *Khojyan and Vardazaryan v. Azerbaijan* (Application no. 62161/14, ECtHR, 4 November 2021) <<https://hudoc.echr.coe.int/eng?i=001-212964>> accessed 10 April 2025.

33. *Ibid.*

34. *Ibid.*

35. *Petrosyan v. Azerbaijan* (Application no. 32427/16, ECtHR, 4 November 2021) <<https://hudoc.echr.coe.int/fre?i=001-212965>> accessed 10 April 2025.

“The Court notes that, contrary to usual practice, the forensic report was not followed by photographs, which **undermines the reliability of the conclusions** regarding the alleged cardiac origin of the condition that had allegedly caused the death.”³⁶

There was substantial evidence contradicting Azerbaijan’s version of events, including video evidence that showed no injuries at the time of capture and a subsequent video released of the victim while he was in captivity, which revealed visible torture marks. The Court stated that:

“[. . .] **the report adduced by the respondent Government [Azerbaijan] to the effect that the injuries had been inflicted “2-3 days before” death are difficult to reconcile with the videos of the applicant that were dispersed.**”³⁷

When the body was returned to Armenia, the examiners noted evidence of torture during captivity. They also remarked on the artificially accelerated decomposition of the body, evidence of his decapitation, and missing body parts, indicating a deliberate attempt to prevent forensic examination of the victim. As the Court observed:

“When the corpse was finally returned, it was in a severely decomposed state, internal organs were missing, a separation of cervical spinal vertebrae was observed and the hyoid bone was not found.”³⁸

The Court again ruled Azerbaijan guilty of violating the right to life and the prohibition of torture, underscoring its deliberate concealment of this man’s death and manipulation of forensic evidence. This speaks to Azerbaijan’s broader pattern of leaving out key incriminating facts in their forensic reports and tampering with physical evidence.

Azerbaijan’s history of arbitrarily detaining Armenians, forcing confessions under torture, and using solitary confinement as punishment is also made evident in *Ghazaryan and Bayramyan v. Azerbaijan*.³⁹ In this case, Azerbaijan provided contradictory arrest records regarding the arrest of an Armenian detainee, ranging from “violating the State border” to “attempting to commit premeditated murder [. . .] in connection with terrorism.” This was noted in the Court’s assessment:

“The Court, having studied the documents adduced by the Government, notes at the outset that they **contain contradictory statements about the ‘disciplinary arrest.’**”⁴⁰

36. *Ibid.*

37. *Ibid.*

38. *Ibid.*

39. *Ghazaryan and Bayramyan v. Azerbaijan* (Application no. 33050/18, ECtHR, 5 October 2023) <<https://hudoc.echr.coe.int/eng?i=001-227739>> accessed 10 April 2025.

40. *Ibid.*

These major inconsistencies point to further evidence of Azerbaijan's fabricating charges to detain Armenians, motivated by anti-Armenian sentiment. Upon his repatriation, the victim's mental health had severely deteriorated. Azerbaijan attempted to dismiss this by putting forward unsubstantiated claims about the victim's condition and attempting to conceal the abuse that led to his deterioration. The Court ruled against Azerbaijan, finding they had violated the prohibition of torture and the right to liberty and security. This, along with the contradictory reasons for his arrest, further demonstrates Azerbaijan's deeply ingrained pattern of evidence manipulation and falsification of charges against Armenians.

In the case of *Badalyan v. Azerbaijan*, an Armenian civilian was captured by Azerbaijani forces and held for two years on fabricated charges.⁴¹ Azerbaijani authorities unlawfully deprived him of liberty on the accusation that he illegally crossed the border before he was captured, claiming he was a "saboteur." The Court's assessment further reveals this claim was unsubstantiated:

"The Court notes that the respondent Government [Azerbaijan] **have not put forward any materials or concrete information** to show that the applicant was to be regarded as a prisoner of war."⁴²

Despite Azerbaijan's medical journal claiming that he had no mental illness or symptoms, medical reports after his release diagnosed chronic mental disorders, including "delayed reactive paranoia," which later deteriorated into paranoid schizophrenia. The Court ruled that Azerbaijan had violated the prohibition of torture and subjected the victim to unlawful detention, also revealing that Azerbaijan had failed to provide any meaningful investigation:

"With regard to the other [Azerbaijan's] arguments, the Court **does not consider that they either amount to a satisfactory and convincing explanation** supported by evidence as required under the Convention [. . .] the Government have not shown that any meaningful investigation of the applicant's allegations ever took place."

The Court also noted that Azerbaijan withheld information about his detention:

"[. . .] the Government [Azerbaijan] did not provide, including in the proceedings before the Court, information about the places of the applicant's detention, the conditions of his detention and the daily regime to which he was subjected while in detention and the daily regime to which he was subjected while in detention. **The fact that no information about the applicant's whereabouts ever reached his family prior to his registration** as a captive by the ICRC, almost a year and six months after his initial detention, is also a fact from which **inferences can be drawn regarding the manner in which he was treated and its consequences for his mental health.**"

41. *Badalyan v. Azerbaijan* (Application no. 51295/11, ECtHR, 22 July 2021) <<https://hudoc.echr.coe.int/fre?i=001-211103>> accessed 10 April 2025.

42. Ibid.

This ruling once again reinforces Azerbaijan's practice of false charges, deliberate failure to investigate, and concealment of its human rights violations against Armenians. This ruling once again reinforces Azerbaijan's practice of false charges, deliberate failure to investigate, and concealment of its human rights violations against Armenians.

Another case concerns a young Armenian, Arsen Gharakhanyan. Upon returning to Nagorno-Karabakh to protect his parents during the offensive, he was captured by Azerbaijani soldiers and forcibly disappeared, as Azerbaijan refused to acknowledge his captivity. After months without any information on this man's whereabouts, a video of Azerbaijani soldiers mocking and abusing him was circulated online.⁴³ The Court requested Azerbaijan to provide information concerning his whereabouts. Five days later, during a search for bodies in the Hadrut region, his body, with gunshot wounds to the face, was found in a freshly dug grave.⁴⁴ According to HRW, forensic experts assess he was executed two days after the Court's inquiry.⁴⁵ This not only speaks to Azerbaijan's broader trend of ignoring court requests for information but also strongly indicates an attempt to cover up abuse – in this case, the execution and burial of a POW after there were organized attempts to get information on the victim.

Independent international groups have documented Azerbaijan's frequent falsification of evidence as a means to conceal its human rights abuses and violations of international law.⁴⁶ Another striking example of this is the extrajudicial killings of two Armenian civilians in *Adamyán and Hakobyan v. Azerbaijan*,⁴⁷ wherein Azerbaijan dismissed the videos of their execution as fake. In 2020, a video was shared on Azerbaijani Telegram channels showing two Armenians tied up and subsequently executed with gunshots to their heads. As international attention increased, Azerbaijan's Prosecutor General announced an investigation into the incident and promptly, the following day, concluded that the videos were fake.⁴⁸ Azerbaijan's own "forensic investigation" also dismissed these videos as false.

As recently as 2024, Azerbaijan's ballistics expert, Hajiýev Hajibala Yusif oglu, described the video depicting the executions of Adamyán and Hakobyan as a "simulation" and a "false representation" based on his unsubstantiated claim that the bodies should have fallen backward instead of forward. Not only was this statement of the Azerbaijani

43. International Court of Justice, 'Public sitting held [. . .] in the case concerning Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)' <<https://www.icj-cij.org/node/203927>> accessed 10 April 2025.

44. University Network for Human Rights, Chapter 4: *Unlawful Killings and Mutilation of the Deceased* <<https://humanrightsnetwork.shorthandstories.com/we-are-no-one/we-are-no-one-all-chapters/chapter-4-unlawful-killings-and-mutilation-of-the-deceased/index.html>> accessed 10 April 2025.

45. U.S. Department of State, *2021 Country Reports on Human Rights Practices: Azerbaijan* <<https://www.state.gov/reports/2021-country-reports-on-human-rights-practices/azerbaijan/>> accessed 10 April 2025.

46. Bellinccat, 'An Execution in Hadrut' (15 October 2020) <<https://www.bellingcat.com/news/rest-of-world/2020/10/15/an-execution-in-hadrut-karabakh/>> accessed 10 April 2025.

47. *Adamyán and Hakobyan v. Azerbaijan* (Application no. 24512/21, ECtHR, communicated on 10 January 2023) <<https://hudoc.echr.coe.int/eng?i=001-222928>> accessed 10 April 2025.

48. British Broadcasting Corporation (BBC), 'Nagorno-Karabakh conflict: 'Execution' video prompts war crime probe' (Atanesian and Strick, 24 October 2020) <<https://www.bbc.com/news/world-europe-54645254>> accessed 10 April 2025.

government's respondent a false evaluation in terms of its conclusion, but it was also way beyond the scope and competence of a ballistics expert. According to international methodological principles, the body of a person cannot be the object of examination for a ballistics expert. Rather than conducting an effective investigation, Azerbaijan attempted to convince the court that the video materials of the execution were not authentic, despite the irrefutable evidence to substantiate the authenticity of the videos, including the confirmed identities of the victims' bodies and causes of death.

In March 2024, Armenia's investigation confirmed the video's authenticity. Recently acquired identification and autopsy results from forensic DNA and medical examinations conducted by the Scientific-Practical Center of Forensic Medicine State Non-Profit Organization of the Ministry of Health of the Republic of Armenia have confirmed the identities of two corpses as bodies of Yuri Adamyan and Benik Hakobyan, with 99.999999% certainty. These examinations revealed severe wounds and signs of torture, injuries, and mutilation of the bodies of both corpses, as well as confirming their cause of death was inflicted by gunshot wounds. The forensic medical examinations of Adamyan and Hakobyan revealed that both had ligature marks from binding as well as severe injuries including broken ribs and bones, injured lungs and organs. Their lower limbs were tied up with a black belt, as also visible in the video footage of the execution, and there were multiple gunshot wounds to the bodies, resulting in injuries incompatible with life. Adamyan's left ear was cut, and Hakobyan had both of his ears cut off, a documented mutilation practice Azerbaijani soldiers are known to inflict against Armenians as an expression of hatred even post-death.⁴⁹ The expert internal examinations of the physical bodies, including their confirmed identities as well as the approximate time and cause of death, match the executions committed against these individuals in the aforementioned video.

The National Bureau of Expertise SNPO of the National Academy of Sciences of the Republic of Armenia confirmed these findings and corroborated the aforementioned expert conclusions through external examinations. It also noted that the information presented by the Center of Expertise of the Ministry of Justice of Azerbaijan failed to refute the findings of the expert conclusions regarding the identities of the corpses, the identification of the crime scene, and the voice of the Azerbaijani soldier, Tehran Mesimov. Moreover, the Azerbaijani government refused to conduct further investigation for the purpose of identifying the Azerbaijani soldiers speaking in the video, yet another instance of state-sponsored impunity.

49. Hetq, 'Azerbaijani Soldiers Execute Elderly Armenian Couple in Artsakh; Then Cut Off Their Ears' (3 April 2016) <<https://hetq.am/en/article/66976>> accessed 10 April 2025; PanArmenian, 'Azeri troops cut off fallen Armenian soldier's ear' (1 November, 2020) <<https://panarmenian.net/m/eng/news/287295>> accessed 10 April 2025; University Network for Human Rights, Chapter 4: *Unlawful Killings and Mutilation of the Deceased* <<https://humanrightsnetwork.shorthandstories.com/we-are-no-one/we-are-no-one-all-chapters/chapter-4-unlawful-killings-and-mutilation-of-the-deceased/index.html>> accessed 10 April 2025.

Furthermore, multiple independent media sources have independently reinforced Armenia's findings, contradicting Azerbaijan's denial. Among the first to examine the footage was Bellingcat, which conducted a detailed analysis to reach its conclusion. This included geospatial analysis, satellite imagery, terrain mapping, shadow profiling, and acoustic pattern recognition to analyze the position and behavior of the people within the footage. The investigation also confirmed the voices and dialects of those involved – observing that the shooters spoke in Russian with a heavy Azerbaijani accent at the captives during their capture, and then in distinct Azerbaijani amongst each other.⁵⁰ Similarly, the British Broadcasting Corporation (BBC) News report corroborated these findings, confirming that the man who issued the execution order to shoot the two captives was a native Azerbaijani speaker, with a distinct regional accent. The BBC report also confirmed the execution of the shooting by matching the imagery to structures in a satellite view of Hadrut. Despite the overwhelming evidence from multiple sources, Azerbaijan's dismissal of clear documentation of war crimes reflects a broader pattern of systematic and deliberate concealment of human rights abuses committed against Armenians.

STATE-SPONSORED PROPAGANDA AND HISTORICAL FALSIFICATION



Azerbaijan's long-standing policy of obstructing justice, specifically through state-sanctioned falsification of evidence, is fueled by propaganda aimed at denying and concealing human rights violations. This extends beyond the aforementioned cases and is deeply entrenched as a de facto state policy of anti-Armenian conduct. Azerbaijan's anti-Armenian agenda is motivated by the goal of portraying Armenians as the enemy on both a national and international level. This includes the falsification of both ancient and recent history. A prime example is the education system, wherein Azerbaijani textbooks indoctrinate school-aged children with anti-Armenian sentiment. This state-orchestrated falsification seeks to shape future generations to consider Armenians as enemies.⁵¹

The State's practice of falsification is also evident in its destruction and appropriation of Armenian cultural heritage as part of a deliberate historical revisionism agenda. The Azerbaijani government has altered primary sources to promote the false narrative that the entirety of Armenia is "Western Azerbaijan."⁵² During its latest military offensive in September 2023, Azerbaijani forces took control of the Gandzasor Monastery. Subsequently, Azerbaijani authorities launched accusations of Armenians having "illegally" forged inscriptions in the 13th-century monastery to justify

50. Bellingcat, 'An Execution in Hadrut' (15 December 2020)

<<https://www.bellingcat.com/news/rest-of-world/2020/10/15/an-execution-in-hadrut-karabakh/>> accessed 10 April 2025.

51. Center for Truth & Justice, *The Distortion of Historical Facts at the Basis of Azerbaijan's Anti-Armenian Policy* (Tatoyan, 2022)

<<https://www.cftjustice.org/the-distortion-of-historical-facts-at-the-basis-of-azerbajians-anti-armenian-policy/>> accessed 10 April 2025.

52. Monument Watch, 'The Program known as "Western Azerbaijan" is undergoing internationalization'

<<https://monumentwatch.org/en/alerts/the-program-known-as-western-azerbaijan-is-undergoing-internationalization-2/>;

University Network for Human Rights, *Chapter 6: Attacks on Cultural Heritage*

<<https://humanrightsnetwork.shorthandstories.com/we-are-no-on/attacks-on-cultural-heritage/index.html>> accessed 10 April 2025.

to justify Azerbaijan's baseless claims to the monastery.⁵³ These fabricated allegations are part of Azerbaijan's strategy to manipulate historical narratives. The State has also engaged in the widespread destruction of religious and cultural sites, including the erasure of the 18th-19th century Ghazanchetsots cemetery, among others, as documented by the Caucasus Heritage Watch's 7th Monitoring Report.⁵⁴ The European Parliament's resolution of 10 March 2022 on the destruction of cultural heritage in Nagorno-Karabakh explicitly states that Azerbaijan's erasure of Armenian cultural heritage is:

“[. . .] part of a **wider pattern of systematic, state-level policy of Armeniaphobia**, historical revisionism, and hatred toward Armenians promoted by the Azerbaijani authorities, including **dehumanization, the glorification of violence and territorial claims** against the Republic of Armenia which threaten peace and security in the South Caucasus.”⁵⁵

The European Parliament's earlier resolution on 20 May 2021 condemned another manifestation of state-sponsored anti-Armenian policy– Azerbaijan's Park of Military Trophies. The site displayed wax mannequins of dead and dying Armenian soldiers, and models of Armenian POWs chained in a cell, glorifying violence committed against Armenians.⁵⁶ This glorification of anti-Armenian violence plays into a larger scheme of promoting blatant impunity and ethnic hatred. In 2004, Azerbaijani officer Ramil Safarov murdered an Armenian officer, Gurgen Margaryan, in Budapest with an ax while both were attending a course in Hungary. Upon the convicted murderer's transfer from Hungary to Azerbaijan, the Azerbaijani president pardoned the individual and gave him a hero's welcome in Azerbaijan.⁵⁷ This public celebration of a convicted murderer and nationwide glorification of impunity is not an isolated incident. In the case of *Naryan and Others v. Azerbaijan*, as previously discussed, the Azerbaijani government glorified the memory of the individual responsible for the murder of Armenians.

These cases, among others, further demonstrate Azerbaijan's systematic use of state-backed propaganda to normalize falsification and reinforce anti-Armenian sentiment. Rather than upholding justice, Azerbaijan actively promotes violence, discrimination, and impunity as core elements of its state policy, demonstrating that it cannot be trusted to act impartially in matters of justice, especially involving Armenians.

53. Monument Watch, 'Expropriation of Gandzasar Begins' <<https://monumentwatch.org/en/alerts/expropriation-of-gandzasar-begins/>> accessed 10 April 2025.

54. Caucasus Heritage Watch, *Monitoring Report #7* (June 2024)

<https://www.researchgate.net/publication/382370994_Caucasus_Heritage_Watch_Monitoring_Report_7_June_2024> accessed 10 April 2025.

55. European Parliament, *Destruction of cultural heritage in Nagorno-Karabakh* (P9_TA(2022)0080, 10 March 2022)

<https://www.europarl.europa.eu/doceo/document/TA-9-2022-0080_EN.pdf> accessed 10 April 2025.

56. European Parliament, *Prisoners of war in the aftermath of the most recent conflict between Armenia and Azerbaijan* (P9_TA(2021)0251, 20 May 2021)

<https://www.europarl.europa.eu/doceo/document/TA-9-2021-0251_EN.pdf> accessed 10 April 2025.

57. European Court of Human Rights, *Country Profile: Azerbaijan* <https://www.echr.coe.int/documents/d/echr/cp_azerbaijan_eng> accessed 10 April 2025.

CONCLUSION

Given the facts of these cases, among others, Azerbaijan has revealed a recurring pattern of falsifying evidence and obfuscating justice, including the manipulation of witness statements and forensic evidence, as well as its refusal to investigate state-sponsored violations. These actions reflect the state's deeply ingrained motivation to spread propaganda in order to further anti-Armenian discrimination.

Azerbaijan's systematic conduct reveals it cannot be relied upon as a credible source of evidence or investigator of human rights abuses. The State frequently engages in the practice of fabricating false charges against individuals who seek to expose this flawed system, including human rights activists and dissidents, as well as ethnic and national Armenians who are targeted as political leverage. Azerbaijani legal institutions operate with impunity at all levels through their lack of independence, refusal to investigate the crimes of government authorities, and direct participation in the cover-up of human rights abuses. This pattern is especially evident in Azerbaijan's record of human rights abuses against Armenians, wherein ECtHR cases have revealed numerous instances of Azerbaijan fabricating charges to justify politically motivated arrests, manipulating forensic reports to conceal proof of torture and abuse, staging physical evidence including post-mortem bodies, and falsifying witness reports to obstruct investigations. This behavior is in support of a broader pattern of anti-Armenian propaganda, whereby the State engages in the falsification of additional realities, including in its practice of historical revisionism and glorification of violence against Armenians.

In light of the current situation and nature of ongoing cases to be brought against Azerbaijan concerning killings, enforced disappearances, and unlawful imprisonments, Azerbaijan's pending expulsion of the ICRC and refusal to cooperate with international bodies is gravely concerning. As the State continues to prioritize propaganda over its obligation to uphold justice, it is especially important to analyze any evidence, allegations, and actions of the Azerbaijani government with warranted scrutiny. As such, we urge the international community to consider Azerbaijan's documented and systematic pattern of evidence falsification and obstruction of justice when examining all evidence and reports submitted by Azerbaijan in international legal disputes.