



## **"Provide Afgan Mukhtarli's Interrogation and Effective Investigation of his Case in Georgia!"**

### **Statement of the member organizations of the Human Rights House Tbilisi**

Human Rights House Tbilisi on behalf of its member organizations echoes to the release of Afgan Mukhtarli on March 17 and deems that in order to conduct the effective investigation of the abduction and transfer of Afgan Mukhtarli from Georgia to Azerbaijan the Prosecutor's Office of Georgia must grant the victim status to him, interrogate him and use these new circumstances for effective investigation.

The Human Rights House Tbilisi and its member organizations also consider that the Government of Georgia should take adequate and effective measures to restore the damaged international image and reputation of the country.

Azerbaijani journalist and activist, Afgan Mukhtarli, was released a few days ago after spending almost three years in Azerbaijani prison. In a public interview, Mukhtarli reiterated that the matter of his abduction had been agreed at the state level. He believes that the plan of his abduction was known to the border guards, the security services and the criminal services of Georgia.<sup>1</sup>

According to Afgan's testimony, he was abducted in Tbilisi on May 29, 2017, by Georgian-speaking people wearing uniforms of Georgian police. He was forcibly taken to Azerbaijan, where he was imprisoned. On January 12, 2018, the Belakan District Court sentenced Afgan Mukhtarli to 6 years in prison in Azerbaijan. He was charged with resisting police officers, illegally crossing the Georgia-Azerbaijani border and smuggling 10,000 euros. On April 24, 2018, the Azerbaijani Shaki Court of Appeal upheld the custody of Afgan Mukhtarli. On March 17, 2020, the journalist was released from custody in Azerbaijan and he traveled to Germany, to his family.

The investigation into the abduction of Afgan Mukhtarli has been unsuccessful in Georgia for nearly three years. Investigative authorities have launched an investigation under first part of the Article 143 of the Criminal Code of Georgia (unlawful deprivation of liberty). For various reasons, the investigation failed to gather objective evidence in the case, such

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<sup>1</sup>See: <https://www.facebook.com/watch/?v=303436087295084>

as videotapes from Tbilisi to the Georgian-Azerbaijani border, that could have depicted the transportation of Mukhtarli.<sup>2</sup>

During the investigation, the heads of the State Security Service's Counterintelligence Department and the Border Police of the Ministry of Internal Affairs have resigned<sup>3</sup>, but their responsibility has not been yet investigated and the involvement of the Georgian authorities in the abduction case has not been properly studied to date, despite high level of interest from society.

Journalist is represented in Georgia and the European Court of Human Rights by Human Rights House Tbilisi member organization “Article 42 of the Constitution”. The case of Afgan Mukhtarli has been given priority at the European Court<sup>4</sup>, which means that in the near future the court will have to issue a ruling on the respondent states - Georgia and Azerbaijan.

On behalf of its member organizations, Human Rights House Tbilisi calls on the Georgian investigative bodies to:

- **Conduct an effective investigation into the case of Afgan Mukhtarli and inform the public of the ongoing criminal investigation into the fact of unlawful deprivation of liberty.**
- **Assign victim status to Afgan Mukhtarli and interrogate him, as he can provide the investigation with information on key details of his abduction in Georgia.**

Member organizations of the Human Rights House Tbilisi:

- Human Rights Center (HRIDC)
- Article 42 of the Constitution
- Media Institute
- Sapari
- The Georgian Center for Psychosocial and Medical Rehabilitation of Torture Victims (GCRT)



<sup>2</sup>Statement of Prosecutor’s office: [http://pog.gov.ge/geo/news?info\\_id=1295](http://pog.gov.ge/geo/news?info_id=1295), 20.07.2017 (Last Seen: 25.03.2020)

<sup>3</sup>See: <https://netgazeti.ge/news/208583/>

<sup>4</sup>*Mukhtarli v. Azerbaijan and Georgia, Application No. 39503/17.*