

## Eldar Hasanov

### THE LAST WORD ON THE COURT.

First of all, I would like to point out that I consider the criminal case against me and my arrest to be persecution, great lawlessness, and injustice.

As one of the reasons for my persecution, I would like to point out the criticism as on 10.07.2018 and 02.02.2020 in the diplomatic missions in Baku and Brussels I criticized the deficiencies, delays, and abuses in the activities of Hikmet Hajiyev, Assistant to the President of the Republic of Azerbaijan on Foreign Policy and the Ministry of Foreign Affairs, embassies, diasporas, Customs Committee and Ministry of Culture regarding their activities and diplomats in a factual and abrupt, but objective and equitable manner.

In both closed sessions, my presentations were greeted with applause from those present. After my presentation, I asked the presenters if they had any questions, and they said, *"Thank you very much."*

In addition, I think that criticism in some of my interviews with the Russian Federation and its Foreign Minister Sergei Lavrov in the country and in foreign media also played a role in my persecution. Thus, in an interview with journalist Aida Eyvazli, published on November 19, 2016, I said the following about the Khojaly tragedy of February 26, 1992: *"From the drawing up of the plan of occupation to its implementation, the participation of Russian military units has been proven by investigative materials, evidence, court decisions"*. The preparation of an artificial problem to seize Azerbaijan, its subsequent implementation, the occupation of our historical lands and the Khojaly genocide, the participation of Russian armed forces in this occupation is a fact and proof.

It is no secret today that Russia plays a role in separatism in Ukraine, Georgia, Moldova and Karabakh. Also in my interview with Moderator.az on January 21, 2017 against Sergey Lavrov's thesis at a press conference in Moscow on January 17, 2017: *"The Nagorno-Karabakh conflict is not only an internal matter of Azerbaijan."* I said, *"One side of the conflict is Azerbaijan, and the other side is Armenia, which Russia considers its ally and has repeatedly transferred weapons for free or at discounted prices over the past 25 years."*

Furthermore, in the early 1990s, Russian officers and soldiers were also captured during the fighting with the Armenian occupation forces. There are also voluntary and sincere confessions in our archives about how and by whose order they saw action in the fighting. The nature of Russian-Armenian relations is no secret to anyone. A separate issue is that our country, which has been subjected to armed aggression, has the right to self-defense individually or collectively under **Article 51 of the UN Charter**, and this right cannot be limited by anyone's statement. Fortunately, what I said in 2017 was confirmed in the second Karabakh war.

Apparently, someone did not like the fact that I pointed out the deficiencies. The real truth was that the criticisms I made were directed against cases that seriously damaged and overshadowed the policies pursued by our state and our President. But the other question is, how, who, and in what way, and how much biased informing?!

Out of 78 embassies and diplomatic missions of Azerbaijan, only one - the embassy with the smallest budget in Europe, which saves the most money and returns to the budget allocated - was initially checked for 5 years, without achieving results for 10 years and without pacifying for 20 years. There has never been such a purposeful, biased check, such a unique approach in the history of court and investigation in Azerbaijan!

In continuation of the same approach, both during the preliminary investigation and in court, I was openly discriminated against, the employees of the Ministry of Foreign Affairs were arrested in the same case as me (Farhad Mollazadeh and others), who are younger than me, and soon released from custody (God help them) and released at the end of the trial, although I was the oldest of the defendants in the same case - 67 years old. This is confirmation of the discrimination against me.

Biased attitude towards me, violation of my rights, and turning a blind eye to it were constant throughout the criminal proceedings.

The court should have held a preliminary hearing of the case in accordance with Article 303 of the Code of Criminal Procedure, that my right to defense was grossly violated during the preliminary investigation; my right to be acquainted with the criminal case materials was not provided, the indictment was not drawn up in accordance with the legal requirements, and court should have returned the case to the prosecutor in charge of the procedural aspects of the investigation based on other serious violations of law. Unfortunately, however, the court did not grant the petition in this regard and failed to comply with this legal requirement.

By not granting this request, the court confirmed that it was in fact in the same position as the prosecution from day one, and that it was supporting fabricated, alleged charges.

The charge against me is based on inadmissible information, documents and considerations obtained in flagrant violation of the law, unreliable as to the probability of proof, based on probabilities. Testimonies in the case and official legal documents, which sufficiently prove my innocence, have not been accepted as evidence. Both the preliminary investigation and the trial were conducted in a one-sided manner, and the numerous petitions of the defense to establish the truth were not satisfied, this is illegal and unreasonable, which grossly violated my right to defense.

The principle of creating equal conditions for the parties to the dispute, which is one of the procedural foundations of ensuring the right to defense, was not observed at all during the trial. Thus, the trial was limited to the examination of evidence presented by the prosecution. Following the same tactics as the prosecutor's office, numerous defense petitions for evidence were first illegally and unreasonably delayed and then ended on December 27, 2021, the day the prosecutor's investigation ended at the request of the

office, without any justification, something that has never happened in the history and practice of the court - was rejected not in one phrase, but in one word.

So, the court, at the December 27, 2021 hearing, said it had considered about 30 petitions filed in October-November and the same day, but left them without consideration (many of which it could not recall at all) and less than 5 minutes later came back and said in one phrase that the petitions were not granted.

However, all the petitions were aimed at ensuring a complete, comprehensive and objective investigation of the case, revealing important facts and, as a result, restoring my violated rights.

In particular, the fact that the investigator received from the Ministry of Foreign Affairs direct evidence of my innocence, the documents were left in the prosecutor's office without being intentionally attached to the criminal case, including offers from local real estate companies to buy an office building for the embassy, documents of tenders held by local authorities (commissions of the mayor's office) in connection with the implementation of humanitarian projects, protocols, motions for the reclamation of design and estimate documentation, as well as motions for an on-site inspection of construction and landscaping work, motions for expert examinations, motions to engage a specialist to identify erroneous calculations of the investigator, persons who will confirm the transfer of money made for the purchase of the office building in Sarajevo, the person who built the embassy fence and the persons who can confirm this: police officers, technical experts from the embassy, the person who acted as interpreter during my meeting with the owner of the office building in Belgrade, the person who gave the audit report at the initiative of the defense, numerous other petitions to interrogate the inspector who checked the activities of the embassy in 2010-2012 as an additional witness in court were unreasonably rejected.

In addition to having sufficient medical records of my illnesses in my criminal case, my condition worsened several times during the trial in court, which led to postponements, and therefore the fact that I have attended court hearings under the care of an ambulance doctor since the beginning of the trial is in itself clear evidence that my health is in a dangerous, critical condition.

As a result of many diseases, my critical health requires urgent comprehensive treatment under the constant supervision of a specialized doctor in hospital conditions. In this regard, the materials of the criminal case contain the opinions of several specialized doctors.

The European Court of Human Rights also ruled that I should be treated as an inpatient.

However, to ensure my right to receive medical care, to be examined by qualified physicians, even if by a physician recognized and recommended by the court, to have my current health condition evaluated, to have complex laboratory tests performed, to be prescribed appropriate treatment, and to have the amount of medication I take reduced, the repeated petitions without consideration and discussion were not granted.

During the reading of the testimonies of those interrogated during the preliminary investigation, it turned out that in all protocols of interrogation their testimony was deliberately and prejudicially distorted by the investigator, and the testimonies not used by them were included in the protocol ("**fictional**", as witness Samir Gamidov said). Allegedly, in order to protect myself in the future, I "pressured" these people, "formally" signed something and so on.

At the interrogation, the investigator did not even hesitate to apply psychological pressure to write a statement at his will. Thus, Shakhin Gadzhiev, who testified in court as a witness, confirmed that during the interrogation the investigator threatened him with arrest and forcibly signed the protocol, saying that "**it seems that you do not spend the holidays at home**".

This confirms that the statements reflected in the protocols of the interrogated persons about the main circumstances of the accusation are not their own opinion, but an opinion expressed in the protocols in order to justify in advance, artificially, the decision of the investigating body to accuse me.

In particular, I would like to note that according to the protocols of interrogations of Emil Agayev on March 11, 2021, and Elvin Alizade on March 12, 2021 (Vol. 35, pages 182-185 and 192-195) who appeared as witnesses to the reconstruction of the embassy fence even without any examination of the author, it is clear that the author of what is written in it is the investigative body. The expressions are identical to the semicolon, even repeated in the protocols, as is the word with a mistake, which confirms that copied from one protocol to another.

Since this testimony was inadmissible, the court denied our motion to exclude the prosecution from the evidence, and from the trial. All of this confirms that the legal requirements for the collection of evidence in a case were grossly violated and that the investigative authority accepted information and documents obtained in violation of the law as credible evidence. Moreover, both the familiarization with the indictment and the examination of the witnesses' testimonies at the court revealed that the investigator had shown in the indictment that the content of the testimonies and documents was distorted and not as it was in order to create the artificial impression of my "guilt".

Although the evidence presented by the defense was unreasonably refuted both during the preliminary investigation and in court, even the incomplete materials of the criminal case still proved that I did not commit any crime and was innocent. According to the materials of the criminal case, the charges imputed to me include the purchase of office space for the embassy, construction and improvement work on various humanitarian projects, repair of the video surveillance system and misappropriation of budgetary funds.

In the orders of the Ministry of Foreign Affairs on the establishment of the commission, along with other duties of the members of the commission, the task of assessing the property purchased on the spot was specifically assigned. That is, along with the

selection of the property, its evaluation on the spot is entrusted not to the embassy, the ambassador, that is, not to me, but directly to the commission. All members of the commission established in all three countries and the Embassy staff who accompanied them on the inspection of the property testified in court that the commission acted independently in inspecting the property and drawing up the Act, and I and the Embassy staff did not interfere in their work, we did not address them with any request, appeal or demand to give preference to any particular property.

In particular, the members of the commission and the chairman of the commission Vagif Sadikhov said in his testimony that the property inspection was carried out with the participation of homeowners and representatives of the real estate company, the preliminary submitted proposal indicated the price of the property on the letterhead, the prices were not overstated, if the price of property was overstated, he would protest and told the Ministry that the selection of property was made by the commission independently, that I did not interfere and that I, as an Ambassador, have no right to interfere in the work of the commission.

Approximately the same statements were made in court by the former chairman of the commission in two other countries, F. Mollazadeh, and members of the commission. Contrary to the allegations on the episodes of the purchase of office buildings, none of the interviewed property owners or representatives of real estate companies claimed to have allegedly agreed with me on the price of the property, overpriced the property, and gave me any part of the allocated money.

The content of the accusations against me in connection with the implementation of projects in the countries where I am an ambassador shows that the investigating authority, knowing who, what organization and individuals determine to whom the amounts are transferred and in what form (transfer or cash) still manage these projects, make estimates of projects, determine the cost of work, prepare draft contracts, outsource to contractors and subcontractors, claims that I performed all these actions illegally and unreasonably.

From the evidence in the indictment regarding these projects, which was emphasized in the prosecutor's statement, *"embezzles and squanders large amounts of state funds entrusted to him, that is, Eldar Hasanov, by allocating them from the state budget to the Embassy"*, it appears that the funds allocated for these projects do not go to the implementation of these projects, but are intended for the activities of the embassy. In this connection, I would like to state that, primarily in a criminal case, the use of the term **"donation"** in contracts and other official documents confirms that these funds have nothing to do with the activities of the embassy, were provided by the Azerbaijani government as a grant to countries where humanitarian projects are being implemented, provided as gratuitous aid to the host country.

Secondly, the transfer of money to the bank account of the embassy was a purely technical issue, i.e. in those countries where projects were implemented, at the time there

was no separate government body representing the Republic of Azerbaijan, other than the embassy.

Thirdly, when launching humanitarian projects, the fact that the money was not transferred to the Embassy's existing bank account, but to a special account opened by the Foreign Ministry and kept separately, which also was not spent on the Embassy's needs, confirms that these funds have nothing to do with the Embassy's activities.

Fourth, the implementation of humanitarian projects was not the business of the embassy, but simply by reason of objective necessity, i.e. to relieve the state from the additional tax burden, formal documentation by the Azerbaijani government was entrusted to the embassy.

According to the materials of the criminal case, the Ministry of Foreign Affairs initially acted as the customer in both Romania and Serbia when launching the projects, and the ministry concluded contracts for improvement and restoration that provided for the payment of value-added tax. In particular, according to the contract signed between the Ministry of Foreign Affairs and Efekta Mimarlıg, our state had to pay a VAT of 403,000.00 euros.

However, in a letter dated November 29, 2010, the Ministry of Foreign Affairs asked the Cabinet of Ministers to allow the Embassy, rather than the Ministry, to act as a customer in order to be exempt from paying taxes in accordance with local legislation, and the Cabinet of Ministers issued an order dated November 30, 2010. In this regard, Deputy Foreign Minister Nadir Huseynov sent a letter of instruction dated December 12, 2011.

In addition, in order to create the impression that I "entered into a criminal relationship" with the architect, the late Eldar Huseynov, the investigating body deliberately ignored the official documents of the criminal case, and the indictment indicated that the employment contract for Eldar Huseynov was concluded on my initiative.

However, a letter signed by Deputy Minister Vagif Sadikhov and sent to me on August 4, 2010, by order of the Presidential Administration, confirms that the project author Eldar Huseynov was assigned to **"conduct construction work, carry out designer's control, and monitor the use of allocated funds for their intended purpose, based on an employment contract"** and I was instructed to sign this employment contract (Volume 32, pages 88-95).

Based on this instruction, Eldar Huseynov signed an employment contract with a salary of 5,000 euro (more than the ambassador's salary) based on an estimate approved by the Foreign Ministry, with a service passport and a business trip to Serbia. As can be seen from the letter, the authority given to Eldar Huseynov included "control over the targeted use of allocated funds.

According to the contents of official documents (project estimates, supplementary estimates, project costs, contracts awarded, the need for additional funds, field

inspections and other clear documents) signed by Eldar Huseynov with the evidence in the case and studied during the trial, it is obvious that it was him who acted as a direct representative of the Azerbaijani government, along with local state and municipal bodies, and was responsible for projects and financial issues, as well as payments.

During the court hearing, embassy employees, as well as executives of companies that won tenders held by local authorities and were involved in the implementation of humanitarian projects, clearly confirmed their statements in the criminal case, that the company executives have held all negotiations with the local authorities on humanitarian projects, the estimate documents were not prepared at the embassy, but at those offices, the question of which company to transfer the work to was decided by tenders held by local mayor's offices and municipalities, the embassy did not conduct any tenders, the participation of the embassy in the implementation of projects is based only on the instructions of the project manager, it consists in signing the documents submitted by him and considered by the lawyers and providing him with appropriate assistance, the embassy did not prepare the contract and did not make any subsequent changes to the text of the contract, as well as the transfer of funds allocated to fund projects, cash payments were made only on the basis of appropriate instructions and requests from the mayor's office, municipality and project manager, and the embassy did not decide how much or which company to pay.

The explanation again shows that I had no role in the spending of funds allocated for humanitarian projects, and there is no evidence, documents, or statements confirming that I embezzled public funds or entered into a criminal relationship with anyone for this purpose.

On the contrary, the documents of the criminal case confirm that the Embassy owes me €24,843 as of 1 April 2008 and €24,297 as of 31 December 2012. This confirms that I not only disregarded the money of the embassy but also spent my own money when it was necessary to ensure the normal functioning of the embassy.

I do not have my signature on any document, contract, agreement, bank-financial document.

Based on the international inquiry sent by Azerbaijan, Interpol, and International Financial Intelligence Agency, as well as prosecutors of 5 countries where I am ambassador, where my family members live, my relatives, friends, acquaintances, and even people who have no relation to me for 6 months, the investigation received documents that no illegal actions, facts or circumstances were revealed, but not all of them were attached to the criminal case.

The document dated June 15, 2011 "On funds allocated by relevant orders of the Cabinet of Ministers of the Republic of Azerbaijan to the Embassy of the Republic of Azerbaijan in Serbia" is attached to the criminal case (Vol. 32, pages 290-296) and testimony of Rashad Namazov interrogated in connection with this appeal (Vol. 28, pp. 167-170) confirm that the purposeful use of funds allocated for the purchase of an office building

for the Embassy in Belgrade, as well as for projects implemented before the date of the document was checked and no violations were found. The Embassy's estimate of cost was prepared in time in accordance with the requirements of the Law on the budgetary system and was sent to the Foreign Affairs Ministry in a timely manner with supporting materials, but the Foreign Affairs Ministry and the Ministry of Finance did not take into account the cost estimates approved in violation of the law, artificially understating the costs.

In spite of this, however, the expenditures for the years covered by the audit did not exceed the budget allocated separately and as a whole, on the contrary, savings of 198,153.87 euros were made and returned to the budget.

From this point of view, the analysis of my actions on budget expenditures shows that I did not intend to gain an advantage either for myself or for third parties, on the contrary, ensuring the normal functioning of the Embassy, which I headed, I tried and succeeded in performing the tasks and functions of the Embassy, to properly protect the interests of the STATE - the Azerbaijan Republic, which I represented in the international arena, without damaging its reputation.

The seizure of the property belonging to me and my family members and the prosecutor's proposal to confiscate this property is illegal and unjustified and are a gross violation of the constitutional rights to inviolability of property (Articles 13 and 29 of the Constitution), as well as the requirements of Protocol № 1 to the European Convention on Human Rights and Fundamental Freedoms.

I would like to draw your attention to the fact that this property was not obtained by criminal means. Except for the apartment, which is registered in the name of my wife, 8 Kovkeb Safaralieva Street, apartment 518 A, Baku, Nasimi district, the rest of the property was acquired 20-30 years ago, part of the property passed to my children as a gift and inheritance from their grandfather.

However, by not investigating these cases, the investigative body has grossly violated my rights and all members of my family. By the law dated March 7, 2012 "On Amendments to the Criminal Code of the Republic of Azerbaijan", Chapter 15-1, concerning special confiscation, was introduced into the Code. The law came into force on May 1, 2012. It appears that the property in question was acquired before the entry into force of the law.

As I mentioned above, these objects were acquired before this Act came into force.

According to Article 10.1 of the Criminal Code, the criminalization of an act (action or inaction) and the punishment for that act are determined by the criminal law in effect at the time the act (action or inaction) was committed.

According to Article 10.4 of the Criminal Code, a criminal law that criminalizes an act (action or inaction) and provides for punishment for that act, increases the penalty, or otherwise worsens the situation of the perpetrator, does not have retroactive effect.



All this is my position on the procedural side of false and fabricated accusations, which were broken in court by lawyers and me, with arguments, evidence in the case file and not attached to the case file.

**Dear court, esteemed judges!**

**I appeal to you because, as Cicero said, I always thought that: "That the magistrate is a speaking law, and the law is a silent magistrate."**

In the history of mankind, people have always been punished for committing illegal acts.

But for some reason, I have been serving a sentence of 17 months and 11 days since 08/13/2020 being innocent!

There is a saying in the Azerbaijani language "to drink water by blowing on it", which means to be overly cautious. Yes, in my 20 years as an ambassador I was overly cautious. Because my activities were constantly monitored with a magnifying glass. At the same time, lies, slander and fabrications about me were spread at regular intervals. The so-called accusations against me today are just a pretext.

May the soul of the genius Bakhtiyar Vagabzade rest in peace! As he said:

**"Fate threw a stone, it hit me in the head,**

**What's a stone to do, a stone is just an excuse".**

Analyzing what happened to me, my illegal detention for more than 1 year and 5 months. What kind of anger, what kind of hatred, what kind of cruelty, what kind of revenge!?...

Was it impossible to tell those who did this to stop? I am very sorry and surprised! It seems I was very naive:

- We have a saying, "Lies have short legs!" Unfortunately, the lies about me are spreading and getting stronger today, but the lies in history have never been strengthened and will never get stronger!!!

- I was the kind of person who endured as much as possible when fate tested me, not the kind of person who lost himself!

- Today I would like to remind those who think that everything is eternal, and believe in this thought, the very wise words of Mammad Araz **"The world is yours, the world is mine, the world is nobody's"**.

I repeat that since August 13, 2020, that is, from the very first days of my arrest, I learned the real reason for my detention. At various closed events, my critical speeches based on independent thinking, facts, objective truths, media interviews, official letters that I wrote secretly on issues of public importance, as a result of my political claims, alleged contacts and cooperation with the opposition, false fabrications, based on biased and malicious information I was summoned to Baku and arrested without any grounds, illegally and by order.

I asked the leadership of the State Security Committee of the Republic of Azerbaijan to verify these issues by all means and methods, indicating specific issues. I also requested the Ministry of Foreign Affairs to verify the transcripts, audio, video of my speeches at the closed meetings in Baku and Brussels on July 10, 2019, February 2, 2020, letters sent to my state under the seals of secrecy for the last 5 years in addition to the criminal case, as well as to give legal assessment to each of the above.

My request was granted and these documents were requested from the Ministry of Foreign Affairs and sent to the investigation department of the prosecutor's office. There was no response to repeated inquiries about the location and results of the investigation into this matter. Finally, after getting acquainted with the materials of the criminal case, I learned that these documents are not attached to the 51-volume criminal case. For this reason, at the first session of the Baku Court of Grave Crimes, I filed a petition with the same request. The petition was not rejected, but its consideration was postponed.

On December 27, 2021, in a gross violation of the requirements of the Code of Criminal Procedure, which has never happened in the history and practice of the court, the court rejected 74 petitions of my lawyers and me in one word, not even a phrase.

**The trial against me was conducted in a way that was: "complete," "comprehensive," and "objective. *The fact that our legal system works this way is the real tragedy of today. The greatest danger and tragedy for the state, society, today and tomorrow is an unfair trial, the oppression of innocent people!!!***

*That is, today I am a victim of this tragedy, tomorrow you, the day after tomorrow someone else... Human history and experience have found a way out of such a threat in justice, in a democratic state of law, in a fair trial. But today, unfortunately, there is no sign of this in the case against me.*

**Dear Court!!!**

My "fault" is that I served my country with all my being, also in my self-sacrifice and in my naive faith.

"My fault" is that in 20 years, starting from the ground up in each of the 4 European countries, I brought 3 countries to the level of strategic partnership and 1 country to the level of friendly partnership.

"My fault" on my own initiative, for the first time outside of Azerbaijan in 2004, without the participation and knowledge of any of the state and government agencies of Azerbaijan with the help of me and my family members for the first time in the 8.2 ha TEY Park in Bucharest achieve the immortalize of the Savior of Independent Azerbaijan Heydar Aliyev and the renaming of this area today into the Alley named after H. Aliyev.

"My fault" in the 4 countries where I work, to familiarize with our culture, literature, history and with such historical figures, outstanding thinkers, classics as the national leader of our people Heydar Aliyev, Alimardan bey Topchubashov, Ahmed bey

Agaoglu, Nizami, Nasimi, Fizuli, H. Javid, U. Hajibayli, J. Mammadguluzade, B. Vahabzade.

"My fault" is that the Khojaly genocide was recognized in one of the four countries, in the Romanian parliament, in which Armenians are also represented, and secondly, that I managed to pass a resolution on genocide day in the Senate, the upper house of the Federation Parliament of Bosnia and Herzegovina.

"My fault" is that I managed to convince the local government to make a decision on a Muslim-Turkish cemetery in Bucharest and to start using it;

"My fault" for the first translation and distribution of the Holy Qur'an into Romanian;

"My fault" for managing to establish the Heydar Aliyev scholarship at the Romanian State University and the Uzeir Hajibekov scholarship at the Serbian Academy of Music;

"My fault" is the creation of the Center for Azerbaijani Language and Culture at Belgrade University, whose history goes back 275 years, and the inclusion of the Azerbaijani language in the curriculum;

"My fault" is that I managed to translate, disseminate and popularize the epos "Kitabi Dede Gorgud" in the languages of the countries where I work, which is the passport of every Azerbaijani, every Turk;

"My fault" is that I was able to make presentations, distribute and popularize the works of over 130 Azerbaijani thinkers, brilliant scientists, writers and poets in the 4 countries where I worked by translating them into local languages;

"My fault" in the fact that I managed to install a plaque, by returning the activity of the founder of the Democratic Republic of Azerbaijan Mammad Amin Rasulzadeh, who came to Romania from Poland during World War II and lived on the top floor of the brother Turkish embassy;

"My fault" in the fact that I managed to identify and install memorial plaques to Azerbaijanis who died during World War II in the countries where I worked;

"My fault" that the street starting from the building of the Azerbaijani Embassy is named after our great poet B. Vahabzadeh;

In the 20 years that I have been working, I would like to repeat that none of the works and projects that I was honored to do at the same time was allocated even 1 manat by the Azerbaijani state, and I did not accept even the proposed 1 manat!!

Here is "**MY Fault!!!**"

In my 20 years as Ambassador, I have not asked for or accepted even 1 manat in connection with lobbying, diaspora, culture and, most recently, the coronavirus pandemic, even though it has been offered repeatedly by the Azerbaijani State.

I consider it my duty to comment on another issue. Although I have been working for 20 years and from time to time I criticize the Ministry of Foreign Affairs, but at all times this institution has been distinguished among the state and government structures of Azerbaijan by its professionalism, high intellectual level, education, loyalty to the Motherland, the state and the President.

It is absurd to think about embezzlement of the Ambassador to the Ministry of Foreign Affairs. Every nation and state needs years to train a diplomat.

**Dear Court!!!**

The walls of this hall have met and seen off many judges, prosecutors, attorneys and defendants. But perhaps this hall, these walls have not seen or heard the injustice, lawlessness, inhumane, moral and psychological torture and persecution that I have encountered. Unfortunately, there is a popular American saying, *"It doesn't matter who you are, it matters who represents you and how."* I was also a victim of someone telling untruths and in what form about me".

**Speaking of the great Nazim Hikmet:**

**"I looked for justice, I cried a lot, I searched a lot, I waited a long time, and in the end instead of justice I found his grave.**

So I don't expect you to make a fair decision based on the facts of the criminal case, the evidence, the reasoning, the objectivity. You will also announce what is appointed. However, I would like to draw your attention to one point, which you may remember when you go to the meeting. Article 25 of the Constitution of the Republic of Azerbaijan states that "judges are independent and subject only to the laws of the Republic of Azerbaijan.

Although all my rights as a defendant were clearly and grossly violated in the trials over a period of five months, I have treated you, the judges, in all trials with the utmost respect. No matter how severe the unjust, orderly punishment, I will still treat you with respect. Although you have made me live the life of Josef from Franz Kafka's novel "The Trial" during this time. However, I want to let you know that I will fight to the end in a legal order to restore my violated rights!

**Dear Court!**

**I have spent no less than 28 years of my 67 years of life in the service of the great leader H. Aliyev, in the political line of I. Aliyev, in the service of my homeland and the Azerbaijani state. I have served this political line not with flattery and groveling but with pride. I served the restoration of our independence, statehood and territorial integrity in the most difficult and hardest days of the government, when it was not clear who was where, with my loyalty, practical activity and signature!!!**

Anatolian Turks have a saying: "The state will never forget the one who serves it!!!"

Many people know that I have always expressed my independent position, truths and critical views. I have always said everything to face and confirmed it with my signature. Today I am a victim of these qualities. Unfortunately, no one speaks the truth. As a result, today I am a victim of malicious, slanderous, fabricated, false and biased information out of revenge. But let's not forget that there is Almighty Allah who sees and knows everything!!!

I can resent President Ilham Aliyev for all the injustices, lawlessness, discrimination, moral and psychological suffering, persecution, but I will not betray him, I will never be among those who oppose him.

Because in my advanced age I am not going to betray my 28 years of faithfulness. I will never leave such a legacy to my grandchildren, to my descendants, to those who know me, despite the iniquity, injustice, and punishment I will be given!

On the other hand, I am not one of those who will say that Mr. President gave me this assignment and that I was carrying out his instructions, I have never been like that. Considering the fact that for the last 28 years as a person working in various executive positions, I know things that no one else knows or has heard, and I know enough. All this will go to the grave with me. But you must also take into account the fact that it is impossible to expel so ruthlessly. Believe me, I don't want to be expelled or be cowardly!!!

### **Dear Court!**

According to the testimonies of the participants in the trial, the court sessions were held from 10 am until the end of the court session, accompanied by an ambulance and its medical staff. During this time, in many cases, doctors did not recommend me to be in court, but my persistence was recorded in the medical record, and I participated in all court hearings, no matter how much I suffered.

Let me briefly remind you of a historical fact: In January 1938, Soviet Army Colonel Mikhail Yegorov was arrested on the basis of a truthful report and was illegally and unjustly sentenced to 12 years in prison. If we look at the irony of fate, we see that, like me, he was taken to court accompanied by ambulance doctors and tried. True, he died later in prison, but 18 years later, in 1956, Mikhail Yegorov was acquitted on the basis of his children's complaints; investigator Oleg Kuznetsov, prosecutor Igor Vasilyev, and judge Dmitry Alexeyev, who had sentenced him to prison and were already retired, received 15 years in jail each. Justice prevailed, albeit late!!!!

However, no one has ever been able to stop the wheel of history.

### **Dear Court!!!**

- As I said before, I don't believe you will make a fair decision about who is right and who is innocent. A date will be set in the near future. The cruel, inhumane treatment of my physical destruction has reached such a level that despite the fact that I live in terrible pain, which is very unbearable, the prosecutor's office and the court have not allowed

me to see a doctor for 3 months and 12 days. Although there is a decision of the European Court of Human Rights regarding my health.

Is there a second such behavior in the 21st-century cultural world, is there such torture? Is there such inhumanity?

The magnitude of the abuse was so great that even before the previous hearing, on January 14, 2022, the emergency doctor objected to my entering the courtroom due to my critical condition, but I insisted on my presence at the hearing. At least to protect himself, the doctor noted this in his statement. However, the medical documentation must be obtained before the court hearing, but it was taken after the trial in front of me at the temporary medical station. This is my "right to life" and "right to medical care" enshrined in the Constitution of the Republic of Azerbaijan! Tell me the exact name of the attitude towards me, you express!!!!

**There is a DIVINE JUSTICE in the world, in which I believe! He is the greatest power! When he strikes, he destroys everything and everyone!! Let no one forget this!**

I was subjected to these lawlessness, injustice and torture!!!

I once said in this hall - instead of making so many baseless, illegal, witness statements, unsubstantiated accusations not supported by banking and financial documents, no sales contracts, contracts for humanitarian projects, I have an apartment on the 5th floor. If a tank or a cannonball was so difficult to lift, then it would be "more appropriate" to leave its mock-up and "document" it in the presence of witnesses, then it would be more "evidentiary" and would not cause so much trouble!!!

**And now the word is yours, Your Honor, and I demand my acquittal!!!**

Eldar Hasanov

Baku Court for Grave Crimes

January 21, 2022