

Media Alert No.142/2024

„Azerbaijani Journalist Afgan Sadigov Detained At Request From Azerbaijan“

Prosecution Service of Georgia

Office of the Prosecutor General of Georgia

Extradition of Afgan Sadigov

On August 3, 2024, Georgian police arrested Afgan Sadigov in Tbilisi for the purpose of his extradition to Azerbaijan. On August 4, 2024, Tbilisi City Court ordered A. Sadigov’s detention pending his extradition.

In Azerbaijan, A. Sadigov has been charged with two counts of extortion. According to Azerbaijani authorities, in July and October 2023, he extorted money from S.A. and F.M. respectively.

The extradition process in Georgia involves two levels of judicial review and must ultimately be approved by the Minister of Justice.

At this point, the Prosecution Service of Georgia is analyzing the documents provided by the Azerbaijani authorities, as well as the information and evidence presented by the defense. The defense may still disclose further evidence until the case is committed for trial. If the prosecution concludes that there is a reasonable prospect of success for extradition in legal terms, they will lodge an application with Tbilisi City Court to request an extradition order. The court may either grant the request or discharge the case. Both the prosecution and the defense can appeal the decision of Tbilisi City Court to the Supreme Court.

The courts will have to determine whether the extradition is admissible under Georgian law, the European Convention on Extradition, the European Convention on Human Rights, and other international obligations. Among other considerations, the courts will evaluate whether the extradition should be allowed in light of the following principles: protection from torture and other forms of ill-treatment, the right to a fair trial, risks of persecution in the country of origin, double criminality, statute of limitations, political crime exception, and double jeopardy.

Extradition trials in Georgia adhere to the principles of equality of arms and the adversarial process. The defense and prosecution have equal rights and obligations to present and disclose their evidence to each other and to cross-examine the evidence of the opposing party in a public hearing before the court.

The Minister of Justice makes the final decision on extradition. If the court finds the extradition inadmissible, the Minister will automatically issue an order to refuse extradition. If the court finds the extradition admissible, the Minister of Justice will consider the compatibility of the extradition with the sovereignty of Georgia, international human rights obligations, and other essential interests, and will then issue an order either approving or refusing the extradition. If the person sought has requested asylum, the Minister should await the exhaustion of all available remedies for determining asylum status, unless he intends to refuse extradition.