

To the United Nations Representation in the Republic of Azerbaijan as well as to all competent judicial authorities,

state structures, international human rights institutions,

media representatives, civil society institutions,

and responsible representatives of the world community

Submitted by:

Ismayilova Zenfira Beybala gizi, residing

at 69 Nizami Street, Goychay city

COMPLAINT

Highly respected United Nations Human Rights Commissioner, Mr. Changrok Soh; esteemed judges; representatives of all competent international and national institutions to which this submission is addressed; and all persons who become acquainted with this complaint: by this complaint, I hereby inform you that my son, Rustam Ismayil, travelled to Germany in 1998 as a tourist in completely good health. From that year until today, my son possesses numerous video, television and radio reports, as well as tens of thousands of documents and pieces of evidence concerning gross violations of his rights by various German courts and state institutions.

Of these tens of thousands of official documents, only one thousand PDF files were analysed by ChatGPT; on the basis of that limited review, the artificial intelligence prepared nearly ten reports. (Annex 1)

As a result of that analysis, ChatGPT also identified and set out the following provisions of international law as having been violated by the German State in relation to my son:

International-law violations identified through the ChatGPT review include the following:

UN - ICCPR. Articles: 2, 6, 7, 9, 14

UN - CAT. Articles: 1, 12, 13, 16

UN - CRPD. Articles: 5, 10, 13, 15, 16

The Rome Statute of the International Criminal Court:

Article 7 - Crimes against Humanity (1,000 immigrants were driven to suicide within 10 years). This matter was written by Rustam to the United Nations on 15.12.2008, and the matter was also the subject of a broad and highly controversial discussion at the UN in 2009. According to the information received, during that discussion Germany officially acknowledged that the law had been violated and cited fear arising from the September 11 terrorist attacks as the reason. However, it was not investigated which, if any, of the 1,000 innocent people who had died was an Islamist terrorist. Likewise, no investigation was conducted regarding the hundreds of thousands of migrants who did not commit suicide but developed mental illness. (Annex 2)

Universal Declaration of Human Rights (UDHR):

Article 3. - Right to life, liberty and personal security: violated through homelessness, deprivation of medical care, and life-threatening conditions created by the state.

Article 5. - Prohibition of torture and cruel, inhuman, degrading treatment:

The violations committed against my son include the following:

In 1999, while in deportation detention, he suffered epileptic episodes; he was beaten by police and forcibly stripped completely naked, violating his honour and dignity (Annex 3); he was humiliated by being unlawfully forced to remain on the streets while ill during winter; in 1998-1999, refusal of medical treatment in prison through denial of emergency medical assistance; after release from prison in the cold of December 1998, he was not provided with the legally required accommodation, was not provided with medical insurance, was deprived of the right to work and receive social assistance, thereby forcing him into an irregular and vulnerable legal situation and in 1999 leading to his being imprisoned again in 1999 on the same allegation.

Article 7. - Equality before the law: Between 1999-2010, complaints regarding police violence against my son were deliberately rejected and were later withdrawn through the court-appointed legal guardian.

Article 8. - Right to an effective remedy: Many complaints were obstructed for decades and, in 2010, were withdrawn through the legal guardian.

Article 9. - Protection against arbitrary arrest and detention: In 1998-1999, while ill in winter, my son was unlawfully detained by the police acting in connection with the Ausländerbehörde.

Article 10. - Fair hearing before an independent tribunal: Between 2001-2003, court decisions contrary to the Constitution and unsupported by any provision of German law were issued against my son.

Article 12. - Protection against arbitrary interference with privacy: To this day, repeatedly through court decisions, his rights have repeatedly been forcibly taken from him through court decisions; various means have been used to block his avenues of action, or he has been placed in unlawful circumstances that prevented him from exercising those rights.

Article 14. - Right to seek asylum: Through discrimination and unlawful measures, he was prevented from obtaining even temporary asylum on the basis of his illness.

Article 25. - Right to health and medical care:

In 1998, my son was held in deportation detention. During that period, despite his serious state of health and not receiving treatment, he went on hunger strike six times. Each time he was taken to a hospital; however, without any genuine medical examination being carried out, the records stated “no illness requiring treatment,” and he was returned to detention.

In 1999, having seen the risk of epileptic seizures arising from the lack of treatment, state officials released him early from detention in 2000. However, between 2000 and 2004, through court decisions, my son’s right to seek medical care was effectively restricted. The courts prevented him from using the health insurance provided for by law and blocked the relevant applications, thereby making specialized medical examination and treatment of these illnesses impossible.

Only years later were the serious illnesses medically identified with clarity:

-HIV/AIDS was diagnosed in 2006, and the medical report indicated that the infection dated back to 2003.

-Meningitis was diagnosed in 2015, and it was noted that the onset of the disease dated back to 2000.

-Tuberculosis was identified in 2020, and the medical record stated that traces of a previous tuberculosis infection were present.

International Covenant on Civil and Political Rights:

Article 2(3). - Right to an effective remedy;

Article 6. - Right to life;

Article 7. - Prohibition of torture;

In 1999, my son was repeatedly beaten by the police and was humiliated by being forcibly stripped naked.

Article 9. - Liberty and security: In 1998-1999, he was unlawfully detained, beaten and insulted by police acting in connection with the immigration authorities.

Article 14. - Fair trial. Between 1999-2010, complaints regarding the unlawful acts committed against my son were ignored, and in 2001-2003 unlawful court decisions having no basis in the Constitution were issued.

UNCAT – Convention Against Torture:

Article 2. – Torture is absolutely prohibited.

Article 12. – The State must investigate allegations of torture. However, in 1999, the German state showed no genuine interest in investigating police violence against my son and took ineffective steps.

Article 13. – Right to lodge a complaint safely. The complaints made by my son to state authorities have remained unexamined to this day and have been halted.

Article 14. – Right to compensation.

Refugee Convention (1951):

Article 33. – Non-refoulement

Article 16. – Access to courts.

European Convention on Human Rights (ECHR):

Article 2. – Right to life. The forced homelessness imposed for seven years by German state authorities, which caused many severe chronic diseases including hepatitis, tuberculosis and HIV/AIDS, as well as a heart attack in 2003, is directly the responsibility of the state.

Article 3. – In 1999 there were epileptic seizures, police beatings, and humiliation through being forcibly kept completely naked; in 1998-1999 medical assistance was refused, medical insurance was not provided, and there were medical falsifications.

Article 5. – Right to liberty and security. Two periods of imprisonment in 1998 and 1999 on the same unlawful allegation.

Article 6. – Right to a fair trial. On 02.11.1999, regarding the complaints made by my son, the police conducted no investigation; in 2001-2003 courts issued decisions contrary to the Constitution. In 2010, fraudulent conduct by the court-appointed legal guardian.

Article 8. – Private life. Medical falsification, unlawful surveillance, long-term interference.

Article 10. – Freedom of expression. Systematic silencing through legal manipulation.

Article 13. – Right to an effective remedy. 27 years of obstructed avenues of legal remedy.

Article 14. – Prohibition of discrimination. Systematic unequal treatment.

Article 18. – Politically motivated persecution, silencing, psychological pressure, weakening of his legal struggle, abuse for hidden purposes.

Protocols:

Protocol 1, Article 1. – Disproportionate financial burden; protection of property. In 2010, in order to destroy my son's legal status, he was burdened with fabricated debts.

As I stated, in 2001-2003 courts prevented medical treatment by issuing decisions that do not exist anywhere in the German Constitution and are contrary to the Constitution.

Protocol 4, Article 2 – Freedom of movement. From 1998 until today, first residence status, then 120 court proceedings involving violations of rights, restricted health-insurance coverage and bank card usable only within Germany, no travel entitlements or concessions granted on the basis of the 100% disability card, frequent unlawful detention threats, psychological terror and discrimination causing depression, after he had been classified as 100% disabled from 2005 onward and his total loss of working capacity had been officially recognised, work permission was nevertheless granted while he was intentionally deprived of pension rights. Instead of a pension, he was assigned only social assistance usable within Germany, thereby automatically and intentionally placing him, in practical terms, in a 27-year state of captivity within Germany.

As a result of continuous and systematic pressure between 1999–2024, the concealment of dangerous diseases such as HIV (AIDS), meningitis, and tuberculosis, repeated physical assaults, falsified medical records, absence of legal protection, isolation, and life-threatening conditions drove my son to attempt suicide in front of the German Parliament on 07.01.2004. As this incident was widely reported in the local and international press, in 2004 the Court of Appeal, and on 03.01.2005 the German judicial authorities that had issued the erroneous decisions, officially acknowledged a judicial error (Verfahrensfehler anerkannt) in the following criminal case (case number 528 Os 49/03 (251b/251 a Dsj 52 Js 7/00 (349/00)). This acknowledgement by the court confirms that the legal and factual basis used against my son had been unjust from the outset. (Annex 4)

On the basis of that very erroneous decision, unlawful deprivations were applied against my son through court decisions issued between 2000–2005:

In 2000 (VG 32 A 594/00, OVG 6 SN 196/00, OVG 6 S 52/00); in 2002 (VG 32 A 487/01); in 2002 (VG 32 A 000/00); in 2003 (VG 32 A 599/03); in 2004 (VG 32 A 77/04, OVG 6 L 67/04); in 2005 (VG 8 A 168/05, OVG 6 S 37/05, OVG 6 M 27/05). Through these court decisions, my son was deprived of social assistance, health insurance, work permit, and lawful living conditions; despite being seriously ill, he was left homeless; through the actions of the state and the refusal of lawful support, he was forced to live and seek help in environments and communities to which he did not belong. All of this constitutes psychological torture and grossly violates several provisions of international law, Articles 3, 8, 14 of the ECHR; Articles 7, 17, 26 of the ICCPR; Articles 1, 2, 12, 13 of UNCAT; and Articles 3, 5, 12 of the UDHR.

The above-mentioned court decisions were unlawful from the moment they were issued and enforced, and their unlawfulness was officially acknowledged in 2004 by the Court of Appeal and in 2005 by the District Court. Although the judicial error was officially acknowledged in 2005, my son's situation did not improve in reality.

During the years 1998/2005, while these unlawful decisions were being enforced, my son developed many life-threatening illnesses including tuberculosis, chronic prostatitis, myocardial infarction, HIV/AIDS, meningitis, and numerous other chronic and internal diseases as a direct result of the homelessness, deprivations, medical negligence and isolation imposed by the German state.

My son R. Ismayil, in 2009, filed a lawsuit for compensation (Schadensersatz) against the court which in 2005 had formally acknowledged its unlawful conduct in official, sealed court decisions. Instead of examining its own unlawful actions, the District Court responded by imposing on him a court-appointed legal guardian vested with comprehensive authority ("rechtlicher Betreuer"), although such a measure is normally intended only for persons lacking or deprived of legal capacity.

From that moment onward, my son was prohibited by court decision from managing his own affairs in court proceedings and banking matters, and all communication with the courts was directed to the appointed guardian. Due to the guardian's deliberate failure to respond in court proceedings and deliberate withdrawal from the proceedings, my son lost several ongoing legal cases, including the case concerning his forced stripping, humiliation and physical assault by prison police officers in the deportation prison in 1999, as well as the case regarding a severe head trauma sustained in an accident involving a police vehicle, confirmed by medical documents. Most importantly, the compensation claim was dismissed not on the merits, but solely because the court-appointed guardian failed to respond within six months. As a result, instead of receiving the compensation to which he was legally entitled, the court, through the guardian, closed all legal proceedings and burdened my son with EUR 91,000 in court costs!?! Thus, my son's demand for rights and justice was transformed into a financial penalty designed to silence him. (11.01.2011 – (case number 86 O 633/09)). One year later, the said court withdrew the guardian and restored my son's rights, but he was left left burdened by hundreds of thousands of euros in debt.

I would like to state that on 16.08.2001, when my son applied to the court regarding the treatment of his internal organs, the court (case number VG 32 A 487.01), in violation of the law, redirected the matter toward psychiatric assessment. On page 3 of the court document dated 04.09.2001, it is stated that we provide you with a health-insurance coverage valid for a single use and with that health insurance go to a psychiatrist and bring us a report so that we can help you. That is, not to treat your internal organs, but to treat your psychological condition. Additionally, within one week, my son was required to inform them which doctor he went to, so that the preparation of the report would remain under supervision. However, the report they sought was to state that suicide would be committed and that the supposed reason would be problems experienced in his country of origin. With the decision of no assistance being provided, the court, by deciding that no assistance would be provided, effectively gave a green light to suicide. On 12.08.2002, German lawyer Harald Lilge submitted a six-page petition containing serious allegations to the court and demonstrated that the violations committed by the courts were contrary to the Constitution, stating that the harm inflicted upon this person would remain with him permanently. (Annex 5). Consequently, during that period, lawyer Lilge clearly confirmed the deliberate killing of my son. On 17.08.2003, my son suffered a heart attack and underwent a closed surgical procedure in the hospital. In relation to this, on 23.10.2003, lawyer Muharrem Aras submitted a four-page petition with a hospital report, but the court (case number VG 32 A 599.03) rejected the request for assistance, stating that even if he were in a life-threatening condition, this decision remains in force. Unable to endure all these tortures, after my son Rustam Ismayil attempted suicide in front of the parliament on 07.01.2004, and the matter became public worldwide, the court and other judicial authorities officially acknowledged their errors. My son possesses official documents regarding this.

After a long struggle, although my son was granted a high-level residence status in Germany, on the other hand, his access to treatment remained insured under deportation-status conditions (that is, even in the most serious condition, only the cheapest and shortest-term treatment). As a result of the unlawful acts committed against my son during these years (1998-2004), he developed severe fatal diseases, heart attack, prostate disease, hepatitis, AIDS, syphilis, tuberculosis, and more than 20 chronic diseases in his internal organs. Although the state officially acknowledged its mistake, to this day it has not ceased psychological terror, discrimination, and violations of the law. The aim, at any cost, is to place him either in a psychiatric institution or in the grave. The crimes that have occurred in the last 6 years are clear proof of this.

Thus, in 2019, my son was expelled by six hospitals without treating the cancer that had developed in him. This means that the hospitals effectively decided that my son should die. In order to prove these unlawful actions committed by doctors, my son also recorded them on his phone. Being in a state of severe depression and discrimination, my son slowly began preparing complaints against the hospitals. (Annex 6) Knowing that there were recordings on my son's phone documenting the injustices committed against him, state actors caused his iPhone 5 to be stolen in the metro, and the phone's location was identified through police tracking, but after one hour the phone was found broken and rendered unusable. On that same day, my son paid 250 euros and managed to transfer the evidence materials from the broken phone to a newly purchased iPhone 13. However, some time later, on 30.06.2023, that iPhone 13 was also stolen. On the day of the theft, several police stations refused to accept his complaint under various pretexts, as though creating conditions that enabled the thieves to escape, and only after 4 hours was my son finally able to file the complaint officially. (case number 230701-0330-348519) (3031Js4495/24) (282Js3791/23)

After 12 days, my son himself caught the thieves who were being searched for and handed them over to the police. One week later, he received a letter from the police stating that the offenders could not be found because they had no registered address in Germany, and the prosecutor closed the case citing the inability to find the criminals. That is, although my son caught the thieves who stole his phone and handed them over to the police, the police later released them as though they had committed no offence. These actions by the police demonstrate deliberate police interference, the release of violent criminals, and deliberate falsification of official records. This situation meets the criteria for state involvement under Articles 2, 3, 13 of the ECHR and Articles 6, 7 of the ICCPR.

After this, targeted street attacks against my son were organized and increased more than in previous years; my son was subjected to attacks involving thousands of people, pressures were applied, and he was told that if he complained to international organisations about Germany, he would be killed. I cannot understand what people on the street have to do with filing complaints about the unlawful actions of the police and the German state. Although my son caught those who stole his phone and handed them over to the police, the police later released them as if they were innocent.

On 25.11.2023, on the very day my son asked his lawyer to take the matter to court, he was attacked near his home at Zoologischer Garten station (under a security camera), and despite calling the police emergency number 110 three times (Annex 7), the police unit located inside the station did not intervene in the criminal incident. Finally, after the fourth call, in front of the police officers who arrived, the criminals broke a bottle and attacked my son. Although the police officers who witnessed the crime immediately handcuffed the criminals, after some time three individuals dressed in a manner resembling members of parliament spoke with the police, and afterward the police removed the handcuffs and released the criminals. My son recorded on his phone how the police, laughing and talking with the criminal, removed the handcuffs and released him. When my son filed a complaint with the police regarding this incident, he was told by the police that he had suffered no damage and his complaint was not accepted. I cannot understand how, in front of the police, under a station camera recording, a criminal who broke a bottle and attacked could have his handcuffs removed and be released without a criminal case being opened, allegedly through the intervention of diplomats. One of the dark aspects of the case is that the persons who committed the crime against my son did not flee from the police and said directly to my son that the police stand behind them. One year later, although this case number was opened in a complaint submitted to the Ministry of Justice, "GeshZ.der LPD St. 33:01941/1727/24" (attempted bodily injury), there has still been no outcome.

On 13.11.2024, at 11:39, my son called his lawyer and demanded that these criminal cases be taken to court, and at 16:58 he called Amnesty International lawyers regarding this matter (Annex 8). One hour later, at 17:57, under the surveillance cameras in the metro, he was assaulted on four occasions by unknown persons. He called 110 five times (Annex 9), and during two of those calls he was beaten while speaking with the police, meaning the police listened to the sounds while, as my son describes it, drinking coffee, perhaps even watching through the security cameras. However, the police did not respond by attending after any of those calls. Finally, on the 6th call, German witnesses also called, and while my son was being strangled, the police apprehended the offender. However, instead of handcuffing him, they placed the offender, rather than the injured victim, into the ambulance. My son requested that the ambulance not come, but the senior police officer became angry and stepped aside to speak with the doctors about something. As a result, the hospital refused to admit my son, writing that he had no injuries. My son's account contains a clear point: if they had allowed him to speak, he would have said that all of the blows to his head had occurred under surveillance cameras; perhaps if they had known that, they might not have written such a grave falsehood, that being beaten in public could be treated as though it did not constitute psychological trauma in medical terms, and that blows delivered to four different areas of the head could be described as though they were a gentle stroke. After this crime, my son again received a letter from the police stating that the criminal could not be found because he had no registration in Germany, and the prosecutor indicated that the case was closed. (case number – 241113-1810-131001) I do not understand one thing: in three criminal cases the criminals are caught, but each time it is unclear how persons with no registered address are documented and then released each time. One of the dark aspects of the case is that the persons who committed crimes against my son are clearly seen on security-camera footage not fleeing from the police, and they repeatedly said to my son face-to-face that the police stand behind them. My son tells me this; please investigate. According to international law, this constitutes state participation in the violence and in violations of Articles 2, 3, 13 of the ECHR, Articles 6, 7 of the ICCPR, and Articles 2, 12–13 of UNCAT.

For these three criminal cases, my son paid EUR 2,000 in advance against a receipt and signed a contract with a lawyer. However, since the lawyers did not intervene effectively in the cases, they discriminated against my son and created artificial obstacles in order to discourage him from following the proceedings. (Annex 10)

Because my son had previously filed complaints with several state institutions and international organisations regarding the injustices committed against him in Germany, from 2019 onward, open attempts to kill him were initiated. Although my son informed the German Federal Court of Justice (case number S18-48884) and the Federal Prosecutor's Office (case number AR 1311/25) in August 2025 about all these crimes, these complaints have still been ignored under various pretexts.

My son informs me that for 4 years his teeth have not been treated at all, and in August 2024, under pressure from the health insurance, the upper dental bridge in his mouth was removed, but to this day permission to fit a replacement has still not been granted. Although my son, who is fighting serious illnesses, paid EUR 11,000 to a doctor on 03.01.2025 for dental treatment in order to prevent his immunity from declining, the doctors continue to avoid treating his teeth under various pretexts. Although he filed a complaint with the criminal police on 19.12.2025 regarding this (case number 251219-1346-4670620), no investigation has been conducted to this day. The police had stated that they would take the evidence from him in order to conduct an investigation. Even

though on 16.01.2026 he submitted complaints to two courts and obtained official receipt stamps, to this day no case number has been sent. This shows that the doctors involved in the crime are being protected. (Annex 11)

For 4 years now, my son has been deprived of the ability to eat, and infection arising from untreated, decayed teeth has spread to his mouth, throat and lungs. Although my son repeatedly went to emergency services due to weakness and nausea, he was sent away from those services. If you examine the videos, you will see that even when he wanted to undergo examination at his own expense, they refused (Annex 12). For a person suffering from an immune-system disease, this directly means death. All organisations operating in Berlin such as the AIDS support organisation (AIDS-Hilfe), the international organisation Amnesty International, and the organisation fighting against police violence (Weisser Ring), as well as all organisations financed by the United Nations, and even family doctors, discriminate against my son because of the prohibition on officially recording this crime and in order to avoid liability. The evidence of this is available with my son.

Since 2021, several courts have issued decisions leading to my son's detention over a metro ticket. Each time, after overcoming all obstacles and proving that he was right in higher courts, my son was able to escape the rope being tightened around his neck. On 04.08.2022, the court-appointed guardian Levent Göktekin informed my son that he was summoned to a court hearing on 24.09.2024 regarding a metro-ticket penalty. (case numbers; 254 Cs 1048/24 (3034 Js 3591/24-282 Js 3791/23)

This situation shows that the State failed to provide the reasonable accommodation required under Articles 2, 5 and 13 of the Convention on the Rights of Persons with Disabilities (CRPD). The failure to provide such accommodation, together with the imposition of criminal penalties despite an officially recognised disability status and court-appointed guardianship, constitutes discrimination on the basis of disability. CRPD Articles 2, 5, 12 and 13 - CRPD Articles 12 and 13 - ECHR Articles 6 and 14 and ICCPR Article 26

On that date, my son personally attended the court hearings together with his guardian Levent Göktekin. The judge based the decision solely on the allegation that my son had violated the law by failing to purchase a metro ticket and imposed a fine on him. During the hearing, my son showed the judge his 100% disability certificate and asked why it had been issued to him, stating whether this 100% disability certificate had been given to him merely to stir sugar into tea? Despite this, the judge stated that because he had violated the law, he had to be punished. After this court decision, the prosecutor demanded the enforcement of this unlawful penalty and requested my son's imprisonment. I do not understand why my son is deprived of the rights granted to a person with 100% disability and, if the fault lies with an official, why the punishment is imposed on my son.

The courts issued decisions preventing medical treatment even though no such prohibition exists in the German Constitution; in practical terms, they blocked the avenues by which my son could consult a doctor. In order to conceal the serious harm that occurred afterward, more than 100 court hearings were held concerning various unlawful acts (Annex 13), and each time the courts relied on different pretexts to ignore the unlawful actions committed against my son and continue to ignore them to this day.

At present, my son, who suffers from deadly diseases such as cancer, AIDS, and tuberculosis, is being subjected to measures that deliberately cause his immune system to deteriorate. That is, depriving a person suffering from more than 20 chronic and life-threatening diseases of the ability to eat clearly constitutes murder. The acts committed over the years up to the present constitute open psychological terror. Years of discrimination are openly destroying a human being.

Mr. United Nations Human Rights Commissioner Changrok Soh, and every person who reads this petition: if such an atrocity were committed against your own child, what would you feel? Therefore, as an 84-year-old elderly mother, I earnestly request you, in the final days of my life, to hear my cry of protest, made with tears in my eyes and to take immediate action to stop these unjust killings committed against my son in Germany. In the final days of my life, as the desperate appeal of a mother, I ask that contact be established with my son, that the documents and video materials in his possession be thoroughly examined, and that all necessary steps be taken.

With deep respect,

Ismayilova Zenfira

16.02.2026, Azerbaijan

In order to ensure that this complaint reaches its intended addressees and to raise public awareness, it will also be submitted to the press and other media outlets.