

PRESS RELEASE – THE OBSERVATORY

Azerbaijan: two trials of prominent human rights defenders to begin on 15 and 16 January

Paris-Geneva, 14 January 2015 – The trials of the defenders Rasul Jafarov and Intigam Aliyev, currently in preventive detention, will begin in Baku on 15 and 16 January 2015. Both are wrongly accused of tax evasion. These trials are the first in a long series intended to silence human-rights defenders.

A delegation from the Observatory went to Baku from 4 to 8 January in order to report on the extremely worrying situation of human-rights defenders in the country, and in particular to meet **Rasul Jafarov** and **Intigam Aliyev** and the six other human-rights defenders currently in prison: **Leyla Yunus, Arif Yunus, Khadija Ismailova, Anar Mammadli, Bashir Suleymani** and **Hilal Mammadov**. Despite its repeated requests the mission was unable to gain access to the detention centres nor to arrange a meeting with any government representatives.

"A lead weight has fallen on the NGOs and their leaders in the last few months," declared Tolekan Ismailova, FIDH VicePresident, who took part in the Observatory's mission to Baku. **"Today, civil society is condemned to self-censorship or repression,"** she added.

A whole arsenal of anti-NGO laws has been adopted since 2013 in order to muzzle the Azeri civilian population. NGOs are henceforth compelled to register their organization with the government and their funds with the Ministry of Justice, in order to receive funding (whether from inside or outside the country). Those who don't manage or refuse to register their subsidies from abroad are therefore forced to break the law. The use of non-registered subsidies is now deemed to be an administrative offence and the judiciary considers the funds to be a source of taxable personal income. Charges against Rasul Jafarov and Intigam Aliyev stem precisely from this.

The Observatory delegation, which also spoke to some of the lawyers of the criminalized defenders, stated that it was very difficult for them to defend their clients properly. The authorities use many different techniques to dismiss them from the cases they are defending: some are cited as witnesses in the trials of their own clients, others are subjected to fallacious complaints, exposing them to the risk of being struck off.

"The mere fact that the mission was denied access to Leyla Yunus in prison and the other detained human-rights defenders speaks for itself and shows that on the eve of the European Games, which will take place in Baku in June 2015, there is a serious risk that the human rights defenders' situation will further deteriorate," said Peter Zangl, OMCT representative to the European Union.

The Observatory plans on sending observers to Jafarov and Intigam's trials and will shortly publish a report on its January mission. The Observatory calls on the Azeri authorities to comply with the international agreements to which they have signed on and to guarantee a fair trial for all the human rights defenders in pre-trial detention, which includes in particular their right to choose their lawyer, respect for their physical and psychological integrity and their right to freedom of association and other fundamental freedoms.

The Observatory also wishes to remind the Azeri authorities that unless they can produce substantiated evidence of the charges, they should release Rasul Jafarov, Intigam Aliyev and all the other defenders presently in pre-trial detention, in compliance with the International Covenant on Civil and Political Rights and the United Nations Declaration on Human Rights Defenders.



The Observatory
for the Protection
of Human Rights Defenders

More information on the human rights defenders currently imprisoned:

Rasul Jafarov actively participated in the “Sing for Democracy” and the “Art of Democracy” movement ahead of the Eurovision song contest in Baku in May 2012 and was planning a campaign called “Sports for Human Rights” prior to the European Games. With regard to Intigam Aliyev, he represented more than 100 victims before the European Court for Human Rights.

Some of the defenders who have been placed in pre-trial detention are in a worrying physical and psychological condition, especially Intigam Aliyev, and Ms Leyla Yunus, the director of the Institute for Peace and Democracy (IPD) and member of the OMCT General Assembly. Others in pre-trial detention include Arif Yunusov, Head of the Conflictology Department at IPD and Khadija Ismailova, investigative journalist. Last Anar Mammadli, Chairperson of the Election Monitoring and Democracy Studies Centre (EMDSC), Bashir Suleymani, Executive Director of EMDSC, and Hilal Mammadov, Talysh ethnic minority rights activist and chief editor of the newspaper *Tolishi-Sado* (The Voice of the *Talysh*), have been given long prison sentences : three and a half, five and a half and five years respectively.

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