



35th SESSION OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL
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Item 4 – General Debate

Human Rights House Foundation statement

Delivered by Matthew Jones, International Advocacy Officer, Human Rights House Foundation
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Thank you Mr Chairperson.

We ask this Council: What is the threshold for human rights violations at which point it is obliged to act?

Azerbaijan's authorities led a crackdown on civil society beginning in 2011¹, including with the closure of the Human Rights House Azerbaijan².

We know this was not a threshold for Council action.

An unprecedented wave of attacks and arrests against human rights defenders, journalists, lawyers, or anyone critical of the government took place in 2014³.

This was not a threshold for Council action.

The authorities in Azerbaijan have rapidly put in place legislation allowing the State to fully control civil society activities in the country. The legislation attempts to legally justify the detention of human rights defenders, journalists and activists, who can face imprisonment at any given time, on purely arbitrary accusations.

Following an official visit to Azerbaijan in September 2016, the United Nations Special Rapporteur on the situation of human rights defenders assessed that civil society has been “paralysed” by the government and has faced “the worst situation” since the country’s independence in 1991. He called upon Azerbaijan to “rethink [its] punitive approach to civil society.”⁴

Was a threshold surpassed at this point? Why did the Council not take serious action at this point?

It was morosely thought that independent critical-thinking members of civil society had two choices in Azerbaijan: flee, or risk being thrown into prison. **Now it seems that even fleeing the country does not ensure protection from human rights violations. The enforced disappearance of exiled Azerbaijani journalist, Afgan Mukhtarli in Tbilisi, Georgia on 29 May, and his reappearance in court facing**

¹ Human Rights House Foundation, “Arrests continue in Azerbaijan”, 5 April 2011, <http://humanrightshouse.org/Articles/16215.html>

² Human Rights House Foundation, “Human Rights House Azerbaijan closed down by Azerbaijani authorities”, 11 March 2011, <http://humanrightshouse.org/Articles/16060.html>

³ Human Rights House Foundation, “Unprecedented repression in Azerbaijan: key civil society leaders imprisoned”, 9 August 2014, <http://humanrightshouse.org/Articles/20335.html>

⁴ Human Rights House Foundation, “Azerbaijan: ‘Rethink punitive approach to civil society’”, 22 September 2016, <http://humanrightshouse.org/Articles/21894.html>

charges in Azerbaijan on 31 May, should give this Council serious thought to a further threshold being crossed. What number of human rights violations must have occurred in Afghan Mukhtarli's case?⁵

This development not only exposes Afgan Mukhtarli to the possibility of torture and a long prison sentence, but also sets a precedent, threatening the security of dozens of other Azerbaijanis living in exile in Georgia. Numerous independent journalists, human rights defenders and other civil society activists fled Azerbaijan in recent years to escape repression, but they are increasingly becoming targets of harassment and persecutions abroad. They were hoping to find a safe haven in Georgia, but must now live with the constant fear of being illegally brought back to their country of origin.

Mr Chairperson.

We know that Azerbaijan is not immune to pressure. The release of leading civil society figures from prison in 2016 was not a sign of systemic change, but a signal of the leverage that the international community has to ensure such releases.

Yet we question why the Council has not done more to scrutinise a record that is among the worst in the region. The government of Azerbaijan has repeatedly turned down recommendations and warnings issued by the international community. Given the critical situation for human rights defenders and the continued crackdown on civil society in Azerbaijan, the multiple thresholds that have been passed in recent years, coupled with a lack of willingness by the authorities to take any step recommended by international and European human rights mechanisms, the United Nations Human Rights Council has a responsibility to act.

Thank you.

⁵ Human Rights House Foundation, "Deep concern at abduction of Azerbaijani journalist Afgan Mukhtarli in Tbilisi", 7 June 2017, <http://humanrightshouse.org/Articles/22505.html>