

President Abdullah Gul
Republic of Turkey
Fax : +90 312 470 13 16
E-mail: cumhurbaskanligi@tccb.gov.tr



**HUMAN RIGHTS HOUSE
FOUNDATION**

25 July 2012

Immediately and unconditionally end the legal proceedings against Azerbaijani lawyer Intigam Aliyev

Mr. President,

The undersigned members and partners of the Human Rights House Network and the South Caucasus Network of Human Rights Defenders call upon you to ensure that all charges against Azerbaijani human rights lawyer Intigam Aliyev are immediately and unconditionally dropped and compensation for the acts of ill-treatment he suffered in Ataturk Airport provided.

On 6 December 2011, on his way back to Baku, Azerbaijan, from Vilnius, Lithuania, where he took part in the Civil Society Parallel Event organised by the Organization for Security and Co-operation in Europe (OSCE), Intigam Aliyev was at the Ataturk Airport in Istanbul, Turkey, to catch a connecting flight to Baku. After an altercation with a customs officer, Intigam Aliyev's ticket was invalidated by the officer, Huseyin Kunt, and he was detained and kept in closed room for about four hours. During his detention, he was insulted and intimidated by police officers.

Intigam Aliyev immediately informed the Human Rights House Foundation (HRHF) that he was being held in detention at the Ataturk airport. The Helsinki Citizens' Assembly in Istanbul sent lawyers to assist Intigam Aliyev at the airport late that night. The Istanbul Bar Association was also involved in this case.¹ Several international organizations sent appeals and called on the Turkish authorities to release him.

On 7 December 2011 at 12:00, Intigam Aliyev was told that he would be deported from Turkey at 20:30 the same day.

That same day, whilst held in custody, Intigam Aliyev was beaten and injured by immigration officers, and repeatedly threatened not to speak out. He was beaten in a small room by Alaittin Sarıkaya, one of two civilian immigration officers who accompanied Intigam Aliyev, after he requested his passport to be returned to him. Servet Erkaraca, the other immigration officer, witnessed the beating and threatened Aliyev. When Intigam Aliyev asked them to be polite, he was taken to the police office where he was beaten on his head and body by the same officer, Alaittin Sarıkaya, in the presence of seven other civilian policemen and Servet Erkaraca.

Despite the lawyers' insistence before Aliyev's deportation, he was not provided with any documents or a detailed explanation related to his deportation or his arrest. He was not allowed to meet his lawyers on 7 December 2011. Intigam Aliyev was sent back to Baku on 7 December 2011, where he underwent a medical examination.

On 16 December 2011, Intigam Aliyev's lawyers filed a complaint with the Turkish Prosecutor's Office about the deportation and beatings. They requested the provision of CCTV footage from the airport on 6-7 December 2011. The complaint was rejected due to "lack of evidence."

In early July 2012, Intigam Aliyev was called to the Nasimi District Court and the Yasamal District Court of the Republic of Azerbaijan, where he was informed about the order of the Bakirkoy Sulh Court

¹ More information on the events of 6 December 2011: <http://www.humanrightshouse.org/Articles/17311.html>

and Bakirkoy Asliye Court of the Republic of Turkey, stating that criminal charges were brought against him by the Prosecutor's Office of Bakirkoy for obstructing the officer from performing his duties (art. 265.1 of the Criminal Code of the Republic of Turkey), insult (art. 106.1), and threats (art. 125.3a) on the basis of the complaints of immigration officers Servet Erkaraca, and Alaittin Sarikaya, and police officer Huseyin Kunt.

It later became known that the criminal case had been opened against Intigam Aliyev on 6 December 2011 when he was detained at the Istanbul Airport. He and his lawyers in Turkey had not been informed about it and did not receive any written information about these charges until 6 July 2012.

Intigam Aliyev is a well-known human rights lawyer, both in Azerbaijan and internationally. He has brought over 200 cases of his clients, including prominent journalists, to the European Court of Human Rights. As the Head of the Legal Education Society, he is an active and reliable partner for all member and partner NGOs of the Human Rights House Network and the South Caucasus Network of Human Rights Defenders. He is also a member of the Civil Platform of the Eastern Partnership.

As a victim of violence and arbitrary detention by security forces at the Ataturk Airport in Istanbul, Intigam Aliyev should be protected by the State.

We therefore call upon the authorities of the Republic of Turkey to:

- **Immediately and unconditionally drop all criminal charges against human rights lawyer Intigam Aliyev;**
- **Fully compensate Intigam Aliyev for the ill-treatment he suffered at the Ataturk Airport in Istanbul and for the moral and financial damages;**
- **Undertake an independent investigation into the accusations of ill-treatment against Intigam Aliyev, and bring those responsible to justice.**

Yours sincerely,

- Azerbaijan Human Rights House
 - Association for Protection of Women's Rights (APWR)
 - Azerbaijan Human Rights Centre
 - Azerbaijan Lawyers Association
 - Institute for Reporters Freedom and Safety
 - Legal Education Society
 - Media Rights Institute
- Human Rights House Belarus in exile (Vilnius)
- Human Rights House Sarajevo
 - Association of Female Citizens "Renaissance"
 - Foundation CURE
 - Helsinki Committee for Human Rights in Bosnia and Herzegovina
 - Regional Co-ordinator for Youth Groups
 - Serb Civic Council
 - Woman and Society Centre

- Human Rights House Zagreb
 - APEO/UPIM Association for Promotion of Equal Opportunities for People with Disabilities
 - Be Active Be Emancipated B.a.B.e.
 - CMS - Centre for Peace Studies
 - Documenta - Centre for Dealing with the Past
 - GOLJP - Civic Committee for Human Rights
 - Svitanje - Association for Protection and Promotion of Mental Health
 -
- Human Rights House Tbilisi
 - Article 42 of the Constitution
 - Human Rights Centre (HRIDC)
- Human Rights House Oslo
 - Human Rights House Foundation
- Helsinki Foundation for Human Rights in Poland

Armenia:

- Armenian Helsinki Association
- Jurists Against Torture
- Helsinki Citizens' Assembly – Vanadzor

Azerbaijan:

- Human Rights Club
- Institute for Peace and Democracy

Belgrade Centre for Human Rights, Serbia
 Article 19, UK
 Media Diversity Institute, UK
 Ukrainian Helsinki Human Rights Union, Ukraine
 Reporters Without Borders
 Youth Human Rights Movement

Copies to:

Mr. Recep Tayyip Erdoğan
 Prime Minister of the Republic of Turkey
 Fax: +90 312 422 26 99, +90 312 422 1719, +90 312 422 1729
 E-mail: bimer@basbakanlik.gov.tr

Mr. Sadullah Ergin
 Minister of Justice of the Republic of Turkey
 Fax: +90 312 419 33 70
 E-mail: uhdigm@adalet.gov.tr, cigm@adalet.gov.tr

Mr. Ahmet Davutoğlu
 Minister of Foreign Affairs of the Republic of Turkey
 Fax: +90 312 292 10 00
 E-mail: info@mfa.gov.tr

Mr. Idris Naim Sahin
Minister of Interior of the Republic of Turkey
Fax: +90 312 422 40 00
E-mail: gsekreter@icisleri.gov.tr, diab@icisleri.gov.tr, mustesarlik@icisleri.gov.tr,
ozelkalem@icisleri.gov.tr

Mr. Hasan Erbil
Prosecutor General Office of the Republic of Turkey
Fax: +90 312 573 35 00

- Turkish Embassy in Azerbaijan, Norway, and Switzerland
- Permanent Mission to the United Nations of the Republic of Turkey, Geneva
- OSCE Office in Azerbaijan, Baku
- Delegation of the European Union to Turkey, Ankara
- Commissioner on Human Rights of Council of Europe, Strasbourg
- Directorate General of Human Rights and Legal Affairs of the Council of Europe, Strasbourg
- UN Special Rapporteur on the Situation of Human Rights Defenders, Geneva
- United Nations Working Group on Arbitrary Detention, Geneva