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HUMAN RIGHTS HOUSE NETWORK

5 February 2013

Call for the immediate and unconditional release of human rights defenders, journalists and activists detained in relation to the peaceful protest held in Baku on Saturday 26 January 2013

Mr. President,

We, the undersigned members and partners of the Human Rights House Network, are deeply concerned about the recent detentions of participants, including prominent human rights defenders, journalists and activists, in the peaceful protest in Baku, Azerbaijan. We call upon the Azerbaijani authorities to immediately and unconditionally release those still detained, cancel the fines of those fined, and take effective measures to stop punishing critical voices.

On Saturday 26 January 2013 hundreds of people peacefully demonstrated in Baku, Azerbaijan, to express solidarity with recent protesters across the country, including the 23 January 2013 protests in Ismayilli. The social unrest in Ismayilli was triggered by widespread corruption in the region.

The police and plain clothed agents dispersed the Baku peaceful protest on 26 January and to our knowledge 47 demonstrators were detained. Among them were the prominent human rights blogger Emin Milli, the human rights defender and Rafto Award laureate Malahat Nasibova, the human rights lawyer Intigam Aliyev, as well as the investigative journalist and Fritt Ord Foundation and ZEIT Foundation Award laureate Khadija Ismayilova. All of them are close partners of the Human Rights House Network.

After a couple of hours 10 detainees were released without fines and several of them placed in remote areas around Baku city, among them Intigam Aliyev and Malahat Nasibova. Other detainees were fined for taking part in a so-called "illegal demonstration", among them journalist Khadija Ismayilova who received a fine of 400 manats (approx. 400 EUR). The United Nations Human Rights Council in its resolution 21/21 on safety of journalists adopted on 27 September 2012 condemned in the strongest terms all attacks and violence against journalists, including intimidation and harassment. We see this fine as one more attempt to intimidate Khadija Ismayilova, following the smear campaigns against her and verbal attacks she regularly receives in Azerbaijan.

Fines were also imposed upon the detained opposition leaders: Gozal Bayramova from the Popular Front Party was fined with 2000 manats (approx. 2000 EUR), Elshan Hasanov from the Musavat Party was fined with 600 manats (approx. 600 EUR) and Turqut Gambar from NIDA Movement was fined with 2500 manats (appr 2500 EUR) and Zaur Gurbanliand and Aygul Panjaliyeva also from the NIDA Movement were fined with respectively 550 manats (approx. 550 EUR) and 400 manats (approx. 400 EUR). To our knowledge a total of 21 detainees were fined.

The highest penalty was imposed on Emin Milli who was sentenced to administrative detention for 15 days. Emin Milli has already suffered arbitrary detention in the prisons of Azerbaijan: he was imprisoned in 2009 for two and a half years for his critical views about the government. He was conditionally released in November 2010, after serving 16 months of his sentence.

In addition to Emin Milli, Abulfaz Gurbanli, Chairman of Azerbaijan Popular Front Party (APFP) Youth Committee, Turkel Azerturk and Tunjay Guliyev, members of the same Committee, and Rufat Abdullayev, NIDA Movement member, were sentenced with 13 days administrative detention.

By selectively arresting within a big crowd of protesters these prominent human rights defenders, journalists and activists, Azerbaijani authorities show that they use detention as a tool to punish critical voices and target some of those who are known for their independence towards authorities and for their excellence in their human rights work and reporting, such as Emin Milli, Malahat Nasibova, Intigam Aliyev and Khadija Ismayilova.

This wave of repression happened few days after the Parliamentary Assembly of the Council of Europe (PACE) adopted a resolution on the human rights situation in Azerbaijan and called upon the Azerbaijani authorities to stop attacks and harassment against human rights defenders, journalists and activists. Several of the Azerbaijani human rights defenders who were detained or fined on Saturday were present at the Assembly in Strasbourg or commented on it on blogs and newspapers, including Emin Milli, Malahat Nasibova, Intigam Aliyev and Khadija Ismayilova.

The Azerbaijani delegation at PACE expressed in the plenary debate on Azerbaijan that "in Azerbaijan, it is not a crime to express one's opinion" (MP Rovshan Rzayev) and that "the political will for full implementation of [Azerbaijan's] obligations and commitments has always prevailed. We should all realize that the development of democracy, the rule of law and human rights is a continuous process" (MP Ali Huseynli). However, in the run of a presidential election in Azerbaijan, in our view, the latest wave of repression is rather a statement of Azerbaijan's ongoing trend away from the fundamental human rights and rule of law Azerbaijan has committed itself to as a member state of Council of Europe.

We call upon the Azerbaijani authorities to fully implement your international obligations and commitments to promote and protect the rights to freedom of expression and peaceful assembly, in line with the newly adopted resolution on human rights in Azerbaijan by the PACE, and urge you:

- **To immediately and unconditionally release all persons, including human rights defenders, activists and journalists, detained in relation to the demonstration on Saturday 26 January 2013 in Baku, cancel all charges held against them and drop all fines;**
- **To stop the practice of punishing independent and critical voices, including attacks and harassment of human rights defenders;**
- **To take effective measures to protect human rights defenders and allow them to conduct their human rights work without hindrance, as provided by Article 12 of the United Nations Declaration on Human Rights Defenders of 9 December 1998.**

Sincerely,

- Azerbaijan Human Rights House
 - Human Rights Center of Azerbaijan
 - Association for the Protection of Women's Rights after D. Aliyeva (APWR)
 - Azerbaijan Lawyers Association
 - Institute for Reporters' Freedom and Safety (IRFS)
 - Legal Education Society
- Human Rights House Sarajevo, Bosnia-Herzegovina
 - 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 Serbia
 - Lawyers' Committee for Human Rights
- Human Rights House Zagreb, Croatia
 - 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
 - Svitanje - Association for Protection and Promotion of Mental Health
 - GOLJP - Civic Committee for Human Rights
- Belarusian Human Rights House in Vilnius
- Human Rights House Tbilisi, Georgia
 - The Georgian Center for Psychosocial and Medical Rehabilitation of Torture Victims – GCRT
 - Human Rights Centre Georgia (HRIDC)
- Human Rights House Oslo, Norway
 - Health and Human Rights Info
 - Human Rights House Foundation
- Rafto Foundation for Human Rights, Norway
- Helsinki Foundation for Human Rights, Poland
- Human Rights House Voronezh, Russian Federation
- Russian Research Centre for Human Rights, Russian Federation
 - Human Rights Network Group
 - Independent Psychiatric Association of Russia
 - Moscow Centre for Prison Reform
 - Moscow Helsinki Group
 - Mother's Right Foundation
 - Non-violence International
 - Right of the Child
 - Right to Live and have Civil Dignity
 - Union of the Committees of Soldiers' Mothers of Russia
 - Social Partnership Foundation
- Human Rights House Yerevan, Armenia
 - Armenian Helsinki Association, Yerevan
 - Democracy Today, Yerevan
 - Helsinki Citizens' Assembly, Vanadzor
 - Journalists' Club "Asparez", Gyumri
 - Public Information and Need of Knowledge NGO, Yerevan
 - Socioscope, Yerevan
- Institute for Peace and Democracy, Azerbaijan
- Human Rights Club, Azerbaijan
- Public Association for Assistance to Free Economy, Azerbaijan

- Institute for Peace and Democracy, Azerbaijan
- Democracy and HR Resource Centre Public Union (Sumgait), Azerbaijan
- Association for the Protection of Women's Rights for D. Aliyeva (APWR), Azerbaijan
- Nakhchivan Regional Resource Centre for NGO Development and Democracy, Azerbaijan
- Shahkhatun, Armenia
- Index on Censorship, United Kingdom
- Uganda HURNET-Uganda

Copies have been sent to:

- The Office of the Commissioner for Human Rights of the Council of Europe
- The UN Special Rapporteur on the rights of freedom of peaceful assembly and association
- The UN Special Rapporteur on human rights defenders
- The Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe (OSCE ODIHR)
- The Delegation of the European Union in Azerbaijan
- The Subcommittee on Human Rights of the European Parliament
- Diplomatic community in Geneva, Strasbourg and Baku
- Relevant ministries of foreign affairs and parliamentary committees on foreign affairs

About the Human Rights House Network (www.humanrightshouse.org)

The Human Rights House Network (HRHN) unites 87 human rights NGOs joining forces in independent Human Rights Houses in 16 countries in Western Balkans, Eastern Europe and South Caucasus, East and Horn of Africa, and Western Europe. HRHN's aim is to protect, empower and support human rights organisations locally and unite them in an international network of Human Rights Houses.

The Human Rights House Foundation (HRHF), based in Oslo (Norway) with an office in Geneva (Switzerland), is HRHN's secretariat. HRHF is international partner of the South Caucasus Network of Human Rights Defenders and the emerging Balkan Network of Human Rights Defenders.

HRHF has consultative status with the United Nations and HRHN has participatory status with the Council of Europe.