



HUMAN RIGHTS HOUSE  
FOUNDATION

22<sup>nd</sup> session of the United Nations Human Rights Council  
Geneva (Switzerland)

12 March 2013

Item 4  
General debate

### Human Rights House Foundation statement

*Check against delivery*

Thank you, Mr Chairperson,

Once again, Sunday 10 March in Baku, peaceful protestors were met with police violence. Last Sunday, families and relatives of soldiers killed at the army in non-conflict situations were violently dispersed and more than 50 people were detained. Earlier this year, on Saturday 26 January 2013, 47 people were arrested for peacefully protesting in Baku.<sup>1</sup> The right to peacefully assemble is *de facto* banned in the Republic of Azerbaijan. Human rights defenders, activists and journalists were arbitrary arrested at those protests, too.

Azerbaijan also uses national legislation to try to silence and repress human rights defenders in a systematic way, such as the legislation on NGOs, which is not in line with international standards as underlined by the European Commission for Democracy through Law (Venice Commission) in its opinion 636 / 2011 on NGO legislation in Azerbaijan.<sup>2</sup>

The strict State-control over civil society has been intensified since July 2009, when legislative amendments aimed at requesting foreign non-governmental organisations or non-governmental organisations fully funded by foreign governmental sources to register on the basis of an agreement concluded with the State. On 16 March 2011, the government adopted a decree on rules governing registration of foreign NGOs and negotiations with them on required agreements, leaving the Ministry of Justice with a broad and discretionary power in interpreting and defining those agreements. Today, the Ministry of Justice can indeed close down an organization without notification, after two warnings has been issued to the respective NGO.

Few days before the adoption of this decree, on 10 March 2011 the Azerbaijan Human Rights House (AHRH) was forced to suspend its activities until a required agreement with the State

---

<sup>1</sup> See: <http://humanrightshouse.org/Articles/19049.html>

<sup>2</sup> See the Human Rights House Network's letter of concern on freedom of association of 5 March 2013: <http://humanrightshouse.org/Articles/19109.html>.

**was approved.**<sup>3</sup> After a process of negotiations since April 2011, a final application was submitted on 3 November 2011. Nevertheless, **to date, the Human Rights House has not been allowed to reopen and partner NGOs are denied registration, such as the Election Monitoring and Democracy Studies Centre and the Human Rights Club, the latter well-known for coordinating the Eurovision related campaign Sing for Democracy, was denied registration on 19 February this year.**

**Today, the editor of Kural newspaper Avaz Zeynalli was sentenced to 9 years of imprisonment under falls charges of corruption.** He was arrested on 28 October 2011 based on former member of Parliament Gular Ahmedova's appeal. Gular Ahmedova is herself under investigation for corruption and was the main witness against Avaz Zeynalli. The Anti-Corruption Department had launched criminal case on him under the Criminal Code articles 311.3.3 (taking in a great amount of bribes) and 311.3.4 (receiving a bribe through the use threats). Later he also faced charges on articles 306 (non-execution of a court decision) and 213.1 (tax evasion).

**Ahead of the presidential elections in October 2013, the fact that civil society organisations in Azerbaijan remain closed or cannot register, that peaceful protests are hindered and that dozens of people are imprisoned are very worrying.**

**Mr. Chairperson,**

**In the Russian Federation laws were adopted over the last year aiming at criminalising the work and activities of human rights defenders. Russia's authorities do not hide behind their objectives: after the massive May 2012 demonstrations, they will do everything necessary to avoid any kind of mobilisation, even if it means building up a system repressing most fundamental rights.**

**In practise, this means that human rights defenders cannot receive foreign funding without risking to be labelled as foreign agents, cannot protect victims without fearing repercussion, cannot promote all human rights without being branded as propagandists, and cannot organise assemblies freely.**

**Mr. Chairperson,**

**We call upon authorities of Azerbaijan and the Russian Federation to fully recognise the work of human rights defenders as an essential contribution to the development of society, as stated in the Declaration on Human Rights Defenders,<sup>4</sup> and therefore guarantee fundamental rights of all persons. We also call upon the Human Rights Council to pay more attention to these countries, in which, more and more, the human rights violations have a systemic and systematic character.**

**Thank you.**

---

<sup>3</sup> See: <http://humanrightshouse.org/Articles/17735.html>.

<sup>4</sup> Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms adopted by the United Nations General Assembly on 9 December 1998.