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Mr Stavros Lambrinidis

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Dear Mr Lambrinidis,

Ahead of your forthcoming visit to Azerbaijan on 23rd-26th February, we – ‘Sports for Rights’, an international coalition of NGOs – would like to reiterate several issues regarding the protection of human rights in Azerbaijan, which were raised with you by members of the coalition at a meeting in Brussels on 11th February. We ask you to use your unique position and standing as the European Union’s Special Representative for Human Rights, to unequivocally remind Azerbaijan of its responsibilities as a member of the EU’s Eastern Partnership Initiative and the Council of Europe to protect human rights.

We are extremely concerned by the ongoing curtailment of space for political activity, civil society and journalism in Azerbaijan, which has culminated in a severe and unprecedented crackdown on journalists and activists since the presidential election of 9th October 2014. Over the course of 2014, the Azerbaijani authorities have convicted or imprisoned at least 34 journalists, bloggers, human rights defenders and civil society activists. The country’s most prominent investigative journalist and a number of leading human rights defenders are in prison, punished for their criticism of government policies. Sham charges such as ‘tax evasion’, ‘high treason’, ‘illegal entrepreneurship’ and ‘abuse of power’ are used to justify the criminalization of fundamental rights and freedoms.

The charges against activists are clearly politically motivated, and your voice is needed to secure their freedom. We urge you to ensure your Baku meetings are used to raise concrete concerns about human rights in the country, making it clear to the EU Delegation in Baku that addressing these issues is of core importance and an essential component of the EU’s partnership with Azerbaijan. Furthermore, we believe your voice is needed to ensure that the EU is seen to publicly acknowledge the important role

of human rights defenders in the promotion of human rights, democracy and rule of law, and avoid further stigmatisation in the country, in line with the United Nations Human Rights Council resolution 22/6 of 21 March 2013 and the EU Guidelines on Human Rights Defenders.

The EU Guidelines on Human Rights Defenders include a commitment to the protection and support for human rights defenders in third countries. In this context, Azerbaijani activists should benefit from special and extraordinary protection because of the strategic partnership between Azerbaijan and the EU as well as the alarming situation of human rights violations in the country. However, the EU has not to date clearly, and in writing, requested the release of human rights defenders, journalists and activists detained in Azerbaijan, although the European Union did produce a statement welcoming the release of four activists from the targeted youth movement NIDA. Moreover, the EU Delegation has not taken any step, publicly or privately to our knowledge, to provide direct physical protection for human rights defenders at risk and has not been active in the case of **Emin Huseynov** (see details below). Using your voice to support human rights defenders targeted in Azerbaijan will be an important sign of support to them, as well as to those continuing to work in the country.

Any positive action undertaken by you during your forthcoming visit to Azerbaijan can help alleviate the suffering of many people. We welcome that you are planning visits to most of the unjustly incarcerated individuals and encourage you to raise the deteriorating health situations of **Intigam Aliyev, Leyla Yunus** and **Arif Yunus** with Azerbaijani officials. Visits to political prisoners are a clear and expressive sign of support for those defending human rights, the rule of law and democracy in Azerbaijan. We also encourage you to participate in the hearings of Intigam Aliyev and **Rasul Jafarov**, which are to take place during your scheduled visit to Baku. The right to a fair trial and the independence of the judiciary are at the core of what Europe stands for. Hence, a high-level presence at hearings could send a sign to the judiciary on the importance given to those principles by the European Union, in addition to the discrete observation done by the EU Member States.

Azerbaijan's hosting of the European Games in June 2015 provides a rare opportunity to secure improvements, by bringing added visibility to Azerbaijan's shameful human rights record and providing the Azerbaijani government with a clear incentive to address this human rights crisis prior to the June event. Against a backdrop of systematic state-sponsored repression, these events will fail to reflect the spirit in which they were established. A policy shift by Azerbaijan towards an open society is urgently required if these Games are to be a success.

The European Union as Azerbaijan's neighbours and partners should insist that this terrible human rights situation is addressed before Baku plays host to the European Games, and that these people are immediately released. We therefore all upon you to clearly say during your visit with the authorities in Azerbaijan that given the current situation, it will be difficult for the EU to have high-level representation at the European Olympic Games in Baku.

We sincerely hope that we can count on your principled leadership addressing this urgent matter. We thank you for your attention to the concerns set forth herein, and wish you a successful and productive visit.

Sincerely,

NGO coalition "Sports for Rights", including:

Article 19 (United Kingdom)
Center for Civil Liberties (Ukraine)
Netherlands Helsinki Committee (Netherlands)
Frontline Defenders (Ireland)
Helsinki Foundation for Human Rights (Poland)
Human Rights House Foundation (Norway)
International Partnership for Human Rights (Belgium)
Norwegian Helsinki Committee (Norway)
Platform London (United Kingdom)
Solidarity with Belarus Information Office (Poland)
People in Need (Czech Republic)
Polish Institute for Human Rights and Business (Poland)
A group of civil society activists from Azerbaijan who wish to remain anonymous out of concern for the security of their family members

Annex: Information on the crackdown of dissenting voices within Azerbaijan and Baku's obligations to protect human rights

Since the summer of 2014, many human rights groups and NGOs have ceased their activities, while dozens of activists have either fled the country or gone into hiding. **Emin Huseynov**, prominent human rights defender and the Director of the Institute for Reporters' Freedom and Safety (IRFS), was forced into hiding in August 2014, facing imminent arrest on false charges. He was prevented from flying to Turkey for urgent medical treatment on August 5, 2014. On August 18, Emin entered the Embassy of Switzerland, where he has been hiding ever since. Although technically he remains 'free', he is in effect a prisoner in his own country. He is also in poor health as a result of a spinal injury caused by police brutality during a demonstration in 2003. Emin Huseynov also suffers from high blood pressure. The reason for his planned trip to Turkey in August 2014 was to obtain treatment for a broken arm. By preventing him from travelling, the government has disregarded his medical needs and endangered his health.

Among those unjustly arrested or convicted in 2014 are:

- **Anar Mammadli and Bashir Suleymanli**, co-founders of the Election Monitoring and Democracy Studies Centre -Mammadli and Suleymanli were sentenced to 5.5 and 3.5 years respectively in May 2014, following outspoken criticism of Azerbaijan's presidential elections in October 2013. They were charged with treason, tax evasion, and illegal entrepreneurship. On 29 September 2014, Mammadli was awarded the Václav Havel Award for Human Rights by the Parliamentary Assembly of the Council of Europe.
- **Leyla Yunus**, Director of the Azerbaijan Institute of Peace and Democracy– Yunus was arrested on 30 July 2014, and has remained in pre-trial detention since then, despite serious concerns about her health. Yunus is a Chevalier of the French Legion of Honor. The European Parliament included Yunus as one of three shortlisted candidates for the 2014 Sakharov Prize, which goes to the world's top human rights defenders, in recognition of her outstanding activism. She was also awarded the 2013 Theodore Hecker Award in Esslingen-am-Neckar "for her self-sacrificing contribution to the protection of human rights and civil freedoms in Azerbaijan." Her husband **Arif Yunus**, Head of the Department of Conflict and Migration Institute of Peace and Democracy in Azerbaijan, Ph.D., a historian specializing in conflict studies, was arrested on 5 August 2014. They are charged with economic crimes and treason, for which they face a maximum 20-year prison term.
- **Rasul Jafarov**, human rights defender, the coordinator of the "Sing for Democracy" (2012) and "Art for Democracy" (2013) campaigns– Jafarov was arrested on 2 August 2014 and has remained in detention since. His trial began on 15 January 2015. He is charged with spurious charges of treason, tax evasion, and illegal entrepreneurship.
- **Intigam Aliyev**, human rights defender, lawyer, chairman of Legal Education Society– Aliyev was has been in detention since his arrest on 8 August 2014 on several charges including tax evasion. On the same day, his office was also raided and closed down by the authorities. In his capacity as a lawyer he has specialized in defending rights of citizens in the European Court of Human Rights. At the time of his arrest, he was dealing with over 100 cases pending before the Court.

- ***Khadija Ismayilova***, investigative journalist; radio host for Radio Free Europe/Radio Liberty Azerbaijani service; member of the Organized Crime and Corruption Reporting Project– Ismayilova was arrested on 5 December 2014 on the trumped up charges of driving a man into suicide. Ismayilova is famous for her extensive reporting on government corruption, including exposing the business interests of the ruling family. She has long faced retaliations for her journalism and outspokenness on corruption and human rights violations. She faced the government-orchestrated smear campaign in 2012 when a video appeared online containing intimate and illegally obtained images of her.

As a member of the European community of nations, Azerbaijan is obligated to protect human rights: the country is a member of the Council of Europe (CoE), and part of the EU's Eastern Partnership Initiative. By ratifying the European Human Rights Convention, Azerbaijan has made a commitment under international law to respect the fundamental freedoms contained therein. International bodies including the European Court of Human Rights, the Extractive Industry Transparency Initiative (EITI), the UN Subcommittee against Torture and the UN Working Group on Business and Human Rights have been paying special attention to human rights issues in Azerbaijan but their conclusions and concerns need to be supported and underlined by the European Union.