

URGENT APPEAL - THE OBSERVATORY

AZE 002 / 0611 / OBS 090

Assault / Threats

Azerbaijan

June 16, 2011

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and of the International Federation for Human Rights (FIDH), requests your urgent intervention in the following situation in **Azerbaijan**.

Description of the situation:

The Observatory has been informed by reliable sources about the assault and threats against Ms. **Leyla Yunus**, Director of the Institute for Peace and Democracy (IPD) and member of OMCT General Assembly, as well as against other members of IPD.

According to the information received, on June 13, 2011, at around 3.40 p.m., an unknown man dressed in plainclothes got out of a car with the plate number 90HS366, which had stopped in front of IPD offices, in Baku, and insulted Ms. Leyla Yunus with harsh words as she and other IPD member were painting some words on the wall of the private-owned house where IPD offices are located¹. Some IPD members and local residents came to the place after hearing the cries. The man told them that he was a police officer, but refused to produce any document. He went back to his car and drove away. Ms. Leyla Yunus called some embassies' representatives to alert them about the incident and asked them to come to IPD offices.

Around 15 minutes later, several police officers from Police Station No. 21 of Nasimi District Department of Internal Affairs of Baku City entered IPD's offices and aggressively demanded the removal of the words written on the wall. The police officers verbally abused IPD members and threatened them with detention. The threats were particularly addressed to Ms. Leyla Yunus. When representatives of the Embassies of Norway, United Kingdom and the Organization for Security and Co-operation in Europe (OSCE) arrived at IPD offices, the police officers left the place.

A letter of complaint about these acts has been sent by Ms. Leyla Yunus to the Minister of Home Affairs of Azerbaijan, demanding an investigation and prosecution of the police officers responsible of the assault and threats.

The Observatory recalls that Ms. Leyla Yunus has been previously harassed, including at the judicial level, due to her human rights activities. On December 13, 2008, Ms. Leyla Yunus was prosecuted for "attacks on dignity and honour" by the Minister of Home Affairs of Azerbaijan, Mr. Ramil Usubov, after she revealed on the news site www.day.az a case of child trafficking involving members of the police and denounced the functioning of the Azerbaijani justice system. Under pressure from local and international organisations, the Minister of Home Affairs withdrew his complaint on March 2, 2009.

The Observatory expresses its deepest concern about these new acts of harassment against Ms. Leyla Yunus, as they merely seem to aim at sanctioning her human rights activities. The

¹ This house, owned by Ms. Leyla Yunus, is at risk of being demolished by the authorities. For this reason, Ms. Leyla Yunus and another IPD member were painting the following words on the wall in Azerbaijani, Russian and English: "The Institute of Peace and Democracy, Women Crisis Centre, Azerbaijan's Campaign to Ban Landmines operate in this building. This long-time privatised house is a property of Leyla Yunus and protected by the Constitution of Azerbaijan Republic, the European Convention of Human Rights and the Universal Declaration of Human Rights".

Observatory calls upon the authorities in Azerbaijan to conform with the United Nations Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998, and other international human rights instruments ratified by Azerbaijan.

Action requested:

Please write to the authorities in Azerbaijan, urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Ms. Leyla Yunus as well as of all members of IPD and of all human rights defenders in Azerbaijan;
- ii. Order a thorough, impartial and transparent investigation into the above mentioned facts in order to identify all those responsible, bring them before a civil competent and impartial tribunal and apply to them the penal sanctions provided by the law;
- iii. Put an end to all forms of harassment against Ms. Leyla Yunus as well as against all members of IPD, and more generally, against all human rights defenders in Azerbaijan;
- iv. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially its Article 1, which states that “everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels”, as well as its Article 12.2, which provides that the State shall “take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of his or her rights”;
- v. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Azerbaijan.

Addresses:

- Mr. Ilham Aliyev, President of the Republic of Azerbaijan, Office of the President of the Republic of Azerbaijan, 19 Istiqlaliyyat St., Baku AZ1066, Azerbaijan, Fax: +994 12 492 06 25, +994 412 92 28 68, E-mail: office@pa.gov.az, office@apparat.gov.az, root@lider.baku.az
- Prosecutor’s Office, 7 Nigar Rafibeyli St., Baku, Azerbaijan, Fax: +994 12 492 06 82, +994 12 492 26 63, E-mail: eldar_sultanov@prosecutor.gov.az
- Mr. Ramil Usubov, Minister of Home Affairs of the Azerbaijani Republic, Fax: + 994 12 492 45 90
- Mr. Fikrat F. Mammadov, Minister of Justice in Azerbaijan, Prospekt Stroitelej, 1 Baku, Azerbaijan, e-mail: mincus@azdata.net, contact@justice.gov.az; Tel (99412) 430 09 77, Fax + 99412 430 09 81
- Permanent Mission of Azerbaijan to the United Nations in Geneva, Route des Fayards 237, CH-1290 Versoix, Switzerland, E-mail: geneva@mission.mfa.gov.az Fax: +4122 901 18 44
- Azerbaijani Embassy in Brussels, Avenue Moliere, 464, 1050 Brussels, Belgium, Tel: +32 2 345 26 60, Fax: +32 2 345 91 85

Please also write to the diplomatic missions or embassies of Azerbaijan in your respective country as well as to the EU diplomatic missions or embassies in Azerbaijan.



Geneva-Paris, June 16, 2011

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, an OMCT and FIDH venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need.

To contact the Observatory, call the emergency line:

- E-mail: Appeals@fidh-omct.org
- Tel and fax OMCT + 41 (0) 22 809 49 39 / + 41 22 809 49 29
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