

## PRESS RELEASE - THE OBSERVATORY

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### **AZERBAIJAN: Alarm over safety of leading human rights defender Leyla Yunus following transfer to Prison of the Ministry of National Security**

**Geneva-Paris, October 23, 2014 – The Observatory for the Protection of Human Rights Defenders, an OMCT-FIDH joint programme, is alarmed by the recent decision of transferring Ms. Leyla Yunus, member of the OMCT General Assembly, to the Investigative Prison of the Ministry of National Security. The decision comes as the date marks 6 months since the start of an ongoing and increasing harassment of Leyla Yunus.**

On October 18, the Azeri authorities decided to transfer Ms. **Leyla Yunus** to the Investigative Prison of the Ministry of National Security, where her husband Mr. **Arif Yunusov** has been detained since August 5. The Investigative Prison is the only remaining prison which is not subordinated to the Ministry of Justice.

***‘Moving Leyla out of the ordinary justice system to the custody of the national security ministry is putting her at immediate risk of risk of torture’, said Gerald Staberock, OMCT Secretary General commenting on the decision. ‘This is also a deliberate attempt to prevent any further information about her detention conditions to become public and thus to effectively silence any international critique over her detention. As if further evidence was needed, it is time for a wake up call for the international community. Can we really believe that there can be a rule of law and safety for our investments if the country’s finest human rights defenders are persecuted through the legal system in such shameless ways in Azerbaijan?’***

Various international human rights bodies such as the UN Committee Against Torture (CAT) or the European Committee for the Prevention of Torture (CPT) have expressed their concerns about the extreme levels of isolation of the detainees and the absence of a proper medical unit in this prison. The UN CAT has recommended this prison to be either transferred to the Ministry of Justice or to be closed down.

The Observatory recalls that this measure comes soon after the United Nations Subcommittee on Prevention of Torture (SPT) took the unprecedented decision of suspending its visit to Azerbaijan due to obstructions it encountered in carrying out its mandate under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), to which Azerbaijan is a party.

The Observatory recalls that this new abuse takes place coinciding with the date that marks six months of ongoing and increasing abuses repression against Ms. Leyla Yunus including arbitrary detention, judicial harassment, denial of medical care and attacks in prison. Moreover, the Observatory has been informed that on October 23 the office of the public prosecutor will be asking the Pre-Trial Court for a three months extension of the period of investigative detention, until January 30, 2015.

***‘This latest decision follows six months of prosecution and arbitrary detention of one of the country’s leading human rights defenders. Never was a presidency of the Committee of Ministers of the Council of Europe, the continent’s leading human rights body, overshadowed by a similar wave of repression of human rights defenders. It is time for Leyla Yunus to be released immediately and for those responsible for this persecution to bear the responsibility’, said Karim Lahidji, FIDH President.***

Ms. Leyla Yunus was charged with “high treason” (Article 274 of the Criminal Code), “large-scale fraud” (Article (178.3.2), “forgery” (Article 320), “tax evasion” (Article 213), and “illegal business” (Article 192), and sentenced to three months pre-trial detention in relation to her

human rights activities (for more information, see in particular the Observatory Urgent Appeal AZE 002 / 0414 / OBS 031.3 of September 12, 2014). High treason can trigger 12 to 20 years' imprisonment for women, and 12 to 20 years' or life imprisonment for men. On August 5, 2014, the court eventually decided to also place Mr. Arif Yunusov in pre-trial detention for three months. Documents confiscated in April 2014 were a ground for the accusations against Ms. Yunus and Mr. Yunusov. Although the health of Ms. Leyla Yunus has deteriorated while in detention, the prison authorities in Kurdakhany detention facility did not allow her to receive the parcels with medication she needs as she suffers from diabetes and kidneys problems. However, following the visit from delegates of the International Committee of the Red Cross (ICRC) on August 12, 2014, she finally got her painkiller-injections, but was not allowed to be hospitalised.

On September 6, 2014, Ms. Leyla Yunus was attacked and verbally harassed by her cellmate. On September 7, 2014, she was informed that a reprimand had been issued against her for knocking at the door without any reason and creating unrest inside the cell. No measure was taken to either punish the cellmate nor to ensure the protection of Ms. Leyla Yunus.

The Observatory calls upon the authorities in Azerbaijan to ensure Ms. Leyla Yunus' physical and psychological integrity by providing adequate medical care and appropriate protection measures as well as to release her immediately and unconditionally, as her detention seems to only aim at sanctioning her activities amidst a wave of increasing repression against civil society organisations and representatives in Azerbaijan.

**For more information, please contact:**

- **FIDH: Audrey Couprie/Arthur Manet: + 33 (0) 1 43 55 25 18**
- **OMCT: Miguel Martín Zumalacárregui: + 41 (0) 22 809 49 24**