

28ND SESSION OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL

Geneva (Switzerland)

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Item 4

General debate

Joint NGOs' statement

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This joint statement is delivered by the Human Rights House Foundation on behalf of joint NGOs coalition, composed as following:

Civicus, Article 19, Human Rights Watch, the International Service for Human Rights (ISHR), the International Federation for Human Rights (FIDH) and the World Organisation Against Torture in the framework of the Observatory for the Protection of Human Rights Defenders.

Thank you, Mr Chairperson,

Since the presidential election in October 2013, Azerbaijan is leading a crackdown against human rights defenders and, more generally, against any independent voices in the country. As a result, unrelenting crackdown on human rights, key leaders of human rights organisations are behind bars, as well as leading journalists and other peaceful activists, including many activists of the youth movement NIDA.

Among those detained are several of the country's most prominent human rights defenders and journalists. In July and August 2014, [including] Leyla Yunus¹, Director of the Institute for Peace and Democracy, and her husband, Arif Yunus, were arrested and charged with state treason, large-scale fraud, forgery, tax evasion and illegal entrepreneurship under the Criminal Code of the Republic of Azerbaijan. In August, [as well as] Rasul Jafarov², a human rights defender behind the "Sing for Democracy" campaign. The human rights lawyer Intigam Aliyev, President of the Legal Education Society, who assisted in bringing at least 130 cases to the European Court of Human Rights, is also arrested and charged with tax evasion, illegal entrepreneurship, and abuse of authority. We are particularly worried by the health situation of Leyla Yunus and Intigam Aliyev who require immediate medical support.

New amendments to registration and funding laws systematically impede access to domestic and foreign funding, including by requiring government licensing of all donors, and approval of each funded project, which cuts off practically all funding for NGOs that work to hold the government accountable. The amendments also provide the government with enormous discretion to dissolve, impose financial penalties on, and freeze the assets of CSOs for minor infractions of existing laws. Of particular concern are provisions, which prevent national organizations from accessing local cash donations, and allow the government to freeze or deny international funding to domestic CSOs if an activity is determined to "undermine the interests of the state."

As a result, many NGOs have been forced to cease their activities and are subjected to legal prosecution. Bank accounts of more than a dozen NGOs are blocked and their offices are being searched and in some

¹ See also: <http://humanrightshouse.org/Articles/20302.html>.

² See also: <http://humanrightshouse.org/Articles/20306.html>.

cases sealed. Many more human rights defenders have fled the country. Since May 2014, authorities have frozen the bank accounts of at least 50 independent organizations and, in many cases, of their staff members, while numerous others have been interrogated and otherwise harassed, forcing them to suspend their activities. In addition, **several international NGOs** operating in Azerbaijan, with longstanding partnerships with local CSOs in the country, **have been forced to leave Azerbaijan or suspend operations.**

Mr Chairperson,

The crackdown is not limited to NGO leaders but also aims at targeting independent media in the country.

On 8 August 2014, police raided the offices of the Institute for Reporters' Freedom and Safety (IRFS), a leading media rights NGO in the country, lead by Emin Huseynov who is facing similar charges as the previously mentioned human rights defenders.³ The Institute is now effectively closed.

On 27 December 2014, police raided the Baku office of Radio Free Europe/Radio Liberty (RFE/RL) and briefly detained dozens of its staff members, questioning many. RFE/RL (it) has since been forced to suspend its activities in Azerbaijan and is being investigated by the authorities. In addition, on 3 February 2015, President Ilham Aliyev approved far reaching amendments to the law on Media and Mass Information permitting Azerbaijan's Ministry of Justice to petition the court requesting closure of any media outlet that receives foreign funding or found guilty of defamation twice. The RFE Office in Baku is since closed.

At least 12 journalists remain in prison in Azerbaijan. Most recently, on 29 January 2015, [amongst them] well-known journalist **Seymour Hazi** was sentenced to five years in prison on spurious 'hooliganism' charges, after already spending five months in pre-trial detention. Hazi, a reporter with the opposition daily Azadlig, is a vocal critic of government repression of civil society. Two days earlier, on 27 January 2015, the pre-trial detention of award-winning **(and) the investigative journalist Khadija Ismayilova** was extended for two months. The authorities arrested Ismayilova on 5 December 2014 on dubious charges of incitement to attempt a suicide and later, on 13 February 2015, charged her with tax evasion, illegal entrepreneurship, and abuse of authority.

Mr Chairperson,

We call upon the Republic of Azerbaijan to put an end to the systematic punishment of leaders of civil society, and to immediately and unconditionally release all human rights defenders, journalists and activists held in custody, and drop all charges brought against other human rights defenders, journalists and activists. We further call upon Azerbaijan to cooperate with independent human rights mechanisms, including by ensuring their ability to conduct country visits, and are in this manner satisfied to see that the Subcommittee on Prevention of Torture (SPT) has scheduled a new visit to the country, following the one it had to cancel in September 2014,⁴ and to implement legislative changes as recommended by such bodies, including the Venice Commission and the Commissioner of the Council of Europe.

Thank you, Mr Chairperson.

³ More information about Emin Huseynov available at <http://humanrightshouse.org/Articles/20730.html>.

⁴ See the Subcommittee's press release of 17 September 2014 at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15047&LangID=E>