

THE OBSERVATORY

for the Protection of Human Rights Defenders

L'OBSERVATOIRE
pour la Protection des Défenseurs
des Droits de l'Homme

EL OBSERVATORIO
para la Protección
de los Defensores de Derechos Humanos

URGENT APPEAL - THE OBSERVATORY

New information
AZE 001 / 0109 / OBS 008.2
End of judicial proceedings
Azerbaijan
March 3, 2009

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), has received new information on the following situation in **Azerbaijan**.

New information:

The Observatory has been informed by reliable sources about the end of the judicial proceedings against Ms. **Leyla Yunus**, Director of the Institute for Peace and Democracy in Azerbaijan.

According to the information received, on March 2, 2009, Interior Minister Mr. Ramil Usubov has withdrawn his complaint against Ms. Yunus. The decision of the court not to further consider the case was then read out by Mr. Ragib Gurbanov, Judge of the Yasamal District Court.

The Observatory wishes to express its gratitude to all individuals and organizations who have taken action in favour of Ms. Leyla Yunus.

Background information:

On December 13, 2008, Interior Minister Ramil Usubov accused Ms. Leyla Yunus of slander causing “moral damage” and “attacking the honour and dignity” of the police and himself.

The accusations filed by Mr. Usubov on December 13, 2008 were made on the basis of an interview given by Ms. Yunus to the *Day.az* online news provider on December 3, 2008, in which she pointed out that in the framework of the ongoing trial against Mr. Tavakul Ismailov, one of the alleged kidnappers of two girls in 2005, the latter declared that he had handed over the girls to the head of a local police department, Mr. Mamedmusa Huseynov, for human trafficking purposes, and further asserted that he was tortured while in detention. In the interview, Ms. Yunus denounced the fact that the persons accused by Mr. Ismailov were not called to appear in court by the judge, and asserted more generally that “in most cases the courts in Azerbaijan are issuing illegal and unwarranted decisions in relation to the protection of human rights and fundamental freedoms”.

In the said interview, Ms. Yunus added that she had followed a prior case of kidnapping, in which several officials of the Interior Ministry had been found guilty and sentenced to a non suspended term of imprisonment, and compared the practices of the Azerbaijani police to those of Mexico and Nigeria.

On February 17, the Institute for Peace and Democracy received a letter from the Yasamal District Court, informing them that the Interior Minister’s lawsuit against Ms. Yunus had been scheduled for March 2nd, 2009.

Actions 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;
- ii. Put an end to all forms of harassment, including judicial harassment, against Ms. Leyla Yunus as well as against all human rights defenders in Azerbaijan;
- iii. 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”, its Article 6.b, which provides that “everyone has the right, individually and in association with others [...] freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms”, 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”;
- iv. 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@apparat.gov.az, president@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: prosec@azeri.com
- Minister of Internal Affairs of the Azerbaijani Republic, Lt.-Gen. Ramil Usubov, Fax: + 994 12 492 45 90
- Permanent Mission of Azerbaijan, Rue de Lausanne 67, CH-1202, Genève, Suisse, e-mail : az.mission.unog@iprolink.ch, fax: +4122 901 18 44
- Minister of Justice in Azerbaijan, Prospekt Stroitelej, 1 Baku Azerbaijan, e-mail: contact@justice.gov.az, Tel (99412) 430 01 16, Fax (99412) 430 09 81
- 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 mission or embassy of Azerbaijan in your respective country as well as to the EU diplomatic missions or embassies in Azerbaijan.

Geneva - Paris, March 3, 2009

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

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need. The Observatory was the winner of the 1998 Human Rights Prize of the French Republic.

To contact the Observatory, call the emergency line:

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