

**SOLIDARITY PLATFORM STATEMENT
ADDRESSED TO THE COUNCIL OF EUROPE AND THE GOVERNMENT OF
AZERBAIJAN
ON NEW LAW RAISING FINES ON PROTESTS IN AZERBAIJAN
8 November 2012**

We, the undersigned members of the Civic Solidarity Platform wish to urgently draw the attention of the Council of Europe Parliamentary Assembly to new legislation adopted on 2 November by the Parliament of the Republic of Azerbaijan, which increases fines to a disproportionate level and introduces criminal sentences for breaching regulations for organising and attending rallies.

New amendments to the law "On freedom of assembly", and to the Criminal Code, will see fines for protesters who violate the law raised from 300 manat (\$385) to 8,000 manat (\$10,200) and introduce a prison sentence of two years. The amendments will come into effect after President Ilham Aliyev signs them into law.

Criminalising the organisation and attendance of peaceful protests is a clear step backwards and will have an increasingly chilling effect on freedom of expression in Azerbaijan.

Freedom of assembly rights have already been severely restricted in recent years as official requests are routinely turned down and peaceful protests forcefully dispersed.

We are deeply concerned about this restrictive legislation which is worryingly similar to recent amendments to legislation adopted in the region. It seems to draw in particular on the new law that dramatically raises fines for people found guilty of participating in unsanctioned rallies that came into effect in Russia in June 2012.

We urge the Azerbaijani authorities to reconsider the amendments and adopt a legislation respecting its international obligations to ensure the right to peaceful assembly and to protect those exercising this right in all circumstances, including by replacing the authorisation system by a simple notification system, and by adopting measures limiting the use of violence against peaceful protestors by security agents.

We call upon the government of the Republic of Azerbaijan to interact with the Council of Europe's Venice Commission, which should review the new legislation without delay.

We further call upon the government of the Republic of Azerbaijan to officially invite the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association to visit the country and implement his recommendations.

In January 2013, the Parliamentary Assembly of the Council of Europe (PACE) is due to review a report by the PACE Monitoring Committee on Azerbaijan's compliance with its accession commitments. The continued denial of the right to

freedom of assembly in Azerbaijan is *inter alia* an issue the Council of Europe should urgently address.

Finally, as a participating State to the Organisation of Security and Cooperation in Europe (OSCE), Azerbaijan has committed itself to high standards of democracy. We call upon OSCE participating States to urge Azerbaijan to fulfil its international engagements, including on the right to peaceful assembly.



Article 19



Belarusian Human Rights House in exile, Vilnius



Bulgarian Helsinki Committee



Centre for Civil Liberties (Ukraine)



Centre for the Development of Democracy and Human Rights (Russia)



Center for National and International Studies (CNIS),
Baku, Azerbaijan



Foundation for Regional Initiatives (Ukraine)

Freedom Files

Freedom Files (Russia)



Georgian Young Lawyers' Association



Helsinki Citizen's Assembly – Vanadzor (Armenia)



Helsinki Committee of Armenia



Helsinki Committee for Human Rights (Serbia)



Helsinki Foundation for Human Rights (Poland)



Human Rights Centre of Azerbaijan

Human Rights Club Azerbaijan



Human Rights House Foundation



Human Rights Monitoring Institute (Lithuania)



Index on Censorship



Institute for Reporters' Freedom and Safety (Azerbaijan)



International Partnership for Human Rights (Belgium)



Kazakhstan International Bureau for Human Rights



Legal Transformation Centre



Netherlands Helsinki Committee



Norwegian Helsinki Committee



Nota Bene (Tajikistan)



Public Verdict Foundation



Ukrainian Helsinki Human Rights Union