

## **Reply of the Delegation of the Republic of Azerbaijan**

### **Working Session 4** *26 September 2012*

#### **Rule of Law I:**

- *Democratic lawmaking,*
- *Independence of the judiciary,*
- *Right to a fair trial.*

Thank you, Mr. Moderator,

In exercising the right of reply I would like to state the followings:

First of all, I was very surprised to hear accusations in the address of my delegation falsely claiming as if we had intimidated an NGO representative from Azerbaijan. We would like to stress that this kind of accusations are groundless and it is not serious to make such statements.

In another statement Azerbaijan was claimed not to take into consideration and does not fulfill decisions of the European Court of Human Rights. This is not exactly true. An example proving the opposite can be the case of Farhad Aliyev. With the decision of the Court of Human Rights in 2011 the Government of the Republic of Azerbaijan compensated for non material damage to Farhad Aliyev in the sum of 18.440 manats and the amount of 22.038 pounds for his court costs.

There was also remark concerning some of demonstration participants which were arrested in April 2011. In this regard, I would like to underline that in accordance with the Law on Freedom of Assembly, which was adopted by taking into the account the opinion of the relevant experts of the Council of Europe Azerbaijan has created all necessary conditions for holding mass actions or demonstrations. In accordance with the article 7 of the above mentioned law in order to protect the public interest, public order, to prevent the criminal cases and disturbance, and in order to protect the rights and freedoms of the population, the opposition representatives were proposed other appropriate places to hold their demonstrations rather than in the city center. This information was delivered in written form and at the same time they were notified that in case demonstrations will be held in places rather than proposed they will be prevented. However the

organizers tried to hold their demonstration in the city center and didn't take into account the warning of the police which acted in accordance with the article 14 of the Law. The demonstrators disturbed the people nearby, prevented the movement of traffic, as well as damaged police cars, broke the windows of shops, offices and other buildings. As a result 15 people were prosecuted and sentenced. But recently in June 2012, 9 of them were pardoned by the President of the Republic of Azerbaijan.

Thank you!