



Sing for Democracy campaign

Baku, Azerbaijan

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Sing for Democracy campaign:

THE STATE OF HUMAN RIGHTS IN AZERBAIJAN HAS NOT IMPROVED AFTER THE EUROVISION 2012 SONG CONTEST

The Sing for Democracy campaign clearly states that despite of the Azerbaijani government being seriously criticized by the European media for frequent violation of human rights and repeated calls of local and international organizations ahead of Eurovision 2012 Contest, the state of human rights in Azerbaijan has not changed for better.

“Eurovision victims”

The lawsuits filed by the people, whose apartments and offices had been demolished ahead of the Eurovision 2012 without court order or fair compensation, are denied; neither are they provided with housing. Individual Ilgar Rzayev, whose apartment on 211 Mirzaga Aliyev street had also been demolished, was detained on April 2012 and on August 31, 2012 he was jailed for 2 years on trumped-up drug charges. Rzayev and his family had repeatedly protested against the demolition of their apartment without court ruling or fair compensation; they had organized and got actively involved in some mass protests, and even talked to foreign media outlets about their problems. Ilgar’s mother Shirinbaji Rzayeva severely criticized the government in an authorized rally of the Public Chamber opposition coalition, on April 22 2012. Just after this speech their house was demolished without court decision on their case.

Sing for Democracy media coordinator Mehman Huseynov, who is the author of most of the photos and videos produced as part of the campaign, is facing false hooliganism charges; although he was not arrested, his freedom was restricted (he cannot leave Azerbaijan) and once convicted he may be jailed for up to 5 (five) years¹.

¹ *Criminal Code Article 221.2:* Hooliganism committed with resistance to a representative of authority or other person, which is deliberate actions roughly breaking the social order, expressing obvious disrespect for society, accompanied by violence or threat of violence against citizens, as well as demolition of property – punishable by corrective labor for up to two years or imprisonment for up to five years.

Tolishi-Sado newspaper chief editor and rights defender (member of Peace and Democracy Institute, one of the Sing for Democracy initiators) Hilal Mammadov was arrested for satirical criticisms (in an interview with Russian NTV channel) addressed to the organizers of the Eurovision 2012 Song Contest, and in general for critical position in relation to the authorities. Mammadov was initially charged with drug possession²; however he later faced new charges such as treason³ (espionage for Iran's special agencies) and inciting ethnic, racial, social and religious discrimination⁴.

Other political prisoners/Arrest of journalists, rights defenders and activists

There currently are more than 70 political prisoners in Azerbaijan; among them are journalists, human rights defenders, political activists, and people who were sentenced to life imprisonment following closed trials. Although ten prisoners of conscience (recognized by the Amnesty International) were released in June-August 2012, three of them are still in prison, they are *human rights defenders Vidadi Isgenderli and Taleh Khasmammadov*, as well as *political activist Shahin Hasanli*⁵. Two significant reports about the political prisoner issue in Azerbaijan prepared by the PACE special rapporteur Christopher Strasser, namely "The definition of political prisoners" and "The follow-up to the issue of political prisoners in Azerbaijan", were adopted by the Legal Affairs and Human Rights Committee of PACE on June 26, 2012; the reports will be put for voting in the next session of the Committee⁶. There are 9 journalists in jail in Azerbaijan today⁷.

Our recommendations:

For Azerbaijani government:

1. Release political prisoners, and ensure reconsideration of the cases of those who were sentenced by a closed trial;
2. Stop harassment of people for their political, journalistic, rights defense, social or other activities and position;
3. Pay due attention to the problems of people whose houses have been demolished, take necessary measures and avoid violating people's rights during demolitions in the future.

For international community:

1. Keep in focus the state of human rights in Azerbaijan, who has undertaken obligations before the Council of Europe and other international organizations regarding human rights;
2. Make more efforts to release the people who are tortured or intimidated in prisons.

²*Criminal Code, Article 234.1.* Illegal purchase or storage of drugs or psychotropic substances in a quantity exceeding personal dose, with no intent to sell — punishable by imprisonment for up to three years.

³*Criminal Code, Article 274:* Treason that is deliberate action committed by a citizen of the Azerbaijan Republic, to undermine the sovereignty, territorial integrity, state security or defensibility of the Azerbaijan Republic: changeover to enemy side, espionage, distribution of the state secret to foreign state, rendering assistance to a foreign state, foreign organization or their representatives in committing hostility against the Azerbaijan Republic — punishable imprisonment up to 15 years of life sentence with or without confiscation of property.

⁴*Criminal Code, Article 283.1:* The actions instigating national, racial or religious hostility, humiliation to national honor, as well as discrimination on the basis of national, religious or racial background, committed publicly or by means of mass media —punishable by a penalty up to 2000 AZN, restriction of freedom for up to three years or imprisonment for up to 4 years.

⁵<http://www.amnesty.org/en/news/release-prisoners-conscience-azerbaijan-cannot-mask-ongoing-crackdown-freedom-speech-2012-06-26>

⁶"The definition of political prisoners" report is scheduled to be put for discussion and voting on October 3-

<http://assembly.coe.int/ASP/Doc/XrefViewHTML.asp?FileID=18996&Language=EN>

⁷http://ifex.org/azerbaijan/2012/08/16/irfs_freedom_of_expression_report.pdf