

URGENT ACTION

PRISONER OF CONSCIENCE SENTENCED TO 10 YEARS

Activist and prisoner of conscience Giyas Ibrahimov was sentenced to 10 years in prison on 25 October. The court hearing in the case of his fellow activist, prisoner of conscience Bayram Mammadov, is ongoing. He is facing up to 12 years in prison.

The Grave Crimes Court in Baku, the capital of Azerbaijan, sentenced Azerbaijani youth activist **Giyas Ibrahimov** to 10 years in prison on 25 October. Giyas Ibrahimov was found guilty under Article 234 of the Criminal Code (drug possession for the purpose of selling, aggravated by acting as part of a group). The prosecution asked for Giyas Ibrahimov to be sentenced to nine years in prison. However, contrary to the existing practice in Azerbaijan, the court passed a heavier sentence.

The court hearing in the case of Giyas Ibrahimov's fellow activist and prisoner of conscience **Bayram Mammadov**, who is standing trial under the same charge, is still ongoing. The maximum sentence for this crime is 12 years in prison.

Giyas Ibrahimov and Bayram Mammadov were arrested on 10 May 2016 after the authorities claimed that police had discovered around eight grams of heroin in their possession. The day before, they had painted a political graffiti on the statue of Heydar Aliyev, the late former President of Azerbaijan.

Giyas Ibrahimov and Bayram Mammadov are prisoners of conscience. The drug charges against them have been fabricated with the sole purpose of punishing them for their political protest. They have complained of torture and other ill-treatment in custody, including severe beatings and threat of rape, aimed at forcing them to apologise publicly for the graffiti, but their allegations – and their injuries witnessed by their lawyer and others – have been ignored by the authorities.

Bayram Mammadov and Giyas Ibrahimov are members of the Azerbaijani pro-democracy youth movement NIDA. Bayram Mammadov has been a NIDA member since February 2016. Giyas Ibrahimov joined the movement after his arrest in May 2016.

Please write immediately in Azerbaijani, English or your own language:

- Calling on the authorities to release Bayram Mammadov and Giyas Ibrahimov immediately as they are prisoners of conscience prosecuted exercising their right to freedom of expression;
- Calling on the authorities to carry out an immediate, effective and impartial investigation into the alleged torture and other ill-treatment of Bayram Mammadov and Giyas Ibrahimov and into the fabrication of charges against them;
- Insisting on a full respect for and protection of the rights to freedom of expression, association and assembly in Azerbaijan.

PLEASE SEND APPEALS BEFORE 8 DECEMBER 2016 TO:

President Ilham Aliyev
Office of the President of Azerbaijan
19 Istiqlaliyyat Street
Baku AZ1066, Azerbaijan
Fax: +994 12 492 0625
Email: office@pa.gov.az
Salutation: Dear President

Prosecutor General Zakir Garalov
7 Rafibeyli Street
Baku AZ1001, Azerbaijan
Email: info@prosecutor.gov.az
Salutation: Dear Prosecutor General

And copies to:
Baku Detention Facility, Kurdakhany Settlement
(Bakı şəhəri Kürdəxanı qəsəbəsi, Bakı İstintaq Təcridxanası)
Sabuncu Rayon, AZ1059
Azerbaijan

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the second update of UA 114/16. Further information:

<https://www.amnesty.org/en/documents/EUR55/4172/2016/en/>

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ADDITIONAL INFORMATION

Youth activists Bayram Mammadov and Giyas Ibrahimov were detained by police in Baku on 10 May on drug-related charges. The Azerbaijani authorities claim that police discovered around eight grams of heroin in possession of the activists. Bayram Mammadov and Giyas Ibrahimov told their lawyer that police had planted drugs on them. On 12 May, the judge at Khatai District Court in Baku approved their pre-trial detention.

The arrest happened a day after Bayram Mammadov posted on Facebook a photo of the graffiti that Giyas Ibrahimov and he had painted on 9 May over the statue of Heydar Aliyev - Azerbaijan's late former President and the father of the current president, Ilham Aliyev. The graffiti captured by the photo read "Happy slave day", a play on the slogan "Happy Flower Day" which is celebrated on 10 May, the former President's birthday. On the other side of the statute the activists used obscene language in the graffiti as a message of political protest.

During questioning by the police, Bayram Mammadov and Giyas Ibrahimov were asked questions about the graffiti, not about the drugs. Police officers repeatedly demanded that the activists publicly apologize for insulting Heydar Aliyev and subjected them to beatings when they refused. They also forced the activists to clean the police station's toilets while filming it, in order to humiliate them. Their lawyer told Amnesty International that during a meeting with Bayram Mammadov and Giyas Ibrahimov on 12 May he saw the bruises resulting from the beatings. The activists have not been examined by an independent doctor and have not been allowed to contact their family members to date. The lawyer filed a complaint about their ill-treatment with the Office of the Prosecutor General of Azerbaijan.

The lawyer also told Amnesty International that the witnesses who testified about the drugs found were not independent as they work for the Azerbaijani police. Amnesty International documented similar practice that has been used in Azerbaijan to fabricate evidence in other cases against activists and human rights defenders.

Amnesty International has longstanding concerns about the Azerbaijani authorities' failure to respect their international obligations to protect the rights to freedom of expression, association and peaceful assembly. Dissenting voices in the country frequently face trumped-up criminal charges, physical assault, harassment, blackmail and other reprisals from the authorities and groups associated with them. Law-enforcement officials regularly use torture and other ill-treatment against detained civil society activists, with impunity.

In March 2016, Azerbaijan released eight prisoners of conscience, including prominent human rights lawyer Intigam Aliyev, human rights campaigner Rasul Jafarov, and the head of the local election monitoring watchdog, Anar Mammadli. However, at several other prisoners of conscience still remain behind bars and the ongoing reprisals make human rights work virtually impossible. Most prominent NGOs working on human rights, corruption or election monitoring have criminal cases pending against them, their accounts frozen and/or registration revoked.

Independent monitoring of human rights in Azerbaijan is increasingly difficult. Several international human rights organizations and international media were barred from entering Azerbaijan in 2015. Amnesty International's delegation was refused entry into Azerbaijan and deported from the Baku Heydar Aliyev International Airport on 7 October 2015.

Name: Bayram Mammadov and Giyas Ibrahimov
Gender m/f: Both male.

Further information on UA: 114/16 Index: EUR 55/5045/2016 Issue Date: 27 October 2016

