

URGENT ACTION

OPPOSITION ACTIVIST DETAINED, HEALTH AT RISK

Azerbaijani journalist and opposition activist Tofiq Yagublu has been detained since his arrest on 22 March on suspicion of “hooliganism”. His family is concerned about his health in detention amidst the COVID-19 pandemic taking hold in Azerbaijan. He should be released immediately.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

**H.E Ilham Aliyev
President of Azerbaijan**

19 Istiqlaliyyat Street Baku AZ1066, Azerbaijan

Please use online form: https://en.president.az/letters/new_form

Facebook: <https://www.facebook.com/PresidentIlhamAliyev/>

Twitter: <https://twitter.com/presidentaz?lang=en>

Dear President,

*I am concerned about the recent incarceration of **Tofiq Yagublu**, an Azerbaijani opposition politician and journalist, who has faced years of harassment for his peaceful activism. Tofiq Yagublu was arrested in the capital Baku on 22 March following a car accident in which he was involved. The next day, a Baku City Court remanded Tofiq Yagublu in custody for three months. He is suspected of hooliganism and may face up to seven years in jail if convicted.*

Tofiq Yagublu insists that he is innocent, that the other car involved in the collision had deliberately caused the collision, and that the couple who were in it falsely accused him of assaulting them. He called the police, and when the police arrived they arrested him as a criminal suspect. He was detained overnight at a police station, and it was not until the following day that his lawyer was able to see him, already in court at the remand hearing.

Tofiq Yagublu's family are worried about his health. Whilst in detention, Tofiq Yagublu is particularly vulnerable to COVID-19, the virus which is spreading fast in Azerbaijan as it is in many other countries. He is 59 years old and his health has been affected by the three years he spent in prison, following his conviction in a politically-motivated trial under trumped-up charges, as well as by the ill-treatment he suffered while in administrative detention in 2019.

In light of the above, I urge you to:

- **Take all necessary steps to ensure Tofiq Yagublu's immediate release, and to ensure his health is not at risk;**
- **Should there be any well-founded reason to suspect Tofiq Yagublu, or any person in Azerbaijan, of any violations, ensure that they receive fair trial and enjoy associated rights, including the right to access to a lawyer and representation by a lawyer of their own choice;**
- **End the persecution of Tofiq Yagublu and ensure that every person in Azerbaijan can enjoy their rights to freedom of expression and peaceful assembly.**

Yours sincerely

ADDITIONAL INFORMATION

Tofiq Yagublu is a journalist and a deputy chairman of the opposition party Musavat.

In October 2019, he was detained for 30 days for purportedly failing to obey police orders, at a peaceful protest rally brutally dispersed by police. Tofiq Yagublu alleged that he was subjected to torture and other ill-treatment while in detention, but his allegations have never been effectively investigated. By throwing Tofiq Yagublu behind bars once again, the Azerbaijani authorities are not only violating his human rights, but also putting his health and potentially his life at risk.

He was first arrested in 2013 after traveling to the city of Ismayili, in northern Azerbaijan, on 23- 24 January 2013, to observe demonstrations and riots that were taking place there at the time. In March 2014, following unfair trial under politically-motivated charges, the Shaki Court of Grave Crimes found him guilty of inciting mass violence and sentenced him to five years in prison. Amnesty International recognised Tofiq Yagublu prisoner of conscience.

On 5 November 2015, the European Court of Human Rights ruled that by depriving Tofiq Yagublu of his liberty without having reasonable suspicion of a criminal offense, Azerbaijan violated his rights under Article 5 (right to liberty and security) of the European Convention on Human Rights (Yagublu v. Azerbaijan, application no. 31709/13). Tofiq Yagublu was released in March 2016 under a presidential pardon after spending more than three years in prison.

For years, Amnesty International has been documenting human rights violations in Azerbaijan. The rights to freedom of expression, association and peaceful assembly have been severely restricted and many journalists, human rights defenders and other activists have faced harassment, prosecution under false charges and imprisonment following unfair trials. According to Azerbaijani human rights defenders, currently, around 100 individuals remain in prisons or in detention following arrest under politically motivated charges. This practise has repercussions throughout civil society in Azerbaijan, creating a climate of fear and self-censorship. As the arrests and politically motivated prosecution of critics continue, Azerbaijan remains closed to human rights scrutiny. International human rights monitors, including Amnesty International, have been denied access to the country for several years.

PREFERRED LANGUAGE TO ADDRESS TARGET: Azeri, English, Russian.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 17 July 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Tofiq Yagublu (he/him)