

## AMNESTY INTERNATIONAL PUBLIC STATEMENT

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# AZERBAIJAN: LATEST POLICE VIOLENCE AGAINST PEACEFUL PROTESTERS

The Azerbaijani authorities are continuing their crackdown on political opposition and peaceful protests, in violation of the rights to freedom of expression and peaceful assembly. Arbitrary and violent arrests, torture and other ill-treatment of peaceful protesters by Azerbaijani police must stop. The authorities must immediately and unconditionally release all those detained for exercising their right to freedom of expression and peaceful assembly, effectively investigate all cases of unnecessary or excessive use of force by the police in the streets. They must also effectively investigate allegations of torture and other ill-treatment of detainees and bring those suspected to be responsible to justice.

On 15 December, Azerbaijani police violently broke up a peaceful rally by approximately 40 activists at the central square in Baku demanding the release of hunger striking opposition Popular Front Party (PFP) activist Saleh Rustamli. Police surrounded the protesters and dragged them to vans as soon as they began chanting slogans that called for the activist's release. Most of the detained were released after being taken to the police station without any charges. Three activists, including opposition politician Tofiq Yagoublu were fined 400 Azerbaijani manats (US\$ 235) for alleged violation of pandemic rules.

Two weeks earlier, on 1 December police broke up another rally by the opposition activists in support of Saleh Rustamli. As the protesters started to gather at the central square, the police moved in and started restraining, beating and arresting them. Several video recordings show police officers, twisting the arms of, and violently dragging away protesters who present no resistance.<sup>1</sup> The police detained forty persons. Five were administratively charged and sentenced to 15-30 days' "administrative detention" while the majority were released after first being taken to police stations or then driven off and dumped on the outskirts of the city.

Several activists detained on 1 December rally allege that they were tortured or otherwise ill-treated during the arrest and while in police custody. According to opposition activist Pasha Dadashzadeh he was severely beaten and had his arm fractured while being detained by the police at the rally. Veteran opposition politician Tofiq Yagoublu also reported being severely beaten. On 2 December, he gave a video interview where he appeared with severe bruising and swelling around his eyes consistent with his allegations. According to Tofiq Yagoublu, police took him to the station, handcuffed him and put a plastic bag on his head as they beat him mainly on his face and head. Police then dragged him into a car and continued beating him and demanding that he say on camera that he would stop political activism and criticism of President Ilham Aliyev. He was later released in the outskirts of Baku; he had to be hospitalized to treat his injuries.

According to the Ministry of the Interior, the police broke up the 1 December rally because it was "illegal" as protesters did not have a prior permission for it from the city authorities and its participants violated the rules of the Covid-19 quarantine regime. The Ministry spokesperson promised an investigation into the incident but denied that the police had beaten or otherwise ill-treated Tofiq Yagoublu or other protesters, and dismissed the allegations as unfounded.<sup>2</sup>

Amnesty International is concerned that the Azerbaijani authorities continue to prohibit the exercise of the right to freedom of peaceful assembly by labeling spontaneous peaceful assemblies "illegal" and detaining and penalizing their participants. This contravenes both national law and Azerbaijan's international obligations. The Law of Azerbaijan on Freedom of Assembly, Article 5.IV, states that "for spontaneous assemblies' submission of a written notification is not required," while International standards on the right to freedom of peaceful assembly require that where notice requirements exist, there should be exceptions for spontaneous assemblies. Furthermore, the organization is concerned

<sup>1</sup> JAMNews, *Azerbaijani police arrest, beat over 40 protesters at rally for hunger-striking Saleh Rustamov*. Video. 1 December. Available at: <https://jam-news.net/azerbaijani-police-arrest-beat-over-40-protesters-at-rally-for-hunger-striking-saleh-rustamov-video/>

<sup>2</sup> Report News Agency. *Interior Ministry: "Allegations of Tofiq Yagoublu's beating in police unit to be probed"*. 1 December 2021. Available at: <https://report.az/en/incident/interior-ministry-allegations-of-beating-tofig-yagublu-in-police-department-to-be-probed/>

that Azerbaijani authorities are continuing to arbitrarily apply the pandemic related regulations and restrictions to justify the clampdown on freedom of expression and peaceful protests.

## BACKGROUND

Saleh Rustamli is a businessman and a member of the opposition Popular Front Party (PFP). He was sentenced to seven years in prison in February 2019 on questionable charges of money laundering, for transferring money to the Popular Front party and to families of imprisoned opposition activists.

In early November 2021, the Azerbaijani parliament adopted an amnesty law, for the veterans of the first and second military conflicts over Nagorno-Karabakh. Saleh Rustamil, who is a veteran of the first Karabakh conflict, however was not included in the list of amnestied prisoners. On November 6, he went on hunger strike in protest.

Local human rights defenders believe that Saleh Rustamli has been imprisoned for political motives, in retaliation for this financial support to opposition party and its members. They have recently appealed to the President with a request to release Saleh Rustamil on medical grounds, after doctors at the prison hospital raised concerns about the state of his health.

Arbitrary detentions of opposition members and government critics are commonplace in Azerbaijan. Numerous activists and opposition members have been prosecuted for merely exercising their rights to freedom of expression, association and peaceful assembly, and detained and imprisoned under false, politically motivated charges. Since the start of the pandemic, Azerbaijani authorities have used it as a pretext to lock up a growing number of their critics on bogus charges, including disobeying police orders or breaking the rules of lockdown.<sup>3</sup>

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<sup>3</sup>Amnesty International. *Azerbaijani authorities must halt crackdown on dissent and incarceration of activists in conditions prone to the spread of covid-19*. Index: EUR 55/2412/2020