AZERBAIJAN: LATEST POLICE VIOLENCE AGAINST PEACEFUL PROTESTERS

The Azerbaijani authorities are continuing their crackdown on political opposition, and heavy-handed approach in response to 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 street, and allegations of torture and other ill-treatment of detainees, and bring those suspected to be responsible to justice.

On 1 December, Azerbaijani police violently broke up a peaceful rally held by dozens of activists in central Baku demanding release of an opposition Popular Front Party (PFP) activist Saleh Rustamli, who has been on hunger strike for a month. As the protesters started to gather, the police moved in and started restraining, beating and arresting them. Several video recordings show police officers, twisting the arms and violently dragging away protesters offering no resistance. 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 allege that they have been tortured or otherwise ill-treated during the arrest and while in police custody. According to an 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 Tofig 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 Tofig 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; had to be hospitalized and treated for his injuries.

According to the Ministry of the Interior, the police broke up 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 Yagoublu or other protesters, and dismissed the allegations as unfounded.

Amnesty International is concerned that 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 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.

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1 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/
BACKGROUND

Sakeh 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 Rustamov, 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 a 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 the opposition party and its members and have recently appealed to the President with a request to release Rustamov 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, 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 the COVID-19 pandemic 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.  

3Amnesty 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