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Restrictions to the right to freedom of expression, association and assembly obstructs the work of civil society and political activists

Human Rights Council adopts Universal Periodic Review outcome on Azerbaijan

In the Working Group, Azerbaijan stated that guaranteeing human rights and freedoms is the “highest goal of the State in the Constitution of Azerbaijan”.¹ However, it is increasingly difficult for the people of Azerbaijan to enjoy these rights and freedoms.

At least 14 civil society activists, journalists and human rights defenders are currently in prison or in detention solely for peacefully exercising their rights to freedom of expression, association and assembly. In recent months, dozens of others have become targets of harassment and intimidation, and even physical attacks by unknown individuals. Amnesty International believes these attacks relate to their professional activities and welcome recommendations by states that such attacks be promptly, impartially and effectively investigated.²

Amnesty International welcomes Azerbaijan’s commitment, made in its National Action Programme,³ to decriminalise defamation. Yet contrary to this commitment, and to repeated recommendations to do so,⁴ Azerbaijan’s defamation legislation was extended on 3 June 2013 and now also applies to internet-based content and opinions expressed online, including in social media.

The authorities have on numerous occasions prevented peaceful protesters from holding rallies in central Baku and compelled protesters to gather on the outskirts instead, in violation of their right to peaceful assembly.⁵ Recent amendments to the Administrative and Criminal Codes substantively increase penalties for participation in “unauthorized demonstrations”.⁶

Amendments to legislation regulating non-governmental organisations, signed into law by the president on 11 March 2013, further stifle civil society in Azerbaijan, with NGOs now facing additional registration hurdles and stricter funding requirements.

Amnesty International joins the numerous calls on Azerbaijan to fully comply with its international obligations and to ratify the International Convention for the Protection of All

¹ A/HRC/24/13, para 6

² A/HRC/24/13, recommendations 109.119 (UK), 109.120 (Slovakia)

³ Article 1.2.7, National Program for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms in the Republic of Azerbaijan, 27 December 2011, <http://en.president.az/articles/4017> (accessed 19 September 2013)

⁴ A/HRC/24/13, recommendations 109.126 (Austria), 109.127 (Norway), 109.128 (Canada), 109.129 (Netherlands)

⁵ A/HRC/24/13, recommendations 109.133 (France), 109.135(UK), 109.136 (USA) and 109.137 (Germany)

⁶ Amendments to the Administrative Code and the Criminal Code of the Republic of Azerbaijan, came into effect on 1 January 2013

Persons from Enforced Disappearance and to sign and ratify the Rome Statute of the International Criminal Court.⁷

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Azerbaijan on 20 September 2013 during its 24th session. Prior to the adoption of the review outcome, Amnesty International delivered the oral statement above.

Amnesty International had earlier submitted information on the situation of human rights in Azerbaijan: <http://www.amnesty.org/en/library/asset/EUR55/021/2012/en/9503ff2d-2291-48b1-885d-6753f8eb7f01/eur550212012en.pdf>

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⁷ A/HRC/24/13, recommendations 109.2 (Argentina), 109.3 (Brazil, Chile), 109.4 (France), 109.5 (Spain), 109.6 (Montenegro), 109.7 (Sweden), 109.8 (Uruguay), 109.9 (Chad), 109.10 (Costa Rica), 109.11 (Guatemala), 109.12 (Switzerland), 109.105 (Slovakia), 109.106 (Switzerland), 109.107 and 109.108 (Cyprus), 109.109 (Canada), 109.110 (Czech Republic), 109.111 (Sweden), 109.112 (Poland), 109.113 (Italy), 109.114 (Germany), 109.115 (Slovenia) and 109.116 (France).