

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Azerbaijan must end crackdown on peaceful protest following latest violent dispersal**

Amnesty International today condemned the latest dispersal of a peaceful protest in Baku and reiterated its call for the Azerbaijani authorities to end an effective ban on demonstrations in the centre of the capital. The call follows a police crackdown on a peaceful protest on 20 October in which at least 73 people were arrested and detained. The organisation is also concerned by reports that police used excessive force to disperse the rally, injuring several participants.

On 20 October around 200 youth and opposition activists gathered in Fountain Square to protest against corruption in parliament following the publication of hidden camera videos showing Azerbaijani MP Guler Ahmedova offering to sell parliamentary seats for one million USD.

The organizers of the protests had applied for permission to hold the rally at Fountain Square in the city centre but the authorities have rejected their demand on grounds that it would disturb the leisure activities and normal functioning of commercial entities. Instead they offered Bibi Heybat Stadium in the outskirts of Baku, as an alternative venue. Rejecting the unsuitable alternative, the organizers went ahead with the unsanctioned protest.

According to opposition groups at least 73 named individuals were arrested as police broke up the protest and 13 leading activists were jailed for up to 10 days in what appears to be an attempt to dissuade public protest against the government. Those who were jailed were accused of 'disobeying police orders' and for attending an 'illegal protest'.

Police officers surrounded Fountain Square in the early afternoon and began arresting known activists as they left their homes in the morning ahead of the 3pm rally start time. They then repeatedly swept the square to clear it, arresting those perceived as ringleaders.

During the arrests, police reportedly dragged Natavan Salimzada along the floor for several metres, bruising her torso, and wrenched the arm of Shakir Abbasov, leaving him requiring emergency treatment.

Another 36 people were reportedly arrested at the headquarters of the opposition party 'Musavat'. Police surrounded then raided the building, targeting and arresting those thought to be the organizers of the demonstration before they could attend the rally.

According to Azadliq reporters on the scene, police harassed journalists and tried to prevent them from filming. Azadliq newspaper reporter Islam Shixaliyev and Baku News reporter Elchin Aliyev were detained for the duration of the protest.

Those jailed included former prisoners of conscience, Tural Abbasli, Rufat Hajibaili and Ahad Mammadli, who were previously sentenced from one and a half to two and a half years of imprisonment for taking part protests on 2 April 2011, but later released by presidential

pardon on 22 June 2012 following sustained international pressure in the run up to the Eurovision Song Contest.

Amnesty International is concerned that the unjustified denial of permission to gather anywhere in central Baku violates protesters' right to freedom of peaceful assembly. Such blanket denial prevents protesters expressing their views in a visible, public location, thus effectively criminalizing peaceful assembly. This, coupled with the beating of the protesters, clearly violates Azerbaijan's international human rights obligations.

Furthermore, in accordance with Azerbaijan's human rights obligations under the European Convention on Human Rights the authorities should not only allow protesters to exercise their right to freedom of assembly but they should also secure effective enjoyment of this right by protecting the protesters.

As observed by the European Court of Human Rights in the case of *Baczkowski and others vs. Poland* "genuine and effective respect for freedom of association and assembly cannot be reduced to a mere duty on the part of the State not to interfere; a purely negative conception would not be compatible with the purpose of Article 11 nor with that of the Convention in general. There may thus be positive obligations to secure the effective enjoyment of these freedoms."

Amnesty International calls on the Azerbaijani authorities to immediately release all those who were detained for exercising their right to participation in the peaceful protest and allow the protests to take place in visible, public locations within 'sight and sound' of their target audience.

**Background:**

Azerbaijani authorities have effectively criminalised peaceful anti-government protest by banning demonstrations and imprisoning those who organize and take part in them. Police frequently use excessive force to break up peaceful, but officially unsanctioned demonstrations. Threats and intimidation against human rights defenders have been used together with legislative and administrative means to shut down and deny registration to civil society groups working on democracy and human rights.

Journalists have been beaten, ill-treated and abducted, while the range of independent media outlets has been curbed through laws banning foreign broadcasters from national airwaves.

New methods of exercising the right to freedom of expression, such as the internet and social media, are also under siege. Bloggers and youth activists have been harassed and imprisoned on trumped-up charges. The government is considering ways to control and monitor internet use.

The break up of the 200 strong protest follows the arrest and 15 day detention of one of the leaders of the NIDA Civic Movement, Zaur Gurbanli on 29 September, for his part in preparing recruitment pamphlets and posters for the organization. He was allegedly held for resisting arrest, but several witnesses reported that he cooperated fully with the police. He was later dismissed from his job at a Credit Agency. Ensuring activists are fired from their jobs is commonly used by the authorities to punish critical voices.

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