

# AMNESTY INTERNATIONAL

## Public Statement

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### **Azerbaijan: Right to freedom of peaceful assembly must be protected and detained peaceful demonstrators released**

The 17 November 2018 detention of Azerbaijani opposition leaders and activists as they were attempting to organize a peaceful rally in the capital Baku is a violation of the right to freedom of peaceful assembly.

Azerbaijani police detained prominent opposition leaders and activists for attempting to organize what the authorities call an “unauthorised demonstration”. According to Amnesty International’s sources in Azerbaijan, police started to detain individuals as the opposition leaders began to organise a peaceful procession that included laying flowers at the Alley of Martyrs. The Alley of Martyrs is a national cemetery and memorial near Baku dedicated to those who lost their lives when Azerbaijan became independent from the Soviet Union and during the war in Nagorno-Karabakh (the breakaway region of Azerbaijan supported by Armenia).

Forty-one participants of the peaceful assembly were initially detained and all but 11 were released shortly thereafter. After two days of incommunicado detention, eight detainees, including a prominent opposition leader, Ali Karimli from the Popular Front Party, were fined for organizing and/or participating in the “unauthorised demonstration” and released. The fines ranged from 400 (USD 230) to 2500 (USD 1460) Manat. The remaining three activists were still detained on 19 November. According to information available to Amnesty International, they are to spend 20 days under “administrative detention” for participating in the “unauthorised demonstration”.

Azerbaijan’s Constitution guarantees the right to freedom of peaceful assembly;<sup>1</sup> however, other legislation tightly regulates public assemblies, and local municipalities often refuse permission for peaceful demonstrations organized by the opposition, particularly in the capital Baku. Police often use excessive force to disperse peaceful demonstrations.

Azerbaijani authorities must guarantee the right to freedom of peaceful assembly as recognised by the Azerbaijani constitution and the international human rights treaties that have been ratified by Azerbaijan.<sup>2</sup> The authorities must immediately release the remaining activists who have been placed under “administrative detention” for their attempt to exercise their right to freedom of peaceful assembly.

#### **Background information**

For years, Amnesty International has been reporting violations of human rights in Azerbaijan. The rights to freedom of expression, association and peaceful assembly have been severely restricted

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<sup>1</sup> Article 49 of the Constitution of Azerbaijan

<sup>2</sup> Article 21 of the International Covenant on Civil and Political Rights; Article 11 of the European Convention on Human Rights

and many of the journalists, human rights defenders and other activists who tried to exercise these rights have faced harassment, prosecution under false charges and imprisonment following unfair trials. According to Azerbaijani human rights defenders, in 2017, more than a hundred individuals remained in prison following arrest under politically motivated charges, and the number of such cases continues to grow. This practise has repercussions throughout civil society, creating a climate of fear and self-censorship.

As the arrests and politically motivated prosecution of critics continue unabated, Azerbaijan remains closed to human rights scrutiny with many of the violations happening behind closed doors. International human rights monitors, including Amnesty International, continue to be denied access to the country.

Public Document

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