

Azerbaijan: Leading human rights defender convicted on politically motivated charges

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Prominent Azerbaijani human rights defender Rasul Jafarov has been sentenced by the Baku Court of Grave Crimes to six and a half years in prison, having been found guilty of the politically motivated charges of tax evasion, abuse of power, and conducting illegal business. The sentence, handed down on 16 April 2015, represents the latest in a series of attempts by authorities to discredit and punish civil society activists and human rights advocates in Azerbaijan. Mr. Jafarov is an outspoken critic of the Azerbaijani government, particularly its systematic violation of the right to free speech and its penchant for fabricating charges against those who stand up for justice and human rights.

Yesterday's ruling against Rasul Jafarov demonstrates the impunity enjoyed by the government of Azerbaijan as it suppresses critical opinion and violates the fundamental freedoms of its citizens. It is imperative that the international community forcefully condemns the severe repression of the Azerbaijani regime and that EU and world leaders refrain from "business as usual" with Azerbaijan until it fulfills its obligations under international law to uphold and protect the human rights of its citizens.

The case of Rasul Jafarov

Rasul Jafarov, founder and chairman of the Human Rights Club, has an admirable track record of bringing human rights abuses committed by Azerbaijani authorities to the attention of the international community. His innovative initiatives have included the 'Sing for Democracy' campaign organized to coincide with 2012 Eurovision Song Contest in Baku and the subsequent 'Art for Democracy' campaign. In 2014, Mr. Jafarov, along with other Azerbaijani human rights defenders, was awarded the Andrei Sakharov Freedom Award by the Norwegian Helsinki Committee. He has also been nominated for the prestigious Human Rights Tulip Award by the Ministry of Foreign Affairs of the Netherlands.

On 2 August 2014, Mr. Jafarov was arrested and charged with illegal entrepreneurship, tax evasion and abuse of office. Additional charges of embezzlement and forgery were brought against him in December 2014. After serving three months of pre-trial detention, Mr. Jafarov's case was argued in court. However, trial monitors dispatched by International Partnership for Human Rights documented systematic and grave violations of the right to a fair trial. Mr. Jafarov and his lawyers were routinely deprived of the opportunity to examine or challenge evidence presented by the prosecution and motions by the defense were groundlessly dismissed in violation of the fundamental principle of equality of arms.

The prosecution identified several 'victims' in the case against Mr. Jafarov, however these individuals openly testified that they had no complaint against him. Lyuba Paskar, a lawyer who monitored the trial on behalf of IPHR, observed that 'the hearings [gave the] impression that the judges are biased and that such a trial cannot be considered fair. The "victims" regularly, and in emotional way, demanded that the status of victim be revoked from them, as they do not have any complaints against the accused. But the chairing judge replied

that they (the court) know better whether the "victims" have suffered from the accused or not'. Mr. Jafarov's trial amounted to little more than a political spectacle, staged by Azerbaijani authorities. Ms. Paskar noted that as the sentence was handed down, 'the atmosphere in the courtroom was relaxed and cheerful; as if everyone knew what would be the verdict and no one could affect it. None of those present took the trial seriously.'

Holding Azerbaijan to account

The alarming crackdown on human rights defenders and others critical of President Ilham Aliyev and the Azerbaijani government has been well documented by international human rights organizations. In 2014, 34 human rights defenders, journalists, bloggers and civil society activists were arrested, convicted or imprisoned by Azerbaijani authorities. The most prominent among these, including veteran human rights advocates Leyla Yunus and her husband Arif Yunus, lawyer and human rights activist Intigam Aliyev, and investigative journalist Khadija Ismayilova, remain in prison. Emin Huseynov, a prominent Azerbaijani activist and founder of the Institute for Reporter's Freedom and Safety (IRSF) remains in hiding.

With the conviction of Rasul Jafarov being only the first one in a number of high-profile convictions against activists expected to follow, it is now crucial that the international community takes a strong and public stand against the crackdown on critical voices in natural resource-rich Azerbaijan.

While noting that the Spokesperson of the EU High Representative for Foreign Affairs Federica Mogherini yesterday issued a statement expressing concern about the conviction of Rasul Jafarov, we are disappointed that the statement refers to his conviction as "disproportionate", although it is widely held to be politically motivated. In a [submission](#) to the European Court of Human Rights on the case of Rasul Jafarov last month, Council of Europe Commissioner for Human Rights Nils Muižnieks also stressed that this case is part of "a clear pattern of repression in Azerbaijan against those expressing dissent or criticism of the authorities". He said that "reprisals should immediately stop and all persons who are in detention because of their views expressed or legitimate civic activity should be released".

We call on the EU to demand the immediate release of Rasul Jafarov and other prisoners of conscience in Azerbaijan. To ensure that the Aliyev regime ceases its campaign of politically motivated arrests and sham trials, EU leaders should consider imposing targeted sanctions against those responsible for human rights abuse in Azerbaijan. They should also decline to attend the opening of the European Games in Baku, unless the Azerbaijani government takes concrete and prompt steps to release individuals who are wrongfully imprisoned and ensure that citizens can express their opinions without fearing reprisals.