

Open letter to:

Ms Theodora BAKOYANNIS, former Minister of Foreign Affairs of Greece

Mr Deniz BAYKAL, former Chairman of Turkey's Republican People's Party (CHP)

Mr Jean-Marie BOCKEL, former French Secretary of State for Justice

Mr Mevlüt ÇAVUSOĞLU, Turkey's Minister of EU Affairs and Chief Negotiator, former PACE President

Mr Agustín CONDE, member of the Spanish Parliament

Mr Mikulas DZURINDA, former Prime Minister of the Slovak Republic

Ms Cheryl GILLAN, former Secretary of State for Wales

Mr. Pasquale NESSA, former member of the Italian Senate, former PACE member

Mr Luca VOLONTÈ, Director General of the Novae Terrae Foundation, former member of the Italian Parliament, former Chairperson of the EPP group in PACE

Mr Robert WALTER, Head of the UK delegation to PACE

Mr Jordi XUCLÀ, Chairperson of the ALDE group in PACE

and [114 other current and former members of the Parliamentary Assembly of the Council of Europe](#) (PACE)

Paris and Vienna, 23 April 2014

Dear PACE members,

Last year you cast a fateful vote in the meeting of the Parliamentary Assembly of the Council of Europe. In January 2013 you voted down a draft resolution by the rapporteur on political prisoners in Azerbaijan, appointed by your Assembly in 2009. His resolution was defeated by 125 to 79 votes.

This resolution warned that the issue of political prisoners in Azerbaijan had not yet been resolved. It pointed out that [“politicians and activists linked to the opposition, as well as journalists, bloggers, and peaceful protesters”](#) continue to be imprisoned in Azerbaijan and that this is a systemic problem.

This vote in PACE sent a very unfortunate signal to the authorities in Azerbaijan.

On 26 December 2012, in anticipation of the PACE vote, the president of Azerbaijan amnestied some political prisoners. With the resolution rejected, and no new rapporteur appointed, a wave of new arrests started.

Many human rights organisations had warned that this might happen. So had members of PACE who had supported the draft resolution. As Viola von Cramon-Taubadel (Germany) stated:

“A revolving door policy is being used as a tactic to silence independent journalists. It is a cat-and-mouse game, in which they are arrested, released and then re-arrested shortly afterwards. Everybody clearly knows that next time it could be them.”

Not all votes in PACE have immediate consequences. This one did. It even led to the arrest of the very people the Council of Europe had relied on and worked with in Azerbaijan.

You have probably heard about the case of Ilgar Mammadov, an opposition party leader and director of the Council of Europe’s Political Studies Programme in Baku; you might know about Anar Mammadli, chairman of a leading election observation group, who had advised the PACE rapporteur on political prisoners. They both put their faith in the Council of Europe. They were both arrested in 2013. Mammadov was sentenced to seven years in prison in March this year. Mammadli’s trial began on 21 April 2014. It was as if the authorities in Baku decided to put their finger into the eye of PACE.

The police also arrested dozens of young people between January and May 2013. They had protested against non-combat soldier deaths in the armed forces. Some of them were charged with illegal arms possession and plotting mass disorder. Seven of them are members of NIDA, a pro-democracy youth organisation. One is a member of the Free Youth Movement. They are facing prison terms between 6.5 and 8.5 years.

Now eight young imprisoned activists, aged 18 to 30, have started a hunger strike. They risk their health, perhaps their lives. This could have been avoided. It can still be avoided.

We hope that you realise by now that your vote in January 2013 was a mistake. That it was a mistake to trust this repressive regime. And that the human costs of this mistake are high and the risks are growing.

All eight youth activists, as well as Mammadli and Mammadov, have been recognized as prisoners of conscience by Amnesty International.

We call on you, in light of the dramatic deterioration of the situation in Azerbaijan and the hunger strike of these young people, to make an effort to correct the consequences of this decision now.

Specifically, we hope you consider doing the following:

- Call on President Ilham Aliyev to give amnesty to Ilgar Mammadov, Anar Mammadli and the eight young activists on hunger strike before Azerbaijan assumes the chairmanship of the Council of Europe's Committee of Ministers on 14 May 2014;
- Call on the Secretary General of the Council of Europe to travel to Azerbaijan urgently, and speak out strongly and forcefully on behalf of these and many other political prisoners;
- Support an initiative to appoint a new rapporteur on political prisoners to investigate the trend of imprisonment in Azerbaijan since the vote in January 2013.

Here is the bitter irony: as Azerbaijan prepares to assume the chair of the Committee of Ministers of the Council of Europe, it has never had more political prisoners than right now. There are many more political prisoners in Azerbaijan today than these ten. There should not be any in a Council of Europe member state. PACE, since January 2013, has so far turned its eyes away. We hope you can help us change this, before it is too late.

Yours sincerely,

Gerald Knaus, Kristof Bender, Emin Milli

European Stability Initiative

ANNEX: Some of Azerbaijan's Political Prisoners – April 2014

Şahin Novruzlu (aged 18) joined NIDA in 2012. In March 2013, he was arrested on charges of keeping drugs and petrol bombs at his home. He was 17 at the time. His prosecutors are asking for a 6.5 year prison term.



Üzeyir Məmmədli (aged 21) co-founded NIDA in 2011. After a government crackdown on NIDA in March 2013, he was arrested. He has been accused of keeping illegal fire-arms and acquiring explosive substances. The prosecution are seeking a 7.5 year term.



İlkin Rustamzade (aged 21) is a member of the Free Youth Movement. In May 2013 he was charged with hooliganism and disturbing the public order. The prosecution is seeking an 8.5 year sentence.



Mammad Azizov (aged 22) joined NIDA in 2012. In March 2013 he was arrested on charges of keeping drugs and petrol bombs at his home. Azizov has submitted a claim to the European Court of Human Rights for his alleged torture while in custody in 2013. His prosecutors are seeking an eight year term in prison.



Bakhtiyar Guliyev (aged 26) joined NIDA in 2012. In March 2013 he was arrested on charges of keeping drugs and petrol bombs at his home. His prosecutors are asking for a seven year prison term.



Zaur Gurbanli (aged 27) co-founded NIDA in 2011 and is a former lawyer. In September 2012, he was detained for “resisting arrest” following a “Sing for Democracy” protest. In April 2013, Gurbanli was arrested for allegedly possessing illegal fire-arms and acquiring explosive substances. His prosecutors have demanded a sentence of 8.5 years.



Rashad Hasanov (aged 28) joined NIDA in 2012. He was arrested in January 2013 following a protest. In March 2013 he was alleged to have been in possession of illegal weapons. The prosecution are seeking an eight year term for Hasanov.



Rashadat Akhundov (aged 30) co-founded NIDA in 2011. He has been arrested twice (June 2010 and March 2011) for organising protests. In March 2013, he was accused of possessing illegal fire-arms and acquiring explosive substances. His prosecutors are seeking an 8.5 year prison term.



Ilgar Mammadov was an opposition candidate for the October 2013 presidential elections. In February 2013 he was charged with “inciting violence” and “violence against an official”. He was unable to run in the 2013 presidential elections due to his incarceration. In March 2014 he was sentenced to seven years in prison (the charge of “inciting violence” had been changed to “organizing mass violence” in February 2013)



Anar Mammadli is an election observer and head of the Election Monitoring and Democracy Studies Centre. He also advised the PACE rapporteur on political prisoners. In October 2013, Mammadli highlighted apparent fraud in vote counting and balloting procedures for the presidential elections. In December 2013 he was arrested on charges relating to tax evasion, illegal entrepreneurship, misappropriation, abuse of office and service forgery charges (there were three charges initially but two more added in March). His trial started on 21 April 2014.