

Leyla Yunus, Rasul Jafarov, Intiqam Aliyev **Standing Up for European Values in Azerbaijan**

Candidates for the European Parliament **Sakharov Prize 2014**

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Azerbaijan is a member of the Council of Europe, and therefore bound by the European Convention on Human Rights. In May 2014, Azerbaijan assumed the chairmanship of the organization. However, despite this, the Azerbaijani authorities have recently unleashed an unprecedented wave of repression, targeting opposition politicians, journalists, civil society representatives, and human rights defenders.

Today, human rights activists such as **Leyla Yunus, Rasul Jafarov, and Intiqam Aliyev** stand for the many who are defending basic human rights and European values in Azerbaijan and who are subject to repression and imprisonment for doing so.

Recently, the three of them played a leading role in producing a comprehensive list of political prisoners in Azerbaijan, which included 98 names. This list exposed the discrepancy between human rights obligations and the systematic violation of these commitments occurring in Azerbaijan today. Then, even before an English translation of the list could be published, all three were arrested themselves.

The targeting of those who document human rights violations in Azerbaijan is reminiscent of the fate of previous generations of dissidents and human rights defenders in autocratic regimes. It conjurs memories of the signatories of Charter 77, the Committee for the Defense of the Unjustly Prosecuted or the Polish Workers Defence Committee in communist Central Europe. Back in the 1970s the playwright and activist Vaclav Havel wrote:

“We never decided that we would go to jail. In fact, we never decided to become dissidents... we simply went ahead and did certain things that we felt we ought to do, and that seemed to us decent to do, nothing more nor less.”

Leyla Yunus, Rasul Jafarov and Intiqam Aliyev represent today’s generation of European human rights defenders. They are continuing a noble tradition of doing “what is decent,” and speaking out for the rights of others. By “living in truth,” they defend the common values on which a Europe respectful of rights must be built. And for this they are now paying a very high personal price. It is in the common interest of Democrats across Europe to preserve respect for human rights by drawing urgent attention to the work and plight of Leyla, Rasul, and Intiqam.

By awarding them the **European Parliament’s Sakharov Prize in 2014** the European Parliament would send a strong signal to a region vital to Europe, at a moment when courageous human rights defenders are needed more than ever.

Leyla Yunus

Leyla Yunus has been at the forefront of the struggle for human rights in Azerbaijan for many years. Leyla has worked on numerous projects relating to political persecution, corruption, human trafficking, gender rights, violations of property rights, monitoring of court proceedings, and peace initiatives. She has also worked for a number of years defending the rights of ethnic minorities in Azerbaijan, founded the country's first women's crisis center for victims of abuse, and is the author of a multitude of reports on political prisoners. Leyla's husband, Arif Yunus, is a historian and writer, and one of the most authoritative experts on the Karabakh conflict and Islam in Azerbaijan.



As the regime has tightened its grip on Azerbaijan's civil society, Leyla and her colleagues have for a long time stood up to repression and threats, fully aware of the risks.

On 30 July 2014, Leyla and her husband Arif were arrested and held at a Baku detention facility. Leyla was imprisoned the same day, and a three-month pre-trial detention was imposed. She remains there to this day. Arif Yunus' pre-trial detention was decided on 5 August 2014 and he is currently being held at Kurdakhani Prison in Baku. Leyla's arrest came only one day after she wrote an [open letter](#)¹ to President Ilham Aliyev, criticizing him for targeting human rights activists and bloggers, and "urging him not to go down in history as 'a tyrant and a dictator.'"²

As a co-founder of the Azerbaijan Popular Front (PFA) and Azerbaijan's Social Democrats Party, Leyla Yunus played an active role in fighting for Azerbaijan's independence from the Soviet Union and her country's transition to democracy. In 1989, Leyla was one of the founding leaders of PFA. She quit on 7 January 1990, amid escalating violence in Baku, to form the Social Democratic Party of Azerbaijan.³ In the summer of 1992, Leyla became Deputy Defense Minister in the Popular Front government, responsible for dealing with the press. She resigned in February 1993.⁴ Since 1995, Leyla has been the Director of the Institute of Peace and Democracy (IPD), which she co-founded with the goal of increasing public awareness about democratic processes and the challenges of establishing the rule of law. For her human rights-related work, Leyla received the 2013 Theodor Haecher Prize. In the same year, she was awarded France's most prestigious medal, the Legion of Honor.

¹ Leyla Yunus, "What are you afraid of Mr. President?" Medyan TV, 30 July 2014.

² Robert Coalson and Ilkin Mammadov, "Azerbaijan Gets Tough In Bid To Silence Its Loudest Critic," Radio Free Europe/Radio Liberty, 31 July 2014.

³ Thomas de Waal, *Black Garden: Armenia and Azerbaijan Through Peace and War*, New York University Press: 2013.

⁴ Thomas de Waal, *Black Garden: Armenia and Azerbaijan Through Peace and War*, New York University Press: 2013.

She is an outspoken critic of Azerbaijan's political leadership, in both the national and foreign press. Since 2005, Leyla has been involved in track II public diplomacy efforts ("people-to-people diplomacy") and has launched a joint dialogue project with Armenia's Region Research Center, focusing on peace and reconciliation between the two countries.

Leyla's work has long been met with suspicion and pressure by the Azerbaijani government. Amnesty International released a statement on 23 April 2003:

"Eldar Zeynalov, Zemfira Yusif-Zade, E. Tarifova and Leyla Yunus have recently been subjected to a series of threats and attacks, which they fear may be state sponsored. Amnesty International is concerned for their safety and at continuing attempts to hinder the work of human rights defenders in Azerbaijan."⁵

By late 2011 the situation had worsened. With Baku hosting the 2012 Eurovision Song Contest, the government displaced hundreds of people as part of a beautification campaign to build new parks and other public amenities. Compensation for loss of property was never dispersed to some of those who lost their homes. This led Leyla to take on the cause of these people, organise protests, inform the press of this situation, and call on international policy-makers for help. In a *New York Times* interview she publicly denounced the forced evictions and violation of property rights.⁶ Leyla told the paper that activists in Azerbaijan have received little support from the West because Azerbaijan is often viewed as too important for energy production and regional geopolitics. "We have an opportunity," she said, "to be a democratic country, a bridge between East and West, Christians and Muslims. If we lose this opportunity, we will [just] be [a] new Iran."⁷

In response, the government razed Leyla's home and the IPD's offices to the ground.



Image Credits: Turkan Kerimov (RFE/RFL)

Leyla Yunus, however, did not cease to criticize the human rights conditions in Azerbaijan. On 28 April 2014, Leyla and her husband, Arif Yunus, arrived at Baku Heydar Aliyev Airport accompanied by the French Ambassador and Deputy Chief of Mission of the U.S. Embassy. Leyla and Arif were detained and searched upon boarding an international flight to Doha, Qatar, where they would have continued on to Brussels for an international event. Their passports, computers,

⁵ "Fear for Safety," *Amnesty International*, 28 April 2003.

⁶ Ellen Barry, "Offices of Activist Bulldozed in Azerbaijan," *New York Times*, 12 August 2011.

⁷ David Herszenhorn, "Welcoming Eurovision, but Not the Scrutiny," *New York Times*, 23 May 2012.

and other documents were confiscated. Leyla reported that she was subjected to inhumane treatment, threatened and, despite suffering from diabetes, forbidden from eating for an extended period of time.⁸

During the following days, the Yunus' apartment and the IPD offices were searched, and all computers and electronic media were seized.

Today, still in detention, both Leyla and Arif are in fragile health and have been denied adequate treatment.⁹ From prison Leyla continues to call out on Azerbaijan's leaders and ruling families about their human rights violations. In a letter written from her jail cell, she stated:

“You can throw lavish dinners and raise toasts to our physical sufferings, you – the Lemberanskis, Pashayevs, Ahmadovs, Usubovs, Gasimovs, Garalovs. You are worthy of your commander-in-chief. You could not withstand our words. You responded with violence. But that is a Pyrrhic victory.”¹⁰

The list of political prisoners was recently made public. It now includes Leyla and her husband Arif's names.

⁸“Azerbaijan's Leyla Yunus, human rights defender, held” *BBC*, 29 April 2014.

⁹ “Azerbaijan: Ongoing arbitrary detention and deterioration of the health condition of Ms. Leyla Yunus.” *FIDH*, 16 August 2014.

¹⁰ “‘Pyrrhic Victory’: Leyla Yunus Writes a Letter from Jail,” *Azeri Report*, 12 August 2014.

Rasul Jafarov



Image credit: National Endowment for Democracy

Rasul Jafarov, 30, is a leading human rights defender in Azerbaijan. He has led multiple efforts to draw international attention to the worsening situation in his country, to educate Azerbaijani citizens about their rights, and to ensure that political prisoners receive effective legal representation. For his work, Rasul has been continuously targeted by the Azerbaijani government.

Only three days after the arrest of Leyla Yunus, on 2 August 2014, Rasul was brought to the Serious Crimes Investigation Department of the General Prosecutor's Office for interrogation. Charged with "illegal enterprise," "tax evasion," and "abuse of official power," a three-month pre-trial detention was imposed.

Rasul received his bachelor's and master's degrees in International and European Law (2000-2006), and has worked as a lawyer at the Institute for Reporters' Freedom and Safety and Chairman of the Development Center of the Association of Television and Alternative Media. In 2010, he co-founded the [Human Rights Club](#) (HRC),¹¹ of which he is currently chairman. Rasul is also on the Board of Directors of the Republic's Alternative (REAL) Movement.

In 2012, Azerbaijan hosted the Eurovision Song Contest, which draws an estimated audience of 180 million viewers each year and is broadcast in over 40 European countries.¹² This was seen as an opportunity by the Aliyev government to bolster the country's image across Europe. It was also an opportunity for activists to highlight Azerbaijan's poor human rights record. To this end, Rasul coordinated the "[Sing for Democracy](#)" campaign as a platform for activists. The campaign held events, press conferences, and issued reports from human rights defenders, journalists, and watchdog groups.¹³ "Eurovision must be yet another tool to promote Azerbaijan's European integration, first of all through the improvement of the situation [of] human rights," Rasul told the National Endowment for Democracy.¹⁴

Some protests took place during the Eurovision competition, with journalists and peaceful activists arrested¹⁵ and assaulted by police.¹⁶ The European Parliament passed a resolution asking

¹¹ The Human Rights Club's website has been shutdown. The link provided is to the Civic Solidarity website, of which Human Rights Club is a member.

¹² "[Facts and Trivia.](#)" Eurovision website, accessed 21 August 2014 "[43 countries represented at Eurovision 2012.](#)" Eurovision website, accessed 21 August 2014.

¹³ "[More Arrests in Azerbaijan, Civil Society Under Siege.](#)" *World Movement for Democracy*, 5 August 2014.

¹⁴ "[Rasul Jafarov: Human Rights Activist.](#)" *National Endowment for Democracy*, 2013.

¹⁵ David M. Herszenhorn, "[Police in Azerbaijan Arrest Protesters at Eurovision Rally.](#)" *New York Times*, 25 May 2012.

¹⁶ "[Azerbaijan: Eurovision No Party for Peaceful Protesters.](#)" *Human Rights Watch*, 24 May 2012.

Azerbaijan to “stop suppressing freedom of expression and assembly,” and “step up reform efforts in all areas of the judicial system.”¹⁷

To build on the efforts of the “Sing for Democracy” campaign, Rasul and the HRC launched the “[Art of Democracy](#)” campaign in 2014. It used art as a means of promoting democratic reform and respect for human rights. However, events associated with the campaign were either banned or made almost impossible to organize, such as the release of the April 2014 report, [Creativity Under Pressure: Artistic Freedom of Expression in Azerbaijan](#).¹⁸ Venues in Baku, which had initially agreed to host many of the campaign’s events, backed out under pressure from authorities.

Rasul also coordinated the advocacy effort, the “Expression Online Initiative,” launched in 2012 during the UN Internet Governance Forum in Azerbaijan. The campaign was meant to draw international attention to the threats to freedom of expression on the internet in Azerbaijan.¹⁹

Rasul Jafarov was instrumental in producing the comprehensive list of political prisoners, which Leyla Yunus and Intiqam Aliyev had also worked on. In July 2014, Rasul and fellow activists held a public hearing on civil society issues at the Parliamentary Assembly of the OSCE in Baku.

Prior to his arrest, Rasul had been unlawfully banned from leaving the country, and his bank accounts were frozen. A month after presenting the political prisoners list during the PACE session, he was taken into custody. Rasul published an open letter to the international community ([here](#)), in which he explained the illegality of his arrest. He wrote the letter from the Baku Detention Facility (Kurdakhani Prison) on 19 August, two days after his 30th birthday.²⁰

¹⁷ ["More Arrests in Azerbaijan, Civil Society Under Siege," World Movement for Democracy](#), 5 August 2014.

¹⁸ ["Art for Democracy: Artistic Freedom of Expression in Azerbaijan," Index on Censorship](#), 12 May 2014.

¹⁹ ["Azerbaijan: Report Warns of Threat to Freedom of Expression Online Ahead of International Internet Summit," Article 19](#), 6 November 2014.

²⁰ ["Open Letter of Jailed Human Rights Activist Rasul Jafarov to International Community," Azeri Report](#), 19 August 2014.

Intiqam Aliyev

Intiqam Aliyev is one of Azerbaijan's most respected human rights defenders and lawyers. Intiqam has long been actively engaged in challenging human rights violations by the authorities. He has provided legal assistance and representation to the politically persecuted for decades.²¹ On 8 August 2014, Intiqam was arrested in Baku.

Pre-trial detention of three months was imposed, based on charges of "tax avoidance," "illegal entrepreneurship," and "abuse of power"²² – charges similar to those faced by many other human rights defenders arrested recently.²³



Image Credit: RFE/RL

Intiqam is currently head of the Legal Education Society (LES). Founded in 1998, LES provides legal assistance to low-income and marginalised citizens in Azerbaijan, monitors legislative reforms and provides legal and information support to NGOs and media. He has organised training seminars for lawyers, including in the isolated Nakhchivan Autonomous Republic of Azerbaijan. Geographically separated from the rest of the country and bordering Armenia, Iran, and Turkey, the Nakhchivan region has a record of particularly blatant human rights abuses by of local authorities. In 2003, there were fewer than ten licensed defense attorneys for the region's residents.²⁴

In 2008, LES published a report, which examined the disciplinary liability of judges in Azerbaijan.²⁵ The LES report showed that no disciplinary proceedings took place following applications to initiate them in 2005-2007, including those concerning torture, inhuman or degrading treatment and discrimination. In response, a court sentenced Intiqam to make a public apology and to pay a fine for publishing the report. He issued an appeal against the judgment with the European Court of Human Rights (ECHR).

As a lawyer, Intiqam has filed hundreds of complaints with the ECHR. Of these, 43 were in connection to Azerbaijan's parliamentary elections of 2010 – including allegations of "unlawful interference by authorities, the use of administrative resources in favour of the ruling party, discrimination, etc."²⁶

²¹ "Azerbaijan Detains Additional Human Rights Activists," *Freedom House*, 8 August 2014.

²² "Azerbaijan Detains Additional Human Rights Activists," *Freedom House*, 8 August 2014.

²³ Statement of human rights activist Intiqam Aliyev, arrested in Baku

²⁴ ABA ROLI Trains Lawyers In Nakhchivan, Azerbaijan, *American Bar Association*, May 2009.

²⁵ "Disciplinary Liability of Judges: Legislation and Implementation Practice," *Legal Education Society*, 2008.

²⁶ "ECHR begins Communication on 11 Complaints during Parliamentary Elections in 2010," *Contact*, 30 October 2013.

Many complaints have yet to be resolved. In addition to cases concerning the 2010 elections, Intiqam has also submitted complaints to the ECHR concerning violations of property rights, freedom of expression, and the right to assembly. Prior to his arrest, the police in Baku seized all files concerning Intiqam's ECHR cases.

Intiqam recently gave a speech during the June 2014 session of the Parliamentary Assembly of the Council of Europe (PACE), criticizing the Azerbaijani government's violations of its human rights obligations. He spoke about the problem of political prisoners, attacks on independent NGOs, arrests of government critics, and violations of property rights.

Intiqam has taught courses on civics, civil procedure, and international mechanisms of human rights protection at universities in Baku and elsewhere. He has also authored numerous books. On 4 March 2013, he was given the Homo Homini award by the human rights organization People in Need.

Like Leyla and Rasul, Intiqam was also involved in compiling the list of political prisoners presented at the session. He believes the activists' involvement in the PACE assembly in June is directly connected to their arrests this July and August. In a statement released by his lawyer, Intiqam Aliyev states that he does not recognize the legitimacy of the charges brought against him.

For more information please see: www.esiweb.org/prizes2014

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