



BAR HUMAN RIGHTS
COMMITTEE OF
ENGLAND AND WALES

London, 29 April 2015

STATEMENT

BHRC deplores imprisonment of Azerbaijani human rights lawyer, Intigam Aliyev

The Bar Human Rights Committee of England and Wales (BHRC) deplores the sentencing of human rights lawyer Intigam Aliyev to seven and a half years in prison by the Azerbaijani criminal courts.

Mr Aliyev was arrested on 8 August 2014. On 22 April 2015, he was convicted by the Baku Serious Crimes Court on what Human Rights Watch has called “bogus charges” of tax evasion, illegal business activities, embezzlement and abuse of authority. He was sentenced to seven and a half years imprisonment, together with a ban on holding any official position for three years after his release.

Mr Aliyev is a well-known activist and human rights defender in Azerbaijan. He is head of the Legal Education Society, an organisation that provides legal support to individuals and organisations and promotes awareness of the law. In his capacity as a lawyer and human rights activist, Mr Aliyev has submitted hundreds of cases to the European Court of Human Rights (“ECtHR”), advocating for individuals wronged by the Azerbaijani authorities, in cases involving the freedom of expression and association, democratic rights, the prohibition on torture, and due process rights. He has also spoken at events at the Council of Europe and before other international and regional human rights bodies, to raise awareness of the repression of human rights in Azerbaijan.

His conviction and imprisonment comes in the context of a severe crackdown on human rights defenders by the Azerbaijani authorities. Over the past two years, a number of prominent critics of the human rights situation in the country have been arrested, charged and convicted on similar charges. They include Anar Mammadli, Leyla and Arif Yunus, Rasul Jafarov, founder and chairman of the Human Rights Club, and investigative journalist, Khadija Ismayilova. Their prosecutions are widely regarded as having been politically motivated.

Human rights groups and individuals observing the criminal proceedings in Mr Aliyev's case have raised serious concerns regarding the lack of fair trial rights guaranteed to him, including the right to a public trial and the right of adequate time and facilities to prepare his defence. Serious concerns have also been raised regarding the independence and the impartiality of the judges presiding over his case. The human rights community has been particularly troubled by the fact that Mr Aliyev was handcuffed and placed in a cage for a number of the hearings in his case, raising further concerns about the presumption of innocence and the prohibition on degrading treatment.

Mr Aliyev has submitted a number of applications to the ECtHR, challenging the legality of his trial, which he asserts constituted a politically motivated attempt by the Azerbaijani authorities to prevent him from bringing further cases against the Government and from continuing his activities with the Legal Education Society, in violation of Articles 5 and 18 of the European Convention on Human Rights ("ECHR"). The applications also allege violations of his right to freedom of association (Article 11 ECHR), of his right to private and family life, home and correspondence (Article 8 ECHR) and of the prohibition against torture and inhuman or degrading treatment or punishment (Article 3 ECHR). The latter allegation arises from the humiliating and degrading conditions of Mr Aliyev's pre-trial detention, the lack of adequate medical treatment provided to him, and the conditions in which he was transported to his court hearings.

The Council of Europe ("CoE") Commissioner for Human Rights, Mr Nils Muižnieks, has made a third party intervention in Mr Aliyev's case (published on 16 March 2015) describing his prosecution as *"an illustration of a serious and systemic human rights problem in Azerbaijan, which, in spite of numerous efforts by the Commissioner and other international stakeholders, remains unaddressed to date."*

BHRC voices its grave concern at the reports of the political motivations behind Mr Aliyev's prosecution, of lack of fair trial rights guaranteed to him at trial and of the degrading treatment to which he was subjected. BHRC also calls on the British Government and the international community to take all possible measures to intervene on his behalf.

ENDS.

NOTES FOR EDITORS

- For an interview with our spokesperson, please contact Céline Grey, Project Coordinator, on +44 (0)7854 197862
- For more information on the Bar Human Rights Committee (BHRC), visit our website at <http://www.barhumanrights.org.uk>
- The Bar Human Rights Committee of England and Wales (BHRC) is the international human rights arm of the Bar of England and Wales, working to protect the rights of advocates, judges and human rights defenders around the world. The BHRC is concerned with defending the rule of law and internationally recognised legal standards relating to human rights and the right to a fair trial. It is independent of the Bar Council.