

UA 42/19

AI Index: EUR 55/0160/2019 of 3 April 2019

## **AZERBAIJAN**

### **ACTIVIST REARRESTED ON FABRICATED CHARGES**

Azerbaijani activist Bayram Mammadov was detained on 30 March and sentenced to 30 days of administrative detention for resisting lawful police orders. Amnesty International believes the charges are trumped-up. On 2 April, during the appeal hearing when the decision was upheld Bayram Mammadov claimed he had been ill-treated during detention. His family and friends could see he had bruises on his face. Bayram Mammadov is at risk of torture and other ill-treatment and must be immediately and unconditionally released. Bayram Mammadov had been released following a presidential pardon of 16 March after spending more than three years in prison on fabricated charges.



© Bayram Mammadov

On 30 March, police detained Azerbaijani activist Bayram Mammadov. The same day the Sabunchu District Court sentenced him to 30 days of administrative detention for resisting lawful police orders. Amnesty International believes the charges are trumped-up. Bayram Mammadov had been released following the presidential pardon on 16 March, marking the Nowruz new year holiday, after spending more than three years in prison on fabricated charges.

Bayram Mammadov claimed at the appeals court hearing that he was ill-treated during this latest 30 March detention. His family and friends who attended the hearing told Amnesty International that Bayram Mammadov had visible bruises on his face. Bayram Mammadov's lawyer has been denied access to visit him.

Bayram Mammadov's family and friends believe he has been targeted for the interview he gave to local media (Turan News Agency) which was recorded days after his release. In the interview Bayram Mammadov said he did not regret painting a critical graffiti message on the statue of the former Azerbaijani President – the reason for his initial arrest on trumped-up charges in 2016.

#### **Please send an email or letter to the president.**

- \* Urge him to ensure that the Bayram Mammadov is immediately and unconditionally released as he has been detained solely for peacefully exercising his right to freedom of expression.
- \* Ask him to safeguard Bayram Mammadov from torture and other ill-treatment and ensure that allegations of ill-treatment in detention are effectively investigated.
- \* Insist that Bayram is given immediate access to his lawyer.

**Write to**

Ilham Aliyev  
Office of the President of Azerbaijan  
19 Istiqlaliyyat Street  
Baku AZ1066, Azerbaijan  
Email: [office@pa.gov.az](mailto:office@pa.gov.az)  
Twitter: @presidentaz  
Salutation: Dear President Aliyev

**Please copy**

Mr. Ramil Huseynli  
Chargé d'Affaires, Embassy of Azerbaijan  
275 Slater Street, Suite 1203  
Ottawa, Ontario K1P 5H9  
Fax: (613) 230-8089  
Email: [azerbaijan@azembassy.ca](mailto:azerbaijan@azembassy.ca)

Minister Ramil Usubov  
Ministry of Internal Affairs of Azerbaijan  
7 Azerbaijan Avenue  
AZ1005, Baku, Azerbaijan  
Phone: 011 99412 590 9222  
E-mail: [contact@prosecutor.gov.az](mailto:contact@prosecutor.gov.az)

**Additional information**

Bayram Mammadov was summoned to the local police station on 30 March to complete post-release registration procedures. At the police station Bayram Mammadov was separated from his father who accompanied him and taken to an unknown location. Later it emerged he was taken to the Sabunchu District Court which sentenced him to 30 days of administrative detention under Article 535.1 of the Administrative Offences Code, which penalises resistance to lawful police orders. The court decision was based on police testimonies and claims that Bayram Mammadov used inappropriate language about police officers, made loud noises in the police station, and disobeyed police instructions. The Appeals Court upheld the decision on 2 April. Bayram Mammadov's lawyer has not been allowed to visit him. Initially the authorities claimed that "the facility was being sanitized".

Youth pro-democracy activists Bayram Mammadov and Giyas Ibrahimov were jailed in 2016 for a critical graffiti message they painted on the statue of Azerbaijan's former President Heydar Aliyev. They both served more than three years in prison and were released in March 2019 under a presidential pardon. Amnesty International recognized them as prisoners of conscience.

Amnesty International has documented human rights violations in Azerbaijan for many years. The rights to freedom of expression, association and peaceful assembly are severely restricted and many journalists, human rights defenders and other activists have faced harassment, unjust prosecution under false charges and have been arbitrarily detained following unfair trials. According to Azerbaijani human rights defenders, in 2018, around 100 individuals remained in prison on politically motivated charges.

Azerbaijani President Ilham Aliyev signed a decree on 16 March 2019 to mark the Nowruz new year holiday, pardoning more than 400 people including youth activists and opposition politicians unjustly imprisoned on trumped-up charges. However, local human rights groups say that at least 74 more unjustly jailed activists, journalists and opposition politicians remain behind bars. Azerbaijan retains repressive legislation which makes it almost impossible for civil society groups to operate, including burdensome NGO registration and funding requirements.

As the politically motivated prosecution and detention of critics continue, Azerbaijan remains closed to human rights scrutiny. International human rights monitors, including Amnesty International, continue to be denied access to the country.