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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on the situation in Azerbaijan
(2012/2654(RSP))

**Véronique De Keyser, Ana Gomes, Lidia Joanna Geringer de Oedenberg,
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on behalf of the S&D Group

**European Parliament resolution on the situation in Azerbaijan
(2012/2654(RSP))**

The European Parliament,

- having regard to its previous resolutions on the situation in Azerbaijan, in particular those concerning human rights
 - having regard to the Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on "Delivering on a new European Neighbourhood Policy" of 16 May 2012,
 - having regard to the Local EU Statement on journalist Idrak Abbasov
 - having regard to the ongoing negotiations between the EU and Azerbaijan on the Association Agreement,
 - having regard to its Rule 122 (5) of the Rules of Procedure,
- A. whereas Azerbaijan's record regarding democracy, the protection of human rights and fundamental freedoms and the independence of the judicial system is steadily deteriorating,
- B. whereas peaceful protests were broken up by police in the capital city Baku on 15 May, which called for the release of the alleged political prisoners before Azerbaijan hosts the Eurovision Song Contest on 26 May; whereas the use of violence and arbitrary detention is still used against the peaceful protestors *as* a tool to repress critical voices constitutes a pattern of behaviour of the Azerbaijani authorities, which signals non-compliance with the commitments taken by Azerbaijan towards the EU and in the framework of the Council of Europe and Organisation for Security and Co-operation in Europe (OSCE),
- C. whereas Idrak Abbasov, journalist for the 'Zerkalo' newspaper and the "Institute for the Freedom and Safety of Reporters", was brutally beaten by the police and security guards of the state oil company SOCAR, when he was filming the demolition of houses in the Sulutapa settlement in Baku,
- D. whereas Khadija Ismaylova, an investigative journalist and the Radio Liberty Baku Bureau's correspondent, has been blackmailed in order to stop her investigations into dubious business dealings, in which the President of Azerbaijan Ilham Aliyev and his family are allegedly involved,
- E. whereas Azerbaijan has a history of unpunished attacks on critical journalists, human rights defenders, and others seeking to express their opinions, investigate issues of public interest, or criticize government,

- F. whereas Elnur Mecedli, an activist and a prominent member of the opposition People's Front party, has been released from jail May 16,
- G. whereas the government has illegally expropriated hundreds of properties and forcibly evicted thousands of homeowners in Baku in the name of development projects, including in the neighborhood adjacent to the National Flag Square, the location of the Baku Crystal Palace, the venue to host the 2012 Eurovision Song Contest, among other future events;
- H. whereas Azerbaijan still refuses to grant a visa to the PACE Special Rapporteur on Political Prisoners,
- I. whereas there are concerns among the civil society activists and human rights defenders about the impending clampdown on the freedom of expression and assembly after the Eurovision Song Contest,
- J. whereas there have been threats from radical Salafi and pro-Iranian Islamist groups to disrupt the Eurovision Song Contest and target particularly persons belonging to the LGBT community,

1. Calls on the Azerbaijani authorities to immediately halt the use of violence to suppress the freedom of expression and assembly, as this is incompatible with Azerbaijan's commitments regarding democracy, the protection of human rights and fundamental freedoms,

2. Condemns the brutal beating of Idrak Abbasov, journalist for the 'Zerkalo' newspaper and the "Institute for the Freedom and Safety of Reporters", by the police and security guards of the state oil company SOCAR when he was filming the demolition of houses in the Sulutapa settlement in Baku;

3. Condemns the campaign of blackmail and intimidation carried out against the investigative journalist Khadija Ismaylova;

4. Considers the cases of Idrak Abbasov and Khadija Ismaylova examples of unacceptable pressure on journalists in Azerbaijan that run counter to the country's commitments to guarantee media freedom; calls on the authorities to ensure effective investigation of these incidents and prosecution of the perpetrators responsible for these attacks;

5. Calls on the Azerbaijani authorities to allow peaceful protests and to prohibit police from using force against peaceful protestors and interfering with the work of journalists covering demonstrations; calls on the Azerbaijani authorities to effectively investigate all allegations of abuse or arbitrary detention by police of peaceful demonstrators;

6. Reiterates that freedom of expression is a fundamental human right, essential both to the effective functioning of a democratic society and to individual dignity;

7. Reiterates that freedom from ill-treatment and torture is a fundamental human right and that all persons detained are guaranteed basic procedural rights;
8. Calls on the Azerbaijani government to strengthen its efforts to guarantee freedom of assembly and association and to respect the work of human rights defenders;
9. Recalls its position that the Association Agreement between the EU and Azerbaijan currently being negotiated should include clauses and benchmarks on the protection and promotion of human rights, especially with regard to freedom of the media and the right to freedom of expression, association and assembly, which reflect the principles and rights enshrined in the Constitution of Azerbaijan and commitments of Azerbaijan in the the frameworks of the Council of Europe and OSCE;
10. Is concerned about forced evictions and demolitions of buildings, as part of a major reconstruction plan in Baku, partly linked to the upcoming Eurovision Song Contest; calls on the Azerbaijani authorities to guarantee that the ongoing construction of new buildings in Baku is in line with the relevant legislation and that resettlements of people are implemented with transparent legal procedures and with fair compensation;
11. Welcomes the release from jail of Elnur Mecedli, a member of the opposition People's Front party; calls on the government of Azerbaijan to grant a visa to the PACE Special Rapporteur on Political Prisoners in order to allow him to undertake a visit to the country, in line with his mandate;
12. Calls on the authorities to immediately release from prison or pre-trial detention those detained on politically-motivated charges, including six journalists: Anar Bayramli, Ramil Dadashov, Vugar Gonagov, Zaur Guliyev, Aydin Janiyev, Avaz Zeynalli; social media activist Bakhtiar Hajiev; lawyer and NGO leader Vidadi Isganderov; human rights activist and lawyer Taleh Khasmammadov; and activists imprisoned on various politically-motivated charges related to peaceful protests in April 2011;
13. Calls on the Azerbaijani authorities to halt all further expropriations, evictions, and demolitions of properties in Baku in the name of development projects until these can be done in a manner consistent with international human rights standards and to provide fair compensation to all of those who may be evicted as well as those who have been evicted but who did not receive fair compensation;
14. Calls on Azerbaijani authorities to adopt the draft law on defamation which provides for the abolition of criminal liability for defamation and insult;
15. Calls on Azerbaijani authorities to bring legislation on elections, freedom of assembly, freedom of association and media freedom into line with international standards and ensure its full implementation;
16. Urges Azerbaijani authorities to step up reform efforts in all aspects of the judicial system: prosecution, trial, sentencing, detention and appeals;

17. Calls on Azerbaijani authorities to comply with all rulings of the European Court on Human Rights concerning Azerbaijan;

18. Calls on High Representative for the Union's foreign and security policy/Vice-President of the European Commission, the Council and the Commission to remain seized with the situation of human rights and fundamental freedoms in Azerbaijan after the Eurovision Song Contest; calls on the Council to consider the possibility of targeted sanctions against those responsible for the human rights violations, should these persist;

19. Strongly condemns the threats of radical Islamist organisations and individuals against the participants of the upcoming Eurovision Song Contest, particularly those belonging to the LGBT community; strongly supports the secular identity of Azerbaijan and its free choice of foreign policy orientation;

20. Calls on the Euronews to adhere to the highest standards of neutrality and objectivity when reporting news on the Eurovision Song Contest in Azerbaijan, including by striving to reflect the full diversity of political views represented in the country

21. Instructs its President to forward this resolution to the Governments and Parliaments of the Republic of Azerbaijan and the Islamic Republic of Iran, the EEAS, the Council, the Commission and the UN Human Rights Council.