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*Plenary sitting*

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**B8-0414/2017**

13.6.2017

## **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 135 of the Rules of Procedure

on the case of Afgan Mukhtarli and the situation of media in Azerbaijan  
(2017/2722(RSP))

**Charles Tannock, Karol Karski, Urszula Krupa, Arne Gericke, Monica Macovei, Branislav Škripek, Ruža Tomašić, Valdemar Tomaševski**  
on behalf of the ECR Group

**European Parliament resolution on the case of Afgan Mukhtarli and the situation of media in Azerbaijan  
(2017/2722(RSP))**

*The European Parliament,*

- having regard to the previous resolutions by the European Parliament on Azerbaijan concerning the human rights situation and the rule of law;
  - having regard to the Partnership and Cooperation Agreement with Azerbaijan of 1996 and to the adoption by the Council on 14 November 2016 of a mandate to the European Commission and the HR/VP for CFSP to negotiate a comprehensive agreement with Azerbaijan,
  - having regard to the statement of 8 September 2015 by the UN High Commissioner for Human Rights condemning the ongoing crackdown on civil society and independent voices in Azerbaijan;
  - having regard to the statement of 4 June 2017 by the European Union External Action Service regarding the illegal detention of Azerbaijani nationals residing in Georgia;
  - having regard to the Azerbaijani constitution, in particular the Law on Mass Media, and the Law on the Right to Obtain Information;
  - having regard to the European Convention on Human Rights, especially Article 3 thereof;
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. Whereas the human rights situation in Azerbaijan has deteriorated over the last few years, with authorities using repressive measures against the media, human rights defenders and critics of the government;
- B. Whereas Afgan Mukhtarli, Azerbaijani investigative journalist, who carried his investigation work in both Azerbaijan and Georgia, was illegally abducted in Tbilisi on May 29, 2017 and taken across the border to Azerbaijan; whereas he is accused of illegal border crossing, smuggling and resisting arrest and may face a multiple year prison sentence; whereas on 31 May Sabail district court of Baku sentenced him to three months of pre-trial detention;
- A. Whereas according to his lawyer, Mr Mukhtarli was apprehended by unidentified men, two of whom were wearing Georgian criminal police uniforms and speaking Georgian, pushed into a car, beaten and driven to the Azerbaijani border, where the sum of €10,000 was allegedly planted on his person;
- B. Whereas Afgan Mukhtarli was known for his critical coverage of the Azerbaijani authorities and fled to Georgia in 2015; whereas he has worked for several independent media outlets, including Radio Free Europe / Radio Liberty;

- C. Whereas Georgia, as a state party to the European Convention on Human Rights, has an obligation to guarantee safety of citizens living on its territory and to prevent any forced return to their country of origin; whereas the Georgian authorities launched an investigation into the unlawful imprisonment of Afgan Mukhtarli;
- D. Whereas the abduction of Afgan Mukhtarli has raised serious concerns among the Georgian NGOs and journalists about the implications for their safety and freedom;
- E. Whereas the repression of journalists and media outlets in Azerbaijan has increased in recent years and several journalists, bloggers, and social media activists remain imprisoned;
- F. Whereas on 12 May 2017 a district court in Baku ruled in favour of a lawsuit blocking access within Azerbaijan to the website of Radio Free Europe / Radio Liberty (RFE/RL), along with four other news outlets on the grounds that they “pose a threat” to national security; whereas RFE/RL offices were raided by state agents in 2014 and subsequently closed in May 2015;
- G. Whereas Azerbaijan is an important partner of the European Union and the re-launch of relations between the Milli Majlis and European Parliament was a good opportunity to strengthen the relations between both sides;
1. Expresses its serious concern over the alleged abduction of Afgan Mukhtarli in Georgia and his illegal transfer to Azerbaijan and considers it a breach of international and humanitarian law;
  2. Urges the Georgian authorities to ensure a prompt, thorough, transparent and effective investigation into Mukhtarli’s disappearance in Georgia, his illegal transfer to Azerbaijan, allegations of ill-treatment; expects that all the perpetrators are brought to justice;
  3. Considers it of utmost importance that the Georgian authorities make every effort to clarify all suspicion as to the possible involvement of state security institutions in the abduction of Afgan Mukhtarli; underlines that failing to do so would constitute a severe violation of the letter and spirit of the EU-Georgia Association Agreement and European values and principles and severely damage the reputation and credibility of Georgia on the international scene; in this regard strongly encourages Georgian government to uphold media plurality and media freedom in the country;
  4. Calls on the Azerbaijani authorities to drop charges against and unconditionally release Afgan Mukhtarli;
  5. Calls on Azerbaijani authorities to review any and all cases of incarceration related to the exercise of fundamental rights, including the freedom of expression, and for immediate release all of those concerned in line with Azerbaijan's international commitments; reiterates its call for respect freedom of the press and media, both in legislation and in practice and both online and offline, to guarantee freedom of expression;

6. In this regard, welcomes the releases in Azerbaijan of several high-profile human rights defenders, journalists, and activists in 2015 and 2016, and calls on the authorities to release all others in jail for exercising their fundamental rights, including Ilgar Mammadov and Mehman Huseynov; is concerned, however, with the continuing repression of journalists, human rights defenders and members of the opposition;
7. Underlines the importance of the new partnership agreement between the European Union and Azerbaijan; stresses that democratic reforms, the rule of law and the respect for human rights must be at the core of the new agreement; reiterates its view that the pace of the negotiations for a new partnership agreement should be conditional to the progress Azerbaijan makes in respecting fundamental rights;
8. Instructs its President to forward this resolution to the Council, the EEAS and the Commission, to the President, the government and the parliament of Georgia, to the President and the parliament of Azerbaijan and to the Council of Europe.