

P7_TA-PROV(2012)0228

Azerbaijan

European Parliament resolution of 24 May 2012 on the human rights 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 its resolution of 18 April 2012 containing the European Parliament’s recommendation to the Council, the Commission and the European External Action Service on the negotiation of the EU-Azerbaijan Association Agreement¹,
 - having regard to the Partnership and Cooperation Agreement between the European Communities and Azerbaijan which entered into force in 1999 and to the ongoing negotiations between the two parties on a new association agreement to replace the previous one,
 - 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 15 May 2012,
 - having regard to a new National Action Programme for the more effective protection of human rights and freedoms in the Republic of Azerbaijan approved by the President of Azerbaijan on 27 December 2011,
 - having regard to Rules 122(5) and 110(4) of its Rules of Procedure,
- A. whereas Azerbaijan actively participates in the European Neighbourhood Policy and the Eastern Partnership and is committed to respecting democracy, human rights and the rule of law, which are core values of those two initiatives; whereas, however, the overall human rights situation in Azerbaijan has steadily deteriorated over the last few years despite the commitments included in the European Neighbourhood Policy Action Plan, with growing pressure on and intimidation of NGOs and independent media resulting in a widespread sense of fear among opposition forces and human rights defenders as well as youth and social network activists and leading to self-censorship among journalists;
- B. whereas peaceful protests on 15 May 2012 in the capital city of Baku calling for the release of political prisoners before Azerbaijan hosts the Eurovision Song Contest on 26 May 2012 were broken up by the police; whereas the use of violence against peaceful protestors is a pattern of behaviour by the Azerbaijani authorities which signals non-compliance with the commitments taken by Azerbaijan towards the EU and within the framework of the Council of Europe and the Organisation for Security and Co-operation in Europe (OSCE);
- C. whereas independent journalists, human rights defenders and others seeking to express their opinions, investigate issues of public interest, or criticise government authorities in

¹ Texts adopted, P7_TA(2012)0127.

Azerbaijan have been attacked, harassed, threatened, or imprisoned, with the cases of the journalists Idrak Abbasov and Khadija Ismaylova being of particular concern;

- D. whereas Elnur Mecedli, an activist and a member of the opposition People's Front party, was released from jail on 16 May;
 - E. whereas the 2012 Eurovision Song Contest taking place on 26 May 2012 in Baku should be an opportunity for Azerbaijan to show its commitment to democracy and human rights;
 - F. whereas hundreds of properties have been expropriated in a non-transparent and non-accountable way and thousands of homeowners in Baku forcibly evicted in the name of development projects, including in the neighbourhood adjacent to the National Flag Square, which is the location of the Baku Crystal Palace, the venue hosting the 2012 Eurovision Song Contest among other future events;
 - G. whereas press and media freedoms are often flouted; whereas unrestricted digital freedom, including the freedom of expression and assembly online, is not guaranteed in practice;
 - H. whereas Azerbaijan has taken up a non-permanent seat in the United Nations Security Council (UNSC) for the period from 2012 - 2013, and has committed to uphold the values expressed in the UN Human Rights Charter;
 - I. whereas Azerbaijan is a member of the Council of Europe and a signatory to the European Convention on Human Rights;
1. Calls on the Azerbaijani authorities to immediately stop all actions aimed at suppressing 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 due to her investigations into the alleged business interests of President Aliyev's family;
 4. Takes note of the ongoing investigations launched by the Azerbaijani authorities into the attacks on the journalists; calls on the authorities to ensure effective investigation of these incidents and prosecution of the perpetrators of these attacks;
 5. Calls on the Azerbaijani authorities to allow peaceful protests and to prohibit police interference in the work of journalists covering demonstrations;
 6. Condemns the harassment, intimidation, and violence against journalists and others peacefully expressing their opinions; 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 and Avaz Zeynalli – ,social media activist Bakhtiyar Hajiye, lawyer and NGO

leader Vidadi Isganderov, human rights activist and lawyer Taleh Khasmammadov, and activists imprisoned on various politically motivated charges relating to peaceful protests in April 2011;

7. 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 made by Azerbaijan in the framework of the Council of Europe and the OSCE;
8. Expresses its sympathy with the promoters of the ‘Sing for Democracy’ campaign launched on the occasion of the Eurovision Song Contest hosted in Baku and hopes that their action can contribute to bringing about indispensable democratic reforms and substantial improvements in the human rights situation in the country;
9. Is concerned about the forced evictions and demolition of buildings in connection with 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 the resettlement of people is carried out with transparent legal procedures and with fair compensation;
10. 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 visit the country, in line with his mandate;
11. Calls on the Azerbaijani authorities to guarantee digital freedoms, including uncensored access to information and communication, which are universal rights and are indispensable for human rights such as freedom of expression and access to information, and for ensuring transparency and accountability in public life;
12. Calls on the Azerbaijani authorities to adopt the draft law on defamation which provides for the abolition of criminal liability for defamation and insult; welcomes the discussions on the adoption of such a law within Azerbaijani society, the close cooperation with the OSCE in this regard, and the intention of the Azerbaijani authorities to adopt the draft law before the end of the year;
13. Calls on the Azerbaijani authorities to bring the legislation on elections, freedom of assembly, freedom of association and media freedom into line with international standards and ensure its full implementation;
14. Urges the Azerbaijani authorities to step up its efforts to reform all aspects of the judicial system: prosecution, trial, sentencing, detention and appeals;
15. Calls on the Azerbaijani authorities to comply with all rulings of the European Court on Human Rights concerning Azerbaijan;
16. Calls on the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, the Council and the Commission to monitor closely the situation concerning 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 human rights violations, should these persist;

17. Strongly condemns the threats made by radical Islamist organisations and individuals against participants in the upcoming Eurovision Song Contest, and in particular those belonging to the LGBT community; strongly supports Azerbaijan's secular identity and its free choice of foreign policy orientation;
18. Strongly condemns terrorism in all its forms and manifestations, and highly values Azerbaijan's contribution to the fight against terrorism and extremism at regional and international level;
19. Instructs its President to forward this resolution to the Council, the Commission, the EEAS, the Governments and Parliaments of the Republic of Azerbaijan and the EU Member States, and the UN Human Rights Council.