



Flygtningenævnets baggrundsmateriale

Bilagsnr.:	51
Land:	Aserbajdsjan
Kilde:	Amnesty International
Titel:	"Overview - covering events from January - December 2005"
Udgivet:	29. maj 2006
Optaget på baggrundsmaterialet:	13. juni 2006

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AZERBAIJAN

REPUBLIC OF AZERBAIJAN

Head of state: Ilham Aliiev

Head of government: Artur Rasizade

Death penalty: abolitionist for all crimes

International Criminal Court: not signed

UN Women's Convention and its Optional Protocol: ratified

Overview - Covering events from January - December 2005

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Rights to freedom of expression and assembly were restricted. The security forces used excessive force to break up peaceful opposition demonstrations. Scores of opposition activists and journalists were beaten and detained. Seven opposition leaders were pardoned and released. Charges of attempting to overthrow the government were brought against dozens of opposition activists and state officials. Several were reportedly tortured or ill-treated in detention.

Background

Despite a presidential decree in May that the November parliamentary elections were to be held in a democratic manner, there was constant obstruction of opposition campaigning. International observers reported that the elections did not meet international standards. After the poll, opposition parties formed a new coalition, the Democratic Popular Front, announced a boycott of the new parliament, and demanded a re-run in at least 100 constituencies.

In March, Elmar Husseinov, editor of the weekly *Monitor* magazine, was killed in suspicious circumstances outside his home in the capital, Baku. His death sparked large-scale demonstrations amid opposition claims that he was murdered because of his criticism of official corruption. The authorities denied any involvement. No one had been brought to justice by the end of 2005.

Excessive use of force

Between May and December, the security forces used excessive force to break up both authorized and unauthorized demonstrations in Baku, kicking and beating protesters and journalists. Scores of demonstrators were detained, and some were reportedly beaten in custody.

- The excessive force reportedly used to break up an authorized demonstration by the Democratic Popular Front in Baku on 26 November provoked criticism from the USA and the European Union. No attempt was apparently made to disperse the crowd peacefully, and opposition leaders said they were hit on the head with truncheons by the police, despite offering no resistance.
- At an unauthorized demonstration organized by opposition coalition Azadlig (Freedom) on 9 October, 14 journalists were among those said to have been severely beaten. Idrak Abbasov, of the *Zerkalo* (Mirror) newspaper, was reportedly hit on the head repeatedly with baseball bats by a plainclothes police officer and other men until he lost consciousness. He was taken to hospital, where guards allegedly prevented other journalists from seeing him.

Opposition trials: update

In February the Organization for Security and Co-operation in Europe (OSCE) published its findings on the trials of 125 people charged in relation to the October 2003 post-election violence. In 2004 at least 40 men received prison sentences after unfair trials for their alleged participation in the violence. The OSCE report concluded that most of the trials fell well short of international fair trial standards, that the courts admitted evidence reportedly obtained through the use of torture, and that defendants were denied the rights to presumption of innocence and to prepare an effective defence. The report called for the release or retrial of all those denied a fair trial.

- In March, seven opposition leaders imprisoned since October 2003 were pardoned by President Aliiev and subsequently released. In July their convictions were quashed in court, allowing them to run in the November elections. They had been sentenced in October 2004 to prison terms of between two and a half and five years for their alleged participation in the 2003 post-election violence. The Supreme Court had turned down their appeal.

State security arrests

- In August, Ruslan Bashirli, the leader of Yeni Fikir (New Thinking), a youth organization with reported links to the opposition Azerbaijani Popular Front Party (APFP), was arrested on charges of attempting to overthrow the government. He denied official accusations of accepting money from Armenia to destabilize the country. He was reportedly put under pressure to implicate APFP leader Ali Kerimli in an alleged coup plot. He was remanded in custody for three months. Pro-government demonstrators attacked his family home and APFP offices with impunity, and his father was made to resign from his job. Members of Yeni Fikir were reportedly detained, threatened, beaten, denied medical care and coerced into making statements against Yeni Fikir and APFP.
- Dozens of officials, including government ministers, were arrested or dismissed following an alleged coup attempt in October. Four officials reportedly confessed on state television to conspiring with Rasul Quliev, the exiled leader of the opposition Azerbaijani Democratic Party. There were fears that their confessions had been coerced. Rasul Quliev was detained in Ukraine on 17 October after his plane was prevented from landing in Baku. Azerbaijan requested his extradition on embezzlement charges, but he was eventually released by a court in Ukraine. The authorities in Azerbaijan detained scores of his supporters, and claimed to have seized weapons. Some were later charged.

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