

Elmar Muharram Mammadyarov,
Minister of Foreign Affairs,
Ministry of Foreign Affairs,
Shikhali Gurbanov küç
1009 Baku,
Azerbaijan

14 January 2009

Re: Azerbaijan - Accusations made against human rights defender, Ms Leyla Yunus

Dear Minister,

Front Line is deeply concerned following information received of unfounded accusations of libel and judicial claims reportedly made by the Azerbaijani Minister of Interior, Ramil Usubov, against **Ms Leyla Yunus**, a prominent human rights defender and director of the Azerbaijani Institute of Peace and Democracy.

Minister Usubov accused Leyla Yunus of libel against the police and the Ministry of the Interior, following an interview of Leyla Yunus published on 3 December 2008 on the website Day.Az, under the title "In Most Cases the Courts in Azerbaijan Are Passing Illegal and Unwarranted Decisions in Relation to the Protection of Human Rights and Fundamental Freedoms". In this interview, she claimed that the right to a fair trial was not respected in Azerbaijan, giving examples of trials related to the kidnapping of a girl in 2005, and of two girls, aged 7 and 14, in 2007. The kidnappers were arrested and tried. One of them, Tavakkul Ismailov, said that they had handed over the girls to a head officer in the police department for the purposes of their further trafficking. The Institute of Peace and Democracy was monitoring the trial, and, in her interview, Leyla Yunus stressed the fact that the accused officer was not called to trial right away and the defendants' accusations of torture in custody were ignored.

The Ministry of the Interior claims that the statement of Leyla Yunus constitutes abuse of freedom of speech in the mass media, violating Article 10 of the Law on the Media, and libel under Article 23 of the Civil Code of Azerbaijan. The Ministry also claimed that the statement has caused moral damages to the "professional reputation of the police" and asked for Leyla Yunus to be fined 100,000 manat (equivalent to 100,000 euro). The court date has been set for 23 January 2009.

Front Line believes that the claim of the Ministry of the Interior against Leyla Yunus is unfounded and is related to the legitimate and peaceful human rights work of the Institute of Peace and Democracy, particularly the monitoring of trials.

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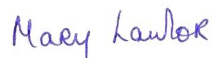
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Front Line urges the authorities in Azerbaijan to:

1. Withdraw the accusations made against human rights defender Leyla Yunus;
2. Guarantee the physical and psychological integrity of Leyla Yunus;
3. Ensure freedom of expression and association for all human rights defenders in Azerbaijan.

Front Line respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw attention to Article 6 (b and c): *“Everyone has the right, individually and in association with others: (b) As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms; (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters”* and to Article 12 (2 and 3): *“(2) The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration; (3) In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms”*.

Yours sincerely,



Mary Lawlor
Director