

## Public Statement

### **The Law Society of Upper Canada expresses grave concerns about the arrest and ongoing detention of Intigam Aliyev in Azerbaijan**

**Toronto** — The Law Society of Upper Canada is gravely concerned about the arrest and ongoing detention of lawyer Intigam Aliyev in Azerbaijan.

Intigam Aliyev is a prominent human rights lawyer in Azerbaijan and the head of the Legal Education Society, a human rights organization that provides legal support to low-income groups and non-governmental organizations. Mr. Aliyev was awarded the Homo Homini human rights award in the Czech Republic in 2013.

Reports indicate that Mr. Aliyev was summoned for interrogation in the Serious Crimes Investigation Prosecutor's Office in Baku on 8 August 2014, where he was subsequently charged with tax evasion, illegal enterprise, and abuse of official power.

During his interrogation, Mr. Aliyev was allegedly asked to present evidence, as a witness, pertaining to a criminal case initiated by Azerbaijani authorities against a group of non-governmental organizations. There is concern that the authorities were attempting to obtain confidential and/or privileged information relating to the case against the group of non-governmental organizations during the interrogation.

It was reported that, on 8 August 2014, the Nasimi District Court in Baku ordered Mr. Aliyev's pre-trial detention for three months. His lawyer has appealed the ruling for pre-trial detention. Reports indicate that Mr. Aliyev may face up to seven years in prison if convicted of the charges.

On 9 August 2014, Intigam Aliyev circulated a statement through his lawyer denying the charges and criticizing the motives of his arrest as political rather than legal. The Law Society of Upper Canada is concerned that his arrest could be related to a recent speech he made at the Parliamentary Assembly of the Council of Europe, in which he criticized Azerbaijani authorities for human rights abuses, increasing numbers of political prisoners, and making less room for independent non-governmental organizations. The European Court of Human Rights has also begun addressing complaints submitted with Mr. Aliyev's assistance.

In concern over these reports, the Law Society of Upper Canada would like to remind the Government of the Republic of Azerbaijan of Articles 16 and 23 of the United Nations *Basic Principles on the Role of Lawyers*.

Article 16 states:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Moreover, Article 23 states:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the rights to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization.

The Law Society of Upper Canada is concerned that Intigam Aliyev's arrest and continued detention is evidence of mounting government pressure against human rights lawyers and defenders in Azerbaijan. There are reports that human rights defenders Rasul Jafarov, and Leyla and Arif Yunus, were also arrested on similar charges.

The Law Society urges the government of the Republic of Azerbaijan to:

- a. release Intigam Aliyev immediately, as he is a prisoner of conscience;
- b. guarantee in all circumstances the physical and psychological integrity of Intigam Aliyev;
- c. provide Intigam Aliyev with regular access to his lawyer and family;
- d. guarantee all the procedural rights that should be accorded to Intigam Aliyev and other human rights lawyers and defenders in Azerbaijan;
- e. conduct a fair, impartial and independent investigation into any allegations of misconduct in the arrest and trial of Intigam Aliyev in order to identify all those responsible, bring them to trial and apply to them civil, penal and/or administrative sanctions provided by law;
- f. guarantee that adequate reparation would be provided to Intigam Aliyev if found to be a victim of abuses;
- g. put an end to all acts of harassment against Intigam Aliyev as well as other human rights lawyers and defenders in Azerbaijan;
- h. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

*\*The Law Society of Upper Canada is the governing body for more than 47,000 lawyers and 6,000 paralegals in the province of Ontario, Canada. The Treasurer is the head of the Law Society.*

*The mandate of the Law Society is to govern the legal profession in the public interest by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.*

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