

**His Excellency the President of Azerbaijan
Ilham Aliyev
Presidential Palace
19 Istiqlaliyyat St,
Baku AZ1066,
Azerbaijan Republic**

Brussels, 14 August 2014

Re: Concerns regarding human rights lawyer Mr Intigam Aliyev

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it also has observer representatives from a further thirteen European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE would like to alert you to the situation of a lawyer, Mr Intigam Aliyev, who, according to the information we recently received, was summoned for interrogation to the Serious Crimes Investigation Department of the General Prosecutor's Office in Baku on 8 August 2014. There he was charged with tax evasion (under article 213.1 of the Criminal Code), illegal enterprise (article 192.2.2) and abuse of official power (article 308.2), and was then sent to pre-trial detention. The same day, Nasimi District Court in Baku ruled to detain Mr Intigam Aliyev for three months, and authorities transferred him to Baku Pre-Trial Detention Facility.

The CCBE has grounds to fear that Intigam Aliyev's arrest is a measure of retaliation for his legitimate activity in defence of human rights.

Intigam Aliyev is the head of the Legal Education Society, a human rights organisation that provides legal support to non-governmental organisations and low-income groups of the population. It also publishes legal literature, monitors legislative reforms, and organises seminars, conferences and training. As a human rights lawyer, Intigam Aliyev has submitted more than 200 applications to the European Court of Human Rights in cases of election rigging, abuses of free speech and right to fair trial. In 2012, Mr. Aliyev was awarded the People in Need's Homo Homini Award in recognition of his commitment to defending human rights.

After Intigam Aliyev was charged, investigators escorted him to his house and the office of his NGO in order to carry out searches of the premises. During his interrogation, Intigam Aliyev was requested to present his evidence as a witness in the criminal case brought by the Azeri authorities against a group of NGOs.

The CCBE was informed that on 5 August 2014 the court in Baku upheld the petition of the General Prosecutor's office and ruled to freeze the bank accounts of nine national NGOs and one international NGO, including bank accounts of the Legal Education Society and the Association of Lawyers in Azerbaijan.

It is believed that Mr Intigam Aliyev's arrest may be linked to the fact that the European Court of Human

Rights started to address the complaints submitted with Intigam Aliyev's assistance, or may be linked to a recent speech he made at the Parliamentary Assembly of the Council of Europe. In this speech, Intigam Aliyev criticised the authorities of Azerbaijan for their poor human rights record, increasing number of political prisoners, and shrinking space for independent NGOs.

On 9 August 2014, in communication with his lawyer, Intigam Aliyev circulated a statement denying all charges. He stated that the motives behind his arrest are not legal, but "political". Intigam Aliyev's lawyer has appealed the ruling to transfer him to pre-trial detention.

In this context the CCBE wishes to draw to your Excellency's attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

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, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Furthermore, Article 23 states that:

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 organisations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organisation. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognised standards and ethics of the legal profession.

In view of the above, the CCBE respectfully urges your Excellency to take effective steps to immediately release and drop all charges against Mr Intigam Aliyev as it is believed that they are solely motivated by his legitimate and peaceful work in defence of human rights. The CCBE also asks you to take all necessary measures to guarantee in all circumstances that all human rights lawyers in Azerbaijan are able to carry out their legitimate activities without fear of reprisals, intimidation or judicial harassment.

I look forward to hearing from your Excellency.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aldo Bulgarelli', with a long vertical line extending downwards from the end of the signature.

Aldo Bulgarelli
CCBE President