
Le Président
The President

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

Re: Concerns regarding human rights lawyer Mr Vidadi Isganderov

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 has also observer representatives from a further eleven 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 writes to express its serious concerns over the rejection of Mr Vidadi Isganderov's appeal against arrest and launch of criminal proceedings.

The CCBE is informed that on 10 May 2011 the Azerbaijan Baku Appeals Court rejected the appeal of human rights lawyer Mr Vidadi Isganderov against a judgment which had sentenced him to two months pre-trial imprisonment, and ordered that a criminal trial for interference in the electoral process be brought against him. Following his court appearance, Mr Vidadi Isganderov was transferred from Baku City General Police Office Temporary Detention Prison to Baku Investigation Prison. The CCBE has learned that according to his lawyer, there is no further appeal to a higher court available to him. On 17 April 2011, Mr Vidadi Isganderov was arrested on his way to observe a protest in the centre of Baku which was organised by the Civil Movement for Democracy. He has been detained since that date. It is reported that following his arrest on 17 April, his family has been subjected to threats and harassment.

The CCBE is informed that Mr Vidadi Isganderov was also previously detained on 2 April 2011 during an opposition rally and sentenced to 8 days in detention. The day after his re-arrest, on 18 April, he was sentenced to 15 days imprisonment for police disobedience. On 2 May, just before his release, Mr Vidadi Isganderov was transferred from the 'Baku Centre for Administrative Convicts' to the 'Investigatory Department for Grave Crimes of the General Prosecutor's Office'. He was sentenced by Nasimi District Court to two months imprisonment prior to the hearing of the criminal case of interference in the electoral process, which was opened against him. The hearing of the appeal of the court's decision of 2 May was due to be heard on 6 May but was postponed until 10 May.

The CCBE understands that the detention and sentencing of Mr Vidadi Isgandarov are directly related to his peaceful and legitimate work in defence of human rights, in particular his denunciation of electoral fraud in Azerbaijan and monitoring of recent anti-government protests.

In this context, the CCBE wishes to draw to your 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, economic 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 you to take immediate and effective steps to: drop unconditionally all charges against human rights lawyer Mr Vidadi Isganderov; carry out an immediate, thorough and impartial investigation into his arrest, detention and sentencing; and guarantee in all circumstances that human rights defenders in Azerbaijan are able to conduct their professional duties without fear of reprisals and free of all restrictions, in order to preserve the independence and integrity of the administration of justice.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G. Dal', with a long horizontal line extending to the right from the end of the signature.

GEORGES-ALBERT DAL

President