



The South Caucasus Network of Human Rights Defenders

The South Caucasus Network of Human Rights Defenders unites 30 human rights NGOs in Armenia, Azerbaijan and Georgia. The Network seeks to facilitate creation of a safer and enabling environment for human rights defenders in the South Caucasus and to strengthen their voices in the region and internationally.

Concerning the death in custody of Novruzali Mammadov

September 11, 2009

The South Caucasus Network of Human Rights Defenders is deeply concerned about the death in custody of Novruzali Mammadov, the Editor-in-Chief of Taloshi Sado newspaper and the head of the Talysh Cultural Center.

The South Caucasus Network of Human Rights Defenders supports the urgent appeal of Human Rights House Foundation to the Azerbaijani authorities to conduct a thorough, impartial, and transparent investigation into his death.

The appeal of **Human Rights House Foundation** dated by September 2, 2009 further reads as follows:

Novruzali Mammadov died on 17 August 2009 at the age of 68. According to Radio Free Europe, human rights activist Elchin Behbudov was told by prison officials that Mammadov's health deteriorated abruptly on August 17. According to Mammadov's lawyer, Mammadov was not provided with the highest possible standard of treatment as required by Azerbaijan's international obligations.

On 24 June 2008, Novruzali Mammadov was convicted of treason under Article 247 of the Criminal Code of the Republic of Azerbaijan for the 'distribution of Talysh nationalist ideas and attempt to destroy the foundations of the Azerbaijani state' and was sentenced to 10 years' imprisonment in a closed trial. On 26 December 2008, the Court of Appeals announced its verdict for the case of Novruzali Mammadov, thus upholding the sentencing of the court that had original jurisdiction. The verdict was handed down in the absence of Mammadov's defense attorney, relatives and the press. International and national groups considered the charges politically motivated, since the trial was closed to the public and the evidence against Mammadov was never made public.

Novruzali Mammadov's health reportedly began to deteriorate after he was put in solitary confinement in Prison No. 15 in January 2009. Although a Baku court granted Mammadov's appeal to be transferred to a medical facility in March 2009, the transfer took place five months later. On 28 July 2009 Mammadov was placed in the Central Hospital of the Justice Ministry's penitentiary system. Two weeks before his death, the authorities rejected a request of the special representative of the Council of Europe in Azerbaijan to give access to international doctors.

This case was raised in the alternative report to the UN Human Rights Committee for the review of Azerbaijan, which the Human Rights House Foundation and the Azerbaijani member organizations of the South Caucasus Network for Human Rights Defenders submitted in July 2009.

The Human Rights House Foundation condemns the fact that the authorities did not listen to the warnings by international and national organizations and kept Mammadov in custody. We regret that despite appeals by national and international actors to the authorities to urgently transfer Mammadov to a civilian hospital, he was kept in the penitentiary system while his health condition continued to

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Human Rights House Foundation (Oslo, Norway) is the international partner of the Network.

deteriorate.

This is not the first time someone dies in custody in Azerbaijan: political activists Faina Kungurova died of heart attack at the same hospital in November 2007.

The *South Caucasus Network of Human Rights Defenders* joins Human Rights House Foundation and calls upon Azerbaijani authorities:

- to respect and ensure the right to life and the right to be free from inhuman and degrading treatment as enshrined in the European Convention on Human Rights to which Azerbaijan is a party.
- to provide credible explanation for their omission that led to the death of Mammadov, as required by the European Convention which in such situations places the burden of proof on the state.
- to provide free access to national and international NGOs to the hospital and the prison where Mammadov was kept under detention for the purpose of carrying out an independent investigation.