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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Joint written statement* submitted by Institute for Human Rights, Institute for Reporters' Freedom and Safety, non- governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[5 February 2024]

* Issued as received, in the language of submission only.



A Call for Action to Safeguard Human Rights Defenders and Trade Union Activists in Azerbaijan

In the context of discussion on human rights defenders during the 55th Session of the Human Rights Council, the Institute for Human Rights and the Institute for Reporters' Freedom and Safety would like to bring the attention of the Council to an appalling crackdown on trade union activists in Azerbaijan.

As trade union activists and human rights defenders share common ground in advocating for fundamental rights and justice, the Institute for Human Rights and the Institute for Reporters' Freedom and Safety find it of particular importance to address challenges that they face in Azerbaijan.

The Workers' Table Trade Union Confederation is an association created by the members of the youth pro-democracy movement D18. The Workers' Table, as a trade union, basically focuses on protection and promotion of the rights of workers and fostering solidarity among workers in Azerbaijan.

As of the beginning of February 2024, three key figures of the trade union, including the Chair of the Workers' Table, namely Afiyeddin Mammadov, Aykhan Israfilov, and Elvin Mustafayev, are currently held in custody under dubious charges. While the investigations revolve around distinct grounds, there is a widespread belief that all accusations are intricately linked to their dedicated activism within the trade union.

The targeting of activists commenced right after a courier protest on 1 August 2023, following the changes in traffic regulation. The demonstrators voiced their dissatisfaction over the confiscation of their scooters due to the implemented changes.

For the first time, the Chair of the Workers' Table Trade Union Confederation, Afiyeddin Mammadov, was arrested for 30 days on charges of petty hooliganism on August 1 2023 on his way back from the peaceful courier protest. Later, on September 20 2023, he was detained near his home right after being attacked by an unknown person. Mr Mammadov faces up to 11 years in prison if found guilty on trumped up charges of intentional infliction of serious harm to health combined with illegal arms trafficking.

The trade union contends that Mamedov's arrest is linked to his involvement in trade union activities, suggesting that he is a victim of provocation. Mr Mammadov, in turn, has proclaimed his innocence, asserting that he is facing unjust persecution for his role in the trade union organization.

Elvin Mustafayev and Aykhan Israfilov, two other members of the trade union, were arrested on the 4th and 11th of August 2023, respectively. They are confronted with similar charges related to drug trafficking, which may result in sentences ranging from 3 to 8 years of imprisonment if they are found guilty.

Furthermore, the utilization of drug trafficking charges is a common tactic employed to suppress political activists and human rights defenders, exploiting the relative ease with which authorities can manipulate evidence.

The abovementioned arrests forced the Workers's Table to pause their activities. Significantly, this specific trade union was essentially the sole independent one in the country.

Despite local legislation guaranteeing the freedom to establish and join independent trade unions and providing employees with the right to engage in collective bargaining, the unions faced challenges in effectively negotiating wage levels and working conditions. This difficulty arose because powerful state-owned corporations were overseen by government-appointed boards, which also determined salaries for government personnel.

In Azerbaijan, a trade union is considered a type of public association, and its registration process is governed by the Law on Non-governmental Organizations (Public Associations and Funds).

This law, criticized by various human rights organizations and international institutions, is notable for its extensive oversight and deliberate obstacles in the registration procedure. For this reason, trade unions which managed to register remain under a complete control of the ruling regime.

Thus, there is a troubling pattern in regard to the work and safety of human rights defenders in Azerbaijan. In Azerbaijan, human rights defenders and trade union activists encounter a challenging environment characterized by legal and physical threats, persecution, and restricted freedoms. The government's control over trade unions and the suppression of independent voices contribute to a climate where defenders face risks for their activism. The detention of key figures, such as Afiyeddin Mammadov, Aykhan Israfilov, and Elvin Mustafayev, on charges believed to be linked to their activities highlights the precarious situation they navigate.

To conclude, the Institute for Human Rights and the Institute for Reporters` Freedom and Safety are convinced that it is imperative to closely monitor and address the situation with human rights defenders and trade union activists in Azerbaijan during the 55th Session of the Human Rights Council.

The Council's attention can amplify awareness, encourage international solidarity, and prompt actions to protect and uphold the rights of the activists, fostering a climate conducive to their crucial work.

The Institute for Human Rights and the Institute for Reporters` Freedom and Safety call upon the Human Rights Council to address the critical situation facing human rights defenders and trade union activists in Azerbaijan, advocating for accountability and protection against persecution based on their essential work.
