

**Joint Oral Statement (delivered by the International Commission of Jurists) in the
General Debate under Agenda Item 4**

THREATS TO THE INDEPENDENCE OF LAWYERS IN AZERBAIJAN

22 June 2016

Mr President,

The International Commission of Jurists (ICJ) would like to draw your attention to threats to the independence of lawyers in Azerbaijan.

Lawyers face suspension or disbarment for statements clearly constituting protected freedom of expression. In some cases, they are subject to arrest, detention, unfair trial, and arbitrary imprisonment.

The lack of independence of the Bar Association is a serious concern. This body is increasingly initiating apparently groundless disciplinary proceedings, including leading to disbarment, against lawyers who defend the interests of clients in high profile or politically sensitive cases. Disciplinary penalties in such cases are routinely upheld by the judiciary, which does not appear to be fully independent.

This was highlighted in preliminary findings of the Working Group on Arbitrary Detention following its recent visit (Working Group on Arbitrary Detention Statement upon the conclusion of its visit to Azerbaijan (16-25 May 2016)). Representatives of the ICJ are currently visiting Azerbaijan to further assess the situation.

The cases of Khalid Bagirov, Alaif Ghasanov and Intigam Aliyev illustrate these concerns. While welcoming the release of Mr Aliyev, we remain concerned at the maintenance of his underlying conviction despite credible reports that the charges against him were politically motivated.

As we speak, lawyer Muzaffar Bakhishov is subject to disbarment proceedings for having criticized the lack of independence of the judicial system.

These disbarments have a chilling effect on the work of other lawyers. They undermine access to effective and independent legal assistance to protect human rights.

We urge the Council to closely monitor this worrying trend for the rule of law.

I thank you.

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