

**NATIONS UNIES
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AUX DROITS DE L'HOMME**

**PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL**

**Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association;
the Special Rapporteur on the situation of human rights defenders; and the Special Rapporteur on
violence against women, its causes and consequences.**

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Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the situation of human rights defenders; and Special Rapporteur on violence against women, its causes and consequences pursuant to General Assembly resolution 60/251 and to Human Rights Council resolutions 15/21, 16/5 and 16/7.

In this connection, we would like to bring to your Excellency's Government's attention information received regarding **the destruction in Baku of the building housing the Women's Crisis Center**, reportedly the first and the only shelter available to women, including victims of violence, in Azerbaijan.

The Women's Crisis Center was located in the same building that housed the Institute of Peace and Democracy and the Azerbaijan Campaign to Ban Landmines. The destruction of this building was subject to a previous communication sent by special procedures mandate holders on 24 August 2011.

We appreciate the letter sent by your Excellency's Government to the Office of the High Commissioner for Human Rights on 8 September 2011, describing the procedures leading to the demolition of the building. We would nevertheless like to bring to your Excellency's Government's attention information received concerning the alleged negative impact of the destruction of the Women's Crisis Center, and alleged reports of continued acts of intimidation against staff of this organization.

According to the new information received:

The building, which was destroyed on 11 August 2011, was owned by the family of the director of the Institute of Peace and Democracy, and housed the Azerbaijan Women's Crisis Center, first opened to the public in November 2001. The Center had been opened at the initiative of the Institute of Peace and Democracy and had the financial support of several Embassies and private companies.

Three specialists – a jurist, gynecologist, and a psychologist – offered their services at the Center, and a telephone “hotline” was also operating from the Center to provide consultations to women victims of violence. It is reported that the Center carried out a number of other programs, including trainings, and had become a reference for different women programs both in Baku and other provinces in Azerbaijan. It is reported that organizations that attempted to set up centres such as this one have been unable to sustain their work for more than a few years, due to the very high cost of rents. The Center was reportedly able to function precisely because the Institute of Peace and Democracy owned the building and no rent had to be paid for the use of the premises.

It is further reported that new facilities still have not been found for the Women's Crisis Center and, therefore, the only provision of legal and medical assistance to women in the country has stopped. Allegedly, to date no support has been forthcoming from any authorities to help restore the functioning of the Center.

It is reported that after the destruction of the building, employees of the Institute of Peace and Democracy and the Women's Crisis Center have continued to be under surveillance and harassed by the police, especially during their meetings with diplomats and journalists. E-mail messages have been allegedly hacked and passwords replaced. It is also reported that law enforcement officials have directly threatened human rights defenders and their families, warning them “not to take risks” by continuing to protest against the demolition of the office, nor to “allow their loved ones to go after dark.” Such threatening statements have allegedly been voiced by senior officers of the Ministry of Internal Affairs.

It is reported that many women availed of the services of the Center, which also collected and published cases of trafficking and of sexual harassment of women throughout the provinces of Azerbaijan. Allegedly, the Director of the Center, Ms. Matanat Azizova, has been subjected to pressure from the authorities due to such activities.

One of the target groups that the Center used to support was women survivors of violence, perpetrated by the police during eviction. In this regard, cases of police officers and looters storming into the homes of single women in the early morning

have been reported, with women arbitrarily detained at police stations, while their houses were looted.

Concern is expressed at allegations received indicating that the demolition of the building housing the Women's Crisis Center, and the continuing harassment of its staff, is related to the organization's legitimate human rights work.

While we do not wish to prejudge the accuracy of these allegations, we would like to remind your Excellency's Government of the provision of article 22 of the International Covenant on Civil and Political Rights, which provides that "[e]veryone shall have the right to freedom of association with others...".

In addition, we wish to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, and in particular articles 1 and 2 which state that "everyone has the right individually or in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels" and that "each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice."

Furthermore, we would like to bring to the attention of your Excellency's Government article 12, paras. 2 and 3 of the Declaration which provide that the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the Declaration. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

We would also like to bring to your Excellency's Government's attention, article 4 (o & p) of the United Nations Declaration on the Elimination of Violence against Women which notes that States should recognize the important role of the women's movement and non-governmental organizations worldwide in raising awareness and alleviating the problem of violence against women, and should, moreover, facilitate and

enhance the work of the women's movement and non-governmental organizations and cooperate with them at local, national and regional levels.

Furthermore, we would like to bring to your Excellency's Government's attention article 4 (g) of the United Nations Declaration on the Elimination of Violence against Women which notes the responsibility of States to work to ensure, to the maximum extent feasible in the light of their available resources and, where needed, within the framework of international cooperation, that women subjected to violence and, where appropriate, their children have specialized assistance, such as rehabilitation, assistance in child care and maintenance, treatment, counseling, and health and social services, facilities and programmes, as well as support structures, and should take all other appropriate measures to promote their safety and physical and psychological rehabilitation.

We urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of the aforementioned person(s) are respected and that accountability of any person guilty of the alleged violations is ensured. We also request that your Excellency's Government adopts effective measures to prevent the recurrence of these acts.

Moreover, it is our responsibility under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention. Since we are expected to report on these cases to the Human Rights Council, we would be grateful for your cooperation and your observations on the following matters:

1. Are the facts alleged in the above summary of the case accurate?
2. Please, provide information regarding the steps taken by your Excellency's Government to ensure that the Women's Crisis Center is able to continue providing services and assistance to women in need.
3. Please provide detailed information regarding the steps taken by Your Excellency's Government to provide services to women who have been victims of violence, including rehabilitation, counseling, and health and social services.
4. Please provide information regarding allegations indicating that employees of the Institute of Peace and Democracy and the Women's Crisis Center are under surveillance and suffer harassment by the police and local authorities.

We would appreciate a response within sixty days. We undertake to ensure that your Excellency's Government's response to each of these questions is accurately reflected in the reports we will submit to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Maina Kiai
Special Rapporteur on the rights to freedom of peaceful assembly and
of association

Margaret Sekaggya
Special Rapporteur on the situation of human rights defenders

Rashida Manjoo
Special Rapporteur on violence against women, its causes and
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