



The UIA Institute for the Rule of Law

STATEMENT

Paris, April 15, 2021

Azerbaijan: Human Rights Lawyers Should Be Supported not Prosecuted

UIA-IROL expresses concern as another human rights lawyer is disbarred at the request of the Azerbaijan Bar Association.

UIA-IROL has been following the situation of the legal profession in Azerbaijan and, more specifically, the increasing number of lawyers who are facing criminal or disciplinary sanctions for the mere exercise of their profession.

On January 29, 2021, Day of the Endangered Lawyers, the Governing Board of the UIA expressed its concern about increasing persecution, harassment, abusive criminal prosecution, and selective and/or arbitrary disciplinary sanctions imposed on lawyers in Azerbaijan in recent years.

It noted that lawyers particularly affected by this extremely worrisome situation are colleagues working on cases relating to violations of human rights by the authorities, which suggests that disciplinary proceedings are used as a tool for punishing lawyers who take on cases brought against the authorities¹.

Today, UIA-IROL strongly reiterates its concern with the disbarment of lawyer Shahla Humbatova, one of the last remaining human rights lawyers in the country.

On Friday March 5, 2021, the Baku Administrative Court upheld a claim by the Bar Association to terminate Humbatova's membership.

Previously, on November 27, 2019, the ABA has decided to suspend Humbatova's licence and seek to disbar her on the basis of a complaint from a past client and the alleged failure to pay several months of ABA membership fees.

Ms. Humbatova flatly denies the accusations of her client and asserts that the ABA's efforts to disbar her are in retaliation for her human rights defence work. As for the ABA membership fees, payment was made immediately after she was informed of the failure to pay, so when the Bar went to court with her disbarment request there was no longer any debt.

It appears that the retaliatory attempts to disbar Ms. Humbatova stem from her representation in the case known as the "Ganja case". This case arose following the attempted assassination of Ganja's mayor, which led to the arrest and detention of dozens of individuals who alleged being ill-treated in detention. Previously in 2019, the ABA had threatened Humbatova with disciplinary proceedings after the Azerbaijani penitentiary service filed a complaint against her. That complaint alleged that she spread false information when she spoke publicly about the hunger strike and the poor health condition of her client, the then-political prisoner and blogger Mehman Huseynov.

¹ <https://www.uianet.org/en/news/2021-day-endangered-lawyer-azerbaijani-lawyers-must-be-able-perform-their-professional>

Ms. Humbatova declared that she would appeal the decision but does not have much hope that the process will respect due process.

We urge the Azerbaijani Bar Association to ensure that disciplinary proceedings are consistent with due process rights and guarantees.

We also call upon the relevant Azerbaijani authorities and especially the judiciary to ensure that all present and future disciplinary procedures against lawyers are fair, objective, transparent, subjected to independent judicial review, and fully compliant with European and international standards in matter of the rights to due process and a fair trial.

More about the UIA-IROL

The Institute for the Rule of Law of the International Association of Lawyers (UIA-IROL) promotes the Rule of Law and supports and defends, in particular, (1) lawyers, judges and human rights defenders who are harassed, threatened and/or persecuted in the exercise of their professions, (2) the independence of the legal and judicial professions, and (3) the UN Basic Principles on the Role of Lawyers, especially in defense of human rights.

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