

The Hague, 14 September 2018  
Speech by Mr. Tiny Kox (SP.NL, The Netherlands)  
At the opening of the exposition "Distance"

Thank you very much for inviting me to be here with you, at the opening of this exposition 'Distance', at the initiative of the Dutch Helsinki Committee, of which I was a member until the beginning of this year.

My name is Tiny Kox. I am a Senator for the Socialist Party in the Dutch Senate. And I represent our Parliament in the Parliamentary Assembly of the Council of Europe.

This oldest and broadest European treaty organisation operates under *its Statute* which aims to *achieve greater unity between all of its members in order to safeguard and realise our common ideals and principles.*

All member states are partner to *the European Convention for the protection of human rights and fundamental freedoms* and have given authority to *the European Court of human rights* in Strasbourg to decide on complaints that a member state has breached the Convention. The Court's decisions are binding.

All 47 member states have committed themselves to the obligations stated in this unique international treaty.

One of these obligations is not to imprison citizens on politically motivated grounds. Under the Convention of human rights, there should be, in the whole of Europe, not a single political prisoner, be it a politician, a journalist or a human rights activist.

Democracy, rule of law and human rights are fundamental for civilised states under the Convention.

Let me give you in this respect, a famous quote:

'You can be economically successful, but if you do not have democracy and transparency and if human rights are not protected, your country will never be successful.'

Do you know who said this? No one less than President Ilham Aliyev. From Azerbaijan, when addressing in 2004 the parliamentary assembly of the Council of Europe, of which I just had become a member.

President Aliyev's country had become a full-fledged member of the Council of Europe only in 2001.

This was his first presidential address to our Assembly, of which he himself had been a parliamentary member for 3 years.

President Aliyev thanked the Council of Europe for the support given to his country in the first years of its membership.

Its presence in the Council of Europe played, according to the President, *a crucial role in enabling Azerbaijan to continue along the path of democracy*. Much of the necessary reforms still had to be implemented, he said to the Assembly.

In many areas, he said, *our life does not meet international standards*. But it was *the strategic choice of his country, to develop a free, democratic and pluralistic society*.

He said he wanted to be *the president of all Azerbaijanis*. And that he thought that his steps taking in pardoning prisoners showed that intention and that he would continue on that path. He thanked the Assembly, in which, he said, he and his country had found many friends.

Ten years later, in 2014, president Aliyev again addressed the parliamentary assembly in Strasbourg. Now in his capacity of Head of State of the country that was given the chairmanship of the Council of Europe, for a period of six months.

The friendship of 2004 had by then changed into broad and loud criticism, from inside and outside Azerbaijan, for not implementing the European convention of human rights at home, counter to all promises made ten years earlier.

Few months before the president came for the second time to Strasbourg, I visited his country, listened to both the government and those opposing the government because of its misbehaviour towards its opponents in politics, media and civil society.

What I heard confirmed what I heard in the years before, time and again. Instead of the promised progress, the country showed a very worrying deterioration of democracy, rule of law and human rights.

I addressed the issue both in the parliament in Baku as well as in the assembly in Strasbourg and I there asked president Aliyev whether he would – given the harsh criticism to his policy – be prepared to organize a round table in his country, with participation of the Council of Europe, to open a dialogue between his government and his opponents on these issues. *'Definitely!'* he answered to my proposal in the hemicycle in Strasbourg. And addressing the criticism with regard to his government's behaviour, he solemnly stated: *'There are no political prisoners in Azerbaijan. Azerbaijan is a member of the European Court of human rights. All issues relating to prisoners, can be addressed there. We respect the decisions of the European court of human rights!'*

But after leaving Strasbourg, situation only deteriorated in Azerbaijan. Instead of the promised dialogue, the president met his citizens with a brutal crackdown of oppositional voices. And when the Court of human rights ordered the government of Azerbaijan to immediately release opposition leader Ilgar Mammadov, who had been sentenced to 7 years in jail, Baku kept silent.

According to our Strasbourg Court, Ilgar Mammadov had been sentenced on false grounds and therefore wrongly imprisoned. But it

lasted until few weeks ago that the Azerbaijani government finally gave in and released Mr Mammadov.

To reach this result, the Council of Europe first had to use its strongest weapon: the threat to exclude Azerbaijan from the Organisation, and therewith from the civilised Europe it had become part of, 18 years before.

And meanwhile the Assembly first had to resolutely dismantle a secret network of supporters of the Azerbaijani government in its midst. We did so, this year, after a unique external investigation to allegations of corruption. Azerbaijan was identified as a main source of corruption money, spent to some Assembly members in order to buy illegally their support. Amongst those secret supporters were a former Assembly President and several former leaders of political groups. By now they have all been sanctioned by our Assembly. The investigation, of which I was one of the initiators, showed our determination not to accept any illegal pressure by any government when taking our decisions. That determination, together with the decision of the Committee of Ministers of the Council of Europe not to accept any longer Azerbaijani refusal to execute a binding verdict of our Court of human rights, finally made president Aliyev and his government to give in, at least in this case.

Thanks to this, Mr Mamadov is now out of prison. And I am so happy about that. But he is still in danger of being put back in his cell, as the verdict as such has not yet been revoked.

Therefore continuation of the pressure from the Council of Europe and all its member states has to go on. Also because we know that Mr Mammadov was perhaps the best known political prisoner of Azerbaijan - but at the same time only one from many.

According to Amnesty International and Azerbaijani human rights activists more than 150 people remain in prison on politically motivated grounds. And the number is not decreasing but increasing.

In the past years, I was shocked, time and again, that people with whom I discussed the human rights situation in Azerbaijan, were, after returning to their country, harassed, attacked, accused, sentenced, imprisoned, and sometimes even tortured.

I recall – amongst many others - investigative journalist Khadija Ismayilova, blackmailed, harassed and then arrested in 2014, sentenced on false grounds to seven and a half years of imprisonment, and only released in 2016.

I recall human rights activists Leyla and Arif Yunus, who both suffered in Aliyev's prisons, convicted to many years of imprisonment, and only released end of 2015, after a lot of open pressure and silent diplomacy, to both of which I tried to contribute my part. Now they live here with us in the city of Leiden, and they are still fighting for the cause of a decent Azerbaijan.

And I recall Rasul Jafarov, who was imprisoned together with Leyla in August 2014, only two months after president Aliyev said in Strasbourg that there were and would be no political prisoners in his country...

I was so happy when Rasul finally was released from prison in March 2016 and we could meet shortly after his release to discuss and support a new campaign for the release of Ilgar Mammadov. A campaign that contributed to his recent release.

But meanwhile a lot of others have been arrested, sentenced and disappeared in Azerbaijani prisons. And president Aliyev has secured in April another term in office, after elections which – according to international observers of the Council of Europe and OSCE - again lacked genuine competition in an environment of curtailed rights and freedoms.

That means that the darkness of dictatorship continues in Azerbaijan. And that obliges us to continue our activities to shed light on this darkness and to demand for more international pressure, instead of

casting a blind eye to what is happening in this European state with its 10 million citizens. Let us keep confronting president Aliyev with what he himself concluded already in 2004: *'If you do not have democracy and transparency and if human rights are not protected, your country will never be successful.'*