



## NGOs Respond to Forced Disappearance of Afgan Mukhtarli

The undersigned organizations express deep concern about the alleged forced disappearance of the Azerbaijani civil activist and journalist Afgan Mukhtarli in Tbilisi on the evening of May 29. According to recent information provided by his lawyer, the journalist was detained near his house in Tbilisi and forcibly placed into a car.

The lawyer explained that those who arrested the journalist did not identify themselves and that Mukhtarli suspects they were members of the Georgian Special Forces. The lawyer went on to state that the unidentified people put a sack over his head and drove him by car in an unknown direction for 2 hours. They changed cars twice. Mukhtarli reported that in the third car people were speaking in the Azerbaijani language. According to him, when the sack was removed, he was already in the Azerbaijani Custom Office. Mukhtarli said 10,000 euro was planted on him. The Azerbaijani Government accuses him of illegally crossing the border and smuggling.<sup>[1]</sup>

According to their statements, Afgan Mukhtarli and his wife, journalist Leyla Mustafaeva, were subjects of systemic persecution and intimidation from the side of the Azerbaijani government due to their journalistic activities and critical positions. Out of concerns for their safety, the family decided to move to Georgia and continue living and performing journalistic activities there.

During their stay in Georgia they actively reported about business interests and corruptive schemes of the Azerbaijani authority and President Ilham Aliyev's family as

well as political persecutions in Azerbaijan. They said, due to active journalistic activities, the Government of Azerbaijan remained highly interested in their work and continued their intimidation and surveillance even in Georgia.

Unfortunately, the State of Georgia refused a residence permit extension to Leyla Mustafaeva, along with a few other Azerbaijani civil activists and journalists, on the abstract basis of Georgian national security. It is noteworthy that based on recently established practices, Azerbaijani citizens who are critical of the non-democratic political regime in their country and continue their journalistic, civic, or political activities in Georgia, receive negative answers from the Georgian state on their residence permit or refugee status.

Such practices raise concerns about the political loyalty of the Government of Georgia towards the Azerbaijani authority and significantly contradict the fundamental principles of democracy and the idea of the respect of human rights. Instead of creating a safe and secure space in Georgia for activists and journalists fleeing from neighbouring countries and promoting the development of democratic processes in the region, the Government of Georgia tacitly refuses to defend the rights of refugees and even violates those rights with illegal and discriminative decisions with its unprincipled politics.

Considering the political character of the fact and Afgan Mukhtarli's allegation about the possible participation of the Georgian state authorities in his detention, we have a well-grounded suspicion that the Azerbaijani journalist could not have been arrested in the territory of Georgia and transported to Azerbaijan without at least a willing ignorance or ineffective work of Georgian state institutions, if not with their active support and direct participation.

In this regard, it is particularly suspicious that an Azerbaijani citizen crossed the border without his ID documents. Despite well-grounded concerns that Afgan Mukhtarli may become a subject of torture, inhuman treatment, or punishment and a victim of political persecution in Azerbaijan, the State of Georgia failed to guarantee the safety and inviolability of persons who were under its control and even participated in illegal activities. It causes our deep concern and violates the obligations of Georgia under international conventions and acts. Neglecting basic guarantees of human rights from the side of the Georgian State destroys fundamental principles of a democratic and lawful country.

Considering the abovementioned, we call on:

### **The Government of Georgia**

- **to immediately make a public statement to respond to allegations about the possible participation of the Georgian government □□ representatives in the illegal restriction of freedom and delivery of the journalist to the Azerbaijani authority or react on the suspicions about the clear inactivity of the Georgian authority in regards to this fact;**
- **to undoubtedly respect human rights guaranteed under international conventions and national legislation and to ensure the defense of the right to lawful life, free movement and inviolability of the persecuted activists, journalists, politicians, or others fleeing from a neighbouring country to reside in Georgia;**

### **The Prosecutor's Office of Georgia**

- **to ensure the effective, timely, and impartial investigation into the illegal restriction of freedom of Afgan Mukhtarli. It is essential to study the alleged participation of official representations of the Georgian state in this fact (including the officers of the State Security Service and Border Police) and to impose respective responsibilities on them. The case must be investigated by the Prosecutor □□ Office to ensure the institutional independence of the investigation;**

**- due to a high public interest in this event, to ensure timely public reporting about the investigation progress and results;**

### **The Parliament of Georgia**

- to ensure effective parliamentary control over Afgan Mukhtarli ☐ case and abovementioned systemic problems in the Government, particularly in the law-enforcement bodies and Security Service and to take respective measures to respond to them.**

Human Rights Education and Monitoring Center (EMC)

Georgian Democracy Initiative (GDI)

Human Rights House Tbilisi (HRHT)

Human Rights House Foundation (Norway)

Transparency International – Georgia (TI)

Georgian Young Lawyers' Association (GYLA)

Open Society Georgia Foundation (OSGF)

UN Association of Georgia (UNAG)

International Society for Fair Elections and Democracy (ISFED)

Tolerance and Diversity Institute (TDI)