Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

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05 February 2015

Ensuring the right of Dilgam Asgarov and Shahbaz Guliyev to a fair trial

Motion for a resolution
tabled by Mr Elkhan SULEYMANOV and other members of the Assembly

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This motion has not been discussed in the Assembly and commits only those who have signed it

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In June 2014, Dilgam Asgarov, a Russian citizen, and Shahbaz Guliyev, an Azerbaijani citizen, were taken hostage by Armenian forces while visiting their native region, the occupied Kalbajar province of Azerbaijan. Another Azerbaijani citizen, Hasan Hasanov, was shot and killed and his body was later handed over to the Azerbaijani authorities for burial.

On 19 December 2014, a "court of first instance" of the "Nagorno Karabakh Republic", the unrecognised separatist regime established in the territories occupied by Armenia, "sentenced" D. Asgarov and S. Guliyev to life and 22 years' imprisonment respectively.

The "court" that pronounced the two sentences neither has the legal recognition from a judicial authority of any State, as it was established by an unrecognised separatist political entity, nor does it adhere to the fundamental principles that govern the proceedings of a court of law, as it lacks the oversight and guiding rules emanating from international treaties that guarantee either human rights or the rule of law, because that unrecognised separatist political entity is not a signatory to them.

The Parliamentary Assembly should call on all parties directly involved in the illegal detention and prosecution of both D. Asgarov and S. Guliyev, as well as any national or international organisations that may contribute to the successful resolution of this situation, to act with determination in order to ensure the respect of the basic human and legal rights of the detained men, and urges them to guarantee, for these two individuals, in a reasonable time frame, a fair and impartial trial by an independent and legally established tribunal, in accordance with the provisions of Article 6 of the European Convention on Human Rights (ETS No. 5).

Signed (see overleaf)

Signed[1]*:*

SULEYMANOV Elkhan, Azerbaijan, EPP/CD
ANTTILA Sirkka-Liisa, Finland, ALDE
ARIEV Volodymyr, Ukraine, EPP/CD
BADEA Viorel Riceard, Romania, EPP/CD
BAĞIŞ Egemen, Turkey, EC
BAYKAL Deniz, Turkey, SOC
BLANCHART Philippe, Belgium, SOC
BÜCHEL Gerold, Liechtenstein, ALDE
CSÖBÖR Katalin, Hungary, EPP/CD
DEBONO GRECH Joseph, Malta, SOC
DENEMEÇ Reha, Turkey, EC
DESTEXHE Alain, Belgium, ALDE
DÍAZ TEJERA Arcadio, Spain, SOC
DİŞLİ Şaban, Turkey, EPP/CD
FAZZONE Claudio, Italy, EPP/CD
GAFAROVA Sahiba, Azerbaijan, EC
GALATI Giuseppe, Italy, EPP/CD
GAMBARO Adele, Italy, ALDE
GARÐARSSON Karl, Iceland, ALDE
GHILETCHI Valeriu, Republic of Moldova, EPP/CD
GODSKESEN Ingebjørg, Norway, EC
GÜLPINAR Mehmet Kasim, Turkey, EC
GÜR Nazmi, Turkey, UEL
GUTIÉRREZ Antonio, Spain, SOC
HAMID Hamid, Bulgaria, ALDE
HÜBNER Johannes, Austria, NR
JÓNASSON Ögmundur, Iceland, UEL
KIRAL Serhii, Ukraine, NR
KOLMAN Igor, Croatia, ALDE
KORENJAK KRAMAR Ksenija, Slovenia, ALDE
LEYDEN Terry, Ireland, ALDE
MANNINGER Jenő, Hungary, EPP/CD
MARKOVÁ Soňa, Czech Republic, UEL
OEHRI Judith, Liechtenstein, ALDE
PASQUIER Bernard, Monaco, ALDE
POSTOICO Maria, Republic of Moldova, UEL
PREDA Cezar Florin, Romania, EPP/CD
RAATIKAINEN Mika, Finland, NR
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TILKI Attila, Hungary, EPP/CD
TÜRKEŞ Ahmet Kutalmiş, Turkey, ALDE
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ZELIENKOVÁ Kristýna, Czech Republic, ALDE

1. ALDE: Alliance of Liberals and Democrats for Europe
EC: European Conservatives Group
EPP/CD: Group of the European People's Party
SOC: Socialist Group
UEL: Group of the Unified European Left
NR: Representatives not belonging to a Political Group