

2015-06-02

Fråga-svar

Azerbajdzjan. Situationen för HBTQ-personer

Fråga

Har HBTQ-personer i Azerbajdzjan som hotas av sin familj möjlighet att få skydd av polisen?

Riskerar HBTQ-personer att trakasseras eller utsättas för övergrepp av polisen?

Svar

US Department of State (2014) uppger att en lokal frivilligorganisation har rapporterat om polisbrutalitet mot HBTQ-personer på grund av deras sexuella läggning. Myndigheterna ska inte ha inlett någon undersökning eller straffat gärningsmännen. Andra exempel på övergrepp från polisens sida ges i rapporten. HBTQ-personer lämnar inte in några anmälningar mot poliserna av rädsla för repressalier. Det finns dock också rapportering om att en mindre Pride-festival har kunnat genomföras i Baku utan incidenter.¹

Citat från rapporten:

Antidiscrimination laws exist but do not specifically enumerate lesbian, gay, bisexual, and transgender (LGBT) individuals. Societal intolerance, violence, and discrimination based on sexual orientation and gender identity remained a problem.

A local NGO reported that there were numerous incidents of police brutality against individuals based on sexual orientation but noted that authorities did not investigate

¹ När det gäller Pride-festivaler: jämför med vad ILGA (International Lesbian, Gay, Bisexual, Trans and Intersex Association) skriver om Eurovision Song Contest, som hölls i Baku 2012: *Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People in Europe 2013*, 2013-05-17 (s. 54-55). Lifos 30365

or punish those responsible. A local NGO reported at least eight police raids directed at LGBT persons in the first 10 months of the year. From March through September, police arrested at least 41 LGBT persons on charges of illegal possession of drugs, with possible sentences of three to four years' imprisonment. Additionally, specific police stations were known to extort money from gay individuals in return for not disclosing their orientation.

LGBT individuals continued to refuse to lodge formal complaints with law enforcement bodies due to fear of social stigma, reprisal, or retaliatory repression.

According to the NGO International Gay and Lesbian Human Rights Commission, the country's gay population had been "intimidated to the point of invisibility."

One NGO worked on LGBT issues, including the prevention of HIV/AIDS and the provision of legal advice, psychological assistance, and outreach activities. The NGO reported no official harassment of its work. Baku activists held a small gay pride event on September 13; there were no reports of violence or harassment in connection with the event. (s.34-35)

European Commission (2015) konstaterar att inget specifikt skydd för HBTQ-personer finns inskrivet i lagen. Detta bidrar till de rättsvårdande myndigheternas passivitet när det gäller att stoppa homofobi.

NGOs active on issues relating to lesbian, gay, bisexual, transgender and intersex (LGBTI) people also encountered difficulties over registration and receiving grants and there were some reports of harassment. However, the main problem remained the lack of a legislative framework protecting LGBTI people and the resulting inaction by law enforcement bodies to prevent homophobia. (s. 5)

Freedom House har i sin MR-rapport för 2014 ett kort stycke om situationen för HBTQ-personer:

Although same-sex sexual activity is not a criminal offense, antidiscrimination laws do not specifically protect LGBT (lesbian, gay, bisexual, and transgender) people, who reportedly face police harassment and other forms of bias or abuse.

Delvis motstridiga uppgifter finns när det gäller myndigheternas attityd/förhållningssätt gentemot HBTQ-personer (Institute for War and Peace Reporting 2004):

Tariel Qasimov, editor of the Gay.az website, said that homosexuals rarely faced trouble from officials, but often got abuse from their own families.

“When relatives find out that someone in the family is gay or lesbian, it’s seen a disgrace, something shameful. In some cases people are forced to get married, and in others they are thrown out of their homes and left to fend for themselves,” he told IWPR.

“The majority of their friends abandon them, leaving them without understanding and support. There are many people who consider it their duty to shame and disgrace people and to laugh at them. In Azerbaijan, the majority of gays therefore conceal their orientation from relatives and friends.”

Matanat Azizova, head of the Women’s Resource Centre, disagrees that officials leave gay people alone. She says her organisation is regularly approached by people saying they have been beaten or abused by police officers.

“There was even a case where the police beat up a lad in his own home. They then stripped him naked and took him like that to the police station,” she said. “Sometimes people are blackmailed into giving false testimony against someone else.”

EurasiaNet (2014) angående polisens attityd mot HBTQ-personer:

Although no official record of violence against sexual minorities exists, police do not always listen to complaints about prejudice or harassment, commented Free LGBT activist Gulnara Azimzade. She said going to the police was “often useless because the police attitude toward us is often humiliating.”

Denna sammanställning av information/länkar är baserad på informationssökningar genomförda under en begränsad tid. Den är sammanställd utifrån noggrant utvalda och allmänt tillgängliga informationskällor. Alla använda källor refereras. All information som presenteras, med undantag av obestridda/uppenbara fakta, har dubbelkontrollerats om inget annat anges. Sammanställningen gör inte anspråk på att vara uttömmande och bör inte tillmätas exklusivt bevisvärde i samband med avgörandet av ett enskilt ärende. Informationen i sammanställningen återspeglar inte nödvändigtvis Migrationsverkets officiella ståndpunkt i en viss fråga och det finns ingen avsikt att genom sammanställningen göra politiska ställningstaganden. Refererade dokument bör läsas i sitt sammanhang.

Källförteckning

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