



Warsaw, 25 February 2015

**Mr Ed Potter
Ms Missy Owens
Coca-Cola Company**

P.O. Box 1734
Atlanta, GA 30301, USA

Re: Coca-Cola Company's sponsorship of Baku 2015 European Games in the light of serious human rights concerns

On behalf of the international NGO coalition 'Sport for Rights', and in the light of the media news concerning the sponsorship agreement between the Coca-Cola Company and the National Olympic Committee of Azerbaijan in relation to the European Games scheduled for 2015, we would like to draw your attention to the current political situation in Azerbaijan, and your potential complicity in and contribution to the human rights violations taking place in that country.

In line with the UN Guiding Principles on Business and Human Rights, business enterprises have an international responsibility to respect human rights in their business relations. They are required to:

- (a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur; and
- (b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts.

Enterprises are also required to 'know and show' how they meet this responsibility, and in order to enable this, are expected to have in place effective policies and

processes appropriate to their size and circumstances, including processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute.

In its Human Rights Policy, Coca-Cola declares that: ‘The Coca-Cola Company respects human rights,’ and that ‘It is committed to identify, prevent, and mitigate adverse human rights impacts resulting from or caused by our business activities before or if they occur through human rights due diligence and mitigation processes’. The company’s Human Rights Policy and the sustainability programme promises a far-reaching sensibility and a deep understanding of issues concerning human rights and potential impact of the company on the local communities.

Thus we are surprised to see the Coca-Cola Company supporting the organization of Baku2015. The track record of the Azerbaijani authorities reveals a continuous disregard for human rights, and there is a strong likelihood that Baku 2015 infrastructure projects will negatively affect both individuals and local communities, as was the case with infrastructure projects undertaken for the purpose of the Eurovision Song Contest in 2012. We understand that the Coca-Cola Company is engaged in Azerbaijan both economically and culturally, and probably perceives the sponsorship agreement as an element of its corporate social responsibility strategy.

However, given the potential negative human rights impacts of such financial involvement in relation to the local community and human rights defenders in Azerbaijan, we would like to query whether a rigorous human rights due diligence process was conducted, including a thorough human rights impact assessment of Coca-Cola’s financial involvement with the Games (including construction of facilities and infrastructure), before it entered into sponsorship agreement. In particular we ask whether Coca-Cola:

1. took into consideration the political situation in the country, particularly the long- lasting repression of civil society in the country and the wave of arrest of human rights defenders in July and August 2014?
2. analysed the impact of development of sports infrastructure on local communities, particularly bearing in mind the unlawful evictions in various Baku districts that have preceded this event, notably for the Eurovision contest in 2012?
3. required the Games organizer to conduct and disclose the results of the human rights and environmental impact assessment of the new building/infrastructure projects?
4. required inclusion of a human rights clause that would enable Coca-Cola Company to terminate the sponsorship agreement if the organization of the Games gave rise to increased human rights violations?
5. has in place adequate policies, processes and grievance mechanisms to enable those negatively affected by the Games, in organization of which it is financially involved, to seek effective remedy and justice in case adverse human rights impacts occur?

We believe that a global company like Coca-Cola has the potential not only to impact large numbers of people around the world, but also to exert important leverage over its business partners. The company should use its leverage to require guarantees that

sponsored activities and projects do not result in adverse human rights impacts. It is up to the Coca-Cola Company to choose the message it wants to promote, whether that will be the message of respect for human rights and democracy, or a message of support for one of the most brutal and authoritarian regimes in Europe.

In the light of the above, we would like to turn your attention to the fact that in the recent months prominent human rights defenders in Azerbaijan have been arrested. Hasan Huseynli, working in the northern city of Ganja, was detained first. He is a renowned activist for people in the rural areas. Then, Leyla Yunus and her husband Arif Yunus were put behind bars. They were involved in the protection of citizens suffering from massive property expropriations in Baku, and were promoting a peace process between Armenians and Azerbaijanis in Nagorno-Karabakh. On 2 August, Rasul Jafarov, a thirty-year-old human rights defender was detained and arrested for three months. He was the initiator of the 'Sing for Democracy' campaign organised during the 2012 Eurovision Song Contest held in Baku. He was also involved in counting political prisoners in Azerbaijan and sought to mobilise international organisations against the Azerbaijani government's human rights abuses. On 8 August, Intigam Aliyev, a well-known activist and a prominent lawyer, was arrested. He had won numerous cases against Azerbaijan before the European Court of Human Rights. His arrest has left a number of applicants to the Court without legal representation.

It is widely acknowledged that the charges against these activists are spurious; they stand accused of economic and tax offences, despite the fact that they operate non-profit organisations. Three weeks ago, on exactly the same grounds, prosecution proceedings were opened against 21 non-governmental organisations. The bank accounts of activists and their organizations have been frozen, and most of them have been forced to cease their human rights activity.

The recent crackdown is just another step in a long chain of assaults on human rights and democratic values. These arrests and scare tactics are politically motivated, used by the regime to silence activists who speak out for the right to live in a free state based on transparency and accountability. Leading international human rights organisations consider those listed above to be political prisoners. International bodies including the European Court of Human Rights, Extractive Industry Transparency Initiative (EITI) and the UN Working Group on Business and Human Rights have noted the human rights violations in Azerbaijan. They also acknowledge the need for public and private international actors to place pressure on the Azerbaijani authorities.

In the light of these facts, it is striking that the Coca-Cola Company, a company so aware of sustainability issues, which has on numerous occasions highlighted its efforts to respect human rights and its commitment to acting as a good corporate citizen, is choosing to promote Azerbaijan by providing financial support to the European Games. A repressive leader – President Ilham Aliyev – is benefiting from support from companies in Europe and U.S., which are choosing to turn a blind eye to the human rights abuses.

We call on you to verify and reassess your financial support for the European Olympic Games in Baku taking into account the U.N. Guiding Principles on Business and Human Rights. We request that you evaluate the extent to which your involvement will whitewash human rights violations in Azerbaijan, and accordingly, reconsider your sponsorship. Despite the official statement of the Organizing Committee, which is deliberately ignoring the political situation in Azerbaijan and the

ongoing human rights repressions, we are convinced that the activists' arrests, in particular that of Rasul Jafarov, are related to the Games.

Jafarov was planning to launch a new campaign during the 2015 European Games, engaging athletes and teams to promote human rights and democratic values. Honouring the initiative of Jafarov, who cannot lead the campaign personally, a number of human rights NGOs have formed the **'Sport for Rights' coalition**, established to raise awareness of corruption and political prisoners in Azerbaijan. Our aim is to encourage national Olympic committees, athletes, the press, international companies and the public to speak out on behalf of our imprisoned colleagues and for Azerbaijanis facing violations of their basic rights and freedoms. We are seeking to raise awareness of the broader context of the European Games in Azerbaijan, in order to demonstrate the link between human rights violations and the European Games.

We hope and believe that an honest and diligent assessment of the human rights situation in the country will lead you to reconsider your financial engagement in the European Games. Coca-Cola Company has never been associated with sponsorship of any dubious initiatives, and your action would benefit both your corporate reputation and the lives of many Azeri activists and journalists.

We would appreciate your response to our concerns by Monday, 16 March 2015. Communications should be directed to Ms. Dominika Bychawska-Siniarska, Helsinki Foundation for Human Rights (email: d.bychawska@hfhr.org.pl) and Ms. Beata Faracik, Polish Institute for Human Rights and Business (email: beata.faracik@pihrb.org).

Best regards,

Secretariat of the Sports for Rights Coalition

On behalf of the Sports for Rights Coalition