



# REPORTERS' GUIDE

## 2015 European Games in Baku, Azerbaijan



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## INTRODUCTION

Hundreds of journalists will attend the first-ever European Games, to be held in Baku, Azerbaijan from June 12-28, 2015, to report on the Games' athletic events and ceremonies to sports fans across the globe. The Azerbaijani government seeks to establish "Azerbaijan as a modern and dynamic country" by "deliver[ing] an exciting, impactful and innovative event that is celebrated at home and abroad."<sup>1</sup> But human rights abuses and the increasing crackdown on journalists, media outlets, and voices critical of the government over the past year cast a shadow over what should be an historic celebration. Although the Games are held under the auspices of the Olympic movement, the Azerbaijani government's human rights abuses contradict the principles enshrined in the Olympic Charter, including on sport's role in advancing human dignity and placing "sport at the service of the harmonious development of humankind."<sup>2</sup>

The Azerbaijani government's limitations on free media and imprisonment of journalists in Azerbaijan may also have implications for journalists covering the European Games.

This guide provides an overview of key political and human rights issues for journalists covering the European Games in Baku. It includes background on Azerbaijan's political environment, key human rights issues, profiles of imprisoned journalists and activists, the recent creation of the European Games, and the greater Olympic movement.

### Economic and Political Background

Azerbaijan is an energy-rich country located in the South Caucasus bordering Russia, Georgia, Iran, and Armenia, and its capital city, Baku, is located on the Caspian Sea. According to World Bank data, Azerbaijan has a population of 9.4 million.

#### *Economy*

Azerbaijan is the third largest oil-producing country in Eurasia, behind Russia and Kazakhstan.<sup>3</sup> The country has experienced tremendous economic growth fueled by oil and gas exports, with gross domestic product (GDP) growing from just US\$5.7 billion in 2001<sup>4</sup> to US\$73.56 billion in 2013, according to World Bank data.<sup>5</sup> The rate of annual growth has slowed considerably in more recent years, from 34.5 percent at its peak in 2006 to 2.2 percent in 2012.<sup>6</sup>

#### *Conflict over Nagorno-Karabakh*

Azerbaijan gained independence from the Soviet Union in 1991. In the same year, Azerbaijan and Armenia engaged in a war over Nagorno-Karabakh, a primarily ethnic Armenian-populated autonomous enclave in Azerbaijan. According to the International Crisis Group, the fighting resulted in approximately 25,000 deaths, and more than one million people displaced, the majority of them ethnic Azeris. While there have been ongoing attempts to negotiate peace since a ceasefire signed in 1994, casualties from fighting along the line of contact continue.<sup>7</sup> (see text box)

#### *Presidential Dynasty and Unfair Elections*

Heydar Aliyev served as president from 1993-2003. His son Ilham Aliyev succeeded him and remains president. A 2009 public referendum initiated by President Aliyev amended the country's constitution to remove the term limits on the presidency.

Domestic and international election monitors have repeatedly found that both parliamentary and presidential elections in the past decade have been marred by various abuses, including vote fraud, intimidation of and violence against opposition supporters and voters, lack of access to broadcast media for opposition parties and candidates, misuse of administrative resources, and inequitable candidate registration processes and denial of registration to opposition candidates.<sup>8</sup> International observers noted that the October 2013 presidential elections were "undermined by limitations on the freedoms of expression, assembly and association that did not guarantee a level playing field for candidates," and that "continued allegations of candidate and voter intimidation and a restrictive media environment marred the campaign."<sup>9</sup>

#### *Undermining the Political Opposition*

Authorities have detained and prosecuted dozens of opposition political party activists and youth political activists on spurious charges in recent years, including from the political parties and groups Musavat, Popular Front, Republican Alternative (REAL) and the youth opposition movements Free Youth and NIDA. The



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authorities have also targeted independent activists investigating and reporting on the conduct of elections.

For example, in February 2013, the authorities arrested REAL Chairman Ilgar Mammadov on dubious charges shortly before he officially announced his candidacy for the October 2013 presidential elections (see text box).

In March 2015, President Aliyev pardoned over 100 prisoners, including the activists Bashir Suleymanli and Orkhan Ayyubzade, both of whom had been held on bogus charges. Suleymanli, deputy director of the Election Monitoring and Democracy Studies Center, was serving three-and-a-half years following efforts to reveal election

fraud in the October 2013 presidential elections.

Ayyubzade, a NIDA activist, was serving two years after being detained in May 2014 for attending an unsanctioned protest in Baku.

As a result of election manipulation, intimidation, harassment and prosecutions of political activists for many years, Azerbaijan's political opposition is marginalized and holds only a few of the parliament's 125 seats. The ruling Yeni Azerbaijan Party (YAP) and so-called independent lawmakers and parties loyal to the executive command the parliament, which rubber stamps legislation proposed by the government.

A prominent political analyst and chairman of the political opposition group REAL, **Ilgar Mammadov**, was convicted in March 2014 and sentenced to seven years in prison on bogus charges of inciting violence. Mammadov intended to run for president in 2013, but was arrested shortly before he officially announced his candidacy. In May 2014, the European Court of Human Rights found that the authorities had arrested Mammadov "to silence or punish [him] for criticizing the Government."

The authorities sentenced **Tofiq Yagublu**, deputy chair of the opposition Musavat party and a columnist with the opposition daily newspaper Yeni Musavat, to five years in prison also in March 2014, on questionable charges of inciting violence.

Both men were convicted of allegedly instigating violence on January 24, 2013, in the Ismayilli district, about 200 kilometers northwest of Baku. Anti-government riots broke out in Ismayilli when a relative of the local governor drove his car into an electrical pole and then engaged in an altercation with a taxi driver parked nearby. The next day, there were several clashes between police and an angry mob of protesters calling for the governor's resignation. Mammadov traveled to Ismayilli on January 24 to find out firsthand information about the developments there and reported about it on his blog. Yagublu also travelled to Ismayilli separately on the same day on assignment for his newspaper. Amnesty International considers both men to be prisoners of conscience.



**Ilgar Mammadov**

© 2013 Radio Azadliq / RFE/RL



**Tofiq Yagublu**

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**A note to journalists: the Azerbaijani government considers entering Nagorno-Karabakh territory from Armenia, without Baku's official consent, a violation of the sovereignty and territorial integrity, and people who have done so are denied entry to Azerbaijan.**

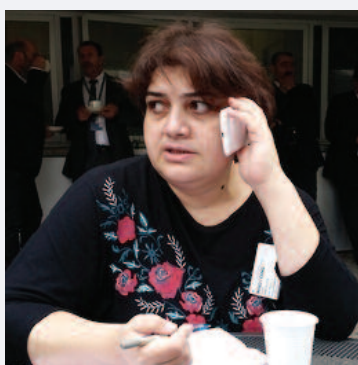
See: "Warning for the Foreign Nationals Wishing to Travel to the Occupied Territories of the Republic of Azerbaijan," Ministry of Foreign Affairs, Republic of Azerbaijan, at <http://mfa.gov.az/?language=en&options=content&id=587> (accessed April 16, 2015).

## HUMAN RIGHTS SITUATION IN AZERBAIJAN

### Crackdown on Human Rights

Since early 2014, the Azerbaijani government has orchestrated an unprecedented campaign to suppress dissenting voices in the country. The government has detained and brought unfounded criminal charges against dozens of civil society activists and journalists, prompting others to flee the country or go into hiding. Authorities use similar charges to go after activists—including narcotics and weapons possession, tax evasion, hooliganism, incitement, and even treason—consistent with the punitive and political nature of the allegations. In 2014 alone, Azerbaijani authorities convicted or imprisoned at least 35 journalists, human rights activists, and political activists.

*A number of these individuals are profiled throughout this report.*



Khadija Ismayilova

© 2014 Human Rights Watch / Giorgi Gogia

Azerbaijan's most well-known investigative journalist and ardent government critic, **Khadija Ismayilova** faces up to 12 years in prison on spurious criminal charges. Ismayilova has worked for Radio Free Europe/Radio Liberty's Baku office since 2008, and has reported extensively on allegations of government corruption, among other things, exposing the business interests of President Aliyev's family. She also publicized cases of politically-motivated prosecutions in Azerbaijan. Ismayilova was arrested in December 2014, pending investigation on charges of allegedly driving someone to attempt suicide. Before her arrest in December 2014, authorities repeatedly interrogated Ismayilova and banned her from foreign travel without legal grounds. In February 2015, the authorities brought additional criminal charges against her, including tax evasion, illegal entrepreneurship, and abuse of power. Ismayilova was the target of an orchestrated smear campaign in 2012, when a video appeared online containing intimate and illegally obtained images of her. Amnesty International considers Ismayilova to be a prisoner of conscience.

### Silencing Journalists and Media Outlets

Officials in Azerbaijan often cite figures pointing to the large numbers of media outlets in Azerbaijan. However, the overwhelming majority of newspapers are owned by the state or by entities close to the government, and most television stations are controlled by the government. The government also controls all broadcast frequencies by appointing the members of the regulatory authority, the National Television and Radio Council.

Defamation and libel are criminal offenses, and the law was expanded in 2014 to include statements made online at social media. For many years, the authorities have brought spurious lawsuits for defamation, libel, and other serious charges against and pressured and harassed especially critical or outspoken journalists, editors, and news outlets. They have also used licensing procedures to harass media outlets, negatively affecting their content or

ability to function properly. In May 2013, President Aliyev approved far reaching amendments to the law on Media and Mass Information allowing the Ministry of Justice to petition a court to close any media outlet that receives foreign funding or is found guilty of defamation twice.<sup>10</sup>

In 2014, at least 10 journalists, bloggers and social media activists were arrested or convicted on spurious charges in apparent retaliation for critical and investigative journalism.<sup>11</sup> Among those currently in detention is Khadija Ismayilova, Azerbaijan's most well-known investigative journalist (see text box).



**Rauf Mirgadirov**

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On April 19, 2014, police arrested **Rauf Mirgadirov**, an outspoken Ankara-based correspondent for the independent Azerbaijani newspapers *Ayna* and *Zerkalo*, at Baku's international airport after he was deported from Turkey, where he had lived with his family since 2010. Mirgadirov had reported on political developments and human rights issues in Azerbaijan and Turkey and often criticized the deteriorating political and human rights situations in both countries. On April 21, 2014, a court ordered Mirgadirov remanded to pretrial custody pending an investigation on espionage charges. The charges stem from Mirgadirov's participation in 2008-2009 in nongovernmental initiatives in Armenia.



**Seymur Haziyeu**

© 2015 Azadliq Newspaper

A leading columnist with the opposition paper *Azadliq* (Liberty) and an anchor for the pro-opposition television channel *Azerbaijan Saati* (Azerbaijan Hour, based in Turkey), **Seymur Haziyeu** was convicted on spurious hooliganism charges and sentenced to five years in prison in January 2015. In August 2014, Haziyeu was assaulted by a man he did not know near his house and defended himself by hitting the man with a bottle he was holding. The police quickly appeared and arrested the journalist, charging him with "hooliganism committed with a weapon or an object used as a weapon." The Azerbaijani government previously detained Haziyeu for long periods and Haziyeu alleged he was tortured while in detention. Government authorities have repeatedly warned him to stop criticizing Azerbaijan President Ilham Aliyev. Authorities have brought similar bogus hooliganism charges against activists and journalists who were assaulted by unknown persons and then filed a complaint with the authorities about the incident.

Local radio broadcasts of key international news services on FM frequencies, including BBC and Radio Free Europe, were banned in 2009. Several leading newspapers came under pressure in 2014. A major opposition newspaper, *Azadliq*, suspended publishing in 2014 because of financial problems caused by the government-backed distributor. The independent Azerbaijani newspapers *Ayna* and *Zerkalo* were forced to stop publishing in print also in 2014, shortly after the arrest of Rauf Mirgadirov, one of the newspapers' leading correspondents, on trumped-up treason charges (see text box).<sup>12</sup>

In December 2014, Baku police and prosecutors raided the local office of Radio Free Europe/Radio Liberty [Radio Azadliq], interrogated employees, seized equipment and files, and sealed off the premises. The Radio Azadliq office remains sealed. Its Baku bureau chief, Babek Bakirov, was stopped in the Baku airport in February 2015, denied exit from the country, and told he was under a travel ban.<sup>13</sup>



**Intigam Aliyev**  
© 2013 Daniel Janik / RFE/RL

One of Azerbaijan's most well-known and respected lawyers, **Intigam Aliyev** was sentenced to seven and a half years in prison on politically motivated charges of tax evasion, illegal business activities, embezzlement and abuse of authority on April 22, 2015. Aliyev heads the nongovernmental group, Legal Education Society, has litigated human rights cases in domestic courts, and has represented hundreds of applicants before the European Court of Human Rights. Many believe his August 2014 arrest is retaliation for his human rights work and his criticism of Azerbaijan's poor rights record internationally, including at the Council of Europe. Authorities have sealed his office shut, effectively closing one of the few groups that provided pro bono legal aid to those challenging human rights violations. Amnesty International declared Aliyev a prisoner of conscience and reported in November 2014 that Aliyev's health in detention was failing and he was in need of proper healthcare.

### Arrests and Imprisonment of Independent Activists

In recent years the Azerbaijani authorities have detained and prosecuted numerous leading human rights defenders and civic activists on politically motivated charges. Many face similar or identical charges, often related to financial crimes, highlighting the political and punitive nature of the prosecutions. Dozens of other activists have fled the country or gone into hiding fearing arrest on similar charges. Most of their organizations have been forced to

suspend work or close altogether. These activists variously worked in a range of fields and on a range of topics including: media freedom, election monitoring, protection of property rights, workers' rights, legal aid, youth activism, interethnic understanding, government accountability and transparency.



**Rasul Jafarov**  
© 2014 Aziz Karimov

The head of 'Human Rights Club', a group the authorities persistently refused to register, **Rasul Jafarov** has been in detention since August 2014 on politically motivated charges of tax evasion, abuse of power, illegal business activities, and embezzlement. On April 16, 2015 Jafarov was convicted to six and a half years in prison. Jafarov had planned a "Sport for Rights" campaign to raise awareness about politically motivated imprisonment and other human rights abuses in Azerbaijan in the period before the European Games, which Azerbaijan will host in June 2015. Jafarov has led several similar campaigns, including the "Sing for Democracy" campaign ahead of the Eurovision Song Contest held in Azerbaijan's capital, Baku, in May 2012. Together with several partner organizations, Jafarov had been compiling a comprehensive list of victims of politically motivated prosecutions in Azerbaijan and pressing for their release. Amnesty International considers Jafarov a prisoner of conscience.



**Leyla Yunus** is the Director of the Institute for Peace and Democracy, an organization that has focused on combating politically motivated prosecutions, corruption, violence against women, and unlawful evictions. Authorities arrested Leyla Yunus in July 2014 and her husband, **Arif Yunus**, a well-known historian, in August 2014 on charges of treason, tax evasion, and illegal entrepreneurship. Their pretrial custody was extended to five months on February 18, 2015. Neither Leyla nor Arif has been questioned since their arrests, highlighting the punitive nature of their detention.



Leyla Yunus  
© 2013 Aziz Karimov



Arif Yunus  
© 2014 Radio Azadliq / RFE/RL

Leyla Yunus suffers from severe diabetes and kidney problems and requires medication, a special diet, and food at specific intervals. Her lawyers and relatives have raised concern that her health has deteriorated severely and that she is not receiving appropriate medical care. Arif Yunus suffered two heart attacks in 2014 and is also ailing in custody. Amnesty International considers both Leyla and Arif Yunus to be prisoners of conscience.

## Attacking Independent Organizations

### *Draconian Laws to Restrict Independent Groups*

Numerous restrictive laws enacted in 2014 gave the authorities greater power to prosecute non-governmental groups on charges of tax evasion, large-scale fraud, forgery of documents, and illegal business activity. The amendments also introduced new administrative offenses, higher financial and criminal penalties for minor infractions, and new grounds for authorities to deny registration and to temporarily or permanently close local and international groups. Dozens of independent domestic and international NGOs in Azerbaijan have been unable to register in recent years due to excessive bureaucratic requirements and deliberate delays in registration on the part of the authorities. As a result, many worked without registration, making them vulnerable to government harassment.

## Attacks on Domestic Organizations

In 2014 the authorities froze the bank accounts of at least 50 independent organizations and in some cases the accounts of organization leaders and staff, as part of ongoing criminal investigations against several foreign donors [see below]. In some cases, authorities also aggressively searched groups' offices, interrogated staff, confiscated equipment and materials and questioned relatives and neighbors. Some authorities warned staff members to stop their criticism of the government and encouraged them to work with the government or government-linked organizations instead. Among the organizations targeted are those that work on media freedom, election monitoring, the rule of law, and promoting public debate, as well as organizations focused on government transparency and accountability.

Among the groups targeted is the Institute for Reporters' Freedom and Safety (IRFS), a leading independent media monitoring organization. In early August 2014, the authorities refused to let the organization's director, Emin Huseynov, travel to Turkey for medical treatment. A few days later, authorities raided IRFS's office, interrogated staff, confiscated computers, and sealed the office shut. Fearing arrest, Huseynov sought refuge in the Swiss Embassy in Baku, where he remains. He also faces trumped-up criminal charges related to financial crimes.

Head of a leading election monitoring group, **Anar Mammadli** was convicted in May 2014 on bogus tax-related charges and sentenced to five-and-a-half years in prison. Mammadli's organization, the Election Monitoring and Democracy Studies Center (EMDS), has exposed election fraud and politically motivated arrests and prosecutions in Azerbaijan since 2001. In October 2013, the center monitored Azerbaijan's presidential election and concluded that it was neither free nor fair. On October 27, 2013, about a week after the center published its preliminary post-election report, the prosecutor general's office opened an investigation into the group for receiving foreign funding without governmental approval. Four days later, officials searched its office, confiscating equipment, financial documents, and material and findings that were needed for the final election monitoring report, preventing its publication. They also arrested Mammadli on charges of tax evasion and abuse of office, related to operating an unregistered group. Since 2009, the authorities repeatedly denied EMDS's multiple attempts to register. Amnesty International considers Mammadli to be a prisoner of conscience.



**Anar Mammadli**

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### *Cutting Off International Funding and International Organizations*

Given the lack of independent sources of domestic funding, most NGOs are highly dependent on foreign sources of funding. In November 2014, President Aliyev signed extremely regressive laws on nongovernmental groups, requiring government licensing of foreign donor organizations and government approval for each awarded grant. This effectively stripped independent groups of any funding.

Also in 2014 Azerbaijan's general prosecutor's office launched numerous criminal investigations into international donors and international organizations, including those providing grants to independent organizations working on human rights, rule of law, transparency, accountability and other issues. The groups targeted include Oxfam UK, the European Endowment for Democracy, the US-funded German Marshall Fund, and the National Endowment for Democracy, among others, forcing them to cease operations in the country.

### *Stamping Out Public Protest*

In recent years, the Azerbaijani authorities have impeded peoples' ability to engage in peaceful public protests. Following Arab Spring protests in the Middle East and North Africa in early 2011, youth groups in Azerbaijan used social media to call for protests. The Azerbaijani government responded to the protests by dispersing unsanctioned but peaceful rallies by using excessive force at times. Police detained hundreds of people and dozens were prosecuted on misdemeanor or criminal charges.<sup>14</sup> Similarly, in the months leading up to Baku's 2012 Eurovision Song Contest final, both uniformed and plainclothes police forcefully detained protesters for gathering to chant various slogans. In the period of one week, three peaceful anti-government demonstrations were broken up by the police.<sup>15</sup>

Most recently, on April 5, 2015 several hundred opposition activists gathered in Baku to protest against rising prices and economic problems.<sup>16</sup> Baku police summoned the organizers the day before the rally and warned them to cancel the gathering. At least three activists from the opposition Popular Front Party were detained after the rally and sentenced to administrative detentions of 20 to 30 days, on charges of hooliganism and resisting police.<sup>17</sup>



Ilkin Rustemzadeh

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**Ilkin Rustemzadeh** is a member of the Azad Genchlik (Free Youth) youth political movement. On May 6, 2014, the Baku Grave Crimes Court sentenced him to eight years in prison on bogus charges related to an alleged plan to instigate violence at a March 2013 protest in Baku that the authorities violently dispersed. The authorities initially arrested Rustemzadeh on hooliganism charges for his alleged involvement in creating a “Harlem Shake” video. The minute-long video was posted in February 2013 and shows several young men performing a comedy sketch, several seconds of it sexually suggestive, accompanied by a short excerpt from the song “Harlem Shake,” which went viral on YouTube in 2013.

Rustemzadeh was arrested and charged along with seven other youth political activists from opposition movement NIDA (“exclamation mark” in Azeri), who were also convicted and sentenced to six to eight years in prison. The investigations and legal processes in the cases against Rustemzadeh and the other activists were marred by numerous irregularities, violations of due process, and allegations of serious human rights abuses. During the trial, at least three

activists alleged that police had beaten them while they were in National Security Ministry custody, but the prosecutor’s office failed to effectively investigate the allegations. In 2014, President Aliyev pardoned four NIDA activists, two of whom wrote repenting letters to the president. Amnesty International considers Rustemzadeh to be a prisoner of conscience.

### Torture and Ill-treatment in Police Custody

Torture and ill-treatment of people in police detention and prison is a serious problem, reported by both domestic and international observers. For example, in May 2014, police arrested opposition activist Kemale Benenyarli at a protest rally following the conviction of activists from “NIDA,” a youth organization. She alleged that police struck her several times on the head while questioning her. According to her lawyer, Benenyarli sustained several bruises on her head and experienced headaches and vomiting as a result. The Interior Ministry denied the allegations and failed to investigate.

Several youth activists arrested in late 2013 and 2014 alleged that they were beaten, harassed, and forced to sign incriminating confessions while in police custody. They also complained of undue restrictions in accessing their lawyers. For example, blogger Abdul Abilov was able to meet his lawyer only six days after his arrest and alleged that he had been punched, insulted, and threatened with further violence until he agreed to sign incriminating testimony. Authorities failed to conclusively investigate the allegations of ill-treatment.<sup>18</sup>

In September 2014, the United Nations Office of the High Commissioner for Human Rights’ Subcommittee on the Prevention of Torture (SPT) suspended its visit to Azerbaijan, citing official obstruction in visiting places of detention.<sup>19</sup>

During a subsequent visit in April 2015, the SPT reported unhindered access, but found that Azerbaijan did not guarantee “all fundamental legal and procedural safeguards to persons deprived of their liberty, including access to a lawyer, a medical doctor, and to contact his or her family” and called on the government to “enhance prevention of torture and other ill-treatment.”<sup>20</sup>

## EUROPEAN OLYMPIC COMMITTEES AND THE EUROPEAN GAMES

The European Olympic Committees (EOC) is the official organizer of the European Games. The EOC is a non-profit association of National Olympic Committees (NOCs) from 50 countries across Europe. Patrick Hickey is its president. The EOC established the European Games in 2012 with the goal of “spreading...Olympic ideals as defined by the I.O.C. Charter” through Europe.<sup>21</sup> The European Games are not an Olympic event, but are owned, co-organized and regulated by the EOC. The European Games are scheduled to take place every four years and are part of the qualifying rounds for the Olympic Games.<sup>22</sup>

Azerbaijan is the first country to host the European Games, which will be held in the capital, Baku, from June 12-28, 2015. The inaugural event will feature more than 5,000 athletes from 50 European countries participating in 20 sporting events. Azerbaijan media reports that the government has spent over US\$917m on the construction of sports facilities for the 2015 European Games. The government is also paying for all teams' travel and accommodation costs.

### Mission and Role of the EOC

The mission of the EOC is to promote Olympism throughout Europe in accordance with the ideals outlined in the Olympic Charter, including:

- To ensure the celebration of the European Olympic Games every four years;
- To act against any form of discrimination affecting the Olympic Movement;
- To encourage and support the promotion of women in sport at all levels;
- To encourage and support responsibility for environmental issues and to promote sustainable development; and
- To promote a positive legacy to host cities and host countries.

### Media Coverage of the Games

- The EOC takes all necessary steps in order to ensure the fullest coverage by the different media;
- All decisions concerning the coverage of the European Olympic Games by the media are at the discretion of the EOC; and
- Media coverage of the European Olympic Games should spread and promote the principles and values of Olympism.

### Mission and Role of the National Olympic Committees (NOCs)

The mission of the NOCs is to develop, promote, and protect the Olympic Movement in their respective countries. Their role is:

- To promote the fundamental principles and values of Olympism;
- To ensure the observance of the Olympic Charter in their countries; and
- To take action against any form of discrimination and violence in sport.



### The “Fundamental Principles of Olympism”:

- The Olympic movement seeks to create a way of life based on social responsibility and respect for universal fundamental ethical principles;
- Olympism promotes a peaceful society concerned with the preservation of human dignity and the development of humankind;
- The practice of sport is a human right. Every individual must be allowed to practice sport, without discrimination of any kind; and
- Any form of discrimination with regard to a country or a person on grounds of race, religion, politics, gender or otherwise is incompatible with belonging to the Olympic Movement.

### What is the Olympic Charter?

The Olympic Charter acts as a “constitution” or rulebook for the Olympic Games and the Olympic Movement: it sets out principles that should be obeyed. The charter contains the fundamental principles of Olympism and the rules and bylaws adopted by the International Olympic Committee (IOC). The charter regulates the way in which the organization functions and establishes the conditions for the celebration of the Olympic Games and other events held under the auspices of the Olympic movement, such as the European Games.

Human rights organizations have used the charter to hold the IOC accountable and to demand that host countries meet benchmarks for compliance with human rights principles and with the Olympic Charter.

To read the Olympic Charter, please visit:

[www.olympic.org/Documents/olympic\\_charter\\_en.pdf](http://www.olympic.org/Documents/olympic_charter_en.pdf)

### Historic Olympic Reforms

In 2014 the International Olympic Committee (IOC) undertook reforms to respond to ongoing controversy about human rights abuses by Olympic host countries, including ahead of and during the 2008 Summer Games in Beijing and the 2014 Winter Olympics in Sochi. IOC reforms establish that host city contracts will be made public, and that the National Olympic Committee (NOC) and the Organizing Committee for the Olympic Games (OCOG) will “take all necessary measures to ensure that development projects necessary for the organization of the Games comply with local, regional and national legislation, and international agreements and protocols, applicable in the host country with regard to planning, construction, protection of the environment, health, safety, and labour laws.”<sup>23</sup> They will apply to future Olympic host countries, starting with the 2022 Summer Games, whose host will be chosen in July 2015. With these reforms, future Olympic host countries and cities are contractually required to respect their international and domestic human rights commitments, including concerning freedom of expression, non-discrimination, and labor rights.

# AZERBAIJAN'S INTERNATIONAL PARTNERS

## Summary

The European Union, United States, and other international and regional actors and institutions have expressed concern about politically motivated prosecutions and the broader government crackdown underway in Azerbaijan, but, with the exception of the Extractive Industries Transparency Initiative (EITI), have yet to impose concrete consequences for the government's rapidly deteriorating human rights record.

### *European Union*

Cooperation between the EU and Azerbaijan, particularly in the energy field, has flourished over the years, leading to closer economic and political ties but not to improved governance and human rights in Azerbaijan.<sup>24</sup> The EU is currently negotiating a Strategic Partnership Agreement with Azerbaijan, after the Azerbaijani government some time ago made clear it was not interested in an Association Agreement with the EU, the framework for closer relations being pursued by the EU with the other countries in the region. Azerbaijan rejected the proposed EU Association Agreement, which included goals for progress and reform in the areas of respect for democracy, the rule of law, and human rights.<sup>25</sup> Very few details about the draft Strategic Partnership Agreement are available, making it unclear if and how closer cooperation between Brussels and Baku under this framework is linked to the rule of law and human rights.

Although the EU has spoken out about individual cases and other human rights concerns in Azerbaijan,<sup>26</sup> member states and EU leadership have yet to respond collectively to the government's escalating crackdown, and its implications for the country's relations with the EU. Nor has the EU expressly linked closer relations with Azerbaijan to concrete human rights improvements, despite calls to this effect made by the European Parliament. In its strongly worded September 2014 resolution, the Parliament stressed that the EU's closer ties with Azerbaijan should be conditioned on the release of imprisoned human rights defenders and called for an "end to repression and intimidation of NGOs."<sup>27</sup>

Following the arrests of prominent activists in 2014, then-EU High Representative Catherine Ashton and then-EU Enlargement Commissioner Štefan Füle jointly criticized Baku for "systematically restricting the space for public discourse and civil society in Azerbaijan."<sup>28</sup> Following the conviction of activist Rasul Jafarov in April 2015, a statement by the European External Action Service (EEAS) noted that the six and a half year sentence "appears

harsh and disproportionate to the alleged offences on which it is based" and called for an "unbiased process" for Jafarov's appeal.<sup>29</sup> The EEAS issued a similar statement after the conviction of human rights lawyer Intigam Aliyev, also in April 2015.<sup>30</sup>

Despite the EU's commitment to protecting human rights defenders,<sup>31</sup> the EU's special representative for human rights Stavros Lambrinidis did not use his February 2015 visit to Baku to publicly mark concern about the crackdown and call for the release of unjustly imprisoned human rights defenders, journalists and activists. In April 2015, the new EU Commissioner for Enlargement and European Neighborhood Policy Johannes Hahn visited Baku to discuss the EU's strategic partnership with the Azerbaijani government. He also did not publicly raise human rights concerns or call for releases.

### *Council of Europe*

The Council of Europe is Europe's leading human rights body and oversees the implementation of the European Convention on Human Rights. Azerbaijan has been a member since 2001. Azerbaijan assumed the rotating role as chair of the Council's highest decision-making body, the Committee of Ministers, from May to November 2014, at the same time that the government forged ahead with its unprecedented crackdown on critics and civil society at home.

The Parliamentary Assembly of the Council of Europe (PACE) periodically assesses Azerbaijan's compliance with the Council of Europe accession commitments through a dedicated monitoring procedure. In a January 2013 resolution on Azerbaijan's fulfillment of its obligations, PACE concluded that "the combination of the restrictive implementation of freedoms with unfair trials and the undue influence of the executive results in the systemic detention of people who may be considered prisoners of conscience."<sup>32</sup>

The Council of Europe Commissioner for Human Rights, Nils Muiznieks, has spoken out repeatedly to mark his growing

concern about the worsening rights situation in Azerbaijan, and called on the authorities to reverse course. In a series of recent interventions before the European Court of Human Rights, the Council of Europe's judicial body, Muiznieks has shared his authoritative and highly critical assessment of the government's systematic persecution of critical voices. In an intervention on behalf of human rights lawyer Intigam Aliyev, convicted in April 2015 to seven and a half years in prison on politically-motivated charges, Muiznieks concluded:

There is a clear pattern of repression in Azerbaijan against those expressing dissent or criticism of the authorities. This concerns particularly human rights defenders, but also journalists, bloggers and other such activists, who may face a variety of criminal charges which defy credibility. Such charges are largely seen as an attempt to silence the persons concerned and are closely linked to the legitimate exercise by them of their right to freedom of expression.<sup>33</sup>

### *United States*

The US-Azerbaijan bilateral relationship focuses on strengthening democracy, developing an open economy, and ensuring regional security, given Azerbaijan's strategic location to Iran and other countries. The US and Azerbaijan have signed a trade agreement and investment treaty.<sup>34</sup> The US State Department and the embassy in Baku have issued statements raising concerns about restrictions on freedom of expression and assembly and politically motivated imprisonments. On April 16, 2015, the State Department issued a statement calling on the Azerbaijani authorities "to release Mr. Jafarov and others incarcerated in connection with exercising their fundamental freedoms," and that "[d]oing so would strengthen the country's long-term stability and our bilateral relationship."<sup>35</sup>

### *Extractive Industries Transparency Initiative (EITI)*

EITI is an international effort to promote better governance of resource-rich countries by fostering open public debate about how oil, gas, and mining revenues are used. EITI rules for candidates and participating countries require respect for fundamental freedoms.<sup>36</sup> A country's adherence to the rules is verified periodically through a formal "validation" review. In October 2014 the EITI board obligated Azerbaijan to undergo an early validation check concerning the "unacceptable" situation for civil society.<sup>37</sup>

On April 14, 2015, EITI announced that it had downgraded Azerbaijan's standing from a "compliant" country to a "candidate" country due to the need for "further work...to

ensure that civil society in Azerbaijan can participate in the EITI in a meaningful way."<sup>38</sup> It is the first time EITI has taken this step against any country. If Azerbaijan doesn't take "corrective action" within a year, it risks suspension from EITI. The validation report concluded that "there is a need to ensure that a diversity of voices within civil society voices are allowed to be expressed, within and beyond the MSG [multi-stakeholder group]."<sup>39</sup> The MSG is a group comprised of government, business, and civil society representatives that oversees the implementation of EITI within a country.

The Azerbaijani government has often highlighted its participation in EITI as a sign of international prestige.<sup>40</sup> Azerbaijan is a founding member of the global initiative, was the first member to be rated as a "compliant" country, following its 2009 review, and the government holds a seat on the EITI international board.

### *International Monetary Fund (IMF)*

The IMF has raised concerns about the government spending of oil and gas earnings. In particular it has criticized the high levels of public investment in construction and other projects and highlighted "concerns over resource waste" given "insufficient assurances of efficiency."<sup>41</sup> In a statement following an October 2014 visit to Azerbaijan, the IMF stated that "broadening the coverage of anti-corruption programs" is essential for developing Azerbaijan's economy.<sup>42</sup>

### *Asian Development Bank (ADB)*

Azerbaijan has been a member of the Manila-based ADB since 1999, and has received more than US\$1.5 billion in ADB funds to invest in infrastructure.<sup>43</sup> On May 2-5 2015, the ADB hosted its 48<sup>th</sup> annual meeting in Baku, with more than 3,000 representatives from governments, civil society, business, and the media in attendance.<sup>44</sup> The ADB has recognized the importance of participation and accountability for effective development, but has yet to criticize Azerbaijan on its rights record.

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