

HUMAN RIGHTS WATCH

Avenue des Gaulois, 7
1040 Brussels, Belgium
Tel: + 32 (2) 732-2009
Fax: + 32 (2) 732-0471

**HRW.org**

Brussels, May 4, 2015

Dear High Representative Mogherini,

We are writing to convey our profound concern about Azerbaijan's brutal, sweeping crackdown on civil society and human rights work, and to urge you to provide the necessary leadership to forge a robust, principled and coordinated response by the European Union (EU) and its 28 member states.

The EU has largely stood by as Azerbaijan has forged ahead with the most devastating clampdown on human rights in its 24 years of post-Soviet independence. With the notable exception of the European Parliament, the EU's voice in the face of Baku's relentless repression has amounted to little more than occasional statements about individual cases.

The EU and its member states have yet to mount a firm, collective response to Baku's shocking trajectory, and articulate a clear, common stance on its implications for the country's relations with the EU – something the European Parliament also called for. Such a common position, committing all member states and EU institutions to a single, coherent policy approach vis-à-vis Azerbaijan, is acutely needed to exert maximum pressure on Baku to end its crackdown and release those it has imprisoned on wrongful charges.

Azerbaijan's human rights record, long marked by repression and abuse, reached crisis levels in the past year, with the authorities imprisoning most of the country's leading human rights defenders and journalists on politically-motivated charges, and driving others into exile or hiding; freezing the bank accounts of independent civic groups and their leaders (including those funded by the EU's European Endowment for Democracy); denying them access to funds by refusing to register foreign grants; and adopting new, draconian legislation that has made it all but impossible to carry out independent human rights work in the country. Taken together, these developments have fundamentally transformed Azerbaijan's human rights landscape, to the point that it must now be considered through the lens of a closed country. Indeed, in late March, our senior researcher covering Azerbaijan was barred from entering the country, the first time in Human Rights Watch's long history of working on Azerbaijan that we were denied access.

The shocking, but sadly predictable, unfounded convictions and jailing of leading human rights defenders in recent weeks should spur the EU into long overdue action: on April 16, Rasul Jafarov, a well-known outspoken human rights activist, was sentenced to 6.5 years in prison, and a week later Intigam Aliyev, among Azerbaijan's most prominent and respected human rights lawyers, was sentenced to 7.5 years. Statements by the EU rightly raised questions about the legality of these rulings but failed to call for the two men's convictions to be set aside as unsound and for their immediate release. The EU's unequivocal position should be that these activists ought never have been imprisoned in the first place, and should be unconditionally released.

At least [35 others](#) are similarly behind bars on bogus charges. They include Leyla Yunus, a veteran of Azerbaijan's human rights movement and her husband, [Arif Yunus](#), a well-known historian; [Khadija Ismayilova](#), a leading investigative journalist; and [Anar Mammadli](#), the head of an independent election monitoring group.

The imprisonment of most of Azerbaijan's high-profile human rights defenders, journalists and other independent voices has come in the lead-up to the inaugural European Games, which Baku will host in June. The human rights leaders arrested in recent months had planned to use the games to draw international attention to abuses and secure tangible human rights improvements.

Indeed, the weeks leading up to Baku's hosting of the Games focus the international spotlight on Azerbaijan and provide a unique opportunity for the EU and its member states to collectively press Baku to release wrongfully imprisoned human rights defenders, lawyers and journalists and to take other steps to rectify its abysmal record.

The Azerbaijani government is determined to use the games to boost the country's global standing and President Aliyev's personal prestige. It is difficult to underestimate how profoundly the Azerbaijani leadership values the expected images of President Aliyev, flanked by European government dignitaries in his capital city, presiding over the opening of a major international sports event. From this the Azerbaijani leadership no doubt expects to reap political benefits, at home and abroad, for years to come. For this reason the government is likely to be extremely eager for EU member states to commit to sending high-level government delegations to the opening of the Games.

We urge you to seize this moment by supporting and actively working to secure a strong and unified response by the EU and its member states to the appalling state of human rights in Azerbaijan. This response should challenge President Aliyev's apparent calculation that the imprisoning of human rights defenders, peaceful activists, and government critics will come at no price. Such a response should:

- Make clear that no EU member state will be sending high level government delegations to the opening ceremonies of the European Games in Baku unless those wrongfully imprisoned are unconditionally released and the crackdown underway is brought to an end.
- Underscore in the strongest possible terms the EU's and its member states' collective concern about the government's crackdown, and call on Baku urgently to reverse course. Specifically, the EU should press the government of Azerbaijan to release, immediately and unconditionally, all those wrongfully imprisoned and drop the politically motivated charges against them; end its crackdown on civil society and human rights work, including by unfreezing bank accounts of NGOs and their staff, and allowing civil society organizations to receive foreign funding without unnecessary restrictions; and repeal recently adopted legislation that further restricts rules for foreign funding of NGO work.
- Make clear that the prevailing situation is wholly unacceptable and that it cannot be business as usual until the government takes the above steps. In practice, this approach would involve putting on hold negotiations toward a "Strategic Partnership Agreement" which the EU has been pursuing with Azerbaijan until Baku heeds these calls. Any future advancement in relations between the EU and Azerbaijan should be clearly linked to concrete measures on the part of the government to improve its abysmal record including the release of imprisoned activists, lawyers and journalists.

The EU has repeatedly pledged to place human rights at the core of its relations with third countries and stand up for those who defend human rights and rule of law. When adopting the

EU's Strategic Framework for Human Rights and Democracy in June 2012, EU foreign ministers pledged that the EU will continue [“to throw its full weight behind advocates of liberty, democracy and human rights throughout the world,”](#) and in June 2014, they promised to “intensify” the EU’s “political and material support to human rights defenders and step up its efforts against all form of reprisals.” It is time for the EU and its 28 member states to give these welcome pledges practical meaning by applying them in a firm, principled and committed policy approach to Azerbaijan.

Thank you for your prompt attention to this pressing matter.

Sincerely,

Lotte Leicht
EU Director
Human Rights Watch

Hugh Williamson
Director, Europe and Central Asia Division
Human Rights Watch