

350 Fifth Avenue, 34th Floor
New York, NY 10118-3299
Tel: +1-212-290-4700
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, *Executive Director*

DEPUTY EXECUTIVE DIRECTORS

Michele Alexander, *Development and Global Initiatives*
Carroll Bogert, *External Relations*
Iain Levine, *Program*
Chuck Lustig, *Operations*
Bruno Stagno, *Advocacy*

Dinah PoKempner, *General Counsel*
James Ross, *Legal and Policy Director*

DIVISION AND PROGRAM DIRECTORS

Brad Adams, *Asia*
Daniel Bekele, *Africa*
Alison Parker, *United States*
José Miguel Vivanco, *Americas*
Sarah Leah Whitson, *Middle East and North Africa*
Hugh Williamson, *Europe and Central Asia*

Joseph Amon, *Health and Human Rights*
Shantha Rau Barriga, *Disability Rights*
Peter Bouckaert, *Emergencies*
Zama Coursen-Neff, *Children's Rights*
Richard Dicker, *International Justice*
Bill Frelick, *Refugees' Rights*
Arvind Ganesan, *Business and Human Rights*
Liest Gertholtz, *Women's Rights*
Steve Goose, *Arms*
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

ADVOCACY DIRECTORS

Philippe Boloïon, *United Nations, New York*
Maria Laura Canineu, *Brazil*
Kanae Doi, *Japan*
Jean-Marie Fardeau, *France*
Meenakshi Ganguly, *South Asia*
Tiseke Kasambala, *Southern Africa*
Lotte Leicht, *European Union*
Sarah Margon, *Washington DC*
David Mepham, *United Kingdom*
Wenzel Michalski, *Germany*
Elaine Pearson, *Australia*
Juliette de Rivera, *United Nations, Geneva*

BOARD OF DIRECTORS

Hassan Elmasry, *Co-Chair*
Joel Motley, *Co-Chair*
Wendy Keys, *Vice-Chair*
Susan Manilow, *Vice-Chair*
Jean-Louis Servan-Schreiber, *Vice-Chair*
Sid Sheinberg, *Vice-Chair*
John J. Studzinski, *Vice-Chair*
Michael G. Fisch, *Treasurer*
Bruce Rabb, *Secretary*
Karen Ackman
Jorge Castañeda
Tony Elliott
Michael E. Gellert
Hina Jilani
Betsy Karel
Robert Kissane
Kimberly Marteau Emerson
Oki Matsumoto
Barry Meyer
Aoife O'Brien
Joan R. Platt
Amy Rao
Neil Rimer
Victoria Riskin
Graham Robeson
Shelley Rubin
Kevin P. Ryan
Ambassador Robin Sanders
Javier Solana
Siri Stolt-Nielsen
Darian W. Swig
John R. Taylor
Amy Towers
Marie Warburg
Catherine Zennström

February 6, 2015

Takehiko Nakao
President
Chairperson, Board of Directors
Asian Development Bank (ADB)
Headquarters: 6 ADB Avenue
Mandaluyong City 1550
Metro Manila
Philippines

Cc: Ms. Ma. Carmela Locsin, Director General, RSDD
Mr. Bart Edes, Director, Poverty Reduction, Social Development and
Governance Division, RSDD

Re: Annual Meeting in Baku

Dear President Nakao,

We write to you ahead of the Asian Development Bank's annual meeting in Baku, Azerbaijan, this May. We welcome the ADB's recognition of the importance of participation and accountability for effective development. In light of the bank's commitment to these important principles, we write to share with you deeply disturbing developments in Azerbaijan and to recommend key steps that the ADB should take ahead of the annual meeting in Baku to respond to these developments.

In less than two years, the government of Azerbaijan has drastically closed space for civil society in the country and escalated repression against its critics. In the past year alone, the authorities have arrested or convicted dozens of people on spurious charges, including leading civil society activists and journalists, frozen the bank accounts of independent nongovernmental groups and their leaders, denied them access to funds by refusing to register foreign grants, and adopted legislation that has almost entirely closed the space for the work of independent groups.

Throughout 2014, the authorities used a range of spurious charges—including narcotics and weapons possession, tax evasion, hooliganism,

HUMAN
RIGHTS
WATCH

HRW.org

incitement, and treason—to convict or imprison at least 34 civil society leaders, journalists, and bloggers, prompting others to flee the country or go into hiding.¹

In addition, following the prosecutor’s request, courts have frozen bank accounts of at least 50 organizations and in some cases accounts of staff, as part of ongoing criminal investigations against several foreign donors. Tax offices audited many of those groups, and the prosecutor’s office repeatedly interrogated their staff. Three of the most established large human rights groups have been forced to close, and numerous others had to halt operations as they could no longer make bank transactions. In December, police and prosecutors also raided the office of Radio Free Europe/Radio Liberty in Baku, questioned employees, seized equipment and files, and sealed off the premises. It remains closed.

The authorities also initiated legislative changes further restricting work of independent groups. In November 2014 President Ilham Aliyev signed into law amendments requiring government licensing of all foreign donors and approval of each funded project by the relevant authorities, practically cutting off all funding opportunities for groups that work to hold the government accountable.

In light of the serious and escalating situation for civil society within the country, and the integral role that nongovernmental organizations and the media play in supporting participation in development and accountability, we urge you to:

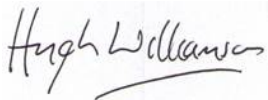
- Raise the ADB’s concerns about this situation with the government of Azerbaijan at its highest levels, emphasizing the important role that independent groups and the media play in development.
- Take all necessary measures to ensure that all independent groups can participate in the ADB annual meetings, without fear of reprisals. Identify these necessary measures in close consultation with independent groups.

¹ Among those imprisoned are several Azerbaijani nongovernmental organization leaders such as Leyla Yunus, director of the Institute for Peace and Democracy, and her husband, Arif Yunus, arrested in July and August, respectively, and charged with treason, tax evasion, and illegal entrepreneurship. Those held also include Rasul Jafarov, Human Rights Club director, and Intigam Aliyev, head of the Legal Education Society – both arrested in August and charged with tax evasion, illegal entrepreneurship, and abuse of authority. On December 5, the authorities arrested Khadija Ismayilova, Azerbaijan’s most high-profile investigative journalist, ordering her to be held for two months in pretrial custody, pending investigation on questionable charges of allegedly driving someone to attempt suicide.

In addition to being an important meeting for the Bank, hosting the ADB's annual meeting is viewed as a prestigious opportunity for countries. If you are not able to work with the government to ensure that independent groups can meaningfully and freely participate in the upcoming annual meetings without fear of reprisals, then the ADB should not hold its annual meeting in Baku.

We look forward to your response to this letter and welcome an opportunity to discuss these issues with you or your staff.

Sincerely,



Hugh Williamson
Director
Europe & Central Asia Division
Human Rights Watch



Jessica Evans
Senior Advocate on International Financial Institutions
Business and Human Rights Division
Human Rights Watch