

Azerbaijan

The Azerbaijani government escalated repression against its critics, marking a dramatic deterioration in its already poor rights record. The authorities convicted or imprisoned at least 33 human rights defenders, political and civil activists, journalists, and bloggers on politically motivated charges, prompting others to flee the country or go into hiding. Authorities froze the bank accounts of independent civic groups and their leaders, impeded their work by refusing to register foreign grants, and imposed foreign travel bans on some. Many of those detained complained of ill-treatment in police custody. Many organizations, including several leading rights groups, were forced to cease activities.

The crackdown continued even as Azerbaijan in May took over the six-month rotating chairmanship of the Committee of Ministers of the Council of Europe, Europe's foremost human rights body.

While criticizing the increasing crackdown on civil society groups, Azerbaijan's international partners failed to make full use of their relationships with the government to secure rights improvements.

Prosecuting Government Critics

Authorities used a range of spurious charges—including narcotics and weapons possession, hooliganism, incitement, and even treason—to imprison critics. These included several leading human rights defenders such as Leyla Yunus, director of the Institute for Peace and Democracy, and her husband, Arif Yunus, arrested in July and August, and charged with treason, tax evasion, and illegal entrepreneurship. They also included Rasul Jafarov, Human Rights Club director, and Intigam Aliyev, head of the Legal Education Society—both of whom were arrested in August and charged with tax evasion, illegal entrepreneurship, and abuse of authority. All were in pretrial custody at time of writing.

In May, a court convicted eight youth opposition movement activists who were arrested in 2013 on drug and other charges related to an alleged plan to instigate violence at a peaceful protest, and sentenced them to prison terms ranging from six to eight years; the president pardoned two of them in October after they wrote letters of repentance. At trial, at least three said they were beaten in police custody, but the authorities failed to effectively investigate.

In March, a court sentenced Ilgar Mammadov, a prominent political analyst and chairman of the opposition group REAL, and Tofiq Yagublu, deputy chair of the opposition Musavat party and a columnist with the opposition daily *Yeni Musavat*, to seven and five years in prison, respectively. Both were found guilty of inciting violence. In May, the European Court of Human Rights found that the authorities had arrested Mammadov “to silence or punish [him] for criticizing the Government.”

In January, a court sentenced Yadigar Sadigov, a Musavat advisor, to six years in prison on spurious hooliganism charges. An appeals court reduced the sentence to four years. In August, authorities arrested Murad Adilov, an opposition Popular Front Party activist, on spurious drug charges. Adilov’s lawyer claimed that his client had been beaten in police custody. Authorities failed to effectively investigate. Also in August, police arrested Khagani Mammad, a Musavat activist, on criminal hooliganism charges after he complained of being attacked by two unknown women in a street. Both were in pretrial custody at time of writing.

Freedom of Media

At least 10 journalists, bloggers, and social media activists were arrested or convicted in 2014 on spurious charges in apparent retaliation for critical and investigative journalism.

In April, authorities arrested Rauf Mirgadirov, an outspoken Ankara-based correspondent for two independent Azerbaijani newspapers, after he was unlawfully deported from Turkey. At time of writing, Mirgadirov was in pretrial custody on espionage charges stemming from his participation in people-to-people diplomacy between Armenia and Azerbaijan.

In May, a court convicted Parviz Hashimli, editor of a news website and a reporter for the opposition daily *Bizim Yol*, on smuggling and illegal weapons possession and sentenced him to eight years in prison.

In August, police arrested Seymour Hazi, a columnist with the opposition daily *Azadlig*, on spurious hooliganism charges after an unidentified man assaulted him near his house. A court remanded him to pretrial custody.

In 2014, authorities arrested or convicted at least six Facebook and other social media activists on bogus drug possession charges. They were: Abdul Abilov, Omar Mammadov, Elsever Murselli, Ilham Muradov, and Faraj and Siraj Karimli. All had large social media followers and administered Facebook pages that criticized the government.

Courts sentenced Abilov, Mammadov, and Murselli to between five and five-and-a-half years in prison, while the others remained in pretrial custody at time of writing. None had access to a lawyer of his choosing during initial interrogations or remand hearings, and at least three complained of ill-treatment in police custody, which authorities failed to effectively investigate. An appeals court reduced Murselli's sentence to two years after he wrote a letter of apology, and was released in October following a presidential pardon.

Authorities repeatedly interrogated Khadija Ismayilova, an outspoken investigative journalist reporting on government corruption, including the businesses of the ruling family, as a witness to an investigation into leaking state secrets. In October, authorities imposed a foreign travel ban on Ismayilova without providing any legal grounds for it. Pro-government media continued the public smear campaign against her that they had begun in 2012.

The opposition paper *Azadlig* continued to face financial constraints due to mounting defamation claims brought by officials, frozen bank accounts, and government-imposed restrictions on distribution.

Freedom of Association

In February, President Ilham Aliyev signed into law amendments imposing additional restrictions and requirements on nongovernmental groups (NGOs). Most are minor but can

serve as grounds for penalties, official warnings, and eventually temporary or permanent closure. The amendments also introduced new administrative offenses, higher financial and criminal penalties for other minor infractions, and new grounds for authorities to deny registration and to temporarily or permanently close local and international groups.

In November, Aliyev signed into law further restrictive amendments requiring government licensing of all foreign donors and approval of each funded project by the relevant authorities.

Following prosecutors' requests, 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 and organizations. Tax offices audited many of those groups, and the prosecutor's office repeatedly interrogated their staff. At least three groups closed, and numerous others had to halt operations as they could no longer make bank transactions. These problems forced dozens of groups involved in an international natural resource transparency initiative to suspend operations.

In August, police searched the office of the Institute for Reporters Freedom and Safety (IRFS), a leading media monitoring group, confiscated computers and reports, and sealed the office. Authorities repeatedly questioned IRFS employees and prevented its director, Emin Huseynov, from leaving the country. He remained in hiding at time of writing.

Also in August, authorities confiscated computers and documents of the Legal Education Society and sealed the office. Headed by Intigam Aliyev, the group had brought hundreds of cases against Azerbaijan to the European Court of Human Rights. The Prosecutor's Office also sealed the office of Leyla Yunus's organization.

Torture and Ill-Treatment

Torture and ill-treatment continue with impunity. In September, the United Nations Subcommittee on Torture suspended its visit to Azerbaijan, citing official obstruction in visiting places of detention. In May, 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. Interior Ministry denied the allegations and failed to investigate.

Several youth activists arrested in 2014 claimed 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 November 2013 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.

Human Rights Defenders

In addition to the cases described above, in March, police in Ganja arrested Hasan Huseynli, a social rights campaigner and head of an independent group, on hooliganism charges after an unknown person attacked him. In July, a court convicted him and sentenced him to six years in prison. Months before his arrest, police and local authorities had warned Huseynli to stop co-operating with foreign donors. Huseynli was released in October, following a presidential pardon.

In May, a court convicted Anar Mammadli, chair of an independent election monitoring group in Azerbaijan, of tax evasion, illegal entrepreneurship, and abuse of office, and sentenced him to five-and-a-half years in prison. Together with Mammadli, the court convicted Bashir Suleymanli, the group's executive director, and Elnur Mammadov, head of one of the group's partner organizations, and sentenced them to three years and six months and two years on probation, respectively.

In April and May, police arrested Emil Mammadli, and Tofiq Gasimov, head and member, respectively, of an independent group in southeastern Azerbaijan that exposed allegations of local corruption. Both were accused of extortion. In September, a court handed them a two-year suspended sentence.

In August, unidentified assailants attacked Ilgar Nasibov, a journalist and human rights defender with the Nakhchivan Resource Center, the only independent rights group in the region. The attackers beat Nasibov unconscious and ransacked the group's office. He

sustained a concussion, multiple broken bones, and temporary loss of vision in one eye. Police claimed that Nasibov was injured after brawling with his friend, Farid Asgarov, which Nasibov denied. Police arrested Asgarov, who pleaded guilty at a trial. Although Nasibov insisted there was more than one assailant, he agreed to reconcile with Asgarov and did not pursue the case further. The court dismissed the cases against both men in November.

Isa Shahmarly, former chair of the Free (Azad) LGBT group, hanged himself with a rainbow flag in his Baku apartment in late January 2014, writing in a note that Azerbaijan society was “not for him.”

Key International Actors

The European Union, United States, and other international and regional actors and institutions expressed concern about politically motivated prosecutions, but did not impose concrete consequences for Azerbaijan’s rapidly deteriorating human rights record.

Following the arrests of prominent rights defenders, three United Nations human rights experts in August issued a joint statement condemning the prosecutions and urged the government “to show leadership and reverse the trend of repression.” Responding to the same, EU High Representative Catherine Ashton and Commissioner Stefan Fule jointly criticized Baku for “systematically restricting the space for public discourse and civil society in Azerbaijan.” In September, the European Parliament adopted a resolution stressing that the EU’s closer ties with Azerbaijan should be conditioned on the release of imprisoned human rights defenders and calling for an “end to repression and intimidation of NGOs.”

The Organization for Security and Co-operation in Europe’s special representative on media freedom, and the Council of Europe’s (CoE) secretary general and human rights commissioner also spoke out about the arrests, with the latter calling on the authorities to release “all those who are detained because of the views they expressed.” In June, the CoE’s Parliamentary Assembly appointed a rapporteur on the issue of political prisoners in Azerbaijan.

The Extractive Industries Transparency Initiative (EITI)—which brings together governments, companies, and NGOs to foster open public debate in resource-rich countries about how

oil, gas, and mining revenues are used—decided to require Azerbaijan to undergo an early review, by January 2015, of its compliance with the group’s membership rules.

The US State Department and the embassy in Baku issued several statements on related issues during 2014, flagging concerns about restrictions on freedom of expression and assembly and politically motivated imprisonment.