

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

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## **Critical human rights situation in Azerbaijan further worsening ahead of 2015 election**

The parliamentary elections in Azerbaijan on 1 November are taking place against the backdrop of severe repression of independent, critical voices and longstanding restrictions on the ability of opposition political parties to participate freely fully in public debate and electoral processes.

Elections in Azerbaijan have been consistently marred by a crackdown on the rights to freedom of expression and peaceful assembly in recent years. The last parliamentary election, in 2013, was preceded by a series of arrests of civil society and political activists, including youth activists, in an evident attempt by the authorities to restrict criticism against the government and suppress visibility of political contenders of government-supported candidates. Since then, civil society in Azerbaijan has faced a further major assault by the authorities, with virtually all outspoken human rights defenders and several prominent government critics, including human rights lawyers, arrested and imprisoned under trumped-up charges.

There are currently no fewer than 20 individuals in Azerbaijan whom Amnesty International regards prisoners of conscience, people who have been deprived of their liberty solely for peacefully exercising their right to freedom of expression. They are individuals who have challenged the government's policies or criticised senior officials and politicians, or attempted to help victims of human rights violations.

### **Attacks on NGOs and Political Parties**

Independent human rights organizations have found themselves under particularly egregious attacks in recent times. Almost all independent NGOs - around 20 of them - have been forced to shut down, their offices have been sealed and their bank accounts frozen after criminal proceedings were instigated by the authorities. At the same time, leaders of the most prominent human rights organisations have either been arrested or had to flee the country to avoid persecution.

Political parties, while still allowed to nominally exist, have been effectively prohibited or prevented by the authorities from operating in the public space or even carrying out basic political activities. They are not represented in the Parliament and are prevented from carrying out electoral campaigns, meeting with the public or attempting to recruit new members.

Political parties in Azerbaijan that try to provide an alternative to the current government are routinely denied access to public space, rendering them invisible to the public, and face repeated obstacles to securing premises from which they can run their operations. Methods used by the authorities against such groups around the country range from pressure on the owners of the venues which they had rented, or attempted to rent, to the denial of venues for holding public events, and harassment of their members and their families.

Azerbaijan Popular Front Party (APFP), one of the opposition parties in Azerbaijan, has been evicted from rented offices several times. On 3 March 2014, after receiving threats, the APFP's two storey building headquarter was rocked by a blast. The next day, the party was forced to leave the property. Without any prior assessment or justification, authorities alleged

that the building was structurally unsafe, and immediately began its demolition. The explosion has not been effectively investigated, and those responsible have not been identified. The owner of the property told Amnesty International that he had previously come under pressure from the authorities to evict the APFP and received threats that fire or an explosion might occur at the property if he did not do so.<sup>1</sup> The APFP had been without a central office since 2007, when it was forcibly evicted from its headquarters in central Baku.

Political parties and other opposition groups have also been deprived of access to the mainstream media, including television and radio, which are government-owned or effectively government-controlled. Leaders of such groups have repeatedly told Amnesty International that air time is plainly denied to them by the respective media outlets. According to the Freedom House 2015 report, “the political opposition has virtually no access to coverage on television, which remains the most popular source for news and information in Azerbaijan”.<sup>2</sup>

At the same time, senior party leaders are routinely harassed, including through arrests under trumped up charges, leaving political parties without leadership and discouraging less senior party members from putting their heads above the parapet.

The Republican Alternative (REAL) movement has been the target of harassment and repression ever since it was founded in 2008. In 2013, the authorities detained the head of REAL, Ilgar Mammadov, and its board member Rasul Jafarov, also a human rights defender who coordinated the “Sing for Rights” campaign during the 2012 Eurovision Song Contest in Baku. Both were later convicted and sentenced to lengthy prison terms on trumped up charges.<sup>3</sup>

Persecution and harassment against them has continued even after their conviction. Ilgar Mammadov recently complained of a severe beating in prison. According to his lawyer, on 16 October Mammadov was summoned to the prison guard’s office, where he was beaten by the head of prison and two prison guards. Mammadov told his lawyer that they knocked him down and proceeded to kick and punch him. The head of the prison again threatened Mammadov and said to him that he would not come out of prison alive. When the lawyer visited his client the next day, he saw the injuries and bruises on Mammadov’s neck and head.

Ilgar Mammadov previously communicated to Amnesty International that he had been subjected to constant threats and pressure from the prison administration to ask for presidential clemency. Notably, he remains in prison despite a ruling by the European Court of Human Rights (ECHR)<sup>4</sup> and a resolution by the Committee of Ministers of the Council of Europe implement the Court’s decision and release him immediately.<sup>5</sup>

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<sup>1</sup> For details, see Amnesty International, *Azerbaijan: Opposition party loses HQ after explosion and sees seven members arrested within 2 weeks*. 7 March 2014, available at <file:///intsec.amnesty.org/data/users/dkrivosh/Downloads/eur550012014en.pdf>.

<sup>2</sup> Freedom House “Azerbaijan. Freedom in the World 2015” available at: <https://freedomhouse.org/report/freedom-world/2015/azerbaijan>

<sup>3</sup> Amnesty International, *Azerbaijan: the repression games: the voices you won't hear at the first European Games*, June 2015. Available at: <https://www.amnesty.org/en/documents/eur55/1732/2015/en/>

<sup>4</sup> See European Court of Human Rights, “Bringing Convention Standards Closer to Home: Case-law translations project supported by the Human Rights Trust Fund. Beneficiary state: Azerbaijan”, 25 November 2014, available at [http://www.echr.coe.int/Documents/HRTF\\_Cases\\_list\\_Azerbaijan\\_ENG.pdf](http://www.echr.coe.int/Documents/HRTF_Cases_list_Azerbaijan_ENG.pdf)

<sup>5</sup> See: Council of Europe. Interim Resolution [CM/ResDH\(2015\)156](https://www.coe.int/t/e/resolutions/CM/ResDH(2015)156) Execution of the judgment of the European Court of Human Rights Ilgar Mammadov against Azerbaijan. Available at: <https://wcd.coe.int/ViewDoc.jsp?id=2361903>

Yadigar Sadigov and Tofiq Yagublu, two deputy chairs of Musavat, another major political party, are also serving lengthy sentences, following politically motivated trials in which they were convicted under trumped up charges.<sup>6</sup>

Persecution has extended to other party members of Musavat with significant public profiles. Two other prisoners of conscience, young activist and popular blogger Faraj Karimov, and his brother Sirah Karimov, also a Musavat member, have been convicted under false charges and sentenced to six and six-and-a half years in prison, respectively. Faraj Karimov was the administrator of the largest Azeri-language page on Facebook which had 300,000 subscribers before it was closed down following his arrest in July 2013.

#### **Harassment of activists, bloggers and journalists.**

Other critical voices in Azerbaijan who have sought to express themselves through any public forum, including independent off-line and on-line media, have also been subjected to harassment and persecution. Among them are several members of the pro-democracy youth movement NIDA, including popular bloggers and online activists (of the ten NIDA activists imprisoned under false charges in May 2014, all of them prisoners of conscience, six still remain in prison).<sup>7</sup> Another prisoner of conscience, who has been behind bars since December 5, 2014 is the journalist Khadija Ismayilova. On 26 December 2014, the offices of Radio Free Europe/Radio Liberty's Azerbaijani service, where Khadija worked, were raided and sealed off by members of the Prosecutor's Office without official explanation. Documents and other equipment was confiscated.<sup>8</sup> More recently, the director and other employees of Meydan TV, an internet-based independent media Azeri-language outlet which provides critical reporting on human rights, corruption and other issues, have come into the firing line.

On 16 September 2015, police apprehended 19 year-old Meydan TV reporter, Shirin Abbasov, on his way to the university. He was held incommunicado for two days while his family and his lawyer were denied any contact with him. On September 17, Shirin Abbasov was sentenced to 30 days of administrative detention for allegedly resisting police, and released after he had served his sentence.

Also on 16 September, another freelance journalist and Meydan TV contributor, Aytaj Ahmadova, was detained by plainclothes officers from the Department for Combating Organised Crime. She was questioned for five hours about Meydan TV's activities, funding and management, before being released without charges. On 18 September, police searched the flat of another Meydan TV reporter, Javid Abdullayev, seizing his computers and cameras.

Meydan TV has gained prominence for its reports and online broadcasts on corruption, human rights and other issues, which have been widely used by the international media, particularly during the European Games held in Baku on 8-26 June, at the time when several human rights monitors, critical international observers and reporters were barred from the country.<sup>9</sup> On 28

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<sup>6</sup> Amnesty International. *Azerbaijan: Guilty of Defending Rights: Azerbaijan's Human Rights Defenders and Activists Behind Bars*. 4 March 2015 Available at: <https://www.amnesty.org/en/documents/eur55/1077/2015/en/>

<sup>7</sup> These are Abdul Abilov, Rashadat Akundov, Mammad Azizov, Rashad Hasanov, Omar Mammadov, and Ilkin Rustamzade. See details in Amnesty International, *ibid*.

<sup>8</sup> Amnesty International Report 2014. *Republic of Azerbaijan*. Available at: <https://www.amnesty.org/en/countries/europe-and-central-asia/azerbaijan/report-azerbaijan/>

<sup>9</sup> Human Rights Watch. *Azerbaijan: Rights Group Representative Refused Entry. March 31, 2015*. Available: <https://www.hrw.org/news/2015/03/31/azerbaijan-rights-group-representative-refused-entry>  
See also: Amnesty International. *Azerbaijan: Pre-Election Attack on Freedom of Expression under Way as Amnesty Staff Deported*. 7 October 2015. Available at: <https://www.amnesty.org/en/press-releases/2015/10/azerbaijan-deported-staff-press-release/>

June, immediately following the Games, Meydan TV's Director, Emin Milli, reported that he had received threats from the Azerbaijani authorities for his team's critical reporting. The same day, Meydan TV crew Ayten Alakbarova, Şirin Tire Abbasov, Natiq Cavadli and Elnur Muxtar were stopped at the border while traveling to Georgia, and informed by border officials that they were under a "travel ban". They were not allowed to leave the country.

In July, the authorities arrested two relatives of Emin Milli. His brother-in-law, IT consultant Nazim Agabeyov, was apprehended by police officers on 23 July as he left home to go to work. The same day, he was charged with selling drugs and remanded for four months pending the investigation and trial. Several days later, on 27 July, Emin Milli's cousin, Polad Abdullayev was arrested in unknown circumstances but released afterwards. He was released shortly before a number of Emin Milli's relatives published a letter on 30 July addressed to the President of Azerbaijan in which they repudiated Milli for his "subversive activities" and his hostility towards the Azerbaijani state and its government.

Two other Meydan TV employees, Gunel Movlud and Aytaj Ahmadova, also reported that their relatives were threatened and fired from their jobs because of their critical reporting and their work for Meydan TV.

While reporting from within Azerbaijan has become virtually impossible for Meydan TV members due to the intensified harassment against its members, some journalists have continued reporting from abroad on critical issues in Azerbaijan. The authorities' response has been to harass members of their families who have remained in the country.

On 13 October, police detained two brothers of writer and Meydan TV editor Gunel Movlud. Her brothers, Vakil and Raji Imanovs, were detained at the same time but in two different regions of Azerbaijan. One was arrested in Sumgayit, a town near Baku and the other in Bilasuvar, a city in Southern Azerbaijan. Police claimed that they had had intelligence that the two brothers had drugs, and that after their arrests cannabis was discovered on both of them. Vakil and Raji Imanovs now stand accused of drug trafficking, and if convicted, will face between three and five years' imprisonment. According to Gunel, her brothers' arrest are an attempt of intimidation by the authorities for her critical writings and her cooperation with Meydan TV. Shortly after the two brothers' arrest, their mother made a public statement in which she renounced Gunel's work.

Amnesty International has documented cases of drugs being planted on political activists to ensure their arrest and criminal prosecution, together with pressure on their family members.

Relatives of another outspoken journalist in exile, and a former prisoner of conscience Ganimat Zahid, who runs Turkey-based TV SAAT available in Azerbaijan via satellite broadcast and online, have also suffered the same fate. Ganimat Zahid was the editor-in-chief of Azadliq, a major opposition newspaper, when he was imprisoned in 2007 for four years under trumped up charges of hooliganism. He fled the country upon his release in 2011.

On 19 July 2015, Ganimat Zahid's nephew Tural Zahidov was given 30 day administrative detention for allegedly resisting police. Ganimat Zahid's cousin, Rovshan Zahidov, and another nephew, Rufat Zahidov, were arrested separately two days later. Rovshan was sentenced to 25 days of administrative detention, also for allegedly resisting police orders, while Rufat has been charged with drugs possession and is currently in pre-trial detention.

While the crackdown on the rights to freedom of expression and association is reaching new levels in Azerbaijan, the country has also effectively become off limits to international human rights monitors and other observers. Human Rights Watch and Amnesty International have been denied entry into Azerbaijan since March and June respectively, and their delegates were

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deported on separate occasions.<sup>10</sup> Ahead of this year's election, the Organisation for Security and Cooperation in Europe's election monitoring body, Office for Democratic Institutions and Human Rights (ODIHR), cancelled its mission to Azerbaijan on account of the Azerbaijani authorities' restrictions imposed on them. In September, Azerbaijan cancelled the planned visit by the European Commission to the country, after the European Parliament called on its government to free imprisoned human rights defenders.

The Azerbaijani authorities must fully respect the country's human rights obligations. In particular, the authorities must immediately and unconditionally release all prisoners of conscience, and stop the harassment and persecution political activists, journalists, and civil society activists, including human rights defenders. The authorities must also thoroughly and independently investigate all cases of harassment and intimidation, including those officials alleged to have fabricated evidence to support trumped-up criminal charges, and ensure that those responsible are brought to justice.

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<sup>10</sup> *ibid*