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No Holds Barred: Azerbaijan's Unprecedented Crackdown on Human Rights

By Rebecca Vincent, London

Abstract

In 2014, the Azerbaijani authorities worked more aggressively than ever before to silence all forms of criticism and dissent. The crackdown reached alarming new lows between May and November, during Azerbaijan's Chairmanship of the Council of Europe Committee of Ministers. This article provides an overview of the most significant violations of the year, and examines what made the crackdown unprecedented.

The Highs and Lows of 2014

In many ways, 2014 was a big year for Azerbaijan. President Ilham Aliyev settled into his third term in office. Officials began preparing for the first European Games, to be held in Baku in June 2015. A major regeneration project continued in Baku, aiming to give the capital a more modern and glamorous appearance. For the first time, the country assumed political leadership of the Council of Europe, serving as the Chairman of the Committee of Ministers from May to November.

But behind these headlines lie some disturbing truths. Aliyev's re-election was marred by widespread electoral fraud, and followed by the persecution of his political opponents and election monitors who dared to report the violations. Ahead of the European Games, authorities worked to silence those who might have shown the international public a side of the country they would prefer to keep hidden. The regeneration project has been accompanied by widespread property rights violations, as thousands of families have been forcibly evicted. And the Council of Europe Chairmanship coincided with the worst human rights crackdown in Azerbaijan to date.

Indeed, in 2014, the Azerbaijani authorities engaged in an unprecedented crackdown on human rights and fundamental freedoms, aggressively targeting journalists, bloggers, human rights defenders, and political activists—anyone who dared to criticize or oppose the government. By the end of the year, many of the country's most prominent critics had been jailed, driven from the country, forced into hiding, or broken into submission.

A Year of Serious Repression

During 2014, the fundamental rights to freedom of expression, assembly, and association came under serious attack in Azerbaijan. Parliament adopted further regressive legislation affecting the ability of independent NGOs to operate, and cutting off their main sources of funding. Public officials and their supporters continued to target critical journalists and media outlets with excessive civil defamation cases. Opposition political parties

remained unable to function normally due to unfair conditions imposed by authorities, and opposition leaders and their families faced extensive persecution.

But perhaps the most significant human rights development was the acceleration of cases of political arrest and imprisonment. The beginning of the year was marked by the pursuit of cases linked to the October 2013 presidential election. On 17 March, the opposition Republican Alternative (REAL) movement's would-be presidential candidate Ilgar Mammadov was convicted on spurious charges of inciting violent protest and sentenced to seven years in prison. On 6 May, eight young Azerbaijani activists involved with organizing a series of peaceful protests were convicted on a range of trumped-up charges and sentenced to between six and eight years in jail. On 26 May, election monitors Anar Mammadli and Bashir Suleymanli were convicted on spurious charges of tax evasion, illegal entrepreneurship, and abuse of office, and sentenced to five and a half years and three and a half years in prison, respectively.

As Azerbaijan settled into its Chairmanship of the Council of Europe, the crackdown at home intensified. Between 30 July and 8 August, prominent human rights defenders Intigam Aliyev, Rasul Jafarov, Arif Yunus, and Leyla Yunus were all arrested on politically motivated charges including tax evasion, illegal entrepreneurship, abuse of office, and treason. A number of other human rights defenders were forced to flee the country or hide out of fear for their safety.

At the same time, authorities conducted audits of both local and international NGOs, investigating them on trumped-up criminal charges, and reportedly freezing the bank accounts of at least 50 organizations. As a result, international organizations such as IREX, the National Democratic Institute, and Transparency International, closed their Baku offices.

Many of the most active local human rights NGOs were also forced to close. On 8 August, authorities searched the office of the Institute for Reporters' Freedom and Safety and seized all of its equipment. They returned to seal the office on 11 August, forcing the orga-

nization to cease its activities. Under similar pressure, the Media Rights Institute announced its closure on 15 August. The Human Rights Club, the Institute for Peace and Democracy, and the Legal Education Society were also effectively closed when their leaders were arrested.

Authorities also continued arresting critical journalists and bloggers, as well as opposition political activists. By the end of the year, local groups reported there were as many as 100 cases of political prisoners. This included at least eight journalists, seven bloggers and social media activists, and eight human rights defenders.

Violence against journalists also continued, with full impunity for the attackers. Nakhchivan-based journalist Ilgar Nasibov was particularly brutally attacked on 21 August by a group of then-unknown assailants in his office, where he was found unconscious. Nasibov sustained serious injuries from the attack, including a concussion, broken bones in his face and ribs, and loss of vision in one eye.

In a final assault on freedom of expression during the year, on 5 December, Radio Free Europe/Radio Liberty (RFE/RL) investigative journalist Khadija Ismayilova was arrested on charges of allegedly driving a former coworker to attempt suicide. Then on 26 December, authorities searched and closed the Baku office of RFE/RL—one of the country's few remaining independent media outlets—in connection with a trumped-up criminal case.

The Unprecedented Nature of the Crackdown

Although widespread human rights violations have taken place in previous years in Azerbaijan, what made the 2014 crackdown truly unprecedented was the acceleration of violations in such a short space of time, the manner in which they were conducted, and the prominence of those targeted. The crackdown took place with the apparent full confidence of officials that they would not be held accountable for the violations, and that the crackdown would not significantly damage Azerbaijan's international relations. Those targeted included the leaders of the country's most daring human rights organizations, the most courageous journalists, and the most creative youth activists. Instead of making examples of a select few as in previous years, authorities seemed intent on removing a whole generation of civil society leaders.

It is also worth noting that the worse things became, the more vehemently top officials denied what was taking place. "There are no political prisoners in Azerbaijan" is a refrain that was echoed many times by top officials, including by President Aliyev himself, who also

repeatedly claimed that freedom of expression, assembly, and association, as well as other human rights, were respected in Azerbaijan.

Despite these claims, there is overwhelming evidence to the contrary. Reports published so far on 2014 have shown a drastically deteriorating human rights situation. Human Rights Watch's 'World Report 2015' noted: "The Azerbaijani government escalated repression against its critics, marking a dramatic deterioration in its already poor rights record." Freedom House's 'Freedom in the World 2015' report classed Azerbaijan as 'not free,' adding: "Azerbaijan received a downward trend arrow due to an intensified crackdown on dissent, including the imprisonment and abuse of human rights advocates and journalists." Reporters' Without Borders '2015 World Press Freedom Index' ranked Azerbaijan as number 162 out of 180 countries, noting: "It was a bad year in Azerbaijan, which registered one of the biggest falls in score of any country in the index." The Committee to Protect Journalists included Azerbaijan in its list of the top 10 worst jailers of journalists in 2014.

International human rights experts were similarly united in their statements on Azerbaijan during the year. On 15 May, OSCE Representative on Freedom of the Media Dunja Mijatovic stated: "There are now more than 10 members of the media in prison in Azerbaijan, convicted or awaiting trial, which is the highest number in that country my Office has observed since it was established."

On 24 November, Council of Europe Human Rights Commissioner Nils Muižnieks posted on Facebook: "Most countries chairing the organisation, which prides itself as the continent's guardian of human rights, democracy and the rule of law, use their time at the helm to tout their democratic credentials. Azerbaijan will go down in history as the country that carried out an unprecedented crackdown on human rights defenders during its chairmanship."

He added:

"The Council of Europe's primary friends and partners in the country have almost all been targeted. While this pains me deeply, it also makes practical cooperation between Azerbaijan and the Council of Europe extremely difficult."

The Council of Europe was not the only body to experience difficulties in its relationship with Azerbaijan. In an unusually obstructive move, in September, Azerbaijani authorities refused to cooperate with the United Nations Subcommittee on Prevention of Torture during its mission to the country. The delegation was forced to suspend its visit, citing "official obstruction." The subcommittee's 17 September statement explained:

“The delegation was prevented from visiting several places where people are detained and was barred from completing its work at other sites, despite repeated attempts to do so and assurances of unrestricted access to all places of deprivation of liberty by Azerbaijani authorities.”

The statement added that this constituted “serious breaches of Azerbaijan’s obligations under the Optional Protocol.”

European politicians began to comment on the escalation of violations in the country. On 18 September, the European Parliament adopted a resolution ‘on the persecution of human rights defenders in Azerbaijan,’ referring to the “major escalation of government repression, pressure and intimidation directed at NGOs, civil society activists, journalists and human rights defenders taking place in recent months.” On 30 September, the Parliamentary Assembly of the Council of Europe Committee on Legal Affairs and Human Rights adopted a statement noting concern that “during Azerbaijan’s chairmanship of the Committee of Ministers, within the space of a few weeks, four prominent, respected civil society activists have been placed in pre-trial detention on trumped-up charges related to their activities.”

By the end of the year, senior Western government officials were forced to acknowledge the gravity of the human rights situation in Azerbaijan. In an 18 December interview with RFE/RL, U.S. Assistant Secretary of State Tom Malinowski said:

“At this point, we are having very serious discussions with the Azeri government on this subject at high levels, they know our views, and they understand that the kind of relationship they want to have with the United States, that they have had with the United States over the years

since Azerbaijan became independent, is jeopardized by this crackdown on civil society, which frankly, we cannot understand.”

A Bleak Prospect for the Year Ahead

So far in 2015, the crackdown shows no signs of abating. On 15 and 16 January, the trials of human rights defenders Rasul Jafarov and Intigam Aliyev began, and have already been marred by procedural irregularities and due process violations. On 26 January, human rights defender Gunay Ismayilova was attacked by an unknown assailant outside her home in Baku. On 29 January, journalist Seymur Hezi was convicted on trumped-up hooliganism charges and sentenced to five years’ imprisonment.

On 3 February, President Aliyev signed a law making it easier for authorities to shut down media outlets. On 11 February, it was made public that human rights defender Emin Huseynov had been in hiding at the Swiss Embassy in Baku since August 2014, prompting the Ministry of Foreign Affairs to announce that he was wanted on criminal charges similar to the other detained human rights defenders. On 13 February, detained journalist Khadija Ismayilova’s lawyer announced that more serious charges had been filed against her, meaning she now faces up to 12 years’ imprisonment.

Indeed, as Azerbaijan prepares to host the European Games in June, and with parliamentary elections approaching in November, the authorities seem more determined than ever to continue silencing the country’s dwindling few critics. Until the international community finds a way to put meaning behind words, and takes action to hold the authorities accountable in a tangible way, these violations seem destined to continue.

About the Author

Rebecca Vincent is a human rights activist and former U.S. diplomat posted to Baku. She has worked with a wide range of international and Azerbaijani human rights and freedom of expression organizations. She has published widely on human rights issues in Azerbaijan for outlets including Al Jazeera English, Index on Censorship, Radio Free Europe/Radio Liberty, and The Foreign Policy Centre, a London-based think tank where she is a Research Associate.