

A

FULL-THROTTLE ATTACK ON HUMAN RIGHTS

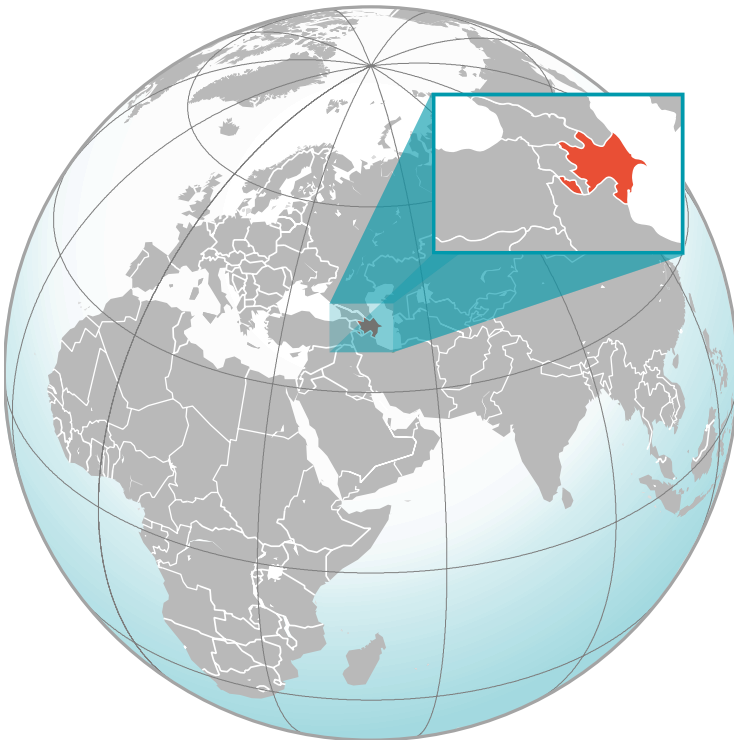
WHAT REPORTERS COVERING
THE F1 BAKU GRAND PRIX SHOULD KNOW

JUNE 2016



SPORT
FOR
RIGHTS

ARTICLE19



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INTRODUCTION

ON 17 – 19 JUNE 2016, Azerbaijan's capital city Baku will host the Formula 1 Grand Prix of Europe. Attracting global attention, the race provides an opportunity for journalists covering it to increase awareness of the dire human rights situation in Azerbaijan and highlight the need for reform.

This is the first time that Azerbaijan will hold the F1 Grand Prix; however, this oil and gas-rich state has previously played host to other flagship sport and cultural events, including the inaugural European Olympic Games in 2015 and the Eurovision Song Contest in 2012. These events form part of an elaborate public relations campaign waged by the Azerbaijani government, seeking to portray itself as a democratic country – and a good prospect for foreign investment. Accompanied by a policy of wooing European parliamentarians and officials, President Ilham Aliyev's autocratic regime hopes to use such events to hide the country's appalling human rights record and divert attention from its ongoing crackdown against civil society and independent media.

Since the Arab Spring in 2011, which awakened fears of uprisings at home, there has been a significant deterioration in the human rights situation in the country. In 2014, the Azerbaijani government, renowned for its corruption, launched a renewed assault on fundamental freedoms, seeking to silence all critical voices within the country. To this end, the government has:

Imprisoned human rights defenders, journalists, bloggers, activists and opposition politicians on false charges, forcing remaining critical or oppositional voices to either cease operations or go into exile.

Cut off all financial resources available to civil society – in addition to freezing the bank accounts of NGOs and their leaders, the authorities have instigated spurious criminal investigations into the activities of a number of independent NGOs, and implicated foreign donors, forcing them to cease financial support to independent civil society.

Adopted restrictive legislation and regulations governing the activities of civil society, enabling the government to exert significant control over NGOs, and effectively prevent independent civil society from legally operating within the country.

Harassed and intimidated independent media outlets, operating both in Azerbaijan and from abroad, leading to the closure of all but a handful of critical outlets.

Allowed a climate of impunity for violence against journalists, with no justice for attacks against journalists, including the murder or death in custody of four journalists since 2005.

Having long turned a blind eye to Azerbaijan's flagrant violations of its human rights commitments, the international community is beginning to take more serious action to address the situation. At the same time, Azerbaijan's economy, one of the most oil-dependent in Eurasia, has taken a major hit from falling global oil prices. Facing an increased need for foreign investment, this has prompted the government to take some positive, but limited steps to improve the situation.

In March 2016, the authorities released sixteen individuals who had been imprisoned on politically motivated charges. However, while the release of political prisoners is welcome, the verdicts have not been quashed and legislation increasing the vulnerability of civil society to such charges remains in place. Moreover, many other individuals remain falsely imprisoned and following the releases, the authorities have detained and brought new charges against their critics.

The release of the prisoners does not demonstrate commitment by the Azerbaijani authorities to abandon its campaign of intimidation and harassment against government critics. Facing severe economic challenges, the Azerbaijan authorities released the prisoners in an effort to whitewash the regime's human rights abuses, without committing to systemic and lasting change. The Grand Prix provides a chance to increase awareness of the dire human rights situation in Azerbaijan, and ensure that international pressure is maintained on the government to meaningfully improve its human rights record, rather than rewarding it for token improvements that can easily be reversed.

SECTION ONE

THE

REGIME



President
Ilham Aliyev
and his wife
Mehriban Aliyeva.

Source:
Wikipedia
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AZERBAIJAN has been led by President Ilham Aliyev since 2003, when his father and predecessor, Heydar Aliyev, stepped down due to ill health at the age of eighty, following a thirty-four year reign. Ilham Aliyev has since been re-elected twice – in 2008 and 2013 – however, both elections violated democratic norms, with both domestic and international observers reporting widespread fraud and other electoral abuses. Moreover, Aliyev has waged an ongoing campaign of intimidation against the political opposition, undermining the ability of anyone to run against him.

None of the main opposition parties ran in the most recent parliamentary elections in 2015, refusing to participate in a grossly unjust electoral system.

Aliyev presides over one of the wealthier countries of the former Soviet Union. Azerbaijan has seen its GDP soar over the past 15 years, rising from US\$5.7 billion in 2001 to US\$75.20 billion in 2014, according to World Bank data,¹ although in recent years, the economy has contracted as global oil prices have fallen.² This boom is thanks to significant investments by international oil and gas companies and export revenue, with oil and gas making up for around 95 percent of total export revenues.³ The revenues from oil and gas have not, however, been shared fairly throughout the country.

Wealth is firmly concentrated in the hands of Azerbaijan's elite, and Aliyev and his family's corrupt practices are well documented. Khadija Ismayilova, an investigative journalist currently serving a seven and a half year jail sentence on false charges, reported extensively on how the Aliyev family and their close friends abused their positions to take over the countries' largest businesses, and award themselves lucrative contracts, enabling them to steal public funds.

The recent Panama Papers leaks further demonstrated the huge wealth that the Aliyev family has amassed through corrupt practices. Using the leaked documents, the International Consortium of Investigative Journalists and the Organised Crime and Corruption Reporting Project (OCCRP), of which Ismayilova is a member, have traced how the Aliyevs established an intricate web of secret companies in overseas tax havens and overseas properties – including in London – in order to hide their ill-gotten gains.⁴

1

The World Bank,
<http://data.world-bank.org/country/azerbaijan>

2

Azerbaijan Partnership Program Snapshot, World Bank Group, Oct 2015, p.2,
<http://pubdocs.worldbank.org/pubdocs/publicdoc/2015/10/409231443709836813/Azerbaijan-Snapshot.pdf>

3

Azerbaijan GDP Annual Growth Rate 2001-2016, Trading Economics, May 2016
<http://www.tradingeconomics.com/azerbaijan/gdp-growth-annual>

4

The International Consortium of Investigative Journalists, 'How Family that Runs Azerbaijan Built an Empire of Hidden Wealth', 04/04/2016
<https://panama.papers.icij.org/20160404-azerbaijan-hid-den-wealth.html>

SECTION TWO

THE

POLITICAL

PRISONERS

SEYMUR
HEZI

ILGAR
MAMMADOV

ILKIN
RUSTEMZADE

AND
MANY MORE

ON 17 MARCH 2016, President Aliyev issued a decree pardoning 148 people, including 15 political prisoners. On the same day, a Baku Court conditionally released journalist Rauf Mirgadirov, who was serving six years in jail on false charges of high treason, commuting this to a five year suspended sentence. A few days later, Intiqam Aliyev, a prominent human rights lawyer, was released from prison following a decision by the Azerbaijan Supreme Court to convert his seven and a half years prison sentence to a five year suspended term. Similarly, at the end of 2015, Leyla and Arif Yunus, human rights defenders imprisoned on various charges related to fraud and treason were conditionally released from jail on health grounds, following an international campaign on their behalf.

While welcome, these releases provide only temporary cause for celebration. Many more government critics remain in jail and the Azerbaijani authorities have not abandoned their aggressive prosecution of journalists, activists, politicians and human rights defenders. On the contrary, more people have been arrested in wake of the release, including youth activists, Bayram Mammadov and Gıyas Ibrahimov, taken into custody in May 2016 on false charges of narcotics possession in May 2016 and now reportedly subject to torture at the hands of the authorities.

Presidential pardons in particular are a common feature of the Azerbaijani justice system and are frequently used in a revolving door manner: a certain number of people are released, before further arrests are made. The pardon does not revoke the original conviction and often prisoners only receive them after writing humiliating pleas to President Aliyev for forgiveness for crimes they did not commit. Meanwhile, those released on suspended sentences continue to face major restrictions, including travel bans, frozen bank accounts and restrictions on their ability to work or run for public office.

"[President] Aliyev is shamelessly trying to use political prisoners as bargaining chips to advance his foreign policy agenda... I am happy — very happy — that some political prisoners have been released. But their fights, and mine, are not over. I am not a toy to be exchanged for diplomatic gain by Baku or Washington so that officials can continue to pretend that it is business as usual. We are hostages of the regime, whether we are inside or outside of prison."

KHADIJA

ISMAYILOVA,

investigative journalist, wrongfully imprisoned since December 2014, March 2016.



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Human Rights
House Foundation

FREE

ILKIN RUSTEMZADE

THE

SOCIAL MEDIA

ACTIVIST

SENTENCED TO 8 YEARS' IMPRISONMENT

MAY 2014

ILKIN RUSTEMZADE, a youth activist and member of Azad Genchlik (Free Youth Organisation), was arrested on charges of hooliganism on 17 May 2013, due to his alleged involvement in a 'Harlem Shake' video filmed in Baku. This was despite the fact that the video has seemingly no political content and Rustemzade is not even featured on-screen.

After his initial arrest, further charges were brought against him, including incitement to violence and organising mass violent disorder, related to an alleged plan to incite violence at a March 2013 protest in Baku. He was held in pre-trial detention for a year, until he was sentenced on 6 May 2014 to eight years' imprisonment.

In April 2013, immediately prior to his arrest, Rustemzade had previously served 15 days administrative detention for participating in an unsanctioned memorial service to mark the four-year anniversary of a shooting at Azerbaijan's State Oil Academy. While in detention, Rustemzade had his head forcibly shaved.

Rustemzade was well known for posting online critical comments about corruption in higher education and government. He was arrested as part of the same criminal investigation in which seven youth activists of the N!DA Civic Movement were arrested and later received sentences ranging from six to eight years. The movement seeks to bring about democratic change in Azerbaijan and is very active on social media, posting frequently satirical posts about democracy, human rights and corruption in the country.



Ilkin Rustemzade

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Azad Fikir
University

FREE

ILGAR MAMMADOV

THE

OPPOSITION

POLITICIAN

SENTENCED TO 7 YEARS' IMPRISONMENT

MARCH 2014

ILGAR MAMMADOV, chairman of the opposition Republican Alternative (REAL) party, potential presidential candidate, and the main opposition to President Aliyev, was sentenced to 7 years in prison in March 2014 for organising mass disorder and resisting arrest.

Between Mammadov's arrest on 4 February 2013 and his conviction over a year later, he was held for more than nine months at a pre-trial detention centre, despite the lack of evidence against him. He was accused of provoking protests that broke out in January 2013, in the province of Ismailli in northwest Azerbaijan. Mammadov maintains that he travelled to the region to observe the protests and played no role in stirring up unrest amongst the local population.

Mammadov's release has been ordered several times by the Council of Europe Committee of Ministers, following a May 2014 ruling on his case by the European Court of Human Rights, which judged his arrest to be politically motivated and a violation of his human rights. Despite this, he remains in jail and in April 2016, his appeal against his conviction was rejected. He has suffered cruel, inhumane and degrading treatment while imprisoned, and was notably subject to a severe beating in October 2015.

Prior to his arrest, Mammadov, a director of the Baku School for Political Studies and outspoken critic of the Aliyev government, had made clear his intention to run as a candidate in the 2013 presidential elections. He also planned to run as candidate in the 2018 elections from his prison cell; however, Azerbaijani state media has reported that the failure of his appeal prevents his participation.

According to his lawyer, Mammadov is regularly asked by prison officials to sign a confession and petition Ilham Aliyev for a presidential pardon, but he has declined on the basis that it would amount to an admission of guilt.



Ilgar Mammadov

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FREE

SEYMUR HEZI

THE

PRO - OPPOSITION

NEWS PRESENTER

SENTENCED TO 5 YEARS IN JAIL

JANUARY 2015

SEYMUR HEZI, journalist and columnist for Azadliq, the main opposition newspaper in Azerbaijan, and news presenter for pro-opposition TV channel Azerbaijan Saati (Azerbaijan Hour), was sentenced to five years imprisonment on 29 January 2015. In August 2014, while waiting for a bus, Hezi was attacked by a man he did not know (later identified as Baku resident Maharram Hasanov). In self-defence, he struck the man with a bottle he was holding at the time.

The journalist, who writes about politics, with a focus on President Aliyev and other Azerbaijani government officials, was swiftly arrested by police who appeared to have been waiting nearby. Hezi was charged with hooliganism committed with a weapon or an object used as a weapon and sent to a pre-trial detention facility. He was sentenced on 29 January 2015, the same day that the Parliamentary Assembly of the Council of Europe (PACE) adopted a resolution to “reiterate the importance of media freedom for democracy,” by increasing the “efforts for the respect of the human rights to freedom of expression and information as well as to the protection of the life, liberty and security of those working for and with the media.”

There is a special irony in this, given that Azerbaijan was then chairing the Council of Europe. Prior to his arrest in August, Hezi had experienced numerous instances of harassment. He was kidnapped in 2005, detained in 2010, and on 26 March 2011 was abducted and beaten while on his way home after work by unknown assailants – who warned him to stop working at Azadliq.

“My grandfathers were purged in 1937. Now we are being purged by a system created by KGB general Heydar Aliyev [late president, succeeded by his son Ilham Aliyev]... Ours is not a struggle between government and opposition, it is a struggle between good and evil.”

SEYMUR HEZI,
during his
closing statement
at his trial,
January 2015.



Seymur Hezi

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RFE/RL

Hezi remains in prison and on 15 April 2016 Azerbaijan's Supreme Court refused his appeal against his conviction. His lawyers now plan to appeal the conviction at the European Court of Human Rights. According to Rahim Hacıyev, the deputy editor of Azadliq, Hezi's health has significantly deteriorated while in prison. In spite of that, he continues to work, smuggling out stories from his cell, and writing about Azerbaijan's recent political history. Some of these articles have been published by Azadliq.

Dozens of others remain in jail alongside Hezi, Mammadov and Rustemzade; however, it is hard to estimate the exact number. Human rights activists documenting the arrests and trials have been harassed or jailed to prevent them gathering this information but suggest that there are currently around 70 political prisoners. Arrests are still ongoing – for example, on 10 May 2016, two youth activists with the pro-democracy NIDA movement, Bayram Mammadov and Gıyas Ibrahimov, were arrested on fabricated drug-related charges for painting political graffiti.

TORTURE AND OTHER ILL TREATMENT OF POLITICAL PRISONERS

Torture and other ill-treatment is widely applied against civil rights defenders in detention, with impunity for those committing it. Youth activists Bayram Mammadov and Gıyas Ibrahimov suffered ill-treatment in May 2016, including beatings at the hands of the police while in police custody.

Azerbaijan has been subject to broad international condemnation for its failure to address torture or ill treatment of detainees and prisoners within the criminal justice system from many prominent organizations, including the UN Committee Against Torture, which has stated:

"The Committee is concerned about numerous and persistent allegations that torture and ill-treatment are routinely used by law enforcement and investigative officials, or with their instigation or consent, often to extract confessions or information to be used in criminal proceedings."



Images from a series of illustrations published by Meydan TV to accompany testimony, published on their site, given by Qiyas Ibrahimov to his lawyer Elcin Sadiqov, about the torture he experienced while in police custody, after his arrest for drawing political graffiti on a statue of Heydar Aliyev in the centre of Baku, the former president of Azerbaijan and the father of the current president Ilham Aliyev.

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Meydan TV





RELEASED



BUT



NOT FREE



OVER THE PAST YEAR, a number of political prisoners have been released, to the relief of their family and friends.

However, despite their release, many former political prisoners still face restrictions and political intimidation. For example, Tofiq Yaqublu, released as part of the March 2016 pardoning decree, was called to the General Prosecutor's office on 15 April, following a series of critical interviews and posts on social media. He was issued with an official warning under article 283 of the Azerbaijani criminal code, incitement to national, racial or religious hatred. The General Prosecutor also raised concerns about allegedly libelous statements disseminated on social media.

While some of those released in recent months have been able to travel abroad, others still face travel restrictions, including journalist, Rauf Mirgadirov and lawyer, Intiqam Aliyev.

RASUL JAFAROV: INITIATOR OF THE SPORT FOR RIGHTS CAMPAIGN

AMONG THOSE released in March 2016 was Rasul Jafarov, sentenced to six and a half years in prison in April 2015 on a range of charges including tax evasion, abuse of power, and illegal entrepreneurship. Jafarov is a prominent Azerbaijani human rights defender who founded the Baku-based Human Rights Club (HRC). He coordinated the well-known campaigns Sing for Democracy, linked to the Eurovision Song Contest hosted in Baku in 2012, and the subsequent Art for Democracy, which aimed to use creative means such as music, writing and illustrations to highlight human rights issues amongst Azerbaijani society.

Immediately prior to his arrest in August 2014, Jafarov launched the Sport for Rights campaign ahead of the 2015 European Olympic Games. Today's Sport for Rights campaign arose out of his initiative, and he continues to campaign for the promotion and protection of human rights in Azerbaijan, despite his history of persecution.

STIFLING

CIVIL SOCIETY

Throughout 2014, the authorities undertook an unprecedented crackdown on civil society. In addition to the politically-motivated arrests outlined above, the Azerbaijani government has sought to prevent civil society from operating by passing a series of increasingly restrictive legislative amendments and policies governing their operations.

INCREASED GOVERNMENT CONTROL: Restrictive amendments were introduced to the Law on Grants, the Law on Non-governmental Organisations, the Law on Registration of Legal Entities and State Registry, and the Code on Administrative Offences. These made it almost impossible for independent NGOs to register in the country, compounding an existing issue of Azerbaijani authorities often refusing registration without explanation and becoming a clear violation of the right to association. Some experts estimate that there are currently approximately 1,000 NGOs unregistered— primarily those working on democracy and human rights – with officials frequently putting forward arbitrary and unreasonable grounds for denial of registration. In December 2015, new rules on NGOs were adopted, enabling the Ministry of Justice to conduct intrusive inspections of NGOs, with few safeguards to protect their rights.

The amendments also provide the government with enormous discretion to dissolve, impose financial penalties on, and freeze the assets for minor infringements of existing laws. Since 2014, several dozen Azerbaijani NGOs have been investigated under an ongoing criminal case, involving major foreign donors and allegations of abuse of office and fraud.

PREVENTING ACCESS TO FUNDING: The legislative amendments introduced new and increasingly complicated procedures for registering financial grants, providing the government with huge discretion to prevent NGOs from registering their funding. Since banks may not process grants which have not been registered properly, and can freeze the bank accounts that have not complied with the

law, this is a highly effective means of cutting off NGOs' financial resources. Since May 2014, authorities have frozen the bank accounts of at least 50 independent organisation and, in many cases, of their staff members.

The authorities have also employed non-legislative means to intimidate and harass civil society, including through public smear campaigns in state-owned media (NGO staff and leaders are frequently labelled as traitors in popular press); intrusive stop and search processes against activists when entering or leaving the country; and applying pressure on private businesses not to provide services to civil society.



Youth Protestors
are arrested in Baku,
2014

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Janhangir Yousif

KHADIJA ISMAYILOVA,

AN AWARD-WINNING investigative journalist and former Baku bureau chief for Radio Free Europe/Radio Liberty's (RFE/RL) Azerbaijani Service Radio Azadliq, was released from prison on probation on 24 May 2016. The Azerbaijani Supreme Court commuted Ismayilova's sentence from seven and a half years imprisonment to a three and half year suspended term. This permits her release but without clearing her conviction, which means she is still subject to unwarranted restrictions based on unfounded charges.

She had spent a year and half behind bars after being jailed on 5 December 2014 and sentenced on 1 September 2015 on false charges of libel, tax evasion, illegal business activity and abuse of power.

Prior to her arrest, Ismayilova had been subject to a campaign of intimidation and harassment, widely believed to have been orchestrated by the Azerbaijani authorities. This included attempted blackmail in March 2012, following a gross invasion of her privacy after she was covertly filmed at home, resulting in an online smear campaign, which continued throughout 2013. In 2014, she was accused by an Azerbaijani MP of being a spy for the US and was interrogated several times by the Serious Crimes Investigation Department of the Prosecutor General's Office in connection with her work.

The charges brought against Ismayilova, and the trial itself, have been widely condemned by international human rights bodies, including Nils Muižnieks, Council of Europe Commissioner for Human Rights, Dunja Mijatović, OSCE Representative for Media Freedom, and Thorbjørn Jagland, Secretary General of the Council of Europe. Several cases regarding the violation of Ismayilova's right to freedom of expression, right to private life and right to a fair trial are currently pending before the European Court of Human Rights.

"I believe it's important to protect an individual journalist against a powerful state that has overstepped. This is about a government that is abusing its power to silence journalists like Khadija, as well as other critics of the ruling regime"

AMAL

CLOONEY,

Khadija Ismayilova's Defence Lawyer, March 2016.



Khadija Ismayilova on the day of her release

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Meydan TV

The harassment against Ismayilova is widely believed to be retribution for her hard-hitting investigative journalism, uncovering high-level corruption, connected to the financial and business interests of President Aliyev and his family. Her work has garnered her multiple awards – most recently, she was awarded the UNESCO/ Guillermo Cano World Press Freedom Prize 2016, having previously won the 2015 PEN Freedom to Write Award, the Alison Des Forges Human Rights Watch Award for Extraordinary Activism 2015 and the National Press Club John Aubuchon Press Freedom Award 2015.

In 2015, the Organised Crime and Corruption Reporting Project (OCCRP) – of which Khadija is a member – launched ‘The Khadija Project’. Investigations published as part of the project continue her work and have led to further revelations regarding the Azerbaijani regime’s corrupt practices, as well as contributing to the Panama Papers.

Before she was released, many people around the world increasingly spoke out to call for Khadija’s release, including politicians, journalists and activists, using the hashtag #FreeKhadija on social media networks. On 27 May 2016, Ismayilova turned 40 and people across the world gathered to celebrate her birthday and her recent release. In more than 40 cities, her supporters gathered to call for her full acquittal; and to demand the release of all other political prisoners.

“My birthday wish is: keep doing whatever you can to get someone out of prison, because it is important... It worked with me. It can work with others.”

KHADIJA ISMAYILOVA,
May 2016



Clockwise:

Brno,
Czech Republic;

Istanbul,
Turkey;

London, UK;

New York, USA.

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Sport For Rights

SECTION THREE

RESTRICTIONS

ON

MEDIA

FREEDOM

THE AZERBAIJANI GOVERNMENT has waged an ongoing offensive against critical media. In addition to arresting independent journalists, such as Khadija Ismayilova and Seymur Hezi – among several others – the authorities have used legal intimidation and harassment to try and drive out the few remaining independent media outlets.

In addition to the application of trumped up criminal charges against independent journalists, Azerbaijan retains criminal defamation charges, with a maximum penalty of three years imprisonment. In 2013, these were extended to apply to all online speech, enabling more efficient harassment of bloggers. Excessive civil defamation charges are also used to silence critical voices, alongside a range of administrative charges that enable the government to seriously hinder the work of independent media.

Violent attacks and threats against independent journalists are common and the government has completely failed to respond to these and ensure an environment in which journalists can work. Since 2005, two journalists – Elmar Huseynov and Rafiq Tağı – have been killed with total impunity. In both cases, the police failed to adequately investigate the murders, and the perpetrators have not been brought to justice. In August 2015, despite having previously raised concerns about his safety to the police, Rasim Aliyev, journalist and head of the media rights organisation, the Institute for Reporters' Freedom was beaten to death, allegedly in connection to his criticism of an Azerbaijani footballer.

"All mainstream media [in Azerbaijan] remained under government control; independent outlets faced harassment and closure. Independent journalists continued to face intimidation, harassment, threats and violence."

AMNESTY INTERNATIONAL REPORT

2015/2016:
The State
of the World's
Human Rights



*This is our writer-in-residence. He'll
be making up the crimes you'll be
accused of.*

PEN free expression.
AMERICA literature.

#FreeKhadija

AZERBAIJAN'S INDEPENDENT MEDIA UNDER ATTACK

MEYDAN TV: IN EXILE, BUT STILL UNDER THREAT

MEYDAN TV is an online media outlet based in Berlin, well known for its public interest reporting, particularly on human rights and corruption. It closed its Baku office in 2014 as a result of security concerns. The outlet is headed by former political prisoner and dissident, Emin Milli, who himself fled to Germany after spending over 16 months in prison for his critical reporting of Azerbaijani authorities.

Despite operating from exile, Meydan TV continues to experience ongoing state harassment and intimidation.

Journalists who have contributed to Meydan TV have long reported state harassment including repeated interrogations at the Prosecutor's Office and temporary detention on administrative charges. During illegal searches of the homes of several contributors, equipment was seized by police officers. A number of contributors have been forced to leave the country for their own security, while others face travel restrictions. In April 2016, details of a criminal investigation against Meydan TV emerged, with the Azerbaijani authorities apparently alleging large-scale unlawful business activity, large-scale tax evasion and abuse of office, resulting in falsification of election results - however, no official documentation on the charges has been provided to the organisation's lawyer.

Milli has also faced persecution, and – unable to reach him – the authorities turned their attention on his family remaining in Azerbaijan. In July 2015, his brother-in-law was arrested on bogus, politically motivated drug possession charges. On 22 April 2016, he was released under a suspended two years prison sentence. In a similar vein, on 13 October 2015 the two brothers of Georgia-based contributor Gunel Movlud were detained by police in separate incidents, also on bogus drugs charges. Both were released on parole last month.

"Now imagine that just for writing... and criticising the President and his family business, you could be killed... That is our story and the reality we live in. But we will continue to do our job risking lives and livelihoods in a struggle for freedom."

EMIN MILLI,
former political prisoner and the director of Meydan TV, August 2015

AZADLIQ: THE OPPOSITION NEWSPAPER THAT WON'T BE SILENCED



Front Page of
Azadliq,
24/12/1989

© Copyright
ARTICLE 19

AZADLIQ (FREEDOM), the main opposition newspaper and one of the few independent publications, is just about managing to continue publishing within the country. Azadliq's story offers a case study of how the government uses restrictive legislation to try to silence independent journalism.

The paper has long been subject to state pressure, including arrests of its journalists and financial difficulties related to excessive defamation cases. It was temporarily forced to stop publication in August 2014, as it was unable to pay 20,000 manat (approx. 25,500 USD) to the state-owned printer. At the time, it was owed 70,000 manat (approx. 89,000 USD) by the state-owned distribution company GASID.

In 2012 and 2013 similar situations arose, exacerbated by several astronomical fines, including a civil defamation claim, which led to a temporary freeze of the newspaper's bank account. Following administrative bans limiting where and by whom the newspaper can be sold, the paper's distribution figures have dwindled to 10,000, half of what it was in 2010. Nevertheless, the newspaper has continued to be published, and has received financial support from its readers to ensure that it can continue to provide independent news within the country.

In 2012, Ganimat Zahid, the Editor-in-Chief of Azadliq launched a bi-weekly TV program Azerbaijan Saati (Azerbaijan Hour). The programme, which is highly critical of the Aliyev family, is transmitted via satellite to Azerbaijan from abroad. Zahid now lives in political exile in France; however, his relatives remaining in Azerbaijan face ongoing harassment from the authorities in retaliation for his work, with three of his family members arrested on false charges in July 2015. The case against two of them is still ongoing.

"Azadliq, which means 'freedom', will live since freedom is the very essence of man and mankind... We know that the fight for basic freedoms has no borders and that dictators all use similar methods to crack down on these freedoms. But we shall not give in."

GANIMAT ZAHID,
Editor-in-chief,
Azadliq,
August 2014

INSTITUTE FOR REPORTERS' FREEDOM AND SAFETY: A JOURNALIST MURDERED, A JOURNALIST IN EXILE

The Institute for Reporters' Freedom and Safety (IRFS), an Azerbaijani NGO, was founded on World Press Freedom Day in 2006 by two Azerbaijani journalists, in response to growing government restrictions on freedom of expression and freedom of the press.

Since its establishment in 2006, IRFS had been subject to intimidation and pressure on its staff. Two of the most egregious examples concern Rasim Aliyev and Emin Huseynov.

Rasim Aliyev, murdered in August 2015 (p.25) was a board member and employee of IRFS. He was elected as the organisation's chairman in October 2014. Rasim Aliyev had faced many forms of pressure while working with IRFS, including being beaten by police in 2013, during an incident that was captured in a widely circulated photograph.

He was beaten to death by a group of individuals allegedly connected to Azerbaijani footballer Javid Huseynov, after posting a comment on his Facebook page, in which he criticised the footballer for insulting a foreign journalist following a match with Cyprus. He had received death threats prior to the attack, and despite reporting this to the police, he did not receive adequate protection.

Rasim Aliyev died in a Baku hospital several hours later. IRFS believe the attack to be politically motivated, given the timing and a failure to provide adequate, timely medical attention. The attack against Rasim Aliyev took place exactly one year after IRFS was forcibly closed by the Azerbaijani authorities and the IRFS founder, Emin Huseynov, went into hiding to ensure his own safety.

Emin Huseynov was forced to spend ten months in the Swiss Embassy in Baku, where he was offered asylum in August 2014, fearing for his life during the 2014 crackdown on civil society. Then in 2014, the IRFS office was raided by the police, and its assets confiscated. The authorities launched a criminal case against the organ-

"It is impossible to hope for a fair trial in country that has no independent courts, where the law enforcement system is subservient to the executive power. There is no way to defend yourself"

EMIN HUSEYNOV,

Editor-in-chief,

Azadliq,

June 2016

isation, which is still pending. Its staff have been harassed and IRFS's brainchild, Objective TV (Obyektiv TV), an independent online news source, was also shut down and its equipment confiscated.

Huseynov is currently living in exile in Geneva, after he was finally allowed to leave the country in June 2015, but was stripped of his Azerbaijani citizenship.

Despite all this, IRFS continues to campaign for the protection of freedom of expression in Azerbaijan, with the aim of ensuring that citizens across Azerbaijan have access to reliable information.



Rasim Aliyev
is beaten by police
during a Baku
protest in 2013

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IRFS



Emin Huseynov
(second from right)
campaigning in
London prior to the
F1 Baku Grand Prix

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SECTION FOUR

AZERBAIJAN'S

INTERNATIONAL

COMMITMENTS

AZERBAIJAN HAS COMMITTED to protecting human rights in multiple fora, including at the UN level, and as a member of the Council of Europe. Upon joining the Council of Europe in 2001, Azerbaijan assumed the responsibility to “accept the principles of the rule of law and of the enjoyment of all people within [their] jurisdiction of human rights and fundamental freedoms.”⁵ It has also signed up to international bodies aimed at countering corruption through the promotion of state accountability and transparency, including the Open Governance Partnership (OGP) and the Extractive Industries Transparency Initiative (EITI), which both also require respect for fundamental freedoms.

Despite these numerous commitments, the Azerbaijani government has persistently flouted its human rights obligations as detailed above; and has sought to co-opt members of international bodies to prevent any criticism, while using its status as a member of these organisations to attract foreign investors.

One of the most egregious examples of Azerbaijan’s international maneuverings is its activities within the Council of Europe. Its ‘Caviar Diplomacy’, a term coined by German think tank, the European Stability Initiative, to describe the practice of wining and dining European parliamentarians and government officials in a bid to ensure blindness to Azerbaijan’s human rights violations,⁶ is increasingly well known within the institution.

The effect of this policy was evident during Azerbaijan’s chairmanship of the Council of Europe Committee of Ministers in 2014. In this role, Azerbaijan’s function was to ensure that member states comply with the judgments and decisions of the European Court of Human Rights. Azerbaijan made a mockery of this obligation: while holding the chairmanship internationally, the authorities launched its unprecedented crackdown on civil society at home. The Council of Europe – including a number of influential European states – failed to adequately respond. Azerbaijan has also repeatedly refused to implement decisions of the European Court of Human Rights, refusing to pay compensation to those whose rights have been violated, despite the court ordering them to do so.

For too long, the international community said little on the topic of Azerbaijan’s human rights record; perhaps too concerned about ensuring access to Azerbaijan’s lucrative oil and gas resources.

“Oil-rich Azerbaijan has been imprisoning civil society leaders to avoid public unrest over its eye-popping corruption and official mismanagement. Europe has been too busy buying its oil and gas and wooing it from Russia’s influence to mount much protest.”

HUMAN RIGHTS WATCH

2016 World Report

⁵ Statute of the Council of Europe, London, 5 May 1949, Article 3.

⁶ European Stability Initiative, Caviar Diplomacy: How Azerbaijan Silenced the Council of Europe, May 2012, http://www.esiweb.org/pdf/esi_docu ment_id_131.pdf

Influential European states remain far too quiet on this topic; however, increasingly international human rights actors are raising their voices about Azerbaijan's ongoing violations.

In December 2015, Thorbjørn Jagland, Secretary General of the Council of Europe, launched an official inquiry into Azerbaijan's implementation of the European Convention on Human Rights - the first time that this happened within the Council of Europe. The inquiry is ongoing, adding further clout to the frequent, searing criticism of Azerbaijan by Nils Muižnieks, Commissioner for Human Rights at the Council of Europe as the result of many of the local interlocutors to his office – including Khadija Ismayilova and Rasul Jafarov - being among the arrested and imprisoned.

Additionally, both the OGP and EITI have enacted measures against Azerbaijan in a bid to encourage reform. In May 2016, the OGP downgraded Azerbaijan's status to inactive, while a year previously, the EITI relegated it to a 'candidate' rather than 'compliant' country, with both organisations referring to unacceptable constraints on civil society and setting out reforms that Azerbaijan must implement if it wants to continue to enjoy the benefits of membership.

Such criticism may have prompted some temporary measures—such as the selective release of some prisoners; however, such token changes are grossly insufficient to ensure the protection of human rights, and can be easily reversed. For lasting systemic reform, it is essential that international pressure is maintained, and there is no return to “business as usual” until this happens.

The F1 Grand Prix provides an opportunity for generating such pressure. The Formula One Group has publicly stated that it is “committed to respecting internationally recognised human rights in its operations globally”⁷, and the company, spectators and journalists covering the Baku race can use their presence in country to shine a light on human rights abuses in Azerbaijan and call for much needed reform.

“Most countries chairing [The Council of Europe], 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.”

NILS MUIŽNIEKS,

Council of Europe
Human Rights
Commissioner,
November 2014

7

F1 Statement of Commitment to Respect Human Rights
<https://www.formula1.com/content/fom-website/en/toolbar/legal-notices.html>

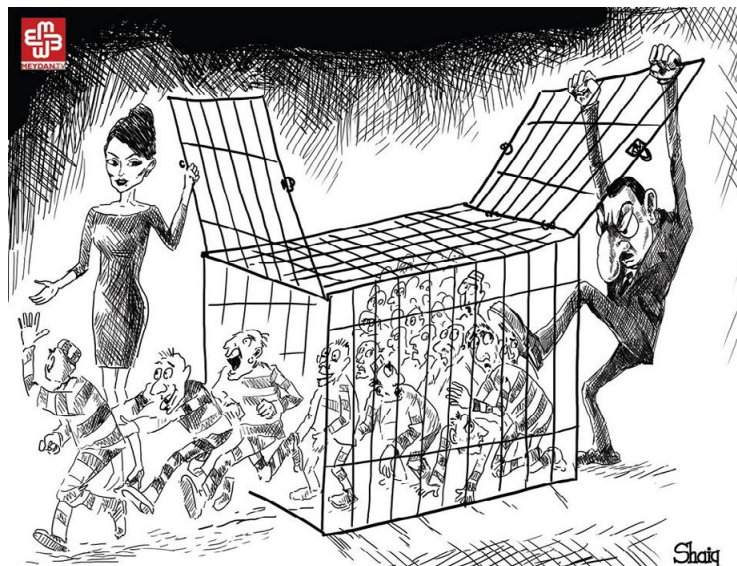
INTERNATIONAL RANKINGS OF AZERBAIJAN

Azerbaijan's success in suppressing fundamental freedoms has earned it some pretty impressive rankings in international human rights indices.

In terms of media freedom it was ranked 163 out of 180, right after Rwanda and Bahrain, according to Reporters Without Borders 2016 World Press Freedom Index.

In 2016, Azerbaijan received the worst possible score, 7 out of 7, for its political rights situation and 6 out of 7 for civil liberties, according to Freedom House's Freedom in the World Report.

The same year, Azerbaijan was found to be the worst place for LGBTI people to live in Europe in 2016 by the European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA).



Caricature depicting President Aliyev and his wife's role in the arbitrary arrest and release of political prisoners

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Maydan TV

FURTHER RESOURCES

HUMAN RIGHTS IN AZERBAIJAN

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- <http://www.azhr.org> | Human Rights in Azerbaijan – A site maintained by the Institute for Reporters Freedom and Safety, providing weekly updates on the situation regarding human rights in Azerbaijan.

AZERBAIJAN AND FORMULA 1

<https://www.article19.org/data/files/medialibrary/38379/Sport-for-Rights-Ecclestone-letter.pdf>

Sport for Rights, Letter to Bernard Ecclestone, calling on the Formula One Group leadership to urge the Azerbaijani government to release unjustly imprisoned activists and journalists ahead of the European Grand Prix in Azerbaijan, May 2016

<https://www.fidh.org/en/region/europe-central-asia/azerbaijan/azerbaijan-sport-for-rights-letters-to-pharrell-williams-enrique>

Sport For Rights, Letters to Pharrell Williams, Enrique Iglesias and Chris Brown ahead of their performance at the Formula One European Grand Prix in Baku, May 2016

CORRUPTION IN AZERBAIJAN

<https://www.occrp.org/en/corruption/azerbaijan/2015/08/11/tracking-the-billions-stolen-in-azerbaijan-an-OCGRP-interactive-tool.html>

OCGRP, 'Tracking the Billions Stolen in Azerbaijan: An OCCRP Interactive Tool'

<https://panamapapers.icij.org/20160404-azerbaijan-hidden-wealth.html>

ICIJ, 'How Family that Runs Azerbaijan Built an Empire of Hidden Wealth'

<http://www.journalofdemocracy.org/sites/default/files/Knaus-26-3.pdf>

Gerald Knaus for the Journal of Democracy, 'Europe and Azerbaijan: The End of Shame'

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<http://www.theguardian.com/news/2016/apr/05/panama-papers-london-law-firm-helped-azerbaijan-first-family-set-up-secret-offshore-firm>

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BuzzFeed, 'Concerns Raised Over Authoritarian Regimes' Links to Queen's 90th Birthday Celebration'

ABOUT THE AUTHORS

SPORT FOR RIGHTS

SPORT FOR RIGHTS is a coalition of international organisations working together to draw attention to the unprecedented human rights crackdown taking place in Azerbaijan. The Sport for Rights campaign was launched by Azerbaijani human rights defender Rasul Jafarov, who was later arrested and served 18 months in prison on politically motivated charges until his recent release by presidential pardon. A group of international organisations united under the coalition to carry on Jafarov's work, call for his release and the release of all of the jailed journalists and human rights defenders in Azerbaijan, and draw attention to the alarming human rights situation in the country.

Sport for Rights originally focused on the crackdown taking place in the run-up to the inaugural European Games, which was held in June 2015 in Baku. Now, the coalition continues to raise human rights concerns in the run-up to the Formula One European Grand Prix, which will take place in Baku in June 2016.

ARTICLE 19

THIS MEDIA PACK was produced by ARTICLE 19, an international non-governmental organisation working to realise a world in which all people can freely express themselves and actively engage in public life without fear or discrimination.

ARTICLE 19 has long been engaged on freedom of expression issues in Azerbaijan, particularly focused on international advocacy, campaigning, research and legal analysis.

Previously ARTICLE 19 coordinated the International Partnership Group on Azerbaijan since its inception in 2010. This was a large coalition of organisations working to promote and protect freedom of expression (FoE) in Azerbaijan, in order to ensure sustained international pressure on Azerbaijan to comply with international human rights standards.

ARTICLE19 maintains <http://azerbaijanfreexpression.org> – a website collating information and reports about freedom of expression, civic space and political prisoners in Azerbaijan.

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SPORT FOR RIGHTS

<https://www.facebook.com/sport4rights>



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