

## Joint Statement: PACE should hold an Urgency Debate to address the grave human rights situation in Azerbaijan (Autumn Session)

25 September 2024

### Re: Escalating Crackdown on Critics and Persistent Human Rights Violations in Azerbaijan

Ahead of its January 2025 vote on the renewal of Azerbaijan's credentials, the Parliamentary Assembly of the Council of Europe (PACE) should develop and enforce clear criteria that Azerbaijan should meet before its delegation can be readmitted to the assembly.

Since PACE's decision in January 2024 not to ratify the credentials of Azerbaijan's parliamentary delegation, the Azerbaijani government has only intensified its [relentless crackdown](#) on human rights defenders, lawyers, independent journalists, opposition politicians, civil society activists, and academics. While Azerbaijan has a longstanding and well-documented record of repressing critical voices, over the last year the authorities have accelerated their crackdown, targeting the remaining vestiges of independent civil society and media with baseless but serious criminal charges. Dozens of activists and media figures have been arrested, most on charges of smuggling, fraud, counterfeiting currency or drugs possession. Torture and ill-treatment remain widespread and many of the detainees have complained of ill-treatment in police custody.

The crackdown together with the highly restrictive legal environment for the operations of independent civil society organizations and media threaten to eradicate all forms of dissent and legitimate human rights work.

The Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights (OSCE ODIHR) [described](#) the snap presidential and parliamentary elections held this year as "not competitive, held in a restrictive environment, and falling well short of democratic standards," and as a "contest devoid of competition." PACE was not invited to observe these elections.

Given these developments, it is urgent for PACE members to continue to address the deteriorating human rights situation in Azerbaijan and demand that Azerbaijan complies with its statutory and human rights obligations as clear benchmarks before any restoration of the Azerbaijani parliamentary delegation's credentials in 2025.

## Key Cases and Trends

- Two emblematic cases of detention of internationally recognized experts and rights defenders illustrate the authorities' intention to shut down criticism and intimidate independent groups and activists:
  - On April 29, 2024, Azerbaijani authorities [arrested Anar Mammadli](#), the head of the Election Monitoring and Democracy Studies Center (EMDS), a [member of Human Rights House Azerbaijan](#), CURE Campaign and European Platform for Democratic Elections (EPDE), and winner of the PACE 2014 Václav Havel Human Rights Prize, and [remanded](#) him to pretrial detention on fabricated criminal charges of “smuggling by a group.” His arrest came after EMDS had published a preliminary assessment on the conduct of the February presidential elections and as Mammadli and other human rights defenders announced a coalition on climate justice ahead of the United Nations Climate Conference (COP29). Mammadli's detention was also an apparent reprisal for his human rights [advocacy at the UN Human Rights Council](#) in March.
  - In July 2023, the authorities using excessive force arrested renowned scholar and anti-corruption expert, [Gubad Ibadoghlu](#), shortly after his return to Azerbaijan following years in forced exile. Dr Ibadoghlu is a well-known academic who taught at the London School of Economics, served as civil society representative on the board of the Extractive Industries Transparency Initiative (EITI), and participated in the Global Coalition to Monitor the UN Convention against Corruption. In 2023, he established the Azerbaijani Youth Education Foundation in the UK, to promote the education of Azerbaijani youth partially using funds from recovered assets allegedly stolen by Azerbaijani oligarchs. Following [nine months of pre-trial detention](#), during which [his health rapidly deteriorated](#) as a result of the authorities' failure to provide him with adequate medical treatment, he was placed under house arrest. If convicted, he could face up to 17 years in prison.
- Since [November 2023](#), Azerbaijani authorities have [arrested](#) at least 11 independent [journalists](#) and [media workers](#), and remanded them to pretrial detention on various bogus criminal charges. These include **Ulvi Hasanli, Sevinj Abbasova Vagifgizi, Hafiz Babali, Nargiz Absalamova, Mahammad Kekalov, Elnara Gasimova, Shamo Eminov, Mushfig Jabbarov, and Aziz Orujov**. Several others were banned from leaving the country.
- Other prominent civil society representatives and government critics behind bars include **Bakhtiyar Hajiyev, Akif Gurbanov, Ruslan Izzatli, Ilkin Amrahov, Ramil Babayev, Imran Aliyev, Alasgar Mammadli** and **Farid Mehralizade**. Several of the detainees experience acute health problems due to denial of adequate health care and require [urgent](#) attention. Like the detained journalists, they face retaliatory criminal charges.
- Two trade union activists, **Afiaddin Mammadov** and **Mahyaddin Orujov**, have been held in pre-trial detention since September and December 2023, respectively, and face spurious criminal hooliganism and drug charges, respectively. Two other activists with

the same trade union, **Elvin Mustafayev** and **Aykhan Israfilov**, [convicted](#) on bogus drug charges, were sentenced to three and four years, respectively.

- In June 2023, the authorities detained at least four protesters [during environmental protests](#) in Söyüdlü village. In relation to the same protest, police arrested others, including a former parliament member, **Nazim Baydamirli**, on fabricated drug possession and extortion charges. In August, a Baku court [convicted](#) a man who worked for the company that printed posters for the protests.
- As recently as July and August, Azerbaijani authorities arrested researchers and activists [Igbal Abilov and Bahruz Samadov](#), charging them with treason on spurious grounds. They remain in pretrial custody, facing potentially lengthy prison terms.

Azerbaijan has one of the [worst records](#) among Council of Europe member states on implementation of European Court of Human Rights (ECtHR) judgments. The [Mammadli group of cases](#) and [Ramzanova group of cases](#) involve a pattern of government assault on civic space and human rights defenders. The cases covered, respectively, politically motivated detentions of human rights defenders and rights abuses linked to the registration of nongovernmental groups (NGOs). These groups of cases remain essentially unimplemented to this day.

In July, the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) took the "exceptional decision" to make a [public statement](#) concerning Azerbaijan under Art. 10 (2) of the Convention for the Prevention of Torture, citing the government's "outright refusal" to cooperate with the Committee. The CPT has repeatedly highlighted severe and systemic issues related to the treatment of people in police custody, including widespread torture and ill-treatment by law enforcement officials at the Department for Combatting Organized Crime under the Ministry of Internal Affairs. The PACE president has also [expressed](#) deep concern over Azerbaijan's refusal to cooperate with the CPT, emphasising the need for Azerbaijan to address ongoing human rights violations.

Likewise, the European Union Delegation to the Council of Europe has expressed [grave concern](#) over Azerbaijan's persistent lack of cooperation with international mechanisms. The Council of Europe's Commissioner for Human Rights has raised the [alarming increase](#) in politically motivated detentions of civil society representatives and journalists.

## **Recommendations for PACE**

In light of the ongoing repression in Azerbaijan and the serious concerns raised by various Council of Europe bodies, we call upon the PACE to:

1. **During the urgent procedure debate at the fourth part of its 2024 session, demand the immediate and unconditional release of all wrongfully imprisoned individuals**, seek the full restoration of their civil and political rights, and an end to the persecution of critical voices in Azerbaijan.
2. Call on the Secretary General of the Council of Europe to **open an official inquiry into Azerbaijan's implementation of the European Convention on Human Rights** under Article 52 and insist on the Azerbaijani government's full cooperation in the process.
3. Enable **PACE oversight of the Council of Europe's renewal of its Action Plan with Azerbaijan** to ensure that any cooperation, including funding, is guided by measurable improvements in human rights and democratic practices and in particular addresses the issues concerning civil society identified by the ECtHR. Any such cooperation should include civil society and human rights defenders.
4. Through its Sub-Committee on the Implementation of Judgments, closely **follow and engage with the Committee of Ministers' work on the execution of ECtHR judgments**, particularly the *Mammadli* and *Ramazanova* groups of cases.
5. Ahead of the January 2025 vote on the renewal of Azerbaijan's credentials, develop and **enforce clear criteria that Azerbaijan must meet prior to the ratification of the credentials**, in particular those outlined by the PACE Monitoring Committee in its 2024 Report 15927 on honoring obligations and commitments by Azerbaijan.

### **These criteria should include:**

- Immediate and unconditional release of anyone arrested on fabricated charges in retaliation for their dissenting views, including dozens of unjustly detained civic activists, journalists, and human rights defenders; ending retaliation and politically motivated prosecutions; and full restoration of civil and political rights.
- Immediate implementation of ECtHR judgments regarding politically motivated imprisonment, both general and individual measures.
- Immediate resumption of full cooperation with PACE rapporteurs and the CPT, including granting access to all detention facilities and implementing the Committee's long-standing recommendations to prevent torture and ill-treatment.
- Amendments to the restrictive legislation and arbitrary procedure for the registration of NGOs, including the cumbersome reporting requirements, and excessive powers granted to the Justice Ministry to monitor and control NGO operations, as noted by the PACE Monitoring Committee in its February 2024 [report](#).
- Azerbaijani authorities should address the ongoing restrictions on the right to freedom of expression, association and assembly and the overall repressive environment for civil society representatives.

The ongoing crackdown also raises grave concerns over the ability of human rights defenders, independent journalists, and other civil society actors to participate meaningfully in [COP29, to be held in Baku from November 11 to 22](#). Civil society's participation during the conference is crucial for ensuring rights-respecting and ambitious climate outcomes. The rare international spotlight on Azerbaijan as it prepares to host COP29 underscores the urgency for PACE to express its strong concern and demand that the government take concrete steps to protect these voices.

### ***Signatories:***

- Anar Mammadli Campaign to end repression in Azerbaijan
- Committee to Protect Journalists (CPJ)
- International Federation for Human Rights (FIDH), *within the framework of the Observatory for the Protection of Human Rights Defenders*
- International Partnership for Human Rights (IPHR)
- Freedom Now
- Human Rights House Foundation (HRHF)
- Human Rights Watch
- Netherlands Helsinki Committee
- Norwegian Helsinki Committee
- People in Need
- World Organisation Against Torture (OMCT), *within the framework of the Observatory for the Protection of Human Rights Defenders*