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Azerbaijan

THE WORLD 2020

10
/100

NOT FREE

<u>Political Rights</u>	2 /40
<u>Civil Liberties</u>	8 /60

LAST YEAR'S SCORE & STATUS

11 /100 Not Free

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)



Note

TOP

The numerical scores and status listed here do not reflect conditions in Nagorno-Karabakh, which is examined in a separate report.

Overview

Power in Azerbaijan's authoritarian regime remains heavily concentrated in the hands of Ilham Aliyev, who has served as president since 2003, and his extended family. Corruption is rampant, and the formal political opposition has been weakened by years of persecution. The authorities have carried out an extensive crackdown on civil liberties in recent years, leaving little room for independent expression or activism.

Key Developments in 2019

- The authorities released more than 50 political prisoners in March and lifted travel bans on some journalists and activists during the year, but new arrests and other repressive actions were reported.
- Numerous high-ranking officials were replaced after the prime minister stepped down in October, and the parliament was dissolved in December, setting the stage for snap parliamentary elections in early 2020.
- Public attention was focused for much of the year on high-profile cases of domestic violence against women. In October, police dispersed a protest on the topic in Baku.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

0/4

The president is directly elected for seven-year terms. There are no term limits. Since the early 1990s, elections have not been considered credible or competitive by international observers. A February 2018 presidential decree moved that year's presidential election, originally planned for October, up to April. President Ilham Aliyev—who succeeded his father, Heydar, in 2003—won a fourth term with some

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86 percent of the vote amid evidence of electoral fraud and a boycott by the main opposition parties. An observer mission from the Organization for Security and Co-operation in Europe (OSCE) found that the election lacked genuine competition due to a restrictive political environment in which the seven nominal opposition candidates did not openly confront or criticize the president.

In 2017, President Aliyev appointed his wife, Mehriban Aliyeva, as vice president. The post had been created via constitutional changes that were pushed through in 2016 without meaningful parliamentary debate or public consultation.

The prime minister and cabinet are appointed and dismissed by the president. In October 2019, Prime Minister Norvuz Mammadov—in office since April 2018—was replaced by Ali Asadov. A series of other personnel changes in the cabinet and presidential administration continued through the end of the year.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

0 / 4

The 125 seats in Azerbaijan's unicameral Milli Mejlis, or National Assembly, are filled through elections in single-member districts, with members serving five-year terms. With the government actively repressing criticism and dissent, the main opposition parties boycotted the 2015 elections. According to official results, Aliyev's Yeni Azerbaijan Party (YAP) won 71 seats, 41 went to independent candidates who tend to support the ruling party, and the remaining 12 were split among small progovernment parties. The OSCE declined to send observers, explaining that government restrictions on the number of observers allowed into the country would have made effective and credible monitoring impossible.

The assembly voted to dissolve itself early at the president's request in December 2019, and snap elections were scheduled for February 2020.

Less than a third of eligible voters cast ballots in the December 2019 municipal council elections, which were boycotted by major opposition parties. Various irregularities were reported, including the casting of multiple ballots and intimidation of journalists.

TOP

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

O / 4

The electoral laws and framework fall short of international standards and do not ensure free and fair elections. The nomination process for members of electoral commissions places the bodies under the influence of the ruling party. Commission members have been known to unlawfully interfere with the election process and obstruct the activities of observers. Complaints of electoral violations do not receive adequate or impartial treatment.

During the 2018 presidential election, the Central Election Commission (CEC) failed to prevent instances of ballot-box stuffing and other forms of fraud that were reported at some polling stations, and disregarded many mandatory procedures meant to safeguard the integrity of the vote. In the run-up to the 2019 municipal elections, independent observers noted problems with voter registration, including a discrepancy between the State Statistical Committee and the CEC over the number of registered voters.

Election observers have repeatedly condemned restrictions on freedom of assembly, the inability of candidates to obtain permission to hold rallies or appear on television, political interference with courts investigating electoral violations, and noncompliance with past European Court of Human Rights decisions on election issues.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

TOP
1 / 4

The political environment in Azerbaijan is neither pluralistic nor competitive. The ability of opposition parties to operate and engage with the public is limited by the dominance of the YAP. A number of laws restrict candidates' efforts to organize and hold rallies, and the opposition has virtually no access to coverage on television, which remains the most popular news source. The regime has cracked down violently on any Islamist political movement that reaches national prominence.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

0/4

The Aliyev family has held the presidency since 1993. The biased electoral framework and repressive media and political environment effectively make it impossible for opposition parties to gain power through elections. The main opposition parties boycotted the most recent parliamentary, presidential, and municipal elections rather than take part in an unfair process.

Opposition figures complained that moving the 2018 presidential election forward by six months further disadvantaged them by leaving inadequate time to prepare their campaigns. Similar concerns were raised about the snap parliamentary elections triggered by the dissolution of the National Assembly in December 2019.

Opposition politicians and party officials are subject to arbitrary arrest on dubious charges, as well as physical violence and other forms of intimidation. In March 2019, the president authorized the release of more than 50 political prisoners—including opposition figures as well as journalists, bloggers, and others—as part of a larger mass clemency decision. However, opposition leaders and activists continued to face official restrictions and harassment during the year, and new arrests were reported. The nongovernmental organization (NGO) Working Group on a Unified List of Political Prisoners estimated that there were still 112 political prisoners in the country as of late November 2019.

TOP

B3 0-4 pts

1/4

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?	
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The authoritarian system in Azerbaijan excludes the public from any genuine and autonomous political participation. The regime relies on abuse of state resources, corrupt patronage networks, and control over the security forces and criminal justice system to maintain its political dominance.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?	0 / 4
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The political system does not allow women or minority groups to organize independently or advocate for their respective interests. There are no meaningful mechanisms to promote increased representation of women and ethnic or religious minorities. The government has worked to stifle public expressions of ethnic Talysh and Lezgin identity, among other targeted groups.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?	0 / 4
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Neither the president nor members of parliament are elected in a free or fair manner, and the parliament is unable to serve as a meaningful check on the powerful presidency. Lawmakers and lower-level elected officials essentially carry out the instructions of the ruling party.

TOP

C2 0-4 pts

Are safeguards against official corruption strong and effective?	0 / 4
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Corruption is pervasive. In the absence of a free press and independent judiciary, officials are held accountable for corrupt behavior only when it suits the needs of a more powerful or well-connected figure.

Investigative reports published by foreign media in recent years have revealed evidence that the president and his family used their positions to amass large private fortunes. In 2017, a network of international media outlets exposed a \$2.9 billion slush fund that was held within United Kingdom-registered shell companies and linked to Azerbaijan's ruling elite, including the Aliyev family. The resources were reportedly used in part to improperly influence the Parliamentary Assembly of the Council of Europe (PACE), in order to minimize criticism of Azerbaijan's elections and alleged rights abuses.

C3 0-4 pts

Does the government operate with openness and transparency?

O / 4

Government operations are opaque. Although public officials are nominally required to submit financial disclosure reports, procedures and compliance remain unclear, and the reports are not publicly accessible. There are legal guarantees for citizens' access to information, but also broad exceptions to this right, and authorities at all levels systematically refuse to respond to information requests.

In 2017, Azerbaijan withdrew from the Extractive Industries Transparency Initiative (EITI), an international platform that promotes good governance and transparency in resource-rich countries. Azerbaijan, an important producer of oil and gas, had been suspended due to ongoing noncompliance with EITI human rights standards.

Civil Liberties

D. Freedom of Expression and Belief

TOP

D1 0-4 pts

Are there free and independent media?**O**/4

Constitutional guarantees for press freedom are routinely and systematically violated, as the government works to maintain a tight grip on the information landscape. Defamation remains a criminal offense. Journalists—and their relatives—face harassment, violence, and intimidation by authorities. Many have been detained or imprisoned on fabricated charges, while others face travel bans. According to the Committee to Protect Journalists, there were six journalists behind bars in Azerbaijan as of December 2019.

Legal amendments passed in 2017 extended government control over online media, allowing blocking of websites without a court order if they are deemed to contain content that poses a danger to the state or society. Independent news sites are regularly blocked or struck with cyberattacks.

In addition to journalism, artistic expression is subject to political restrictions. In December 2019, the Azerbaijani rapper Paster (whose real name is Parviz Guluzade) was detained, beaten, and sentenced to 30 days of administrative arrest for violating public order, allegedly as punishment for lyrics that included a negative reference to a business linked to Mehriban Aliyeva's family. The blogger Mehman Huseynov was reportedly beaten by police and dumped outside of Baku for protesting in support of Paster in the following days.

D2 0-4 pts**Are individuals free to practice and express their religious faith or nonbelief in public and private?****O**/4

The regime exercises control over religion through state-affiliated entities such as the Caucasus Muslim Board. Religious communities that attempt to operate independently face burdensome registration requirements, interference with the importation and distribution of printed religious materials, and arrest and harassment of religious leaders with international ties or a significant following. For example, Haji Taleh Bagirzade and members of his Muslim Unity Movement, a nonviolent conservative Shiite group, have been subjected to mass arrests, torture, and imprisonment as part of a crackdown that began in 2015.

TOP

A number of mosques have been closed in recent years, ostensibly for registration or safety violations. Jehovah's Witnesses face harassment as well as prosecution for evading military service.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	1/4
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The authorities have long curtailed academic freedom. Some educators have reported being dismissed for links to opposition groups, and students have faced expulsion and other punishments for similar reasons.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	1/4
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Law enforcement bodies monitor private telephone and online communications—particularly of activists, political figures, and foreign nationals—without judicial oversight. The escalation of government persecution of critics and their families has undermined the assumption of privacy among ordinary residents and eroded the openness of private discussion. Even state officials have been punished for their and their family members' social media activity, and activists have been imprisoned—on unrelated fabricated charges—for critical Facebook posts.

In recent years, activists have been targeted by spear-phishing campaigns designed to install malicious software on their computers or steal personal information. In April 2019, the progovernment television channel Real TV broadcast a secret recording of a private telephone conversation between two exiled journalists. Following the dispersal of large opposition rallies in October, Real TV played audio recordings of a private phone call between a US diplomat and an Azerbaijani activist, and a conversation in a restaurant between the same activist and a European Union official.

TOP

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	0 / 4
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The law imposes tight restrictions on freedom of assembly, which is contingent on the protection of “public order and morals.” Activists have complained that in practice, the obstacles to public gatherings include additional, extralegal measures. Unsanctioned assemblies can draw a harsh police response and fines for participants, and the government largely stopped issuing permits for rallies in Baku in the spring of 2019. Even when permits are issued, the government typically confines demonstrations to relatively isolated locations, where it can track attendees through facial-recognition technology and mobile-phone data.

Following three rallies in January 2019 in support of then-imprisoned blogger Mehman Huseynov, some 40 activists were subjected to administrative detention, more than 200 were summoned to police stations for interrogation, and hundreds more were questioned over the phone.

In October 2019, an authorized rally of the National Council of Democratic Forces—a coalition of opposition groups—was dispersed by police. Opposition parties responded by holding an unauthorized rally in central Baku that was also dispersed by police. Over 100 individuals were arrested, and several, including opposition leaders Ali Karimli and Tofiq Yaqublu, reported that they were tortured in detention. A smaller rally the day after the first, calling for Azerbaijan to ratify the Istanbul Convention on violence against women, was similarly disrupted by police.

E2 0-4 pts

TOP

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	0 / 4
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Repressive laws on NGOs have been used to pressure both local and foreign organizations, many of which have suspended operations when their bank accounts were frozen or their offices raided. Nearly all organizations or networks that work on human rights are forced by the state to operate in a legal gray zone. The government has refused to permit the European Union to provide grant support for local civil society groups. Civic activists are routinely subjected to harassment, intimidation, detention, and abuse by police.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	1/4
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Although the law permits the formation of trade unions and the right to strike, the majority of unions remain closely affiliated with the government, and many categories of workers are prohibited from striking. Most major industries are dominated by state-owned enterprises, in which the government controls wages and working conditions.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	0/4
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The judiciary is corrupt and subservient to the executive. Judges are appointed by the parliament on the proposal of the president. The courts' lack of political independence is especially evident in the many trumped-up or otherwise flawed cases brought against opposition figures, activists, and critical journalists.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	TOP 0/4
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Constitutional guarantees of due process are not upheld. Arbitrary arrest and detention are common, and detainees are often held for long periods before trial. Political detainees have reported restricted access to legal counsel, fabrication and withholding of evidence, and physical abuse to extract confessions.

In 2019, the so-called Ganja case provided the most prominent examples of due process violations. The case stemmed from an incident in July 2018, when a demonstration following the attempted assassination of the mayor of Ganja resulted in the deaths of two police officers. In response, police charged 77 suspects, 10 of whom died in custody or while being detained. The government claimed that the protests were an attempted Islamist uprising, despite significant evidence that many of the suspects were neither present at the scene nor observant Muslims. During the subsequent trials, which unfolded over the course of 2019, the authorities were unable to produce a coherent version of events.

Although nominally independent, the Azerbaijani Bar Association acts on the orders of the Ministry of Justice and is complicit in the harassment of human rights lawyers. Legal amendments that took effect in 2018 stipulated that only Bar Association members could represent clients in court. Since then, the association has disbarred, suspended, or threatened most of the country's active human rights lawyers for speaking to the media about violations of their clients' rights. In nearly all disciplinary cases, the courts have upheld the Bar Association's decisions without a thorough assessment or public justification.

Score Change: The score declined from 1 to 0 because the ongoing persecution and disbarment of human rights lawyers has deprived dissidents and activists of access to counsel.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

0/4

International observers have consistently concluded that both torture and **TOP** impunity for the perpetrators of such abuse are endemic in the Azerbaijani criminal justice system. Police regularly administer beatings during arrest or while

breaking up protests. Prison conditions are substandard; medical care is generally inadequate, and overcrowding is common.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

0 / 4

Members of ethnic minority groups have complained of discrimination in areas including education, employment, and housing. Women are subject to discrimination in employment, including both de facto bias and formal exclusion from certain types of work under the labor code.

Although same-sex sexual activity is legal, LGBT+ people experience societal discrimination and risk harassment by the police. In 2017, police fined or detained dozens of people for weeks in a coordinated crackdown that led many LGBT+ residents to flee the country.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

1 / 4

The government restricts freedom of movement, particularly foreign travel, for opposition politicians, journalists, and civil society activists. While travel bans were lifted for some dissidents during 2019, many others remained in place, including for some of the political prisoners released in March; others fled the country to avoid further persecution.

TOP

People with disabilities and psychiatric patients are routinely institutionalized; there is no clear procedure to review their confinement.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

1 / 4

Property rights are affected by government-backed development projects that often entail forced evictions, unlawful expropriations, and demolitions with little or no notice. Corruption and the economic dominance of state-owned companies and politically connected elites pose obstacles to ordinary private business activity.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

2 / 4

The law generally grants women and men the same rights on personal status matters such as marriage, divorce, and child custody. Domestic violence is a notable problem, and related legal protections are inadequate. Conservative social norms contribute to the widespread view that domestic violence is a private matter, which discourages victims from reporting perpetrators to the police. However, the growth of social media and the movement of rural populations to Baku in recent years have spurred public discussion of the issue. Among other high-profile cases during 2019, Fuad Gahramanli, the deputy chairman of the opposition Azerbaijan Popular Front Party, resigned after his daughter alleged on social media that he had regularly beaten her, her mother, and her sister, though many fellow politicians and social media users continued to support him.

The hijab has been formally banned in Azerbaijani schools since 2011, and women who choose to wear it have increasingly complained of discrimination by both private and public employers.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

TOP
1 / 4

Legal safeguards against exploitative working conditions are poorly enforced, and many employers reportedly ignore them without penalty. The government has taken some steps to combat forced labor and sex trafficking, including by prosecuting traffickers and providing services to victims, but the problem persists, notably among Romany children and foreign household workers.

As a result of corruption and a lack of public accountability for the allocation of resources, the state's oil and gas revenues tend to benefit privilege elites rather than the general population, narrowing access to economic opportunity.



On Azerbaijan

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Country Facts

Global Freedom Score

10/100 Not Free

Internet Freedom Score

39/100 Not Free

Other Years

2019

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