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Nations in Transit 2018 - Azerbaijan

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Regime Classification: Consolidated Authoritarian Regime

Nations in Transit Score

Democracy Score: 6.93 / 7 (1 = Most Democratic, 7 = Least Democratic)

Quick Facts

Capital: Baku

Population: 9.762 million

GNI/capita, PPP: \$16,130

Freedom in the World Status: Not Free

Press Freedom Status: Not Free

Net Freedom Status: Partly Free

Nations in Transit Ratings and Averaged Scores

NIT Edition	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
National Democratic Governance	6.25	6.50	6.50	6.75	6.75	6.75	6.75	6.75	7.00	7.00
Electoral Process	6.75	6.75	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Civil Society	5.50	5.75	5.75	6.00	6.25	6.50	6.75	7.00	7.00	7.00
Independent Media	6.75	6.75	6.75	6.75	6.75	6.75	6.75	7.00	7.00	7.00
Local Democratic Governance	6.25	6.25	6.50	6.50	6.50	6.50	6.50	6.50	6.50	6.50
Judicial Framework and Independence	5.75	6.25	6.25	6.50	6.50	6.50	6.75	7.00	7.00	7.00
Corruption	6.50	6.50	6.50	6.50	6.75	6.75	6.75	6.75	7.00	7.00
Democracy Score	6.25	6.39	6.46	6.57	6.64	6.68	6.75	6.86	6.93	6.93

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author (s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

No score changes in 2018.

Mike Runey

Executive Summary:

Authoritarianism in Azerbaijan became more deeply entrenched than ever in 2017, as the state apparatuses took a number of unprecedented steps to limit freedom of expression, silence critics at home and abroad, and crack down on minority communities for political gain. Rather than undertake long-needed governmental or economic reforms, the ruling elite responded to a persistently weak economy by further suppressing government critics, fighting behind-the-scenes battles over shrinking state resources, and emptying state coffers on international lobbying efforts. ^[1]

President Ilham Aliyev moved to further consolidate his family's dynastic control of the state, naming his wife, Mehriban Aliyeva, as First Vice President and placing her first in the line of succession in February. While the extent of the Aliyev family's control of economic and political life has been exaggerated in the past – particularly regarding the Azerbaijani elite's dependency on the president for access to state resources – the appointment seems to signal that the Aliyevs' hold on the economy and polity has strengthened considerably in recent years. ^[2] The consequences of this personalization of the state are already being felt: independent media outlets suspected that the March large-scale attacks on their websites, which eventually led to a complete blockade, were instigated by Aliyeva's displeasure at their coverage of her appointment.

As state power becomes more and more concentrated in the hands of the ruling family, Azerbaijan has become less responsive to international pressure and less concerned with maintaining any pretense of democratic freedoms. This was the first year in recent memory that no high-profile political prisoners were released in the traditional Nowruz pardon, and attempts by foreign diplomats to gain even minor concessions, such as permission for the human rights lawyer and former political prisoner Intigam Aliyev to travel abroad for much-needed medical care, have not produced any results. ^[3] A noted exception was the case of Turan News Agency director Mehman Aliyev, who was arrested on spurious tax charges in late August and released a few weeks later after widespread international condemnation that included, uniquely, a threat from U.S. Senator Dick Durbin to sanction the officials responsible. ^[4]

Corruption among Azerbaijani elites returned to international headlines in August when an international consortium of investigative reporters published "the Azerbaijani Laundromat," an exposé of a sprawling network of shell companies used to launder \$2.9 billion over two years for the use of the Azerbaijani elite. ^[5] The publication of the Azerbaijani Laundromat confirmed long-standing suspicions that Azerbaijan had bribed European politicians and policymakers to maintain its good standing in international organizations – most notably the Council of Europe – and access to international finance. The funds were used for everything from bribing European politicians, to purchasing all-terrain vehicles in the United States, to paying for expensive tuition at private English boarding schools. ^[6]

Azerbaijan appears to be set to pay a political price for the revelations, as the uproar over the report has pushed the Council of Europe (CoE) to launch infringement proceedings against the country for noncompliance with a 2014 European Court of Human Rights decision calling for the unconditional release of imprisoned opposition leader Ilgar Mammadov. ^[7] This step is the latest in what has become a quickly escalating – by the glacial standards of pan-European political bodies – legal battle with few avenues for resolution available other than Mammadov's release or the expulsion of Azerbaijan from the CoE. A third scenario, in which Azerbaijan manages to remain in the CoE and ignore the ruling, would essentially delegitimize the council and invite member states to follow suit without penalty. ^[8]

The remainder of the international community appears less keen to punish the government financially. Azerbaijan withdrew from the Extractive Industries Transparency Initiative, a group of governments, private companies, and civil society organizations that work to encourage states like Azerbaijan to adopt industry best practices, without consequence – despite warnings from international lenders in late 2016 that failure to live up to its commitments to the group would jeopardize key loans for government infrastructure projects.^[2] The revelation that a board member of the European Bank for Reconstruction and Development had received \$500,000 in "consulting fees" from an Azerbaijani Laundromat company did not stop the bank from approving \$500 million in loans for a gas pipeline from Azerbaijan to Southeastern Europe.^[10] However, final approval for a separate €1.5 billion (\$1.84 billion) loan from the European Investment Bank was postponed until February 2018, and activists credited concerns over the pipeline's environmental impact with the delay.^[11] The pipeline, dubbed the Southern Gas Corridor, is a long-term financial lifeline for the current government, which has struggled in recent years from low oil prices and declining production. Activists who campaigned against the pipeline worry that the revenue the state is set to receive from natural gas sales will allow it to more readily resist domestic and international appeals for democratic reforms.^[12]

After forcing essentially all independent media outlets out of the country in recent years, the government began blocking access to their websites.^[13] This move has not been entirely successful, as the affected outlets have reacted by cross-posting their articles and video to Facebook and hosting mirror versions of their websites on Amazon Web Services. However, the government's blockade of these websites has severely limited the ability of Azerbaijanis to access reliable information.

The willingness of Azerbaijan's neighbors to aid its efforts in punishing critical voices abroad was an unwelcome development in 2017, although it is debatable whether the increased responsiveness is domestic in origin or a result of ramped-up Azerbaijani pressure. In late May, the investigative journalist Afgan Mukhtarli was apparently kidnapped off the streets of Tbilisi by Georgian security services, who then transported him to the Azerbaijani border and handed him over to border guards. Despite widespread international condemnation, an Azerbaijani court sentenced Mukhtarli to six years in prison in January 2018.^[14] In late October, Azerbaijani journalist and Dutch citizen Fikret Huseynli was arrested in Kyiv's Boryspil Airport on an Interpol Red Notice widely considered politically motivated. At year's end, he remained in Ukraine and was still fighting extradition to Azerbaijan.^[15]

The most well-documented account of this cooperation was provided by a Russian-Israeli blogger, Alexander Lapshin, who spent several months in an Azerbaijani prison in 2017 on charges of illegally visiting Nagorno-Karabakh. After his release, Lapshin published a blog post describing how court documents outlined that Georgia, Ukraine, and Belarus provided, at Azerbaijan's request, extensive documentation on his travel and personal finances.^[16] While Georgia has until recently been considered a haven for persecuted Azerbaijani dissidents, Lapshin's blog suggested that the Georgian government provided Azerbaijan with far more documentation than was requested. Several other Azerbaijani journalists and opposition activists were forced to flee the country in 2017 after applications for residence permits were rejected on "national security grounds" without specifying a legal basis.^[17]

In September, Baku police systematically arrested at least 84 (and as many as several hundred) LGBT people, primarily in a series of late-night raids. The detainees were tortured, subjected to forced medical examinations, and pressured to inform on others in the LGBT community, or on wealthy or powerful individuals with whom they had had sexual relations. The government variously argued that it had merely conducted a roundup of sex workers at the request of Baku

residents, or that the purpose of the arrests was to quarantine disease-carrying people – who all, incidentally, happened to be members of the LGBT community.^[18]

What predicated the crackdown largely remains a mystery, but analysts have speculated it was designed either to distract from the fallout of the Azerbaijani Laundromat story or to shore up support among conservative religious Azerbaijanis before next year's presidential elections. From this perspective, the LGBT arrests were essentially a mirror image of the sweeping crackdown on Muslim Unity activists in 2016, when more than a hundred alleged members of the conservative Islamic movement were arrested following a shoot-out in the village of Nardaran in late 2015. The trials were widely regarded as farcical, and reports of torture and ill-treatment widespread.^[19] In both cases, the government appears to have violently attacked and mischaracterized a minority community – in one case painting peaceful, conservative Islamists as violent jihadists, in the other LGBT people as vectors for disease – in order to minimize the chances of a political alliance between opposition liberal and Islamic groups.

Outlook for 2018:

Civil society activists expect a surge in arrests and additional pressure on opposition political movements ahead of the presidential elections in 2018, which are set to take place against a backdrop of bank defaults, lingering effects of the financial crisis, and corruption allegations. These factors could make the government warier of election-time unrest than usual.^[20]

After several years of contraction, the International Monetary Fund (IMF) expects the Azerbaijani economy to return to growth in 2018, and the government is expecting a new revenue stream as the first gas shipments to Turkey via the Southern Gas Corridor are set to begin.^[21] However, persistently low gas prices and declining oil reserves mean that while the state will see enough revenue for the elite to maintain its lifestyle, there will be insufficient funds available to recreate the oil-fueled rise in living standards of the last decade.^[22] If public pressure continues to build, the government could seek to rally public support by escalating the conflict with Armenia over Nagorno-Karabakh, as it did in 2016. Observers have noted, however, that election years have historically been relatively peaceful.^[23]

Both Azerbaijan and the European Union (EU) publicly insist they will sign a long-planned Strategic Partnership Agreement in 2018 to replace the current Partnership and Cooperation Agreement. The two parties failed to reach an agreement by the 2017 Eastern Partnership Summit on 24-26 November, where neighboring Armenia signed a landmark agreement with the EU.^[24] Depending on point of view, this delay is either due to the EU's reluctance to commit to Azerbaijan's preferred language on the status of Nagorno-Karabakh or lingering EU concerns about recent backsliding on human rights and governance.^[25] In mid-December, Azerbaijan began to aggressively target activists and journalists with a hacking campaign that continued into the new year, signaling that efforts to limit freedom of expression online will only intensify in 2018.^[26]

National Democratic Governance:

2009 2010 2011 2012 2013 2014 2015 2016 2017 2018

6.25 6.50 6.50 6.75 6.75 6.75 6.75 6.75 7.00 7.00

- Azerbaijan's national governance has long been dominated by inter-clan politics, but the process has become more public in recent years, as oligarchs and their proxies battling for public support leak details to muckraking websites like Haqqin.az.^[27] The government increasingly seeks to intimidate and punish critics abroad and for years has resisted

international pressure to release many opposition figures and political prisoners, including the Republican Alternative (REAL) movement leader Ilgar Mammadov.^[28]

- In a move that drew widespread international attention and condemnation of nepotism from opposition and pro-democracy activists, President Ilham Aliyev named his wife, First Lady Mehriban Aliyeva, as First Vice President of Azerbaijan in February. She is the first person to hold the post, which was created in a controversial, deeply flawed referendum in September 2016.^[29] The appointment placed her first in the line of succession, a position formerly held by the prime minister.^[30] Azerbaijani lawyers argued that the appointment violated national anticorruption laws barring officials from working directly with close relatives.^[31] President Aliyev explained his decision to Russian journalist Vladimir Solovyov as a sign that "Azerbaijan is not Europe and is moving in a different direction."^[32]
- Analysts interpreted the appointment as the outcome of behind-the-scenes jockeying between political clans for influence and access to state resources, with Aliyeva's "Pashayev" clan emerging victorious. While the constitutional amendments allow for the appointment of multiple vice presidents, no additional appointments were made in 2017, quelling for the time being speculation that a representative of the declining "Nakhichevan" clan – mostly made up of aging holdovers from the regime of deceased former president Heydar Aliyev – would be compensated with a second vice president position.^[33]
- In preparation for the 2018 presidential elections, the opposition REAL declared plans in September to officially transform into a political party, triggering a negative campaign in the progovernment press.^[34] The movement had been under pressure from the government in January after a website with ties to the security services accused REAL of plotting a coup on the orders of Iran.^[35] Several leaders of the movement were called in for questioning but no charges were filed, and in August, charges of "illegal entrepreneurship" against REAL executive director Natiq Jafarli were dropped.^[36]
- Similar pressure has been used against the opposition Popular Front Party, whose deputy chairperson, Gozel Bayramli, was arrested upon returning from Georgia when border guards allegedly found \$12,000 in her baggage that she had failed to declare.^[37] Bayramli maintains the money was planted on her, and she remained in detention awaiting trial on charges of smuggling at year's end. She faces up to five years in prison.^[38] Fuad Gahramanli, another deputy chairperson, was sentenced to 10 years' imprisonment in January for Facebook posts critical of the government's response to the Nardaran events.^[39]
- In December, the Prosecutor General's Office took the unusual step of issuing a press release to announce the inclusion of Azerbaijani citizen Rauf Huseynov on Interpol's wanted list on charges of falsifying unspecified documents to gain political asylum in Europe.^[40] The statement did not mention that Huseynov is the brother of opposition leader Ali Karimli, who condemned the press release as an attempt to pressure him and his relatives.^[41] Despite the Prosecutor General's decision to publicize the Red Notice, Huseynov was not listed as wanted on Interpol's website as of December 2017.^[42]
- The economic crisis that began in 2015 continued, as both the state budget and the undiversified economy suffered from low oil prices. International ratings agencies worried about the government's increasing debt, the fallout from two mismanaged devaluations in 2015, and the collapse of the country's largest bank in June after \$7.3 billion in government funds proved insufficient to save it from insolvency.^[43] The fallout was felt widely and deeply across the economy, and rising unemployment encouraged increased emigration

while tightening credit led to a rise in black-market lending.^[44] However, unreliable or unavailable statistics obscured the scope of the crisis.^[45]

- In March, shortly after being suspended by its fellow members for inadequate transparency and a failure to allow sufficient civil society involvement in its petrochemical sector, Azerbaijan withdrew entirely from the Extractive Industries Transparency Initiative. The government had announced a slew of regulatory changes, ostensibly aimed at easing restrictions on NGO registration, but did not provide anything of substance.^[46] Environmental and human rights groups initially lauded the suspension, as international lenders had informally conditioned financing for the Southern Gas Corridor, a pipeline to sell Azerbaijani natural gas to Turkey and the Balkans and a key foreign and economic policy objective for Baku. At the time of writing, Baku had not paid any price for its withdrawal: no funding has been lost, and the Southern Gas Corridor project is due to be completed in 2020.^[47]

Electoral Process:

2009 2010 2011 2012 2013 2014 2015 2016 2017 2018

6.75 6.75 7.00 7.00 7.00 7.00 7.00 7.00 7.00 7.00

- Azerbaijan has not conducted a free or fair election in its post-Soviet history, and long-standing suspicions that it funneled money to European politicians willing to "monitor" its referendums and elections and praise the results were confirmed as part of the Azerbaijani Laundromat investigation.^[48] Azerbaijan imposed strict limits on the number of monitors in 2015, leading the OSCE to cancel its election observation mission entirely. There have been no public signs of reconciliation, so it is unlikely that impartial observers will be permitted to observe the 2018 presidential elections.^[49] Given that the Azerbaijani Laundromat revelations ended the careers of several European politicians who accepted money in return for favorable assessments of past elections, the participation of any European observers from mainstream political parties is also in doubt.^[50]
- The run-up to elections and referendums is typically marked by harassment of opposition groups and campaigners, with the dual goal of limiting their ability to spread their message and discouraging inactive citizens from joining a protest movement. Permits for opposition rallies are granted selectively, and the authorities occasionally request that rallies be moved to another place or to another day with minimal notice.^[51] Unequal access to media is also a systemic problem, as government-controlled television does not give equal time to opposition parties.^[52]
- Since 2002, a variety of international organizations – such as OSCE/ODIHR, the Venice Commission, and the Committee of Ministers of the CoE – have identified numerous legal and procedural shortcomings in Azerbaijan's electoral processes. These include inconsistencies between various electoral codes, the lack of a truly independent election commission, no system for auditing campaign finances, discrepancies in the voter rolls, a lack of compliance with international norms of freedom of speech and assembly, and many more systemic issues. Despite numerous reports and repeated judgements against it in the European Court of Human Rights in cases of electoral processes, the government of Azerbaijan has not taken any meaningful steps to improve the country's electoral system or implement the recommendations of international organizations.^[53]

Civil Society:

2009 2010 2011 2012 2013 2014 2015 2016 2017 2018

5.5 5.75 5.75 6.00 6.25 6.50 6.75 7.00 7.00 7.00

- The crackdown that started with the adoption of restrictive NGO registration laws in 2013, and increased the number of politically motivated arrests in 2014, continued unabated during the year. International organizations and donors are still largely banned from operating in the country, and those that remain are only able to fund government-approved organizations. The legal harassment of NGOs and activists continues in kind, although the thoroughness of the crackdown in past years means that attacks are now fewer and further apart.^[54] After visiting the country in February 2017, the United Nations Special Rapporteur on the situation of human rights defenders reported that "the already challenging environment has turned into a total crisis."^[55]
- The government's definition of acceptable NGO activities continued to shrink, as Transparency Azerbaijan (TA), the local chapter of the international anticorruption NGO Transparency International, announced it would cease operations in August.^[56] The chapter had faced significant criticism in recent years for its highly technical and apolitical approach to transparency, as well as its director's participation in a show trial of the activists Leyla and Arif Yunus.^[57] Articles attacking the staff of the Women's Association for Rational Development (WARD), a widely respected NGO working on gender development, began to appear in progovernment media outlets in September.^[58]
- From 15 to 30 September, Baku police detained at least 86 – and as many as several hundred – LGBT people in raids on clubs, bars, and apartments, as well as in random stops on the street.^[59] Authorities forcibly shaved transwomen's heads, and several detainees were subjected to forced medical tests for HIV and other sexually transmitted diseases. Those detained reported being tortured with electric shocks, subjected to beatings, forced to turn over the contacts of their LGBT friends, pressured to name influential people with whom they had had sex, and denied access to lawyers or their families.^[60] Exact figures are difficult to discern, as only 56 people were officially charged.^[61] Many of the detainees told lawyers and local activists that, rather than to a police station, police had taken them to the much-feared Department of Combatting Organized Crime, where they were pressured to provide details of sexual relations with wealthy and powerful individuals. The purpose of the crackdown is still unknown, but analysts theorize it was an attempt to curry favor with conservative religious communities, or to distract attention from the Azerbaijani Laundromat investigation.^[62]
- Two hundred changes to the tax code came into force in January, greatly limiting the abilities of NGOs and their legal subsidiaries to make payments in cash and imposing harsh fines for noncompliance. The changes were ostensibly part of an anticorruption campaign; however, the technical improvements in banking infrastructure required for full compliance to be a realistic possibility did not accompany the tax amendments.^[63]
- Despite the increased security measures, several small protests against local authorities did break out during the year, including a protest by doctors in Ganja against budget cuts.^[64] But with the right to freedom of assembly severely curtailed, activists used social media to pressure local governments into overturning unpopular decisions. They succeeded in the custody case of a 10-year-old in Quba,^[65] as well as in the reinstatement of two teachers from Neftchala District who had been fired for publicly expressing support of opposition political parties.^[66]

- In March, Amnesty International revealed that Azerbaijan had been using homemade malware to spy on the digital activities of dissidents and activists since at least November 2015.^[67] Aside from surveillance, the malware was also used to steal personal photos, which were then uploaded to fake accounts on social media as part of a broader campaign to harass and dissuade activists from using Facebook to organize and disseminate information.^[68]
- Throughout the year, activists for the opposition groups Müsavat and Popular Front Party were regularly detained for unclear reasons and sentenced to 20- and 30-day administrative arrests.^[69] While the authorities permitted an opposition coalition to hold a large anticorruption rally on 23 September, six activists were preemptively detained and more than a hundred were summoned to police stations beforehand and warned not to attend.^[70] The police allegedly used facial recognition technology to identify attendees, and fined, detained, or otherwise punished at least 76 individuals.^[71] By early November, several attendees reported being fired from their workplace as punishment for attending the rally.^[72] Religious groups that operate outside of state-sanctioned religious authorities continue to face pressure, although it is applied unevenly as the state attempts to maintain good relations with its fellow Muslim states. In January, 17 conservative Shi'ite activists were sentenced to lengthy prison terms up to 20 years for their part in the so-called Nardaran Affair.^[73] Fourteen of these activists were pardoned in September, while the town of Nardaran itself remains off limits to those without local residence permits.^[74] In July, Shi'ite cleric Sardar Babayev became the first Azerbaijani to be prosecuted under a 2015 law retroactively outlawing preaching by those who received a religious education abroad. The Masalli District Court sentenced Babayev, who had studied in Iran, to three years' imprisonment.^[75]
- In April, hundreds of believers rallied in Baku's Sovetsky neighborhood to save its historic Haji Javad mosque, only to see it demolished in the middle of the night on 1 July.^[76] The demolition was part of a continued razing of the historic, centrally located district to make way for high-rise apartments and shops.^[77] Shortly before an opposition rally scheduled for 28 October, the State Security Service of Azerbaijan claimed it had killed a group of religious extremists who had been planning to disrupt the demonstration with an unspecified terrorist attack.^[78] In line with nearly all announcements of this kind, the official statement lacked many details, no suspects survived their encounter with the government to offer a counter-narrative, and no additional reporting was ever made public. Opposition leaders accused the state of fabricating the incident to justify future restrictions on freedom of association.^[79]
- More than two decades since the open phase of the conflict with Armenia over the disputed Nagorno-Karabakh region, Azerbaijan has failed so far to integrate its 621,585 internally displaced people (IDPs).^[80] From December 2016 through February 2017, IDPs in Baku's Yasamal District, the Baku suburb of Khirdalan, and in Bilasuvar region protested against the government's decision to replace the provision of free utilities to IDPs with a monthly stipend, which the IDPs argued was insufficient to cover their new gas and electricity bills.^[81] Although the protests ostensibly concerned utility payments, long-standing dissatisfaction among IDPs over poor living conditions and a state that seems disinterested in ever integrating them fully into Azerbaijani society were contributing factors.^[82] The government eventually agreed to pay all utilities until IDPs were resettled into permanent housing, but also sentenced two IDPs from Bilasuvar to one and a half years in prison for their part in the utility protests.^[83] Perhaps hoping to prevent recurring IDP protests in an election year, the government publicly admitted in November that 4,600 IDP families were

living in unacceptable housing and announced plans to double the budget for IDP support programs in 2018.^[84]

Independent Media:

2009 2010 2011 2012 2013 2014 2015 2016 2017 2018

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- The state further restricted freedom of the media in the past year, most notably by blocking access to independent online media outlets, including Meydan TV, Azadliq.info, and Radio Free Europe/Radio Liberty, in late March.^[85] The state used technology similar to Russia's SORM to prevent users in Azerbaijan from accessing any of the sites, and also blocked foreign websites reporting on the Azerbaijani Laundromat.^[86] The targeted media outlets have managed to continue to operate by posting stories in their entirety on Facebook and advertising unblocked mirror sites on social media, as well as publishing instructions on how to use VPNs or the Tor browser to circumvent the government's blockade.^[87] However, the outlets' website traffic has diminished.
- In March, Azerbaijan's parliament amended two laws governing online information and telecommunications. These amendments expanded the definition of prohibited information and materials, permit authorities to request a website's user data, and provide a legal basis for blocking websites that fail to comply.^[88] The law was passed several months after independent media outlets first noticed efforts to block their websites in the country,^[89] and steps taken by the authorities to retroactively justify the blockade have not complied with procedures required by the law.^[90] A December attempt by the affected organizations to challenge the ban in domestic courts has been unsuccessful.^[91]
- Between August and December, the last remaining independent media company inside Azerbaijan, Turan News Agency, was at serious risk of closure,^[92] and in August, Turan's director, Mehman Aliyev, was placed in pretrial detention facing a seven-year prison term on questionable charges of tax evasion.^[93] After pressure from European institutions,^[94] the threat of targeted sanctions by the United States Congress,^[95] and an uncommon appeal from the Azerbaijani cultural elite,^[96] Aliyev was released from pretrial detention in September and placed under house arrest; the charges were dropped on 2 November.^[97] After a number of unexplained false starts and reversals, the government dropped all charges against Turan News Agency, as well, in October. For reasons it did not publicly explain, the Ministry of Taxes repeatedly declined to provide the court with documentation indicating the tax debt in question had been forgiven or resolved,^[98] and the case dragged on until the Baku Administrative Economic Court No. 1 formally rejected the ministry's claim on 19 December.^[99]
- On 9 January, Baku police detained the popular blogger and photojournalist Mehman Huseynov without cause; Huseynov was questioned about his activities and tortured until he lost consciousness.^[100] The 26-year-old had built a large following with his Facebook blog "Sancaq," which highlighted stories of corruption and abuse of resources by government officials. Azerbaijani authorities had threatened Huseynov and ordered him to stop his activities several times in recent years, including previous detention and warnings by security services and a ban on traveling internationally since 2012.^[101] Upon his release, he filed a complaint and spoke publicly about his ordeal, but was instead charged with defaming the police department that abducted him. He lost his case and was sentenced to

two years' imprisonment in March.^[102] Two appeals to higher courts have been denied, most recently on 15 December.^[103]

- On 29 May, the investigative journalist Afgan Mukhtarli was abducted in Tbilisi, Georgia, while walking home in the evening after meeting a friend. According to Mukhtarli, Georgian-speaking abductors placed a bag over his head, beat him, and drove him to the Azerbaijani border, where he was handed over to Azerbaijani security services and accused of attempting to smuggle €10,000 (\$11,800) across the border.^[104] The case caused a furor in Georgia and internationally, especially after Georgian journalists discovered that surveillance cameras that would have filmed Mukhtarli's abduction had been erased or doctored, apparently by the Ministry of Internal Affairs.^[105] His trial was assigned to Balakan District Court in northwestern Azerbaijan, forcing his legal team and journalists to make a 12-hour round trip by car in order to participate. Journalists who made the trip were routinely denied access to the courtroom, and Mukhtarli's lawyers found their motions almost universally denied throughout his trial, including attempts to move him to house arrest, sit with his lawyers, and attend the funeral of three relatives who died in an accident on 31 December.^[106]
- The journalist Khadija Ismayilova continues to be barred from traveling internationally, and thus in September was prevented from personally accepting the Right Livelihood Award, often referred to as the "Alternative Nobel Prize," in Sweden.^[107] Ismayilova used the ban as an opportunity to discuss EU-Azerbaijani relations, pointing out that the Swedish government's public criticism of her travel ban was undermined by the government's less-public decision to arrange meetings between Swedish industry and scandal-prone Azerbaijani entities, such as Azercell and the Ministry of Transport, Communications, and High Technologies.^[108]
- State pressure is not limited to high-profile journalists; anyone who publicly criticizes even local authorities is at risk. Notable examples are Jam.az editor Fikret Faramazoglu, who was sentenced in June to seven years' imprisonment on charges of extortion, and Nijat Amiraslanov, a freelance journalist who reportedly lost all his teeth during a 30-day administrative sentence for a Facebook post.^[109] Aziz Orujov, director of the online television channel Kanal 13, was arrested in June, charged with crimes related to failing to properly register grants received from abroad, and sentenced to six years' imprisonment in December.^[110] A journalist who traveled to the line of contact with Armenia to report on ceasefire violations was abducted by Azerbaijani soldiers, held incommunicado, tortured, and eventually forced to flee the country.^[111] Many journalists, both independent and employees of the formerly regime-friendly ANS TV, working inside Azerbaijan continue to be banned from international travel.^[112]
- Continuing a practice used against foreign-based reporters from Meydan TV and Azadliq in recent years, Baku police in February harassed and intimidated relatives of a Netherlands-based journalist, Orduhan Temirhan, in an attempt to stop his reporting.^[113] In November, the brother of another Netherlands-based journalist, Turkel Azerturk, was arrested on drug trafficking charges.^[114]
- Azerbaijan is one of several authoritarian states that requests frivolous Interpol Red Notices in order to harass foreign-based dissidents and journalists.^[115] On 14 October, the journalist Fikret Huseynli was detained at Kyiv's Boryspil Airport on a Red Notice accusing him of "falsifying documents" and other charges.^[116] Huseynli, who had fled Azerbaijan for Europe

in 2006 after a vicious attack, spent two weeks in a Ukrainian jail before being released on bail. He remains in Ukraine while his case makes its way through the Ukrainian courts.^[117]

- No Red Notice was needed to persuade Belarus to extradite the Russian-Israeli blogger Alexander Lapshin to Azerbaijan. Lapshin was arrested in Minsk at the request of Azerbaijan, who had sought to punish him for embarrassing the government by blogging about a trip he made to Azerbaijan despite being on the official blacklist of foreigners barred from entering the country for visiting Nagorno-Karabakh. Lapshin, who also holds Ukrainian citizenship, had avoided the Azerbaijani authorities' attention by traveling on his Ukrainian passport, which contained an alternate spelling of his name allowing him to enter Azerbaijan without being detected on the blacklist.^[118] He also wrote two blog posts expressing sympathy for Nagorno-Karabakh independence.^[119] Lapshin was released on 13 September after receiving a presidential pardon, and subsequently resumed his criticism of the Azerbaijani government from abroad.^[120]
- The overall financial health of the media is poor in Azerbaijan. Only government-approved publishers have access to the print media market, as the last independent newspaper ceased print publication in 2014 after financial pressure from the government forced it into insolvency.^[121] There are a variety of independent media outlets, but those that become too critical or popular risk being blocked by the government, and ad revenues for Azerbaijan are too low to sustain a niche website.^[122] The government has sought to alleviate the problem by providing journalists with free publicly funded housing, but the program has come under significant domestic and international criticism for its opaque selection system and arguments that free government housing represents a clear conflict of interest.^[123] Much of the vibrant political and social debate that is normally found in media outlets is conducted on Facebook, either openly and earnestly by the older generation or among the young via deliberately obscure memes.^[124]

Local Democratic Governance:

2009 2010 2011 2012 2013 2014 2015 2016 2017 2018

6.25 6.25 6.50 6.50 6.50 6.50 6.50 6.50 6.50 6.50

- Political power in Azerbaijan is heavily concentrated in Baku and primarily in the executive branch. The constitutional amendments in 2016 only served to further concentrate authority in the office of the president.^[125] Outside of the capital, the level of local control depends on the local executive's personal relationship with the president. Most famously, the Autonomous Republic of Nakhchivan is still controlled by the autocratic Vasif Talibov, a longtime Aliyev family loyalist who made international news in 2017 by publishing a list of 30 books that every citizen should read, and decreeing that they be placed in every school and library in the autonomous republic.^[126] The majority Sunni regions on the border of Dagestan continue to be largely closed to outside scrutiny, and news of developments there is nearly impossible to come by.
- Although the federal government has moved to lessen the cost of corruption on international business, most notably by reforming a deeply corrupt customs regime at major international ports last year, it has not shown interest in demanding similar reforms in the regions.^[127] The customs reforms were not extended to Azerbaijan's border with Dagestan, where mandatory bribes by officials on both sides contributed to rising tensions at border checkpoints. In April, clashes broke out between Azerbaijani and Daghestani truckers over the former's lack of interest in joining in the latter's strike over new road taxes.^[128]

- In the aftermath of protests against worsening economic conditions and high prices in 2016, local governments reacted by increasing surveillance and drafting local volunteers into informal militias to monitor residents for signs of further unrest.^[129] Travel by Baku-based activists to the regions is viewed with more suspicion than in the past. In April, local authorities briefly detained human rights activist Bashir Suleymanli and questioned members of his family about the purpose of his personal visits in the regions.^[130]
- There were scattered reports in local media suggesting that local authorities had resorted to Soviet-era compulsory labor practices to meet unrealistically high cotton quotas set by the national government. The Ministry of Agriculture admitted that students and hospital employees had participated in the cotton harvest, but insisted all work was voluntary and undertaken during the workers' free time.^[131] Rumors of forced labor persisted throughout the year, and although about two and a half as much cotton was collected in 2017 as in 2016, the state fell more than 60,000 tons short of its goal of 270,000 tons.^[132] Agriculture experts and economists warned that the state's singular focus on cotton left too little land for growing feed for livestock, which in turn made Azerbaijani meat and dairy products expensive domestically and uncompetitive internationally.^[133]

Judicial Framework and Independence:

2009 2010 2011 2012 2013 2014 2015 2016 2017 2018

5.75 6.25 6.25 6.50 6.50 6.50 6.75 7.00 7.00 7.00

- Both the Azerbaijani judicial system and bar association are under the de facto control of the executive branch, and international observers have noted multiple systemic problems, including the harassment of lawyers, unfair disciplinary procedures, and a politicized bar admission system that severely limits the number of lawyers.^[134] Human rights lawyers regularly complain about court procedures being ignored and verdicts that are either not based on or directly contradict witness testimony in political cases. Few lawyers are willing to take sensitive cases, and those that do often face disbarment, harassment, and obtrusive surveillance.
- Politicized disbarment remains a serious problem. In August, the lawyer Yalchin Imanov was referred to the state bar disciplinary committee after he publicized an imprisoned client's allegations of torture by prison authorities;^[135] in November, the disciplinary committee disbarred Imanov.^[136] In February, lawyer Elchin Sadigov complained of regular harassment by police and security services related to his human rights work.^[137] On 31 October, Azerbaijan's parliament adopted legislation that would decimate the country's legal profession by disbarring approximately 90 percent of practicing lawyers, and leaving an estimated 934 government-approved attorneys to advocate in a country of 10 million people. Police reportedly summoned numerous lawyers in the hours after the bill was adopted and told them they would face fines or imprisonment if they continued practicing law.^[138] The law was signed by President Aliyev and went into force on 1 January 2018.^[139]
- Although Azerbaijan often complies with the decisions of the European Court of Human Rights (ECtHR), it habitually fails to do so in high-profile political cases, most notably regarding the continued imprisonment of opposition leader Ilgar Mammadov, who remains in prison despite a 2014 ECtHR ruling ordering his release.^[140] Following the publication of the Azerbaijani Laundromat investigation, the CoE invoked Article 46 of its charter and began proceedings to formally condemn Azerbaijan for noncompliance. Azerbaijan insists it complied with the decision by paying compensation to Mammadov in 2015, but

Mammadov's family has been unable to collect said compensation because prison authorities have not allowed Mammadov to meet with a lawyer to hand over power of attorney.^[141] Mammadov's case is commonly described as a "test case" of the CoE's ability to enforce major ECtHR decisions, and the outcome of the case is likely to have repercussions far beyond Azerbaijan.^[142]

- Azerbaijan became the latest authoritarian country to abuse Interpol's Red Notice system, in June requesting a Red Notice for Leyla and Arif Yunus, two human rights activists and former political prisoners who currently reside in the Netherlands.^[143] Interpol appears to have quietly refused the request after international pressure from the Yunuses' legal team. In July, the journalist Fikret Huseynli was detained in Kyiv on the basis of an Azerbaijan-issued Red Notice, and after two weeks' imprisonment was released on bail while his case proceeds through the Ukrainian courts.
- Prison conditions vary widely across Azerbaijani penitentiaries, but the food, heating, and clothing provided are all generally poor, and inmates' families are expected to supply basic necessities. According to the lawyers of imprisoned activists, journalists, and religious leaders, the already deplorable prison conditions have worsened in the past year, and reports of hunger strikes protesting torture, death threats from prison staff, and intolerable prison conditions are now commonplace in Azerbaijani media.^[144] The abducted journalist Afgan Mukhtarli, a type 2 diabetic, has complained of receiving substandard medical care that has aggravated his condition. The court has rejected his lawyers' repeated requests to release him to home detention in order to seek better treatment.^[145] Mukhtarli has reportedly lost at least 21 kilograms since his abduction in June.^[146]
- Two high-profile prisoners died by suicide in 2017, according to authorities. Blogger Mehman Qalandarov allegedly hanged himself in his cell on 28 April, less than 10 days before the end of his pretrial detention on drug charges.^[147] Qalandarov was arrested shortly after publishing a Facebook post in support of the political prisoner Qiyas Ibragimov, and the murky circumstances surrounding his death prompted the U.S. State Department to press Azerbaijan, unsuccessfully, to investigate the matter.^[148] A former police colonel who had been serving a life sentence since 2007 also committed suicide under unclear circumstances, although government-friendly media hinted he had been suffering from tuberculosis.^[149]
- The response from Azerbaijani authorities to public complaints on prison conditions grew more severe as the year moved on. In June, prison authorities agreed to meet the demands of youth activist Bayram Mamedov in order to end his hunger strike, seemingly signaling willingness by the government towards leniency in political cases.^[150] However, by August, a Baku court refused to consider a religious activist's torture complaint, and prison officials dismissed allegations of death threats against Qiyas Ibragimov, a youth activist imprisoned since 2016, out of hand.^[151] In a separate incident, Ibragimov's sentence was extended by three months and his father sentenced to eighteen months' hard labor on 18 December, both on charges of contempt of court.^[152] Both sentences were the result of the father and son protesting a judge's conduct during an appeal hearing on 5 June in Baku.^[153]

Corruption:

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
6.50	6.50	6.50	6.50	6.75	6.75	6.75	6.75	7.00	7.00

- Corruption remains a serious issue at every level of government and society, and Azerbaijan continues to perform poorly in comparison with its South Caucasian neighbors in international indices. Over the last several years, Azerbaijan has failed to meet the exceedingly low bars for membership in international transparency organizations but has not faced any public consequences from Western governments or international financial institutions as a result.^[154] The populace has become largely desensitized to grand corruption, although individual scandals, such as a series of car accidents caused by the children of powerful figures, still have the ability to incite anger across the country.^[155]
- In August, an investigation led by the Organized Crime and Corruption Reporting Project (OCCRP) and the Danish newspaper *Berlingske* revealed a scheme, dubbed "the Azerbaijani Laundromat," that laundered \$2.9 billion over two years through European financial institutions. The money was laundered to disguise bribes to politicians, for secret payments to journalists, and to purchase luxury goods and property, among a wide range of other financial transactions that benefited the Azerbaijani elite.^[156] The investigation confirmed long-standing suspicions and allegations about the depth of Azerbaijani influence, commonly referred to as "caviar diplomacy."^[157] The origin of the funds is not entirely clear; however, approximately half came from Baktelekom MMC, an Azerbaijan-registered limited liability corporation (LLC) with a name nearly identical – but completely unrelated – to a major Azerbaijani telecom operator.^[158] The OCCRP had previously linked the corporation to Mehriban Aliyeva.^[159]
- The revelations led to the resignation of several European politicians found to have accepted funds in exchange for favorable assessments of Azerbaijani elections or votes protecting Azerbaijan in the Parliamentary Assembly of the CoE. The European Parliament called for an investigation into the "Azerbaijani Laundromat" and to research measures to prevent similar efforts by "other autocratic regimes in third countries to influence European decision-makers through illicit means."^[160] The fallout in the Parliamentary Assembly of the Council of Europe (PACE) was more serious, as PACE President Pedro Agramunt resigned on 6 October to avoid a debate over his removal, and the PACE Rapporteur on Azerbaijan, Alain Destexhe of Belgium, resigned on 16 September following allegations that he received funds from Azerbaijan via his own foundation. The Secretary General of the CoE announced plans to reconsider Azerbaijan's membership in the organization.^[161] The Laundromat revelations also led to a series of large anticorruption protests in Baku and the threat of targeted sanctions from the United States.^[162]
- Reporting by the OCCRP on the Azerbaijani Laundromat and a *New Yorker* investigation into the aborted Trump Tower Baku project separately uncovered evidence of Azerbaijan's role in helping Iran avoid the international economic sanctions aimed at curbing its nuclear program in 2006.^[163] The latter story described how the oligarch Ziya Mammadov used overpriced contracts to launder funds by the Iranian Revolutionary Guard, and the former examined how a Turkish-Iranian businessman used Azerbaijani Laundromat shell companies to funnel funds out of Iran for unknown purposes. The level of the Aliyevs' complicity in either scheme is unknown.^[164]
- International investors who had poured a combined \$3.3 billion into Azerbaijan's largest lender, International Bank of Azerbaijan, were forced to accept a cut of 80 percent as the bank entered insolvency in June.^[165] The collapse of the bank foreshadowed the Azerbaijani Laundromat revelations, in which the bank played a primary role.^[166] Investors were largely undeterred by a major embezzlement scandal in 2015,^[167] and appeared to believe the bank would continue to be the recipient of public largesse despite the country's ongoing economic

crisis. Investors further displayed little concern about a lack of transparency at the bank, provided it continued to make its interest payments on time.^[168]

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