



FREEDOM ON THE NET 2024

## Azerbaijan

NOT FREE

**34**  
/100

A. <u>Obstacles to Access</u>	<b>11</b> /25
B. <u>Limits on Content</u>	<b>13</b> /35
C. <u>Violations of User Rights</u>	<b>10</b> /40

LAST YEAR'S SCORE & STATUS

**37** /100    **Not Free**

Scores are based on a scale of 0 (least free) to 100 (most free). See the research methodology and report acknowledgements.



# Key Developments, June 1, 2023 – May 31, 2024

Internet freedom plummeted further in Azerbaijan during the coverage period due to widespread arrests of activists and independent journalists, which increased self-censorship and limited organizing. The government continues to manipulate the information space in its favor.

- From September to October 2023 the government blocked access to TikTok during a military operation in Nagorno-Karabakh (see A3 and B1).
- The authorities conducted a wave of arrests targeting journalists affiliated with independent online news outlets, including Abzas, Kanal 11, Kanal 13, and Toplum TV. Most of these journalists remained in pretrial detention at the end of the coverage period (see B4, B7, B8, and C3).
- In March 2024, Avaz Zeynalli, editor of the online outlet Khural, was sentenced to nine years in prison while Elnur Shukurov, who runs the YouTube channel Seda TV, was sentenced to four (see C3).
- In February 2024, a court sentenced religious blogger Rashad Ramazanov, who was reportedly tortured in detention, to five years and four months on bogus drug trafficking charges (see C3 and C7).

## Political 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. In 2023, Azerbaijani forces seized control of Nagorno-Karabakh—an ethnic Armenian enclave that had enjoyed de facto independence since 1994—following a months-long blockade and a military operation; the surrender of local political leaders and defense forces prompted nearly the entire ethnic Armenian population of the territory to flee to the Republic of Armenia.

*Editor's Note: Nagorno-Karabakh is not covered in this report. Certain territories that are assessed separately in Freedom House's Freedom in the World report are excluded from the relevant country reports in Freedom on the Net, as conditions in such geographical areas differ significantly from those in the rest of the country.*

## A. Obstacles to Access

**A1** 0-6 pts

**Do infrastructural limitations restrict access to the internet or the speed and quality of internet connections?**

**5/6**

The internet is fairly accessible in Azerbaijan, though state information and communication (ICT) monopolies remain a key obstacle to improving internet access and service quality across the country. <sup>1</sup>

According to the 2023 data from the International Telecommunication Union (ITU), Azerbaijan is home to 20.9 fixed-line broadband internet subscriptions per 100 people and 85.4 mobile broadband subscriptions per 100 people. Per 2023 ITU data, the most recent available, 88 percent of the population uses the internet. <sup>2</sup> The Ministry of Digital Development and Transport launched the “Online Azerbaijan” project in 2023 with the goal of ensuring internet connectivity across the country, including in the territories the Azerbaijani army captured following the 2020 Nagorno-Karabakh conflict and the September 2023 military operation. <sup>3</sup>

However, the high penetration rate continues to obscure disparities in access. High-speed internet is still mainly available in Baku and in several other big cities. <sup>4</sup>

The speed of fixed-line and mobile broadband connections in Azerbaijan increased during the coverage period. According to internet metrics company Ookla, the median fixed-line broadband download speed rose from 27.57 megabits per second (Mbps) in February 2023 to 37.32 Mbps in February 2024. During the same period, the median mobile broadband download speed increased from 37.47 Mbps to 48.41 Mbps. <sup>5</sup> The Ministry of Digital Development and Transport

intends to ensure broadband internet with minimum speed of 30 Mbps across the whole country as part of the “Online Azerbaijan” project. **6**

Virtually the entire population was covered by 2G, 3G and 4G mobile networks as of 2022. **7** As of May 2023, 5G technology was still only available at select locations. Although Nar mobile announced it was expanding 5G coverage outside of Baku, 5G was still only available in limited areas. **8** In February 2023, Bakcell said it was also piloting 5G connections in three different locations in Baku. **9** However, local experts and users say it will take more time for 5G technology to be fully accessible across Azerbaijan.

Users mainly access the internet via mobile devices. Azercell—the country’s leading mobile operator—improved its long term evolution (LTE) network coverage during the coverage period. According to the company, LTE network geographical coverage reached 80 percent in Baku and 75 percent in other regions of the country. **10**

Users continued to report regular connectivity problems during the coverage period. Outside of Baku, connectivity remains poor. **11** Information technology (IT) expert Farhad Miraliyev believes this is directly related to the state’s monopoly over the ICT industry and the lack of sufficient infrastructure, especially outside major cities and Baku. **12** According to a March 2022 statement from Rovshan Rustamov, the deputy minister of digital development and transport, the country aims to resolve access issues using “Fiber to the Home” networks and to achieve full coverage, providing broadband internet speeds of at least 25 megabytes per second (MB/s) by 2024. **13** In a January 2024 statement the ministry said it is working on replacing existing asymmetric digital subscriber line (ADSL) equipment with Gigabyte Passive Optical Network (GPON) equipment as part of the ministry’s “Online Azerbaijan” project. **14**

In the past, when connectivity problems occurred, people have claimed that internet service providers (ISPs) cut off connections because they cannot accommodate high demand. Some experts claim that ISPs intentionally throttle connections in compliance with government requests (see A3). **15** Osman Gunduz of the Azerbaijan Internet Forum noted that the bandwidth designated for a single user is often divided and sold to multiple users. **16**

The Ministry of Digital Development and Transport denies that Azerbaijan has any connectivity issues, instead arguing that the ministry is constantly working to improve the provision of high-speed internet. <sup>17</sup> Similarly, both Aztelekom and Baktelecom claim that the country does not experience serious issues in internet access, despite users' complaints. <sup>18</sup>

In January 2024, at least one region experienced connectivity issues as a result of bad weather conditions. <sup>19</sup>

In May 2023, Azercosmos, the Azerbaijan Space Agency, signed a cooperation agreement with SpaceX. According to the agreement, Azercosmos will be able to resell SpaceX's Starlink internet service in Iran. <sup>20</sup> No statements or progress reports have been shared following the signing of the agreement (see A4).

**A2** 0-3 pts

Is access to the internet prohibitively expensive or beyond the reach of certain segments of the population for geographical, social, or other reasons?	1/3
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Internet access is somewhat expensive relative to monthly incomes. Given the extent to which the ICT sector is controlled by the state, the Ministry of Digital Development and Transport—not the market—sets prices. <sup>21</sup>

Price data from the ITU put the monthly cost of a 5 gigabyte (GB) fixed-line internet connection at 1.27 percent of gross national income (GNI) per capita and a 2 GB mobile internet connection at .59 percent of GNI per capita in 2023, <sup>22</sup> indicating a slight decrease in the cost of the fixed-line connections and mobile internet connections from 2022 to 2023.

In March 2024, both Azercell and Bakcell raised fees for internet bundles and cancelled some internet packages, instead introducing new bundles with higher fees. <sup>23</sup>

In August 2022, Aztelekom and Baktelecom, owned by the Ministry of Digital Development and Transport, announced changes in mobile broadband plans due to the use and application of GPON technology and increased demand for high-speed internet. <sup>24</sup> The change in broadband plans prompted public criticism and an investigation by the State Antimonopoly and Consumer Market Control Service

(see A4). **25** In July 2023, the service decided that both companies violated the requirements of several legislative acts, including the Law on Telecommunications and Law on Regulated Prices. While both companies were ordered to pay a fine, **26** the dispute remains unresolved and a court case is ongoing. **27**

In Azerbaijan, a small geographic digital divide persists. According to the official figures from 2022, while household internet access rates stood at 87.8 percent across the country, **28** the access rate in rural areas was only 83.8 percent, compared with 91.6 percent in urban areas. **29** Despite government pledges, ICT infrastructure beyond Baku remains neglected, and the capital is the overwhelming beneficiary of state investment in ICT. **30** Independent media reports confirm accessibility challenges, especially in remote villages. **31** The Ministry of Digital Development and Transport pledged to provide countrywide access to high-speed and broadband internet using GPON technology as part of the "Online Azerbaijan" project, with the aim of covering 60 percent of the population by the end of 2024. **32**

According to the Ministry of Digital Development and Transport, it accomplished its goal of providing 603,400 households with fiber-optic internet by 2022. **33** In January 2023, Aztelekom announced that the provision of GPON and other broadband technologies continued in at least 60 administrative regions and cities across the country, with the aim of providing full coverage of the entire country with broadband internet speeds of at least 25 MB/s by the end of 2024 (See A1). **34**

The introduction of 5G technology could also impose additional costs on users. The average fee for a mobile device that supports 5G starts at 600 manat (\$350) for Android devices and 1,600 manat (\$940) for iOS-operated mobile phones. **35** As of March 2024, the minimum wage in Azerbaijan was 345 manat (\$200) per month, according to official data. **36**

According to 2022 data from the Ministry of Digital Development and Transport data, as of 2022 89.4 percent of men used the internet, compared with 86.8 percent of women. **37**

**A3** 0-6 pts

The government exercises control over internet infrastructure. It blocked access to TikTok during the coverage period, and has previously throttled access to the internet and blocked other social media platforms.

The authorities blocked access to TikTok on September 19, 2023, during Azerbaijan's military offensive in Nagorno-Karabakh. The Cyber Security Service under the Ministry of Digital Development and Transport confirmed it suspended TikTok because of the operation; the state restored access at the end of October 2023 (see B1). Previously the state blocked access to the platform in September 2022. <sup>38</sup> In September and October 2023, the Azerbaijani government also throttled the internet in Fuzuli, a city in Nagorno-Karabakh that is outside the scope of this report. <sup>39</sup>

During the snap presidential election in February 2024 journalists reported connectivity issues in Baku and other parts of the country, including issues transferring visual and audio content via WhatsApp, despite the fact that there were no signs of the blocking of the application. The Central Election Commission denied there were any connectivity issues while the Ministry of Digital Development and Transport remained silent. The connectivity issues were specifically reported by Nar and Bakcell subscribers. <sup>40</sup>

The connectivity issues reported by Ali Karimli, the leader of the opposition Azerbaijan Popular Front Party (APFP), during the previous coverage periods continued. Since April 2020, Karimli and his family have experienced a prolonged fixed-line and mobile internet outage, which continued throughout the current coverage period. <sup>41</sup> The outage appeared to be a targeted, individualized disruption.

According to Ali Karimli, internet disruptions were reported in May 2022 during his visit to the home of activist Agil Maharram, a member of the APFP who had recently been released from jail. <sup>42</sup> In the past, opposition activists and nearby residents have also reported experiencing connectivity issues in the hours before formally and informally held opposition rallies.



Wholesale access to international gateways is maintained by companies with close ties to the government. Only two ISPs, AzerTelecom and Delta Telecom, are licensed to connect to international internet traffic. **43** Delta Telecom owns the internet backbone and is the main distributor of traffic to other ISPs. It also controls the country's sole internet exchange point (IXP). **44**

**A4** 0-6 pts

<b>Are there legal, regulatory, or economic obstacles that restrict the diversity of service providers?</b>	<b>2 / 6</b>
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The ICT market in Azerbaijan is fairly concentrated in the hands of the government. The absence of regulatory reform also inhibits the sector's development. In December 2022, the European Union pledged to provide €1 million (\$1.1 million) to the Ministry of Digital Development and Transport "to enable the implementation of institutional measures to improve competition and regulation in the telecommunication sectors." **45**

In March 2023, the state announced plans to begin registering internet operators and providers within the requirements of the Law on Telecommunications and the "Regulation of keeping records of operators and providers providing Internet telecommunications services." Osman Gunduz of the Azerbaijan Internet Forum told journalists that the registration will help to create a competitive environment. According to Galib Gurbanov, the deputy chairman of the Ministry of Digital Development and Transport's Public Council, the new regulations will help "examine the quality of the service provided" and hold providers to account. **46**

Many ISPs are present in the market, including three state-owned providers, Aztelekom, Baktelecom, and AzDataCom. **47** The ownership of Aztelekom, the largest ISP operating outside Baku, is linked to President Ilham Aliyev's family. In January 2022, Deputy Minister of Digital Development and Transport Rustamov said the ministry had plans to merge Baktelecom and Aztelekom; however, no specific dates were announced. Rustamov claimed the merger could help provide more households with broadband internet access. **48** As of the end of the coverage period, the merger had not yet been officially announced. **49**

In December 2022, the State Antimonopoly and Consumer Market Control Service said it was investigating Baktelecom and Aztelekom's decisions to make changes



to their mobile broadband plans for allegedly manipulating the cost of the plans to gain additional advantages in the market (see A2). **50** No progress was made on the court case during the coverage period.

There are three major players in Azerbaijan's mobile service market: Azercell, Azerfon (operating under the brand Nar), and Bakcell. Azercell is the leading mobile service provider, with a market share of 48.2 percent. **51** Both Azercell and Azerfon are connected to the Aliyev family, **52** and in 2018, the government formally assumed ownership of Azercell. **53** Bakcell is privately held by NEQSOL, a holding company owned by businessman Nasib Hasanov.

Mobile operators must obtain a technical license from the government to do business. **54** These licenses are issued for a period of 10 years. There is no licensing regime for other ISPs, **55** but they must register with the Ministry of Digital Development and Transport. If they fail to do so, they will face fines. Some providers have raised concerns with the Ministry of Digital Development and Transport over the lack of transparency in the registration process, as well as the sensitivity of the information they must submit to register. The ministry's predecessor, the Ministry for Transportation, Communication, and High Technologies (MTCHT), claimed that registration was carried out in accordance with the law and dismissed concerns about improper data retention. **56**

In May 2023, Azercosmos signed a cooperation agreement with SpaceX. During the reporting period, Starlink website noted that the service was not yet available in Azerbaijan (see A1). **57**

**A5** 0-4 pts

**Do national regulatory bodies that oversee service providers and digital technology fail to operate in a free, fair, and independent manner?**

**0 / 4**

The government has a major role in controlling the ICT sector through state-owned companies and government institutions. Service providers are regulated by the Ministry of Digital Development and Transport, whose leadership is beholden to Aliyev. The ministry has undergone major changes in recent years, including in 2017, when the former Ministry of Communications and High Technologies was dissolved and merged with the Ministry of Transport, creating the MTCHT. In 2021, the MTCHT was renamed the Ministry of Digital Development and Transport. **58**

These changes have had a limited impact on the overall quality of internet services across the country.

Local civil society groups, like the Azerbaijan Internet Forum, have been critical of the Ministry of Digital Development and Transport's stewardship of the ICT sector.

## B. Limits on Content

**B1** 0-6 pts

<b>Does the state block or filter, or compel service providers to block or filter, internet content, particularly material that is protected by international human rights standards?</b>	<b>3/6</b>
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During the coverage period, the government restricted access to TikTok and continued to restrict access to websites, particularly those associated with the opposition or those that investigate politically sensitive topics, such as corruption among government officials. **59**

As the Azerbaijani military launched an operation in Karabakh on September 19, 2023, the government blocked access to TikTok. The block lasted until October 2023 (see A3). Previously, during the conflict between the Armenian and Azerbaijani militaries in Nagorno-Karabakh in 2020, the Azerbaijani government—namely, the government-controlled backbone provider, Delta Telecom—worked with Sandvine, a Canada-based company backed by a US-based private equity firm, to “urgently” install deep packet inspection (DPI) technology to block livestreaming to YouTube, Facebook, and Instagram. **60** In 2020, the MTCHT blocked access to Facebook, WhatsApp, Instagram, YouTube, TikTok, LinkedIn, Twitter, Zoom, and Skype for 46 days. **61** The government also blocked TikTok once again during border clashes in 2022.

In February 2024, the popular Russian language forum Baku365.com was blocked by mobile operators and local ISPs. The block followed the arrest of Farid Suleymanov, whose daughter posted about the arrest on the forum. **62**

In December 2023, a court in Baku order the blocking of opposition online YouTube channel Kanal13 and its website on the grounds the YouTube channel spread false, insulting, defamatory, and discrediting information about

government officials and other individuals. The channel's website was previously blocked in 2017. <sup>63</sup> Given that it is not possible to block YouTube URLs unless the whole YouTube platform is blocked, the channel's YouTube page remains accessible in the country. <sup>64</sup>

In November 2023, the media registry blocked access to the website Dia.az because it reportedly failed to register under the new media law (see B3).

In September 2023, a court ordered the blocking of the YouTube channel of the online news outlet Hürriyet at the request of the General Prosecutor's Office. The court concluded that the site violated the Law on Information, Informatization and Protection of Information by publishing prohibited information after it aired an interview with former colonel Elnur Mammadov, who criticized the army (see B3). <sup>65</sup>

In March 2022, access to several Russian government and media websites was throttled, reportedly including through virtual private networks (VPNs). Other websites, such as those of Russian state news agency RIA Novosti and Tass.ru, were periodically accessible. The Ministry of Digital Development and Transportation failed to provide an explanation for the blocking of these websites.

<sup>66</sup> The ministry also issued a statement saying that RIA Novosti was blocked because it had published a story that defamed Azerbaijan. <sup>67</sup> According to April 2024 Open Observatory for Network Interference (OONI) tests, access to RIA Novosti's website, ria.ru, continued to show signs of blocking. <sup>68</sup>

In October 2021, the Azerbaijani government blocked access to several pro-Iran websites—Deyerler (Values), Maide (Blessings), Ahlibeyt (Prophet's Household), Shia, and Islaminsesi (Voice of Islam)—that the state claimed were promoting Iranian and religious propaganda, following a rift in diplomatic relations between the two countries. <sup>69</sup> As of April 2024, Maide was accessible, while Shia, Ahlibeyt, and Deyerler remained blocked.

According to the most recent measurements from the OONI, at least 10 additional websites presented signs of blocking as of April 2024. They include the online news sites Azerbaijan Saati, 24 SAAT, Abzas, Azadliq.info, Radio Azadliq (Radio Free Europe/Radio Liberty's [RFE/RL's] Azerbaijani language service), Gununsesi, <sup>70</sup> and Meydan TV, as well as the websites for the Organized Crime

and Corruption Reporting Project (OCCRP) and RFE/RL. **71** During the coverage period, the government still had not made a list of websites that had been blocked available, in violation of the Law on Information, Informatization, and Protection of Information. **72** February 2024 OONI measurements also indicated signs of blocking of the British news outlet *The Guardian*. **73** The anomaly lasted for two days, and the measurements showed the website was accessible as of April 2024. **74**

The evidence of targeted blocking was evident during the visit of co-rapporteurs from the Parliamentary Assembly of the Council of Europe (PACE), Ian Liddel-Granger and Liz Kristoffersen, to Azerbaijan in June 2023. Throughout their visit, access to at least two independent news websites—Radio Liberty’s Azerbaijan service and Meydan TV—was lifted briefly, according to reports by local news platforms. **75**

**B2** 0-4 pts

**Do state or nonstate actors employ legal, administrative, or other means to force publishers, content hosts, or digital platforms to delete content, particularly material that is protected by international human rights standards?**

**2 / 4**

During the coverage period, authorities continued using threats and other forms of coercion to force the removal of online content.

In October 2023, activist Shahin Amanov was questioned over a post on Facebook in which he criticized a local administrative office. Amanov was forced to delete all of the posts in which he mentioned state institutions. The same month, activist Ilkin Calilov was questioned and compelled to provide testimony for commenting on a Meydan TV Facebook post (see C7). Calilov later removed the comment. **76**

In December 2022, Elmar Aziz, a blogger, was forced to remove a video he shared on Facebook in which traffic police were seen accepting a bribe. According to the blogger, the police threatened to arrest him unless he removed the video. **77**

In September 2022, Aziz Orujov was forced to remove a YouTube video that allegedly damaged the reputation of the Azerbaijani army during questioning at the Prosecutor’s General Office (see C3). **78** In November 2023, Orujov was

detained and placed in pretrial detention for three months. The period of his detention was extended in March 2024. A court ordered the blocking of the Kanal 13 YouTube URL that Orujov administered, but the URL remained accessible. The website of Kanal 13 was blocked and subsequently shut down by its administrators.

**79**

Between January and June 2023, Google received 6 content takedown requests from the Azerbaijani government concerning 21 items related to defamation, government criticism, privacy and security, and hate speech, but Google did not comply with any of them. In the second half of 2023, Google received 26 requests concerning 26 items and complied with 1. <sup>80</sup> Meta, the parent company of Facebook and Instagram, did not take down any items based on government requests in 2023. <sup>81</sup> X, previously known as Twitter, did not produce a transparency report during the coverage period. <sup>82</sup>

Users have previously reported takedowns or restrictions on Facebook. For instance, during the reporting period, the journalist Seymur Hezi reported that his Facebook profile was restricted after he shared a post about government-sponsored blackmail and harassment campaigns against state critics. <sup>83</sup>

**B3** 0-4 pts

<b>Do restrictions on the internet and digital content lack transparency, proportionality to the stated aims, or an independent appeals process?</b>	<b>1 / 4</b>
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Decisions to block websites or otherwise censor the internet in Azerbaijan are arbitrary and politicized, clearly targeting independent and opposition-affiliated news websites that are critical of the government. Court approval is not required before officially blocking a website, though it must be sought after the fact. Courts are not independent and are unlikely to provide genuine oversight. <sup>84</sup> There are no meaningful avenues for appeal, and no information about the total number of websites blocked at any given time, despite the Ministry of Digital Development and Transport's obligation to maintain a list of court-approved website blocks under Article 13.3.6 of the Law on Information, Informatization, and Protection of Information. <sup>85</sup> The law, alongside the Law on Media (see B6), regulates what constitutes prohibited information on the internet and determines the liability for violating these requirements. <sup>86</sup>

In December 2021, the new Law on Media came into effect. The law consolidates government oversight and control over the media environment and journalistic activity, creates a formal media registry, and enables the government to block websites that have had their registration rejected or failed to register (see B6). The law also forbids news outlets and individuals from publishing content about a crime committed by a person in the absence of a court decision. As such, journalists may face sanctions for publishing or disseminating information about corruption allegedly committed by government officials, even if these cases are already known to the public. **87**

In March 2023, President Aliyev approved a law stipulating penalties for violating the Law on Media, **88** including for failing to remove banned audiovisual content from broadcasting media platforms and their websites; violating the terms and conditions of a license granted to the audiovisual media; and publishing information about court cases in the absence of a final court decision. **89**

In January 2021, President Aliyev signed a decree “on deepening media reforms in the republic of Azerbaijan,” which transferred the authority of the now-defunct State Support Fund for Mass Media Development to the newly established Azerbaijani Agency for Media Development (AAMD). The decree grants the AAMD the authority to “take measures to protect state and commercial secrets” and to alert authorities when it detects a violation of the restrictive Code of Administrative Offenses (see C2).

Additionally, authorities have the power to “restrict access” to “prohibited information” on the internet or otherwise impose fines for distributing such content. **90** “Prohibited information” is defined as content that, among other things, promotes extremism, separatism, or terrorism; calls for public disorder; constitutes a state secret; conveys hate speech; insults or defames; violates copyright; glorifies suicide; or contains information related to illegal drugs, gambling, weaponry, or pornography. **91** The Ministry of Digital Development and Transportation is also empowered to block “prohibited information” when a website owner fails to remove it within eight hours of receiving notification.

Content that reveals personal information without consent may be subject to removal under Articles 5.7 and 7.2 of the Law on Personal Data. **92** A written



demand from the individual concerned, a court, or the executive branch is required. Authorities can also remove online content in cases of defamation. **93**

ISPs are immune from intermediary liability. However, they assume liability if they ignore court orders to block specific web resources. **94**

Policies that govern whether content about or from Azerbaijan is removed from popular, privately owned social media platforms—especially Facebook and YouTube—are opaque. They sometimes lead to the removal of content protected under international human rights standards (see B2).

**B4** 0-4 pts

<b>Do online journalists, commentators, and ordinary users practice self-censorship?</b>	<b>1 / 4</b>
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*Score Change: The score declined from 2 to 1 because of increased self-censorship in the online environment as the government arrested a wide swath of individuals affiliated with independent media outlets.*

The long-running government crackdown against independent and opposition media, which has been combined with the arrests of online political activists and increasingly restrictive laws, worsened during the coverage period. Some bloggers and journalists have resorted to self-censorship, especially if they are employed by state or progovernment media. According to IREX's 2022 Vibrant Information Barometer (VIBE), "in fear of persecution, many media outlets self-censor" in Azerbaijan. **95** The 2023 edition of VIBE also found that the government's support of state media further encourages self-censorship. **96**

Self-censorship is pervasive even among ordinary social media users, who are aware that they may face criminal charges for their expression online. After the snap presidential elections held in February 2024, the Organization for Security and Cooperation in Europe (OSCE) reported that "highly restrictive media legislation as well as recent arrests of critical journalists have hindered the media from operating freely and led to widespread self-censorship." **97** According to the media law (see B3 and B6), it is illegal to publish content concerning a criminal case that has yet to be ruled on in court.



The prosecutor's office takes measures against the dissemination of prohibited information on the internet by issuing warnings and administrative offenses. **98**

**B5** 0-4 pts

**Are online sources of information controlled or manipulated by the government or other powerful actors to advance a particular political interest?**

**1 / 4**

The government attempts to tightly control the online information landscape, limiting the public's access to unfavorable news. Many online outlets spread progovernment propaganda.

During a snap presidential election which took place on February 7, 2024, independent media outlets reported violations in several polling stations across the country. However, these reports were dismissed as false by the Media Development Agency. **99**

In January 2024, two websites known for their progovernment reporting published articles that targeted several independent news outlets, individuals, and international organizations. Among those targeted were Abzas Media, Toplum TV, the Committee to Protect Journalists, Open Technology Fund, and Azerbaijan Internet Watch. The articles also alleged that journalists Khadija Ismayilova and Arzu Geybullayeva, and political and civic activist Akif Gurbanov were leading anti-Azerbaijan work in the country. Abzas Media and Toplum TV's journalists are currently imprisoned following widespread arrests of media figures that started in November 2023 (see C3). **100**

Progovernment commentators, including automated bots, continue to distort discussions online. The September 2021 trial of the executive director of the former State Media Support Fund, Vugar Safarli, shed further light on the state's use of Facebook trolls to target those who criticize the authorities. The trial revealed that trolls were deployed with the knowledge of a former presidential advisor and the former head of the presidential administration. Safarli confessed that the trolls were employed unofficially. In an interview with Azadliq Radio, an anonymous individual who worked as a troll reported that each troll operated a large number of fake profiles. Prewritten comments were sent to the trolls each

day. According to the former troll, they were also given instructions to create content on various topics for publication on progovernment media platforms. **101**

Meta's first quarter Adversarial Threat Report of 2022 revealed that actors linked to the Ministry of Internal Affairs ran Facebook pages critical of activists and opposition figures and tried to gain access to their accounts (see C8). **102**

Additionally, a September 2021 investigation conducted by Azerbaijan Internet Watch revealed that 549 fake Facebook accounts had targeted a Facebook post shared by Azadliq Radio, posting comments that claimed the outlet was biased and publishing false information. The post, created by political cartoonist Gunduz Aghayev, addressed the rising cost of fuel in the country. **103** The presence of fake Facebook accounts continues to be an issue, visible during the snap presidential election in February 2024 and military operations launched in September 2023.

**104**

In April 2021, *The Guardian* published a report demonstrating how Facebook allowed a troll network linked to the ruling New Azerbaijan Party (YAP) to return to the platform. The network, which was initially removed in October 2020 after former Facebook researcher Sophie Zhang informed company executives about its existence in August 2019, used Facebook to target news outlets Azad Soz, Mikroskop Media, RFE/RL, and Abzas.net, as well as political opposition parties, including the APFP. **105**

In March 2021, another investigation revealed that Berlin-based independent news platform Meydan TV was targeted by hundreds of Facebook accounts that accused the news outlet of distributing pro-Armenian propaganda after it had posted a call for applications for a media literacy project. **106** Mikroskop Media, a Germany-based online platform, was targeted in a similar way when it posted content on Facebook that was critical of the Azerbaijani government. **107** In each case, accounts that appeared to be Facebook profiles turned out to be fake pages used to dilute the content shared by these platforms and to attempt to create a perception of trust and support for the government of Azerbaijan.

**B6** 0-3 pts

Are there economic or regulatory constraints that negatively affect users' ability to publish content online?

**0/3**

The limits imposed on independent or opposition media make it difficult for them to attract advertising to sustain their work. The 2022 IREX VIBE found that “for at least 20 years, businesses have been instructed to not advertise with media that criticize the government.” <sup>108</sup> Companies are reluctant to support these outlets due to the risk of losing their business licenses or facing other reprisals from the government. Election monitors from the OSCE reported that they were informed “about harassment of advertisers who sponsor private media.” <sup>109</sup> In May 2023, Red Line Channel, a prominent online news outlet based on YouTube, was informed that a government agency demanded they leave their office, which the editor-in-chief claimed was in retaliation for changing its format to cover a wider range of news and for accepting private donations. <sup>110</sup>

The media law enacted in February 2022 places additional requirements on outlets or individuals who wish to establish an online media outlet (see B3 and B8). Article 14 of the media law lists 14 requirements that both online and offline media must meet when they publish any content. For instance, Article 14.1.6 authorizes the state to consider any impugned statement or general criticism as “immoral lexical [swearing] words or expressions” without clarifying what these words are. The law also stipulates that published content must meet the requirements of the Law on Protection of Children and Harmful Information and the Law on Information, Informatization, and Protection of Information.

Article 62.4 of the media law requires online media focused on religious content to receive approval from the State Committee for Work with Religious Organizations prior to launching. While the law does not require individuals or outlets to obtain permission to establish an online media platform, it does require that permission be obtained seven days prior to the publication or dissemination of any relevant media content. Furthermore, the law calls for a unified media registry system for all online media outlets, journalists working for online platforms, and freelance journalists (see C4). The registry is managed by the Media Development Agency. All online media outlets were required to apply to the registry within six months of it becoming operational. To qualify as an online media platform, an outlet must publish a minimum of 20 articles per day. The owner of the platform must be a citizen of Azerbaijan permanently residing in the country. If the founder is an entity, then 75 percent of the capital must belong to a citizen of Azerbaijan permanently residing in the country. <sup>111</sup>

Further restrictions in the media law include requiring individuals intending to launch an online media platform to possess a clean criminal record and no political or religious affiliations. Individual journalists who want to register must have a college degree, while staff journalists must have an employment contract and freelance journalists are required to have at least one civil contract with a registered media outlet. Media platforms are issued certificates and journalists are issued press cards. Online media platforms that fail to register with the state will be denied recognition as mass media and will be unable to hire journalists. Journalists employed by unregistered online media platforms will be denied official registration and will therefore be unable to receive official press cards.

In October 2022, the media registry stipulated under the new law became operational. The government reported that 200 media outlets, both online and offline, and 180 journalists applied, and in January 2023 it approved 160 of the 200 applications from media outlets, rejecting several applications from online publications. The creation of the registry sparked protests throughout the coverage period (see B8). <sup>112</sup> The government initially planned to take outlets that are not approved by the registry to court, which would decide if the outlets could continue to operate, but the authorities later backtracked on that plan and said that registration was “voluntary.”

In November 2023, a court blocked access to the website Dia.az based on a request from the Media Development Agency under the media law (see B1). The Media Development Agency claimed the website had failed to apply for registration, though the site’s manager contended that it was a blog and not a formal news site. Separately, the Media Development Agency also declined to register the Gundem Xeber website in September 2023. <sup>113</sup> The state claimed the website failed to meet the requirement of producing a minimum of 20 news items per day, as stipulated by article 60.5 of the new media law. Other websites that had their registration denied, including 24SAAT, Minegecevir Isiqdari, and Dia.az, have taken the media registry to court, though no hearings had been held as of the end of the coverage period. <sup>114</sup> Instead, the Media Registry itself brought court cases against several, including 24SAAT, Dogruxeber, and Gundem Xeber. <sup>115</sup>

In February 2023, lawmakers introduced a draft law that would amend the criminal code to stipulate penalties for noncompliance with the media law (see B3). <sup>116</sup> The bill was approved by the president in March 2023. <sup>117</sup>

Laws regulating foreign funding for nongovernmental organizations (NGOs) have made it easier for the government to target local civic groups and media outlets that receive grants from outside sources. In 2015, President Aliyev signed amendments to the Law on Mass Media that allow courts to order the closure of any media outlet that receives foreign funding or is convicted of defamation twice in one year. <sup>118</sup> Amendments passed in 2014 to the Law on Grants complicated the process of receiving grants, preventing several online outlets from operating. <sup>119</sup>

**B7** 0-4 pts

**Does the online information landscape lack diversity and reliability?**

**2** / 4

The online information landscape in Azerbaijan already lacked diversity, in large part due to both the government's practice of blocking independent news websites (see B1) and the close ties between certain outlets and government leadership (see B5). According to the 2022 VIBE from IREX, "The government attempts to control independent media, if not by buying them out or shutting them down, then through legislating restrictive measures." <sup>120</sup> Beginning in November 2023, the media landscape shrank further as several online independent and opposition outlets were targeted in a renewed crackdown. Among those affected were two larger newsrooms—Abzas Media and Toplum TV—as well as smaller websites and YouTube channels like Kanal 13 and Kanal 11. The staff, including editors and technical team members, were placed in pretrial detention and face smuggling charges (see B1 and C3). <sup>121</sup>

Azerbaijani internet users can and do access blocked websites through VPNs.

**B8** 0-6 pts

**Do conditions impede users' ability to mobilize, form communities, and campaign, particularly on political and social issues?**

**3** / 6

*Score Change: The score declined from 4 to 3 to reflect limited online organizing during the coverage period as the government arrested several activists and media practitioners.*

The crackdown on independent media and activists through the coverage period (see B7 and C3) negatively impacted online organizing. The increased fear of government reprisal and associated burnout has limited the number of online campaigns. The only notable campaign was during the crackdown on Abzas Media, prompting the “#FreeAbzasJournalists” campaign on social media. <sup>122</sup>

In February 2023, during the previous coverage period, a group of activists staged a protest outside the courtroom where a judge ruled to extend the pretrial detention of political activist Bakhtiyar Hajiyev (see B2 and C3). At least five activists who attended the rally were arrested as a result, and two were placed in pretrial detention for 30 days. <sup>123</sup> Another protest calling for Hajiyev’s release was organized in December 2022. A veteran opposition activist, Tofiq Yagublu, was arrested during the protest. <sup>124</sup> In all cases, Facebook was used as the main platform where activists shared the calls for protest and invited other users to join them.

Also in February 2023, a group of independent journalists and news platforms launched a campaign, “We do not want licensed media,” to protest the new media registry that went into effect in October 2022 under the 2022 media law (see B3 and B6). <sup>125</sup>

## C. Violations of User Rights

**C1** o-6 pts

**Do the constitution or other laws fail to protect rights such as freedom of expression, access to information, and press freedom, including on the internet, and are they enforced by a judiciary that lacks independence?**

**1/6**

The right to freedom of expression is guaranteed in the constitution, <sup>126</sup> and Azerbaijan is a signatory to international agreements, including the European Convention on Human Rights (ECHR) and the International Covenant on Civil and Political Rights (ICCPR), that protect users’ rights. However, the government frequently fails to uphold freedom of expression guarantees online.



Amendments to the Law on the Status of the Armed Forces that were approved in 2017 provided additional legal grounds for censorship, **127** restricting journalists' ability to report on matters related to the military. **128** At the outbreak of the conflict in Nagorno-Karabakh in September 2020, President Aliyev declared martial law, giving the government greater authority to restrict internet access and suspend mass media, including online media, until the designation was lifted in December 2020 (see A3 and B3).

In practice, the rights of journalists and other users to express themselves freely online are diminishing. Recent years have seen a slew of detentions, prosecutions, and harsh prison sentences imposed on people for criticizing the security forces, the president, and other leaders and for exposing poor governance and corruption. The lack of an independent judiciary leaves users vulnerable to facing prosecution for online speech with few realistic avenues for recourse.

**C2** 0-4 pts

**Are there laws that assign criminal penalties or civil liability for online activities, particularly those that are protected under international human rights standards?**

**2 / 4**

A host of problematic laws allow users to be punished for speech and other online activities that are protected under international human rights standards.

Libel charges are commonly used against government critics, and the courts have confirmed that libel laws apply to social media posts. **129** In 2013, general provisions on defamation and insult were expanded to include criminal liability for online content. **130** Articles 147.1 and 148 of the criminal code criminalize the deliberate dissemination of false online content that harms someone's honor or reputation **131** and "obscene" **132** expressions that are humiliating to one's dignity, respectively. Respective fines for such transgressions range from 1,000 to 1,500 manat (\$590 to \$880) and 300 to 1,000 manat (\$180 to \$590), while potential punishments under both articles include 240 to 480 hours of community service, up to one year of corrective labor, or up to six months in jail. **133** A 2016 amendment to Article 148 criminalized insults disseminated online using fake "usernames, profiles, or accounts" with punishments of between 1,000 and 1,500 manat (\$590 and \$880) in fines, 360 to 480 hours of community service, up to two years of corrective labor, or imprisonment for up to one year. **134**



In 2016, changes to Article 323 of the criminal code introduced a maximum prison sentence of two years for defaming the president in mass media, which include social media. Defaming the president through fake “usernames, profiles, or accounts” may result in a three-year prison sentence. <sup>135</sup> Falsely accusing the president of “having committed a serious or especially serious crime” online may result in a five-year prison sentence. <sup>136</sup> In 2017, the fines associated with these offenses were increased. <sup>137</sup>

The Law on Information, Informatization, and Protection of Information was adopted in 1998 and amended in both 2017 and 2020. It grants broad powers to the state authorities for deciding what constitutes prohibited material. There is no unified list of what the state defines as prohibited information, though the definition was amended to include “false information” in 2020. The law forbids users from sharing such “prohibited information” on information telecommunication networks. <sup>138</sup>

Under the code of administrative offenses, individuals, officials, and legal entities can be fined for publishing “prohibited information.” <sup>139</sup> In March 2020, the code of administrative offenses was amended such that individuals and officials can face up to one month of administrative detention for publishing “prohibited information.” <sup>140</sup> Article 388.1 includes steep fines and up to one month of administrative detention for users and owners of websites “or information resources” who post “prohibited” information on telecommunication networks. <sup>141</sup>

Since 2013, the code of administrative offenses has allowed courts to hold individuals in administrative detention for up to 90 days. <sup>142</sup> Administrative detention, which can be imposed for offenses such as disorderly conduct, has been used to punish activists and journalists.

**C3** 0-6 pts

<b>Are individuals penalized for online activities, particularly those that are protected under international human rights standards?</b>	<b>1/6</b>
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Users, especially activists, bloggers, journalists, and members of the political opposition, are often prosecuted on trumped-up charges for their online activities. During the coverage period, the government detained and sentenced

journalists and bloggers for criticizing officials. In some cases, those who criticized officials were falsely accused of using drugs, committing acts of “hooliganism,” or engaging in smuggling as a pretext for their arrests.

In May 2024, police arrested political activist Famil Khalilov, accusing him of hooliganism. Khalilov refuted allegations, and said his arrest was political and related to his online activism. He was sentenced to four months in prison on drug possession charges. **143**

In April 2024, Imran Aliyev (see C7), the founder of a website that publishes statements made by members of parliament, was detained at an airport. Aliyev was then placed in pretrial detention for two months and charged with smuggling currency in connection with other ongoing state investigations of independent media outlets. **144**

Also in April 2024, several TikTok users were detained and sentenced to administrative detention on the grounds that they had violated social norms and values. **145**

In March 2024, police arrested journalists from the online news platform Toplum TV, as well as two of its founders, Alasgar Mammadli and Akif Gurbanov, on alleged smuggling charges. The Toplum TV office was closed, and the outlet’s editor in chief, Khadija Ismayilova, was banned from travelling. The court placed Mammadli, Gurbanov, and Toplum TV journalist Mushvig Jabbar in pretrial custody for four months. Two other Toplum TV journalists—Farid Ismayilov and Elmir Abbasov—were placed under house arrest. **146**

In February 2024, journalists Avaz Zeynalli, editor of news site Khural, and Elnur Shukurov, who runs a YouTube channel with just over 50,000 subscribers, were sentenced to nine years and four years in prison, respectively, on extortion charges. The prosecutor claimed that they had accepted bribes from an official, but Zeynalli asserted that it was in retaliation for their journalism. **147**

Also in February 2024, blogger Rashad Ramazanov was sentenced to five years and four months in prison on drug-trafficking charges. Ramazanov had been detained since May 2022, and alleged that he was tortured (see C7). Human rights groups recognize Ramazanov as a political prisoner, and viewed the sentence as a reprisal

for his criticism of the government on social media. He was previously sentenced to nine years in prison for drug trafficking in 2013, but was pardoned in 2019. **148**

In April 2024, blogger Jamil Mammadli, who previously worked for RFE/RL's Azerbaijan service, was sentenced to six years and two months in prison for fraud and hooliganism. He claimed the charges were in retaliation for his reporting on the north of the country. **149**

In January 2024, a court arrested Arzu Sayadoglu, a blogger who has often criticized the authorities, and placed him in pretrial detention for four months on charges of extortion. **150**

Also in January 2024, a court sentenced civic activist Ruslan Vahabov to four years in prison on drug charges. Vahabov was arrested in September 2023, just a day after he had questioned the September 2023 military operation in Nagorno-Karabakh on Facebook. **151**

In December 2023, activist and former police officer Ilhamiz Guliyev was sentenced to 30 days in administrative detention on drug possession charges. Guliyev said he was arrested shortly after speaking to Abzas Media about how police planted drugs on activists. Prior to his arrest, he was told that he had been placed on a travel ban while attempting to leave the country. He was arrested shortly thereafter. In court, Guliyev said he was subjected to torture both during detention and during questioning. **152**

Several other journalists and bloggers were arrested in December 2023, including Kanal 11's founder and director, Teymur Karimov. Karimov was placed in pretrial detention for four months on extortion charges. **153** In November 2023, Kanal 13's director, Aziz Orujov, and a Kanal 13 employee, Shamo Eminov, were arrested on currency smuggling charges, and had their pretrial detentions repeatedly extended. **154** In June 2024, after the coverage period, both of their detentions were extended an additional three months. In November 2023, police also arrested Kanal 13 presenter Rufat Muradli on hooliganism charges and sentenced him to 30 days in administrative detention. Muradli was released after completing the sentence. Two more journalists from online news outlets were arrested in December and sent to pretrial custody—Ibrahim Humbatov of Azerinfo.az and Arshad Ibrahimov of Dunyaninsesi.az on alleged extortion charges. **155**

In November 2023, a wave of arrests targeted employees of the online news platform Abzas Media. During the coverage period all six journalists affiliated with the platform, including its director Ulvi Hasanli; editor in chief Sevinc Vagifgizi; journalists Nargiz Absulamavoa, Elnara Gasimova, and Hafiz Babali; and collaborator Mahammad Kekalov, remained in pretrial detention on fabricated currency smuggling charges. In March 2024, a Baku court extended their pretrial detentions for an additional three months. **156**

Throughout April 2024, journalists affiliated with both Abzas Media and Toplum TV were called in for questioning as part of the ongoing investigations of the platforms. **157**

In October 2023, civic activist Emin Akhundov was arrested on hooliganism charges, which he claimed was a result of his criticism on social media. **158** Several other activists, including Tural Farzili, Zeka Miragayev, and Mohyaddin Orujov, were detained, questioned and arrested during the same month under similar circumstances. **159** A member of the opposition APFP, Kenan Zeynalov, was also arrested because of his social media posts and sentenced to 25 days in administrative detention in October 2023. **160** Another member of the APFP, Matanat Mahmarzayev, was questioned by the police over her social media posts criticizing the president and the ruling government. **161**

In September 2023, freelance journalist Nurlan Gahramanli and former diplomat Emin Ibrahimov were arrested for violating the Law on Information, Informatization and Protection of Information by spreading prohibited information. Gahramanli and Ibrahimov were both sentenced to 30 days in administrative detention. Civic activist Amrah Tahmazov was also sentenced to 30 days in administrative detention the same month on the same charges. The arrests took place during the military operation launched by the government of Azerbaijan into Nagorno-Karabakh. **162** During that month, several other activists who expressed antiwar sentiments were sentenced to administrative detention, including Afiaddin Mammadov and Nemet Abbasov. **163**

In August 2023, labor-rights activist Afiaddin Mammadov was arrested on “hooliganism” charges, though he claimed the real reason for his arrest was his critical social media posts, which the judge repeatedly brought up in court. **164**

Mammadov placed in pretrial detention for two months, where he claimed he was tortured. He remained detained as of the end of the coverage period. **165**

In August 2023, the editor of the website Sarkazm.az, Zaur Gambarov, was arrested on hooliganism charges. Gambarov faces up to five years in prison if he is found guilty. **166**

In January 2023, a member of the Muslim Union Movement, Mahir Azimov, was arrested and charged with drug possession. The religious activist refuted the charges, claiming his arrest was prompted by his social media posts, which often criticized the state. **167** Azimov was sentenced to four years in prison in July 2023. **168**

In May 2023, a court sentenced Zamin Salayev to four years in prison on hooliganism charges, though his lawyer has stated that the charges were related to Salayev's criticism of the government on social media. Salayev was held in pretrial detention after he was arrested in February 2023. In July 2023, a court of appeal upheld his four-year sentence. **169**

In February 2023, Zaur Usubov, an activist and a member of the APFP, was sentenced to 25 days of administrative detention over his social media posts that criticized the state. He was charged with "resisting police," a common criminal charge used against activists. **170**

In December 2022, activist Bakhtiyar Hajiyeu was arrested on charges including hooliganism and contempt of court and placed in pretrial detention for 50 days. His detention was extended until April 2023 and later extended further. In May and August 2023, a court refused to release Hajiyeu into house arrest. **171** Hajiyeu was previously detained in August 2022 after he criticized the Ministry of Internal Affairs on Facebook. He was forced to remove the post and threatened with harsher measures if he refused to refrain from criticizing the ministry online. **172** He remained in detention at the end of the coverage period.

In July 2022, a YouTube channel host, Abid Gafarov, was sentenced to one year in prison on charges of insult and slander. Gafarov was arrested over complaints leveled against him by a group of war veterans who felt insulted by his comments about veterans not standing up for their rights. Although the veterans later withdrew their complaint, Gafarov was nevertheless sentenced. Prior to his arrest,

Gafarov was known for his coverage of the TerTer case, in which dozens of military officers were tortured over alleged accusations that they spied for Armenia. **173**

In May 2022, Razi Humbatov, a member of the religious movement “Muslim Unity,” was sentenced to six years in prison. **174** In July 2021, police kidnapped Humbatov and later charged him with drug possession. A Facebook post shared by “Muslim Unity” said that Humbatov was arrested because of his social media posts, in which he often criticized the authorities. Shortly before his arrest, Humbatov wrote, “Ilham Aliyev these people don’t love you.” Humbatov claimed that he was tortured during his detention (see C7). **175**

**C4** 0-4 pts

**Does the government place restrictions on anonymous communication or encryption?**

**3/4**

The SIM cards, serial numbers, and phone numbers of all mobile phones in Azerbaijan must be registered. This requirement was introduced by the Cabinet of Ministers in 2011 without parliamentary approval. **176** Mobile operators are required to limit service to any unregistered devices. Mobile operators have also started linking SIM cards to Asan Imza, a government-launched mobile ID service, though it is not required. **177**

The use of encryption services is not prohibited, and many civil society activists rely on secure messaging applications to carry out their work. This, however, does not necessarily protect them from state-sponsored hacking (see C8). While no law specifically requires users to turn over decryption keys when they are arrested or detained, in practice, authorities gain access to encrypted accounts and devices through intimidation or torture.

For several years, members of parliament have proposed introducing the compulsory use of national IDs when registering with social media platforms and posting comments, but this measure has yet to be approved.

**C5** 0-6 pts



State surveillance is pervasive, though the exact extent to which security agencies monitor ICT activity or track users remains unclear. The government is believed to make use of Russia's System for Operative Investigative Measures (SORM), in part because at least one Russian company involved in the manufacture of SORM-compliant interception hardware has done business with Azerbaijani authorities.

**178**

In April 2024, a new investigation revealed that Azerbaijan purchased Candiru spyware through government ties with the sons of Israel's former finance minister, Avigdor Lieberman. **179**

In July 2021, a sprawling investigative initiative led by Forbidden Stories, a nonprofit that aims to publish the work of journalists facing threats, concluded that Pegasus, a spyware tool produced by NSO Group, an Israeli cybersurveillance company, had been used against journalists and activists in countries around the world, including Azerbaijan. **180** Reporters with the OCCRP, which was among the groups working on the project, found some 250 potential targets in Azerbaijan, the majority of whom were "dissidents, activists, journalists, and opposition politicians." The OCCRP added that "journalists came under particular pressure, with dozens of prominent names, including the OCCRP's Khadija Ismayilova, appearing on the list." **181** In May 2023, a joint report by Amnesty International's Security Lab, Access Now, Citizen Lab, CyberHUB-AM, and independent mobile security researcher Ruben Muradyan revealed that there were two suspected Pegasus operators based in Azerbaijan: YANAR, which focuses on domestic targets, and BOZBOSH, which focuses on targets abroad. The report identified Armenians who had been targeted by Pegasus, noting that "the targets would have been of intense interest to Azerbaijan"; however, it failed to conclusively determine who perpetrated these attacks. **182**

In October 2018, Israeli newspaper *Haaretz* reported that Israel's Verint Systems had sold surveillance equipment and software to the Azerbaijani government, and local police later used it to identify the sexual orientation of Facebook users. **183** The timing of the transaction overlapped with an unprecedented crackdown on



LGBT+ people in Azerbaijan in September 2017 and a number of seemingly random detentions and arrests. **184**

An April 2018 report by Qurium revealed that the Azerbaijani government had purchased specialized security equipment from the Israeli company Allot Communications in 2015 for around \$3 million. **185**

The Law on Operative-Search Activity (Article 10, Section IV) authorizes law enforcement agencies to conduct surveillance without a court order in cases where it is regarded as necessary to prevent serious crimes against individuals or especially dangerous crimes against the state. **186** The vaguely written provision leaves the law open to abuse. It has long been believed that the State Security Service and the Ministry of Internal Affairs monitor the communications of certain individuals, especially foreigners, prominent political activists, and business figures. **187**

Activists and journalists often complain of device confiscation after detentions, noting that police refuse to return their devices for long periods. Some have said they were forced to give up their device login passwords under duress.

**C6** 0-6 pts

<b>Does monitoring and collection of user data by service providers and other technology companies infringe on users' right to privacy?</b>	<b>1/6</b>
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The Ministry of Communications requires all telecommunications companies to make their equipment and facilities available to the State Security Service. **188** Mobile service providers are known to surrender the content of users' conversations without a court order.

In April 2020, Ali Karimli, leader of the APFP, began to experience a prolonged fixed-line and mobile internet outage, which also affected his family (see A3). **189** The outage appeared to be a targeted, individualized disruption. Amid the outage, Karimli, his supporters, and journalists had difficulty contacting his ISP and his mobile operator, Azercell. Karimli later sued these companies, along with several government institutions, but a court dismissed the suit. He also sent his router to be inspected by a repair service, only to never hear from the company. Meanwhile, Zahid Oruc, a member of parliament, suggested in an interview that Karimli simply

get a new SIM card. <sup>190</sup> During this time, Karimli's WhatsApp and Telegram accounts were also reportedly hijacked; APFP member Fuad Gahramanli accused Azercell of diverting Karimli's two-factor authentication codes to progovernment hackers. <sup>191</sup> Azercell denied the charge. <sup>192</sup>

In January 2019, the government shut down mobile internet and phone service during a political rally; later, scores of attendees were questioned by the police based on location data taken from their mobile devices. Many took to social media platforms to accuse mobile service providers of disclosing the names, phone numbers, and location data of subscribers who attended the rally. When Azadliq Radio inquired about these accusations, mobile companies cited the need to comply with certain legislation. Under Article 39 of the Law on Communication, the service providers are obliged to provide government institutions with any requested subscriber data. <sup>193</sup>

The 2010 personal data law regulates the collection, processing, and protection of personal data—that is, an individual's name, date of birth, racial or ethnic background, religion, family, health status, and criminal record—as well as issues related to the cross-border transfer of personal data. <sup>194</sup> Legal analysis demonstrates that the government does not effectively protect individuals' data privacy. Additionally, the government has repeatedly failed to inform citizens when their personal data has been compromised in cyberattacks (see C8). <sup>195</sup> Moreover, subscribers with agreements signed with operators and providers are not given the information on third parties to which both operators and providers may sell data. <sup>196</sup>

**C7** 0-5 pts

**Are individuals subject to extralegal intimidation or physical violence by state authorities or any other actor in relation to their online activities?**

**1/5**

*Score Change: The score declined from 2 to 1 due to increased reports of torture of individuals who were arrested in relation to their online activity.*

Campaigns of extralegal intimidation by authorities against perceived political opponents are common, and there are credible reports of such figures being tortured while in state custody.

In May 2024, activist İlhamiz Guliyev, who was arrested in December 2023 on drug possession charges (see C3), said he was severely tortured while in custody. **197**

In April 2024, political activist and founder of the website Meclis.info İmran Aliyev was reportedly tortured while in detention. Aliyev said he was electroshocked and beaten before being forced to sign a confession for the alleged crime he was being charged with (see C3). **198**

In February 2024, blogger Rəşad Rəzazadə, who was sentenced to over five years in prison on drug trafficking charges, claimed he was tortured while he was detained (see C3). **199**

In November 2023, Ulvi Həsənlı, director of Abzas Media, said he was beaten during questioning following his arrest (see C3). **200** After the arrest of Həsənlı and several other members of the Abzas Media team, it was reported that their credit cards were blocked, pension payments to their family members were suspended, and the both their personal bank accounts and accounts belonging to their family members were frozen by the state. **201**

In October 2023, law enforcement officers beat İlkin Cəlilov after he left a comment on a Meydan TV Facebook post about the uneven distribution of oil revenues (see B2). **202**

In August 2023, Afiəddin Məmmədov, who remained in pretrial detention on “hooliganism” charges (see C3), claimed he faced torture while in detention. **203**

In November 2022, Məmmədov, who is an activist and member of the opposition D18 movement, was tortured by the police during another detention. Məmmədov told the media that the reason for torture was his refusal to give the police access to his mobile device. Məmmədov was arrested in November 2022 and detained for 30 days (see C3). **204**

In March 2022, political activist Bəxtiyar Hacıyev was physically attacked by the police, who broke his car windows and beat him while he was detained (see C3). In September 2021, Hacıyev said he was threatened by Baku Police Chief Alekper İsmayilov over a Facebook post in which Hacıyev criticized several government institutions and officials, including Interior Minister Vilayət Eyvazov, for failing to respond to his submitted complaints. **205** Hacıyev was then kidnapped in April 2022. At the time, the activist said the perpetrators forced him to remove several

Facebook posts that were critical of the interior minister. In December 2022, Hajiyev was arrested on bogus charges and sentenced to 50 days in pretrial detention (see C3).

Online harassment also continued in Azerbaijan. In the past, several women activists and journalists have experienced harassment or had personal photos of them leaked on the internet, including a spate of attacks around International Women's Day. **206**

The government uses travel bans to stymie prominent critics, and authorities pressure lawyers who represent defendants in freedom-of-expression cases. **207** To suppress dissidents in exile, the government regularly intimidates dissidents' relatives who remain in Azerbaijan, and dissidents themselves occasionally face intimidation abroad. **208**

**C8** 0-3 pts

<b>Are websites, governmental and private entities, service providers, or individual users subject to widespread hacking and other forms of cyberattack?</b>	<b>0/3</b>
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Opposition news websites and activists continue to be targeted by cyberattacks, ranging from distributed denial-of-service (DDoS) attacks to spear-phishing attempts that are believed to be state-sponsored.

In March 2024, Toplum TV's YouTube channel was hacked and over 3,000 videos were deleted. Their channel was renamed and its administrators lost access to it. Similarly, after the media platform's Instagram account was hacked, the Toplum TV team lost access to it and the account was deleted. **209** The platform's other social media channels were secured and handed over back to the site's original administrators.

Previously, in September 2022, Toplum TV reported that its Facebook page was compromised. The platform's followers, as well as two months' worth of content, were removed. The online news platform's Facebook page was previously hacked in September and November 2021. At that time, the hacker obtained access to the page by SMS interception. **210**

Similarly, an attempt to hack into Abzas Media’s social media accounts failed after admins managed to secure access to these pages via third party organizations. **211**

In March 2023, Red Line Channel, an online outlet that was also evicted from its office during the coverage period (see B6), was hacked and had its Facebook posts deleted. **212**

In April 2022, Meta reported that a network linked to the Ministry of Internal Affairs had employed compromised websites and malware to obtain personal information about a range of targets, including activists, opposition figures, and journalists. The campaign operated across several platforms, including Facebook, Twitter, LinkedIn, and YouTube (see B5). **213**

State institutions have also suffered cyberattacks. **214** These hacks are exacerbated by the country’s outdated national legislation and insufficient commitment on the part of the authorities to cybersecurity matters. The “National Strategy of the Republic of Azerbaijan on Information Security and Cybersecurity for 2020-2025” has been in the works since March 2020, but it has yet to materialize. In September 2022, the State Service for Special Communication and Information Security in Azerbaijan said the Cabinet of Ministers was expected to approve a cyber strategy. Neither had been announced by the end of the coverage period. **215**

## *Footnotes*

- 1** “Why Internet speed is slow in Azerbaijan? [in Azerbaijani],” Sia.az, September 23, 2022, <https://sia.az/az/news/technology/984898.html>.
- 2** International Telecommunications Union (ITU) Datahub, “Statistics: Mobile Broadband Subscriptions, Fixed Broadband Subscriptions,” accessed August 2024, <https://datahub.itu.int/data/?e=AZE&id=2>; International Telecommunications Union (ITU), “Individuals using the Internet,” accessed April 2024, <https://datahub.itu.int/data/?e=AZE&c=701&i=11624>.
- 3** “Azerbaijan expands internet access to the entire territory, including liberated territories,” News.az, January 12, 2024, <https://www.news.az/news/azerbaijan-expands-internet-access-to-the-enti...>

- 4 “Why internet quality is low at tourism facilities in Azerbaijan, [in Azerbaijani,” Baku.ws, August 16, 2023, <https://baku.ws/social/197575>.
- 5 “Global Speeds: Azerbaijan,” Speedtest Global Index, Ookla, accessed April 2024, <https://www.speedtest.net/global-index/azerbaijan#fixed>.

More footnotes



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### Country Facts

Population

**10,140,000**

Global Freedom Score

**7/100**    **Not Free**

Internet Freedom Score

**34/100**    **Not Free**

Freedom in the World Status

**Not Free**

Networks Restricted

**Yes**

Social Media Blocked

**Yes**

Websites Blocked

**Yes**

Pro-government Commentators

**Yes**

Users Arrested

**Yes**

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